AN EXTERNAL REVIEW OF THE STATE'S RESPONSE TO THE CIVIL UNREST IN MINNESOTA FROM MAY 26-JUNE 7, 2020

A Report of Findings and Recommendations Prepared by Wilder Research
for the Minnesota Department of Public Safety

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EXECUTIVE SUMMARY

On May 25, 2020, a Black Minneapolis resident, George Floyd, was murdered by a Minneapolis police officer, Derek Chauvin. The officer kneeled on Mr. Floyd's neck for over nine minutes, while two other Minneapolis police officers helped pin him down for a portion of that time. Another police officer prevented several bystanders from intervening as they watched Mr. Floyd die.

Vigils and peaceful protesting began immediately after the murder, at the scene (38th Street and Chicago Avenue) and in other locations, and continued through June 7, 2020. Civil unrest, including violence and destructive behavior, started within 24 hours at the scene and in other parts of Minneapolis and Saint Paul, in the state of Minnesota, around the U.S., and internationally. Looting and arson were widespread, and local police and emergency responders could not respond to many calls for help—either because they couldn't safely access the area or were too overwhelmed. Minnesota State Law Enforcement Agencies, including the Minnesota State Patrol, Minnesota Department of Natural Resources Law Enforcement Division, and other agencies, along with the Minnesota National Guard were called upon by the governor to provide services outside of their specific jurisdiction and training. Although these state-level entities were better equipped to respond to this particular crisis than local jurisdictions due to their training, equipment, and number of officers, they did not have experience responding to a large-scale civil disturbance and extended period of civil unrest such as what occurred in Minneapolis after Mr. Floyd's murder.

External review commissioned

In February 2021, the Minnesota Department of Public Safety (DPS) contracted with Wilder Research to conduct an external review of the state's response to civil unrest[1] that occurred May 26-June 7, 2020, following the murder of George Floyd. DPS requested that the review:

- Objectively evaluate what the state did well and did not do well.

- Identify actions and options that may have produced different, or possibly better, outcomes.

- Provide recommendations to the Commissioner of Public Safety to assist state and local governmental units, including cities and counties, in responding effectively to potential periods of regional or statewide civil unrest in the future.

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[1]   In this report, we define civil unrest as a prolonged period of civil disturbance. We define civil disturbance as a gathering that constitutes a breach of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts.

How the review was conducted

Our research incorporated data from multiple sources and approaches to add strength to the review findings. Our review methods included 1) a review of existing research literature, 2) a media review, 3) a review of state documents and interviews with state personnel, 4) interviews with key informants, 5) focus groups with affected groups, including community members, business owners, and youth, and 6) a comprehensive review from a nationally recognized law enforcement professional with specific and significant expertise in managing civil disturbances.

Wilder Research partnered with the Minnesota Justice Research Center (MNJRC) to lead the recruitment and facilitation of focus groups with community leaders, business owners, and youth.

Limitations of the review include: data collection and analysis activities were conducted under a tight timeline, potential missing perspectives due to a lack of response to requests for an interview and time and resource constraints, and challenges related to events happening simultaneously (e.g., COVID-19 pandemic, the trial of Derek Chauvin, and civil unrest in a suburb of Minneapolis, Brooklyn Center).

Key findings

The primary objective of this review was to identify strengths and areas for improvement from the state's response to the civil unrest following the murder of George Floyd and provide recommendations to improve the state's response to future civil unrest. The information we collected also led to recommendations about what the state can do proactively to prevent and prepare for instances of civil unrest and to follow up with affected communities after civil unrest occurs. These insights, although not comprehensive, are included in the full report, along with a detailed description of each key finding.

Multi-Agency Command Center (MACC) setup and operations

Strengths

- Inter-departmental and inter-agency coordination once the MACC was fully established

- The state identified and coordinated resources to respond to the unrest, particularly law enforcement personnel

- MACC leadership communicated effectively with the Minnesota Department of Transportation (MnDOT) to execute road closures in multiple locations across the Twin Cities

Areas for improvement

- Setup and coordination of the MACC started too late

- Initially, the incident response team lacked clear, experienced leadership and a shared understanding of a unified command structure

- Inadequate coordination early on and technical limitations of end-user radio equipment caused communication challenges

- The location of the MACC was not ideal, according to some

Law enforcement coordination, strategies, and logistics

Strengths

- The use of Mobile Field Force units, specifically smaller teams, was an effective strategy for addressing unrest occurring in multiple locations across the cities

- The State Patrol, the Minnesota National Guard, and the Minnesota Department of Natural Resources, once activated, mobilized quickly and worked together effectively to protect critical infrastructure and human life

- Operational logistics – Leaders at the SEOC quickly set up a system to identify and distribute necessary resources

- Intelligence gathering and sharing – Intelligence gathering strategies and information sharing practices provided law enforcement with the necessary information to make informed decisions

Areas for Improvement

- Engagement from the Minneapolis Police Department at the MACC was insufficient

- Participating law enforcement agencies followed different training and rules of engagement

- Standards promoting accountability were not consistently followed among participating law enforcement agencies

- On several occasions, law enforcement did not successfully differentiate between lawful and unlawful protesters

- Operational logistics – Procedures for coordinating resources and other logistics, such as transportation to support law enforcement operations, need improvement

- Intelligence gathering and sharing – Better coordination of the sharing of intelligence information with law enforcement is needed

Fire and life safety response

Strengths

- The State Fire Marshal provided effective coordination with the Minnesota National Guard and other resources to support local fire departments

Areas for Improvement

- Law enforcement lacked a comprehensive understanding of the needs of fire departments and emergency medical services

Coordination with and support for local jurisdictions

Strengths

- Including elected officials in briefings was useful
- The existing working relationship between the city of Saint Paul and the state facilitated smooth communication and coordination between entities during the unrest

Areas for Improvement

- Timeliness of Minnesota National Guard deployment and the communication among local jurisdictions and the state

Communication and messaging to the public

Strengths

- Press conferences were frequent and informative
- State leaders acknowledged the legitimacy of community outrage during press conferences
- DPS followed best practices in the use of social media to engage the public

Areas for Improvement

- Information flow between law enforcement and communications leads lacked structure, leading to the spread of misinformation
- Initial coordination with the city of Minneapolis on press-related matters was lacking
- A lack of communication to communities and businesses about how to safely protect their neighborhoods led community groups and individuals to take matters into their own hands
- The cities and state could have done more to communicate urgent messages in multiple languages

Media experience

Strength

- The media community appreciated the governor's public apology to the CNN reporting team arrested by State Patrol

Areas for Improvement

- Law enforcement allegedly unlawfully detained, arrested, or inappropriately used crowd dispersal methods on journalists

Community member and business owner experience

Strengths

- Curfews, when enforced, were effective despite being controversial

Areas for Improvement

- State Law Enforcement used tactics that were often perceived as escalating

Strengths

- Community members appreciated some state decisions and actions, indicating that systemic racism and others contributors to the unrest were being taken seriously

Areas for Improvement

- Community members felt abandoned by law enforcement agencies; some perceived racism and discrimination in these gaps in law enforcement presence

- Communication and engagement was lacking between law enforcement and community members and business owners

Recommendations

The following 20 recommendations include improvements the state can make in future responses to civil unrest. The full report elaborates on these recommendations, including suggestions for how to implement them. Our hope is that DPS, local (city and county) and state agencies, and other jurisdictions can use this report to prepare and plan for effective responses to civil unrest in the future. We do not consider civil unrest inevitable, but we anticipate that it may happen again, and it is clear that state and local agencies need to be prepared for when it does occur. It is also clear that the events described and analyzed in this report were unprecedented. These events were unplanned and ultimately over-extended multiple local and state agencies to end the civil unrest. Further, the situation led the Minnesota State Patrol and other state agencies to act in ways that are outside of their specific jurisdiction or, in the case of the Minnesota National Guard, perform duties beyond their normal training.

Our recommendations are informed by an examination of the events that occurred in late May and early June 2020 in Minnesota following George Floyd's murder and feedback from people who were directly involved in or affected by how the state responded. The recommendations we offer in this report are based on what we observed here and experiences in other places, research literature, empirical analysis from the field, and consultation with a law enforcement professional with expertise in the management of civil disturbances. Therefore, the recommendations could be used by any jurisdiction to inform the development of public order policies and procedures. The studies we reviewed include lessons learned from planned and unplanned events. Some recommendations from those studies may be easier to implement for planned events.

The first recommendations address the original scope of the review, which was to evaluate the state's response during the unrest. The second column of recommendations lists activities related to prevention, preparation, and recovery, which review participants deemed as equally important in the state's efforts to address civil unrest.

Recommendations to improve the state's response to civil unrest

1. Strengthen multi-agency coordination.

2. Inform and support development and compliance with law enforcement standards, model policies, and training to be used consistently among law enforcement agencies across the state.

3. In general, use a tiered response to address situations of civil unrest that involve both lawful and unlawful protesters.

4. Differentiate peaceful protestors from those engaging in unlawful activities.

5. Engage in pre-planning efforts to improve processes for managing operational, tactical, and logistical considerations.

6. Improve coordination and collaboration between the intelligence team, law enforcement tactical operations teams, and Multi-Agency Command Center leadership.

7. Improve systems to facilitate coordination between law enforcement, local fire departments, and emergency medical services (EMS) and identify strategies to prioritize security for fire and life safety responders.

8. Improve communication and coordination with local jurisdictions regarding requests for the Minnesota National Guard and other state assistance.

9. Improve coordination with local jurisdictions regarding public communications and press-related matters.

10. Strengthen communication between state and local law enforcement, elected officials, and the public.

11. Improve coordination and communication between state and local law enforcement and the media.

12. Coordinate with community members directly affected by civil unrest.

Recommendations to inform the state's role in the prevention of, preparation for, and recovery from civil unrest

1. Continuously work to build positive relationships and trust between law enforcement and communities, especially communities affected by civil unrest. Acknowledge and work to address the root causes of civil unrest.

2. Lead efforts to reimagine policing, community safety, and public order policing in Minnesota and engage communities in law enforcement oversight and accountability.

3. Enhance diversity and inclusion efforts.

4. Support training of law enforcement officers in facilitating peaceful protests.

5. Continue to engage protest groups and organizers ahead of time.

6. More deeply engage with businesses and communities affected by civil unrest and face the most risk of potential future unrest.

7. Support state and local law enforcement agencies in promoting mental health and providing resources.

8. Improve after action documentation and reporting.

Conclusion

This examination of the state of Minnesota's response to one of the most challenging and unprecedented times in the state's history provides an opportunity to learn from what happened and do better to support and protect communities, especially during periods of civil unrest. If implemented these recommendations will minimize the impact of civil unrest and substantially improve the state's preparedness and capacity to manage mass demonstrations safely. Implementing these recommendations will also mitigate the risk of escalation during civil unrest.

Critical recommendations for improving response to future civil unrest:

- **Strengthen multi-agency coordination systems**

- **Improve coordination and relationships with local jurisdictions and the media**

- **Lead efforts to address tensions between law enforcement agencies and communities through intentional trust-building efforts, police accountability and transformation, and education**

> **Further research and evaluation are needed to understand the role of racism and other forms of bias in law enforcement responses to civil unrest and determine additional steps to address community distrust in law enforcement and state government.**

In this context, the protests and civil unrest stemmed from a police officer murdering a Black man. The role of race cannot be overlooked. Therefore, intersectional to all the recommendations above is to incorporate a deeper sense of humanity – explicitly recognizing the humanity of Black Minnesotans – into actions from state actors. As one participant wondered:

> *What is the human piece of [the state's response]? What is people's sense of what's happened to our communities and businesses? There's a lot of need there, too—for processes and ways of helping people, understanding their collective and individual experiences. My feeling that I'm left with is that if we are going to learn from this, there has to be some tending to our human experience—not just the practical part of how to do protection "next time." – Business owner*

The tragedy and trauma that unfolded in summer 2020 were significant, unplanned, and unprecedented. Moving forward, the state has the opportunity to focus on building functional systems, plans, and relationships that will lead to a response to civil unrest that supports all Minnesotans, especially communities of color and, specifically, Black Minnesotans.

BACKGROUND: WHAT HAPPENED?

On May 25, 2020, a Black Minneapolis resident, George Floyd, was murdered by a Minneapolis police officer, Derek Chauvin. The officer kneeled on Mr. Floyd's neck for over nine minutes, while two other Minneapolis police officers helped pin him down for a portion of that time. Another police officer prevented several bystanders from intervening as they watched Mr. Floyd die.

Peaceful vigils and protests turned to unrest

Memorial near Cup Foods
Source: Star Tribune

Vigils and peaceful protesting began immediately after the murder on May 25, at the scene (38th Street and Chicago Avenue) and in other locations, and continued through June 7. Civil unrest, including violence and destructive behavior, started within 24 hours at the scene and in other parts of Minneapolis and Saint Paul, in the state of Minnesota, around the U.S., and internationally. Looting and arson were widespread, and local police and emergency responders could not respond to many calls for help—either because they couldn't safely access the area or were too overwhelmed.

Civil disturbances were occurring in multiple locations across the Twin Cities area, putting significant stress on local responders. On May 28, violence among protests escalated at the Third Precinct police station in Minneapolis. Late that night, Minneapolis Mayor Jacob Frey and Police Chief Medaria Arradondo decided to evacuate and abandon the building, at which time violent and destructive actors entered the building and seriously damaged and looted it.

On May 29, 2020, former Minneapolis Police Department (MPD) officer Derek Chauvin was arrested and charged. On May 26, the Minneapolis Police Department fired all four police officers. On May 27, Minnesota Governor Tim Walz announced Minnesota Bureau of Criminal Apprehension (BCA) and Federal Bureau of Investigation (FBI) investigations into George Floyd's murder. On May 31, Governor Walz announced that Attorney General Keith Ellison's office would lead the prosecution of Derek Chauvin. On June 3, three officers present during the murder of Mr. Floyd were charged with aiding and abetting second-degree murder, and the charge against Chauvin was upgraded to second-degree murder. In April 2021, Chauvin was convicted of unintentional second-degree murder, third-degree murder, and second-degree manslaughter. In December 2021, he pleaded guilty to civil rights charges in federal court and was sentenced to 20-25 years in prison. The other three officers present at the scene were convicted of federal civil rights violations for the death of Mr. Floyd in February 2022 and await sentencing. They will face a state trial scheduled to begin in June 2022 for aiding and abetting second-degree murder and manslaughter.

Attorney General Keith Ellison and Commissioner John Harrington
Source: Star Tribune

State Law Enforcement agencies and Minnesota National Guard were called upon to assist

Starting on May 26, the state of Minnesota assisted in the response to the civil unrest occurring in Minneapolis and Saint Paul. The Minnesota State Patrol's Mobile Response Team was deployed to the Minneapolis Police Department's (MPD) Third Precinct headquarters to provide backup support to the MPD. The State Patrol was later joined by the Minnesota Department of Natural Resources' (DNR) Mobile Response Team (575 State troopers and 190 DNR conservation officers).

In Minnesota, local law enforcement agencies are too small to handle large-scale civil disturbance. The civil unrest following the murder of George Floyd was unanticipated and required significant mutual aid and collaboration across multiple agencies and jurisdictions, which introduced challenges, particularly because this was an unplanned event. Some of the agencies that had mutual aid agreements with Minneapolis decided not to send aid—or were unable to send aid—due to the situation in their own community.

Minnesota National Guard soldier in front of Capitol
Source: Star Tribune

Minnesota State Law Enforcement Agencies, including the Minnesota State Patrol, Minnesota Department of Natural Resources Law Enforcement Division, and other agencies, along with the Minnesota National Guard were called upon by the governor to provide services outside of their specific jurisdiction and training. Although these state-level entities were better equipped to respond to this particular crisis than local jurisdictions due to their training, equipment, and number of officers, they did not have experience responding to a large-scale

Minnesota National Guard and State Patrol vehicles near 3rd Precinct
Source: Star Tribune

civil disturbance and extended period of civil unrest such as what occurred in Minneapolis after Mr. Floyd's murder. For example, the State Patrol's mission is to patrol highways and manage traffic safety (Minnesota Statutes § 299D.03, 2021), not to serve as a state police force. Although they have statewide authority, DNR conservation officers typically provide public safety, natural resource, and recreation protection response in DNR managed areas (Minnesota Statutes § 626.84.1(c), 2021). The vast majority of Minnesota National Guard members are not trained in public order; rather, they are trained in combat. Minnesota Guard members are typically activated to assist the state during disasters and other state emergencies and are trained to serve in times of war as soldiers and airmen. Supporting law enforcement activities during civil disturbance is outside these entities' purview.

The mission and jurisdictional limitations of these entities are important context when reviewing their actions during this period. According to state law and precedent, these entities should not have played a central role during the events of May 26 to June 7, 2020.

Members of media were arrested

On May 29, amidst a chaotic scene following the burning of the Third Precinct, a CNN reporting team was arrested by Minnesota State Patrol on live TV. Governor Walz apologized for the arrest during a press conference.

Nighttime curfews were implemented

State response to the civil unrest included five nights of curfews in Minneapolis and Saint Paul. Other cities across the state implemented their own curfews as well. Governor Walz issued Emergency Executive Order 20-65 which implemented the nighttime curfew from May 29 through May 30. Emergency Executive Order 20-68 extended this order through May 31. The Minnesota Department of Transportation (MnDOT) closed freeways in and around the Twin Cities from 7:00 p.m. on May 30 until 6:00 a.m. on May 31 to limit the number of people coming into the areas of greatest concern. Emergency Executive Order 20-69 extended the nighttime curfew through June 2.

Multi-Agency Command Center was established

On May 29, when it became clear that the city of Minneapolis would not be able to gain control, the state and partners established the Multi-Agency Command Center (MACC), based at TCF Stadium on the University of Minnesota campus in Minneapolis, to coordinate across the multiple local and state agencies involved in the response. Minnesota Department of Public Safety (DPS) Assistant Commissioner Booker Hodges assumed the role of Incident Commander at the MACC. According to state officials, Minnesota State Patrol Colonel Matthew Langer, Joe Neuberger of Homeland Security and Emergency Management (HSEM), and Minnesota National Guard Adjutant General Jon Jensen played lead roles in the command structure. University of Minnesota Police Chief Matt Clark was the Operations Chief. Agencies represented at the MACC included DPS, which includes the State Patrol, the Bureau of Criminal Apprehension, the Alcohol and Gambling Enforcement Division, the Homeland Security and Emergency Management Division, and the State Fire Marshal; the Minnesota National Guard; Minneapolis Police Department; Saint Paul Police Department; Metro Transit Police Department; Bloomington Police Department; University of Minnesota Police Department; Sheriff departments from Ramsey, Hennepin, Anoka, Dakota, and Washington counties; and the FBI.

State increased intensity of response to control unrest

Police and tear gas near 5th Precinct Nicollet Ave.
Source: Star Tribune

That night, the State Patrol carried out what they later called a "shock and awe" response, using significant crowd dispersal methods to control attempted looting and violence toward officers. This occurred along Nicollet Avenue in Minneapolis near the Fifth Precinct on a crowd of 2,500-3,000 people, according to state documentation. Within an hour, a large portion of the crowd had dispersed.

On May 31, the MACC released a report identifying evidence of outside threats to the Twin Cities. Additionally, the state reported an attempted cyberattack on state technology systems. That night, Minnesota State Patrol troopers and Department of Natural Resources conservation officers (hereafter referred to as State Law Enforcement) in coordination with MPD, conducted a mass arrest of demonstrators at Bobby & Steve's Auto World near downtown Minneapolis. Exchanges between law enforcement and demonstrators were largely amicable.

The state held many press conferences during the unrest

Governor Walz and DPS held 16 press conferences during this period during which the governor, along with other state leaders, acknowledged community outrage; shared public safety plans, updates, and other state-level decisions (e.g., Emergency Executive Orders); and answered questions from the media. The state coordinated with the city of Minneapolis for all but one press conference. During a press conference on Friday, May 29, Governor Walz called the city of Minneapolis' response to the unrest an "abject failure." Subsequent press conferences included Mayor Frey and Mayor Carter.

On June 1, the Minnesota Department of Human Rights announced the opening of an investigation into the practices of the Minneapolis Police Department. And on June 5, the Minnesota Department of Human Rights and the city of Minneapolis agreed upon the terms of a temporary restraining order, which included an immediate ban on chokeholds (along with a duty to report and duty to intervene if this or other prohibited methods of restraint were used), as well as requiring authorization by the Chief of Police prior to use of any crowd control weapons and a requirement for swifter discipline response.

Important context

It is important to note that these events of civil unrest were unprecedented in Minnesota and throughout the country. State and local officials did not expect the breadth of violence, property destruction, and arson across the Twin Cities. In addition, previous emergency management planning in Minnesota was centered on natural disasters. The unplanned and unprecedented nature of the events cannot be overstated. A planned response to an event of this scale would have looked much different.

The events under review for this report occurred three months into the COVID-19 pandemic. At that point, many were experiencing pandemic fatigue, and state and city employees were still identifying new ways of operating effectively in a virtual work environment.

Furthermore, local law enforcement jurisdictions in Minnesota have the authority and discretion to determine if and when they need mutual aid support from other agencies. According to state officials, mutual aid must be requested by the agency in need of assistance. Minnesota Statutes § 12.27 (2021) provides authority/permission for mutual aid arrangements. Additionally, Minnesota Statutes § 12.331 (2021) allows a political subdivision, upon receiving a request, to assist the requesting political subdivision. According to state officials, local law enforcement agencies and the state should wait until the overwhelmed law enforcement agency makes a specific request for help that includes clear guidance about the type of help needed and the purpose or mission. Local jurisdictions may not have a clear understanding of this process, the type of support that is available, and when that support can arrive after being requested. This lack of clarity and guidance about mutual aid requests caused challenges during the events under review.

With minimal time to prepare, the state responded by implementing a coordinated multi-agency response, utilizing all their resources and training to bring stability back to communities reeling from the murder of a Black man at the hands of police. This one moment, followed by the community's reaction to Mr. Floyd's murder and the response of law enforcement, can only be understood in the context of U.S. society. This context includes the historical and contemporary inhumane and unjust policing of Black Americans, American Indians, and other people of color; numerous prior examples of the unjustified killing of Black Americans by the police; and the overarching racial discrimination experienced by Black Americans from law enforcement and other social systems and institutions (Minnesota Justice Research Center, 2021).

REVIEW PURPOSE AND METHODS

In October 2020, the Minnesota Department of Public Safety (DPS) issued a Request for Proposals (RFP) to conduct an external review of how the state handled the civil unrest following George Floyd's murder.

> For this review, civil unrest is defined as a prolonged period of civil disturbance. Civil disturbance is defined as a gathering that constitutes a break of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts. While the police have an obligation to protect the First Amendment rights of law-abiding protesters, they are also tasked with maintaining public safety during periods of civil unrest. Importantly, this includes using intelligence-gathering strategies and public order tactics to distinguish between law-abiding protesters and violent demonstrators who intend to or have already caused property damage or incited violence or destruction.

Wilder Research, in partnership with the Minnesota Justice Research Center (MNJRC), submitted a proposal, and we were notified in February 2021 that we were selected to conduct this review. DPS requested that the review:

1. Objectively evaluate what the state did well and did not do well.

2. Identify actions and options that may have produced different or possibly better outcomes.

3. Provide recommendations to the Commissioner of Public Safety to assist state and local governmental units in responding effectively to potential periods of regional or statewide civil unrest in the future.

Research questions

The following research questions guided this review:

- What is the state's legal responsibility during times of civil unrest?

- How did the state respond to the civil unrest from May 26 to June 7? Specifically, what were the decision-making processes and resulting decisions, strategies, and actions?

- What outcomes are associated with the strategies and actions implemented by the state in response to the civil unrest?

- What factors outside of the control of the state, such as the response from local government, affected the state's response and the impacts of that response?

- How have other states responded to civil unrest? How did their response affect outcomes for residents and businesses?

- What policing strategies and actions are considered best or recommended practices regarding de-escalation of violent and destructive demonstrators? Where did the state's response align (or not) with recommended or best practices?

- How do community leaders, law enforcement professionals, and local government leaders believe the state's response to the civil unrest affected outcomes for community residents and businesses?

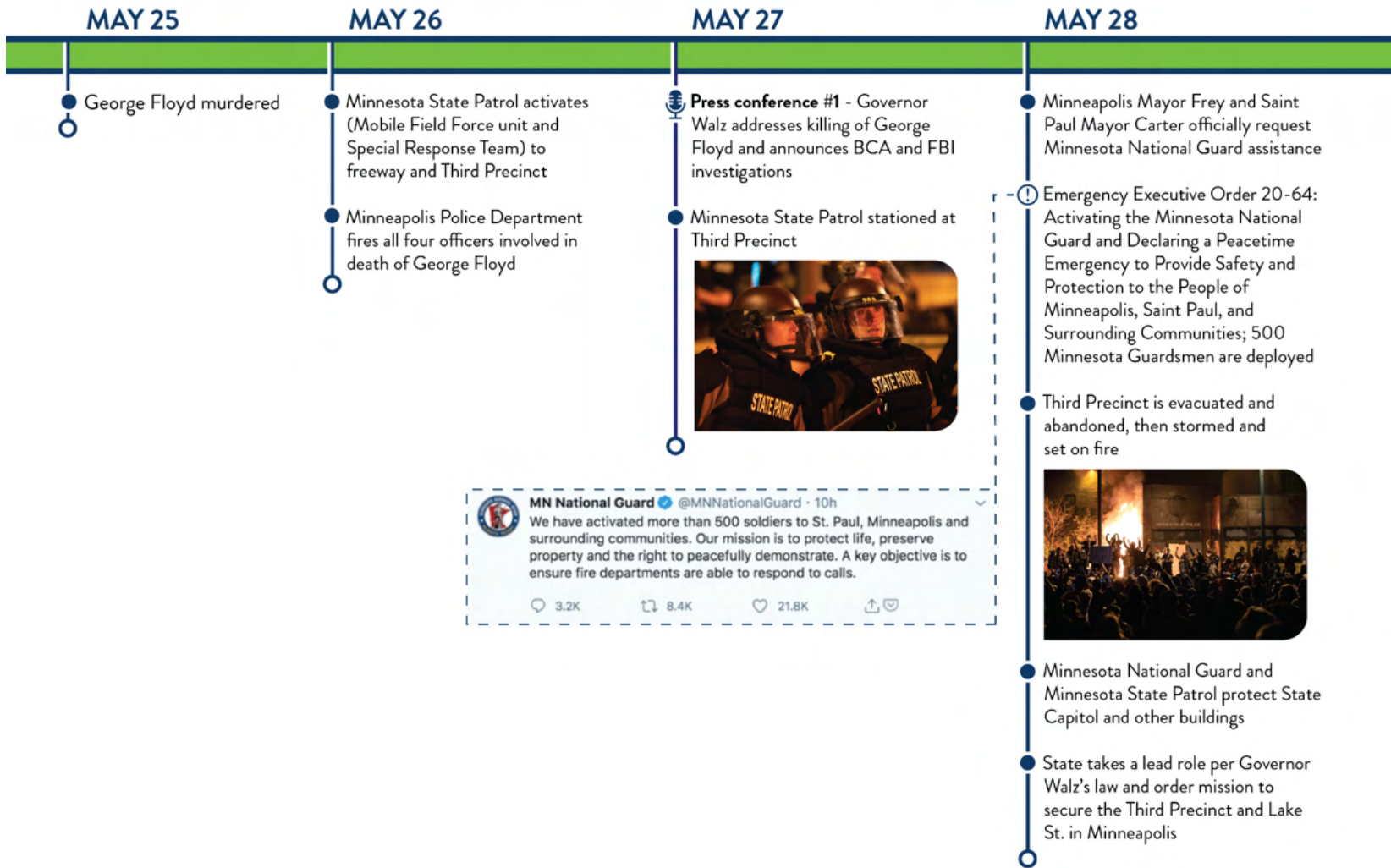- What impact did the state's response to the civil unrest have on community members?

Research methods incorporated data from multiple sources and approaches to add strength to the review findings. Review methods included: 1) a literature review, 2) a media review, 3) a review of state documents and interviews with state personnel, 4) interviews with key informants, 5) focus groups with affected groups (community members and business owners), and 6) review from a law enforcement expert with expertise in managing civil disturbances. Wilder Research partnered with MNJRC to lead the recruitment and facilitation of focus groups with community members and business owners and host and facilitate share back sessions with review participants and others. See the Appendix for more detailed information about the research methods.

A visual timeline of events

Wilder Research developed a high-level timeline of state-level decisions and actions (Figure 1) informed by a detailed timeline provided by DPS and other sources, such as media reporting and accounts from state leadership. This timeline also includes some key moments that provide additional context but are not decisions or actions of the state (e.g., arrest of former officer Chauvin). This visual timeline was used by research staff during interviews and focus groups, as appropriate, to provide context for the kinds of things we meant when we referred to the "state's response" and as a reminder of the timing of key events. (Important note: This timeline does not include every event or action during the time period of interest.)

A Timeline Including Key Touch Points From the State

MAY 25

- George Floyd murdered

MAY 26

- Minnesota State Patrol activates (Mobile Field Force unit and Special Response Team) to freeway and Third Precinct

- Minneapolis Police Department fires all four officers involved in death of George Floyd

MAY 27

- 🎤 **Press conference #1** - Governor Walz addresses killing of George Floyd and announces BCA and FBI investigations

- Minnesota State Patrol stationed at Third Precinct

> **MN National Guard** ✓ @MNNationalGuard · 10h
> We have activated more than 500 soldiers to St. Paul, Minneapolis and surrounding communities. Our mission is to protect life, preserve property and the right to peacefully demonstrate. A key objective is to ensure fire departments are able to respond to calls.
>
> 💬 3.2K   🔁 8.4K   ♡ 21.8K   ⬆️💬

MAY 28

- Minneapolis Mayor Frey and Saint Paul Mayor Carter officially request Minnesota National Guard assistance

- ⚠️ Emergency Executive Order 20-64: Activating the Minnesota National Guard and Declaring a Peacetime Emergency to Provide Safety and Protection to the People of Minneapolis, Saint Paul, and Surrounding Communities; 500 Minnesota Guardsmen are deployed

- Third Precinct is evacuated and abandoned, then stormed and set on fire

- Minnesota National Guard and Minnesota State Patrol protect State Capitol and other buildings

- State takes a lead role per Governor Walz's law and order mission to secure the Third Precinct and Lake St. in Minneapolis

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MAY 29

- CNN reporting team arrested by Minnesota State Patrol on live TV

- **Press conference #2** - Governor Walz apologizes for arrest of CNN reporting team, Maj. Gen. Jon Jensen expresses concern over lack of clarity in Minnesota Guard's mission

- Chauvin arrested and charged with third-degree murder and second-degree manslaughter

- Multi-Agency Command Center (MACC) is set up at TCF stadium

- Emergency Executive Order 20-65: Implementing a Temporary Nighttime Curfew in the Cities of Minneapolis and Saint Paul; extends curfew through May 30

- Violence near Third Precinct, less lethal munitions used by Minnesota State Patrol to manage crowd

MAY 30

- State Patrol begins mass arrests along Lake St., less lethal munitions used – deemed unsuccessful mission

- State Patrol leaves Third Precinct to patrol Nicollet Ave, march to Fifth Precinct (as directed by Mpls) fires nearby and along West Broadway in north Minneapolis

- **Press conference #3**, 1:30 a.m. - Governor Walz declares law enforcement is overwhelmed by number of people out

- **Press conference #4**, 9:00 a.m. - Governor Walz declares mobilization of full Minnesota Guard

- **Press conference #5**, 12:00 p.m. – Large contingent with Governor Walz, Lieutenant Governor Flanagan, community/faith leaders, state legislators to call for peaceful protest and compliance with the 8 p.m. curfew

- **Press conference #6**, 6:30 p.m. - Governor Walz urges Minnesotans to respect the 8 p.m. curfew

- MnDOT shuts down freeways from 7:00 p.m.-6:00 a.m.

- Emergency Executive Order 20-67: Implementing and Coordinating Cooperative Firefighting, Health, and Peace Officer Assistance

- Response from State Law Enforcement to civil disturbance on Nicollet Ave, less lethal munitions used

- A photographer from WCCO is struck by less lethal munitions and arrested by State Patrol; marking rounds are shot at people gathered on their porch (unclear by who)

MAY 31

- Emergency Executive Order 20-68: Extending the Temporary Nighttime Curfew in the Cities of Minneapolis and Saint Paul

- Multi-Agency Command Center releases report saying they have identified evidence of outside threats to the Twin Cities

- 6:00 p.m. - gas tanker semi-truck drives into protest crowd on I-35W bridge

- **Press conference #7**, 7:00 p.m. - Governor Walz talks about extended Minneapolis & Saint Paul curfews and road closures

- Governor Walz announces Attorney General Ellison to lead prosecution of Chauvin

- 8:00 p.m. - Curfew goes into effect

- Amicable mass arrest at Bobby & Steve's

JUNE 1

- ⚠ Emergency Executive Order 20-69: Extending the Temporary Nighttime Curfew in the Cities of Minneapolis and Saint Paul

- 🎤 **Press conference #8** – Governor Walz thanks Minnesotans for cooperation and apologizes again to the media

- ● Minnesota Department of Human Rights opens an investigation into the practices of the Minneapolis Police Department & issues temporary restraining order

JUNE 2

- 🎤 **Press conference #9** – Governor Walz provides update on protests, speaks to addressing systemic issues, and announces civil rights investigation

Terrence Floyd visiting 38th and Chicago

JUNE 3

- 🎤 Emergency Executive Order 20-71: Extending the Temporary Nighttime Curfew in the Cities of Minneapolis and Saint Paul

- ● **Press conference #10** – Governor Walz discusses new charges against MPD officers

- ● Other three officers charged with aiding and abetting second-degree murder and charge against Chauvin is upgraded to second-degree murder

Sources: Timeline develop by DPS.
Kaul, G. (2020, May 29). Seven days in Minneapolis: A timeline of what we know about the death of George Floyd and its aftermath. MinnPost. https://www.minnpost.com/metro/2020/05/what-we-know-about-the-events-surrounding-george-floyds-death-and-its-aftermath-a-timeline

Photo Sources: Star Tribune

How to use this report

This report can be used to improve the state of Minnesota's response to civil unrest. The report contains specific recommendations, which can be used by DPS, other state agencies, and the Minnesota National Guard to address particular issues that arose concerning the state's response to the civil unrest that followed George Floyd's murder. It can also be used by local law enforcement agencies and other entities around the U.S. to improve government response to future civil unrest. While the review findings identify circumstances and events during the unrest in late May 2020, many of the recommendations depend on pre-event activities related to prevention, mitigation, and preparedness. The first section of the report addresses the original scope of the review, which was to evaluate the state's response during the unrest. As part of conducting this review, some review participants identified additional issues and recommendations related to prevention, preparation, and recovery that they deemed equally important and inextricably linked to state response to civil unrest. Therefore, a second section is included in this report to capture themes and recommendations outside the review's original scope.

DPS and other coordinating state agencies learned many lessons during summer 2020 that have led to changes over the following year in the way the state responds in coordination with local entities to potential civil disturbance. New public safety approaches and collaborative efforts were used by the state and partnering agencies during Operation Safety Net in preparation for the trial of Derek Chauvin and during the unrest following the killing of Daunte Wright in Brooklyn Center, Minnesota. This review does not include an examination of these events or the state's preparation or response to them; however, it is possible that many of the recommendations and best practices outlined here align with changes implemented by DPS and partners. Therefore, the recommendations in this report could be used by the state to validate changes they have made. This review is one of many tools DPS can use when considering improvements to their approach to address public safety before, during, and after instances of civil unrest.

Our hope is that DPS and other entities can use this report to prepare for and plan for civil unrest in the future. We do not consider civil unrest inevitable, but we anticipate that it is likely to happen again, and it is clear that state and local agencies need to be prepared if and when it does occur.

This report summarizes strengths in the state's response, areas for improvement, and recommendations based on these findings. Report sections include Part 1: (1) Multi-Agency Command Center (MACC) setup and operations; (2) law enforcement coordination, strategies, and logistics; (3) fire and life safety response; (4) coordination with and support for local jurisdictions; (5) communication and messaging to the public; (6) media experience; (7) community member and business owner experience; and Part 2 (8) recommendations for the state's role in the prevention of and recovery from civil unrest.

Our recommendations are informed by an examination of the events in Minnesota following George Floyd's murder in late May and early June 2020 and information from the people who were directly involved or affected by how the state responded. The recommendations we offer in this report are also

based on experiences in other places, research literature, and empirical analysis from the field. Therefore, any government or law enforcement agency could use the recommendations to inform the development of mass demonstration policies and procedures. In this regard, we hope this document helps the Minnesota Department of Public Safety become a leading example of best practices in responding to civil unrest.

Limitations

Time frame

The original time frame allowed by DPS for this review was November 2020 through June 2021, but during the proposal review process DPS experienced delays so the project did not ultimately start until February 2021. Despite the short amount of time, Wilder and MNJRC were able to meet the project deadline by conducting some components concurrently that would, ideally, have been conducted consecutively. For example, we conducted interviews with state officials and the literature review simultaneously, instead of completing the literature review to identify best practices and then asking interview respondents about the extent to which the state's response aligned with those best practices.

The limited time frame and budget also prevented us from interviewing a number of critical people identified within the original contract. In June 2021, Wilder submitted its draft report to DPS. In mid-July, DPS determined they needed more time to review the report and provide feedback. In November 2021, DPS extended Wilder's contract with additional budget to support important project components that were not included within the original contract. These project components included interviews with additional key informants who could provide missing perspectives, consultation with a law enforcement professional with expertise in managing civil disturbances, and meetings with DPS leaders to gather needed information and feedback.

Key informant interviews

Wilder Research made every effort to include a wide range of stakeholders through key informant interviews and focus groups. However, perspectives and information are likely missing due to a lack of response to requests for interviews and time and resource constraints. We did not interview leaders from all of the different cultural communities that were likely impacted by these events. Although we interviewed several elected officials representing the areas most affected by the unrest, we did not contact every elected official who represents areas that were affected during the civil unrest. We responded to any requests to provide input up until the final stages of reporting. Ideally, we would have engaged even more residents from various cultural communities living in neighborhoods most significantly affected by the civil unrest to understand the impact on them.

Related events and pandemic

We also want to acknowledge that related events were happening during the data collection period that may have influenced participants' input, including the trial of Derek Chauvin. In addition, a police officer in Brooklyn Center, a suburb of Minneapolis, killed another Black man, Duante Wright, one day before focus groups for this project began. The state was also involved in responding to the civil unrest that occurred there. We acknowledged the confluence of events and issues with focus group participants before directing the conversation to the events that followed George Floyd's murder. We felt that participants were able to re-focus on the purpose of the discussion after acknowledging these current events.

We also must point out the overarching impact of the COVID-19 pandemic on the civil unrest and the state's response, as well as the information gathered during this review. We assume, but did not specifically explore as part of this review, that the stress and burden of the pandemic contributed to the scale of the unrest and the nature of the state's response. Focus groups were conducted virtually to ask people about their experiences, which may have inhibited their ability to engage fully, but also may have allowed some to participate who would not have been able to do so in person.

It is also important to note that documentation of these events by law enforcement was limited, and recollection of events may be compromised due to the stress and sleep deprivation they were experiencing. Therefore, caution should be used when interpreting any one source of information. We attempted to reduce this limitation by gathering data from multiple sources whenever possible.

KEY FINDINGS AND RECOMMENDATIONS

The primary objective of this review is to identify strengths and areas for improvement and subsequent recommendations for the state's response during civil unrest. The information we collected also led to recommendations about what the state can do proactively to prevent and prepare for instances of civil unrest and to follow up with affected communities after civil unrest occurs. These insights, although not comprehensive, are included in the final section of this report (Recommendations for the state's role in the prevention of and recovery from civil unrest). For reference, a glossary of specific terms or concepts referred to throughout this report can be found in the Appendix.

The state's response to civil unrest

Multi-Agency Command Center (MACC) setup and operations

Minnesota Statutes § 12.33 (2021) states that in the case of an imminent emergency, the governor may authorize and direct the police, firefighters, and other forces of a political subdivision within the state to assist another political subdivision. Governor Walz issued Emergency Executive Order 20-64 to put forces that had offered to assist the cities of Minneapolis and Saint Paul and the surrounding areas under the direction of the Commissioner of Public Safety. According to DPS documentation, nearby states (Wisconsin, Iowa, and South Dakota) provided either additional personnel or resources (e.g., chemical munitions) to support and strengthen Minnesota's response to the unrest.

The Department of Public Safety has authority under Minnesota Statutes § 12.09 (2021) to activate statewide or regional operations centers either proactively or in response to an emergency. Emergency Executive Order 20-64 clarified that while the State Emergency Operations Center (SEOC) was already in use in response to the COVID-19 pandemic, it would support the city of Minneapolis, city of Saint Paul, and surrounding communities concurrent to its work related to the pandemic. The Multi-Agency Command Center (MACC) was established by DPS to coordinate the varying forces working together in response to the civil unrest.

A well-coordinated, unified multi-agency response is necessary for managing civil disturbances. While most emergencies are handled successfully at the local level, larger incidents may require added coordination and response assistance from other jurisdictions or state or federal agencies. In these cases, local, state, and federal agencies require clear direction and expectations about the chain of command, decision-making, and strategies for interoperability (Links et al., 2015; National Policing Improvement Agency, 2009). However, the coordination of a multi-agency response can be difficult during large-scale, unpredictable, and dynamic emergencies (Links et al., 2015; McMaster & Baber, 2012; Waring et al., 2020). For instance, during the civil unrest in Baltimore after the killing of Freddie Gray by a Baltimore police officer, officials reported that only some of the responding agencies adhered to the incident command structure.

On Friday, May 29, DPS set up a Multi-Agency Command Center (MACC) at TCF Stadium in Minneapolis. Multiagency Coordination Systems are typically comprised of agency leaders and administrators and function to coordinate resource allocation, facilitate situational assessment and awareness, and support

multi-agency operations during large-scale emergencies such as civil disturbances. This structure, recommended as critical to emergency response by the National Incident Management System (NIMS), is set up to improve incident response (Federal Emergency Management Agency, 2021). The MACC operated as a command center for coordinating agencies in this case.

During this period, participants in the MACC included leadership from several divisions within DPS, the Minnesota Department of Natural Resources (DNR), and several local law enforcement officials representing city-level emergency operations centers and county sheriff offices. DPS Assistant Commissioner Booker Hodges set up the MACC and assumed the role of Incident Commander. Many people played a critical function in this operation. Colonel Langer led the State Patrol, and Joe Neuberger of Homeland Security and Emergency Management provided logistical support and served as Incident Commander when Assistant Commissioner Hodges was unavailable. Matt Clark from University of Minnesota Police served as the Operations Chief. As soon as state resources were requested by Minneapolis and Saint Paul, the State Emergency Operations Center (SEOC) supported requests for resources coming out of the MACC, in addition to a focus on the COVID-19 response. The SEOC maintained situational awareness and provided logistical support to the state assets deployed, including coordination with MnDOT, the Metropolitan Council, and the governor's office.

STRENGTHS

1. **Inter-departmental and inter-agency coordination once the MACC was fully established.**
   Establishing a MACC by DPS was a strength, as multi-agency coordination plays a critical function in any incident command structure as articulated in the National Incident Management System (Federal Emergency Management Agency, 2021). In the absence of unified command from Minneapolis, DPS and its partners had to establish some sort of command structure to provide state-sponsored support to Minneapolis. As noted by a state official, "state response resources should always be deployed in support of a local incident commander. The state should not be in charge of a response unless it clearly has the jurisdictional lead." The initial setup of the MACC presented some challenges due to varying understandings of unified command, the role of the Incident Commander, and the large number of agencies involved in the response. Despite initial challenges, those who participated in the MACC felt that the operations and coordination were effective at restoring order and mitigating injuries, property damage, and potential loss of life, particularly under the guidance of the State Patrol. Those involved at the MACC and some local law enforcement leaders shared that the large number of State troopers, their early presence on the scene (before requested by the city of Minneapolis), and the experience and skill set of State Patrol leadership to coordinate a large number of law enforcement individuals and agencies contributed to the eventual control of the situation on the ground.

2. **The state identified and coordinated resources to respond to the unrest, particularly law enforcement personnel.** Several local law enforcement officials noted that it would not have been possible to gain control of the situation without additional resources and the coordination of those

resources from the state. An "all-call" of every State trooper and DNR conservation officer across the entire state had never happened prior to this event. As one state official recalled, "when Colonel Langer put out the call that all troopers needed to report to the metro area, people literally turned their cars around. They didn't go home and pack a bag." HSEM successfully supplied personnel with basic needs (e.g., place to sleep, food, personal hygiene products).

3. **MACC leadership communicated effectively with the Minnesota Department of Transportation (MnDOT) to execute road closures in multiple locations across the Twin Cities.** MnDOT and State Patrol worked closely together to shut down several highways on the nights of May 30th and 31st and close roads in several locations across the city in response to demonstrations. Traffic control strategies (e.g., highway closures) had never been used as a strategy to mitigate civil disturbance before, according to state officials. MnDOT also provided trucks and other vehicles to assist State Law Enforcement, provided locations and facilities as staging areas, provided temporary walls to local law enforcement to protect police precincts, cleaned up debris from protest activity, and cleaned up graffiti. According to the DPS after-action review (AAR), MnDOT should be involved in the response as part of the MACC to mitigate confusion related to road closures and ensure the appropriate deployment of law enforcement resources to safely close roads.

AREAS FOR IMPROVEMENT

1. **Setup and coordination of the MACC started too late.** Multiple accounts from leadership at the MACC noted that earlier initiation of a coordinated multi-agency response might have led to better outcomes. While many state officials were unaware of why the MACC was not set up until Friday, May 29, some shared that the state was waiting to see if the city of Minneapolis would be able to manage the unrest with the state remaining in a supporting role. State officials say that they waited due to jurisdictional issues. In Minnesota, law enforcement issues are traditionally handled by local jurisdictions, with the exception of a few clearly designated areas (e.g., highways, Capitol grounds). Minnesota Statutes § 299D.03 (2021) states that the State Patrol must "cooperate, under instructions and rules of the commissioner of public safety, with all sheriffs and other police officers anywhere in the state," meaning they cannot impose themselves on a local jurisdiction without an invitation or request. While it is not best practice to force mutual aid from outside the originating jurisdiction, it was necessary in this instance. The MACC could have been set up earlier to prepare for a potential coordinated response.

2. **Initially, the incident response team lacked clear, experienced leadership and a shared understanding of a unified command structure.** Participants at the MACC provided accounts of frustrating experiences related to the lack of a clear, unified command structure, especially during the early stages of the MACC. "Some people within the Department of Public Safety didn't understand unified command. So there is a little bit of push-pull tension trying to figure out how to do that," reported a leader at the MACC. Assistant Commissioner Booker Hodges was named the Incident Commander, responsible for overseeing and guiding incident management activities of the

multiple agencies. However, some individuals present at the MACC perceived there to be multiple Incident Commanders and several felt that the Incident Commander did not adequately engage MACC participants in joint coordination. Rather, many individuals present at the MACC shared that State Patrol Colonel Langer and Joe Neuberger of Homeland Security and Emergency Management offered needed leadership in the absence of joint coordination. It should be noted that the State Patrol had been involved in responding to the unrest prior to the MACC setup and, presumably, had established communication with key players as well as gained a sense of what the situation was like "on the ground" and how the MACC may best respond to it. Early engagement from the State Patrol may have contributed to the significant role that Colonel Langer played within the MACC.

3. **Inadequate coordination early on and technical limitations of end-user radio equipment caused communication challenges.** The radio system used for emergency response, Minnesota's ARMER (Allied Radio Matrix for Emergency Response), operated well during this period. Minnesota has a national reputation as a leader in communications interoperability with a Statewide Emergency Communication Board (SECB) Governance that has established partnerships across the state. However, Communication Unit personnel were not engaged in the operation until the MACC was established (three days into the operational period). This resulted in an uncoordinated effort where multiple groups were competing for a limited number of resources. By the time the MACC asked the Communication Unit to assist, nearly every available statewide resource had been assigned to operations in the Metro area, leaving no or very few resources for emerging incidents, including civil unrest, across the state. Lack of communication coordination resulted in inefficient use of available resources (e.g., a limited number of encrypted talkgroups are available at a regional and statewide level), and too many personnel and operational functions were assigned to a single talkgroup. According to a local law enforcement professional, this resulted in "too much chatter," leading to fragmented communication and coordination. It is important to minimize unnecessary chatter on the radio system during these events to ensure that key messages are heard. Once Communication Unit personnel were involved at the MACC, the coordination improved quickly. Among participating agencies, technology limitations (e.g., outdated radios, insufficient programming capabilities, lack of encryption capabilities) contributed to radio communication inefficiencies. Additionally, a State Patrol representative mentioned not having ideal tools for communicating situational awareness or documenting a large number of arrests, partly because these activities are outside of their typical duties.

4. **The location of the MACC was not ideal, according to some.** Several individuals at the MACC noted that, although it was a large, well-equipped facility and that it was helpful to be on neutral territory (i.e., not belonging to any particular law enforcement agency), TCF Stadium was not an ideal location, safety-wise, for law enforcement personnel because it was located too near the unrest. Officials at the MACC noted seeing demonstrators walking outside of one-way glass windows at TCF Stadium. If demonstrators had become aware of the location as a hub for law enforcement, the MACC could have become a target for violence. The location of the MACC was a consequence of the COVID-19 pandemic. The SEOC, where the MACC would likely have been set up under

normal circumstances, was being used for COVID-19 emergency response, and the backup location in a nearby north metro suburb was closed due to a COVID-19 outbreak in the area. TCF Stadium was determined to be the best option available.

RECOMMENDATIONS

Recommendation 1: Strengthen multi-agency coordination.

Coordinating an inter-agency response during a civil disturbance is labor-intensive, but critical to public safety. Establishing a chain of command, defining agency responsibilities, implementing rapid and safe communication between agencies, and determining procedures for requesting mutual aid is essential to coordinating a multi-agency response (California Commission on Peace Officer Standards and Training, 2021). During large-scale incidents, however, interoperability breakdowns are not uncommon. For instance, inter-agency collaboration during the Baltimore protests after the death of Freddie Gray were characterized as "suboptimal" by law enforcement leaders due to poor documentation on the guidelines for requesting mutual aid (Links et al., 2015). To strengthen multi-agency coordination, DPS should: (1) develop a unified multi-agency incident management system that is understood by participating agencies; (2) establish a clear chain of command; (3) develop a unified and coordinated communication system between multiple agencies early on; and (4) seek funding from the legislature to implement multi-agency emergency response and mutual aid training.

- **Develop a unified multi-agency incident management system prior to events of civil unrest—or as quickly as possible once civil unrest begins—that is understood by all potential participating agencies.** DPS should develop an incident management system that details the necessary structures and procedures to coordinate a multi-agency response at the local and state level. Due to the overwhelming nature of civil disturbances like what occurred after George Floyd was murdered, coordinating agencies will likely deviate from the multi-agency protocols if interoperability plans are not already well-established and documented (Links et al., 2015). An incident command system, therefore, needs to specify the chain of command (e.g., incident commander), operating procedures for coordinating agencies, a plan for rapid and secure communication between agencies, procedures for requesting mutual aid, and methods for multi-agency intelligence gathering (California Commission on Peace Officer Standards and Training, 2021; Federal Emergency Management Agency, 1994; Links et al., 2015).

  While DPS did set up a multi-agency command center (MACC), several participating law enforcement agencies and state leadership reported a chaotic beginning and differing reports regarding the extent to which chain of command was understood and followed. Operating within a defined and unified management structure is essential to facilitating a well-coordinated, multi-agency response. To allow time to work out any glitches in the setup and inter-operability of the multi-agency command structure, DPS should be involved in a unified command structure (e.g., MACC), or should set one up if they are the jurisdictional lead, any time there is a strong likelihood of civil unrest occurring (and prior to the start of any civil unrest, when possible) and it is anticipated that state resources may be needed. Early setup and participation also helps with resource allocation and

prevents duplication of services. An early MACC setup is a recommendation in "DPS lessons learned from civil unrest, May 25 to June 10, 2020" (hereafter referred to as the DPS AAR or after-action review) and was suggested by several state-level leaders present at the MACC, as well as participating local law enforcement agencies. However, the desire from DPS is that there will never be a need for DPS to set up a MACC again and that they will be able to remain in a supportive role, assisting the local jurisdiction in need.

Open and consistent communication between the state and local jurisdictions about their capacity to respond to the unrest will likely assist in helping the state to decide when it is appropriate to step into a leadership role. Currently, the Minnesota Emergency Operations Plan (MEOP) outlines the coordination and responsibility of state agencies in the event of emergencies that require state intervention or support. Within that document, there is basic information for local jurisdictions about how to request the Minnesota National Guard. Additionally, a state official referenced annual emergency management conferences where professionals responsible for emergency management across the state receive training about how to coordinate. Similar opportunities should be available to those who may be involved in a MACC during large-scale emergencies (not just individuals who specialize in emergency management).

- **A clear chain of command should be established as early as possible when coordinating a multi-agency response, and participating agencies should receive unified command and incident** response training. **A clear chain of command is critical to rapidly mobilizing a multi-agency response,** promoting a unified awareness of an incident, and facilitating interoperability between responding agencies (McMaster & Baber, 2012). Contrarily, a lack of clarity about the chain of command or the lack of appropriate participation of involved agencies (e.g., Minneapolis Police Department) can lead to inefficient decision-making, delayed responses to emergencies, and unfulfilled mutual aid agreements or requests for assistance from the state (Waring et al., 2020). Initially, in this instance, the lack of clarity among participating agencies regarding chain of command and the unified command structure hindered effective and timely response to the unrest. While the state has no authority to compel local law enforcement agencies (e.g., sheriff's departments) into unified command, the state could play a role in bringing these parties together and attempt to show the benefits of coordinated planning. Participation in National Incident Management System (NIMS) training and Incident Command System (ICS) training would benefit all entities responsible for responding to civil unrest in Minnesota. Two key components of these trainings include mutual aid training and trainings at the individual jurisdiction level. DPS tracks this training for emergency management personnel who are funded by Emergency Management Performance Grant (EMPG) to ensure courses are completed (ICS-100, ICS-200, ICS-700, and ICS-800). DPS should consider expanding this training requirement to include law enforcement personnel. Additionally, the governor should consider updating Executive Order 05-02 (https://www.lrl.mn.gov/archive/execorders/05-02.pdf) to require local law enforcement agencies to track and report relevant NIMS and ICS training completion.

Mutual aid training should be part of the multi-agency response training, as one builds upon the other. It should include guidance for creating agreements such as MOUs (memorandums of

understanding) and MOAs (memorandums of agreement). Best practice is to have individual jurisdictions participate in training and then slowly start to incorporate and combine other jurisdictions as training advances. DPS should encourage local jurisdictions and surrounding jurisdictions to participate in appropriate NIMS and ICS training, namely ICS 100 and ICS 700 for all law enforcement personnel. The training will help agencies understand what they are deficient in (e.g., equipment, workforce), how to request help, and from who.

- **Develop unified and coordinated communication early on for seamless information exchange across agencies.** DPS should establish a rapid and secure communication system for multi-agency operations as soon as they are leading a response or if requested by a local jurisdiction. Efficient communication and information sharing between agencies can promote a shared awareness of the incident and prevent miscommunication (McMaster & Baber, 2012). It can also ensure that multi-agency response efforts (e.g., crowd dispersal) are swift and effective and proportionate to the emergency (Links et al., 2015; McMaster & Baber, 2012). Researchers have recommended that local, state, and federal agencies improve their communication technologies to promote intra- and inter-agency information sharing during an incident (Links et al., 2015; McMaster & Baber, 2012). Although Minnesota has a robust radio system, ARMER, it only functions well if end-user radio equipment is adequate. State and local agencies involved in response to civil unrest should have updated radios with sufficient zones to accommodate the full array of local, regional, and statewide talkgroups and encryption capabilities.

Numerous end-user equipment upgrades to support interoperability talkgroups and encryption have occurred (and are in progress) since the period of time under review in this report. Communication unit personnel were involved in early planning stages of Operation Safety Net.

We also recommend developing communication systems or employing tools that promote rapid and seamless information exchange among ground-level personnel and agency leaders during large-scale events. Information gathered by on-site personnel is essential to providing accurate, real-time information about public safety risk and rapidly updating incident command about the evolving nature of incidents (Gillham et al., 2013; Gilmore et al., 2019; Gorringe & Rosie, 2008; Gorringe et al., 2012).

Since May/June 2020, State Patrol has implemented a technology application, Intrepid Response App, to track the whereabouts of each team and include real time documentation with notes and photographs.

- **Seek funding from the legislature to implement multi-agency emergency response and mutual aid training.** DPS should expand their current multi-agency training program to include local and federal agencies and realistically simulate challenges encountered during civil unrest. Realistic training exercises increase the likelihood that multi-agency guidelines and protocols will be implemented effectively and efficiently during an actual incident (Links et al., 2015). As a member of State Law Enforcement reported, "unified command is the only way to operate in situations, but, if it is not practiced regularly, it can be challenging – especially on the front end when you have multiple people in charge trying to make decisions." Given the various combinations of agencies

that might be required to work together at any given time, it is critical that jurisdictions engage in training at the jurisdictional level. Training should include (1) identifying incident management organizations and personnel; (2) practicing assigned roles with careful attention to interoperability; (3) implementing multi-agency protocols across a variety of emergency scenarios; (4) conducting a needs assessment and planning mutual aid agreements (e.g., security from law enforcement for firefighters and paramedics); (5) building trusting relationships between agencies; and (6) developing a unified communication system between agencies (Links et al., 2015). Implementing joint exercises with multiple local and state agencies, including mutual aid partners and non-law enforcement, can improve coordination, communication, and response between agencies during civil disturbances.

Leadership from the city of Saint Paul noted having prior relationships with state agencies as a strength during the response to the unrest (e.g., prior experience working with the State Patrol to protect state property). They emphasized the importance of creating opportunities for agencies to work together and establish relationships. Part of establishing relationships is trusting that all law enforcement agencies involved in an incident use similar best practices and avoid using approaches that include ineffective or potentially harmful crowd control tactics. Beyond having good working relationships between local law enforcement agency leaders and ensuring the officers are consistently trained on how to work together, DPS should also support local law enforcement agencies to act on mutual aid agreements in the best interests of community safety, regardless of the political interests of the leaders of those agencies or jurisdictions.

Law enforcement coordination, strategies, and logistics

Minnesota Statutes § 299D.03 (2021) outlines the power and authority of the State Patrol. This statute affirms that State Patrol members are to cooperate with sheriffs and police officers across the state if so directed by the Commissioner of Public Safety and assist and aid any peace officer whose life or safety is in jeopardy. Further, this statute outlines the responsibility of the State Patrol to enforce the provisions of the law concerning the use and protection of highways within the state, including the ability to direct traffic to other roads in the event of an emergency.

Under Emergency Executive Order 20-64, Governor Walz activated the Minnesota National Guard in response to requests by the mayors of Minneapolis and Saint Paul. The Minnesota National Guard is under state jurisdiction and can be called to assist in emergency management by the governor, as outlined in the Minnesota Constitution, article V, section 3.

The Minnesota State Patrol troopers were the first sworn peace officers from the state on the scene in Minneapolis on May 26th. Mobile Field Force units were activated and the first all-call of State troopers from across the state, followed by deployment of the Minnesota National Guard, and assistance from DNR conservation officers. The deployment of Minnesota Guard troops was the largest since World War II, with 7,123 Guardsmen activated (Bakst, 2020; documentation provided by DPS). During the first days following George Floyd's murder, these entities coordinated to assist Minneapolis and Saint Paul police departments and provide security to the Minneapolis and Saint Paul fire departments and local emergency medical services (e.g., paramedics), something very much outside of their day-to-day duties.

Furthermore, the State Patrol has specific state statutory authority and no jurisdiction over local law enforcement agencies (Minnesota Statutes § 299D.03, 2021). This factor limits when and how the State Patrol can participate in the response to local incidents.

It is important to note that, according to DPS leadership, the MPD did not have the training nor the equipment they needed to safely and effectively respond to the escalating unrest after George Floyd's murder. On Friday, May 29th, state entities and partners, out of a public safety necessity, began a more coordinated response with the opening of the MACC.

State Law Enforcement used multiple tactics to manage crowds during the civil unrest. Key tactics included marching formations, long-range acoustical device (LRAD) for communicating instructions to the crowd, and three less lethal munitions delivery methods (hand delivered, 40mm launched, and less lethal shotgun launched). For more information about the types of less lethal munitions used by State Law Enforcement, see the Glossary. Armored vehicles were used to transport law enforcement and extricate people from areas where shots were being fired. These vehicles provided ballistic protection to the responders and people being saved. There were several instances where State Patrol and assisting agencies coordinated mass arrests, arresting individuals who were out past curfew or engaging in unlawful behaviors (e.g., looting, arson, violence against law enforcement, or property damage). State Patrol field reports document instances of items thrown at them, including rocks, glass bottles, bricks, frozen water bottles, full beverage cans, and metal debris. Troopers also perceived gunshots fired in their direction. Some officers who were previously in the military equated their encounters to war zones they experienced during their military service.

Participating agencies used their own agency's training and standards related to the use of force and crowd management strategies. In addition to managing crowds, State Law Enforcement officers were responsible for enforcing curfews and highway closures mandated by the governor.

On Saturday night, May 30, the response to the civil unrest transitioned from city to state-led. On this night, to quell the civil unrest and protect businesses from looting and damage in downtown Minneapolis, State Patrol deployed a large number of less lethal munitions on Nicollet Avenue among large crowds of protesters, moving people out of the area. A State Law Enforcement official recalls, "There was a mass deployment of munitions on Nicollet Avenue with a large crowd, and that was a tactic communicated to us through chain of command via the executive saying go down there and give them everything you got. It needed to end tonight."

A significant law enforcement presence continued into Sunday, May 31, in response to large crowds protesting and blocking all traffic on I-35W. The tanker truck incident on I-35W significantly heightened tensions among protesters, which were de-escalated throughout the day. Mass arrests conducted by State Law Enforcement and partnering agencies that evening at Bobby and Steve's Auto World near downtown Minneapolis were peaceful and amicable, with no use of less lethal munitions or force.

These strategies were effective at stopping the violence and looting. By Monday, June 1, the crowds and violent behavior subsided, while largely peaceful protests persisted with minimal arrests.

Given the lack of time to prepare and the sheer number of law enforcement agencies and personnel involved, operational logistics to support the law enforcement response were complex and challenging. The Homeland Security and Emergency Management (HSEM) division of DPS was responsible for providing logistical support from the State Emergency Operations Center (SEOC) during the period of the unrest.

The gathering and sharing of accurate intelligence during large-scale civil disturbances is critical for priority setting and planning for appropriate and strategic law enforcement responses from incident command. The Minnesota Fusion Center (MNFC), operated by the Bureau for Criminal Apprehension (BCA), collects, evaluates, analyzes, and disseminates information about organized criminal, terrorist, and all-hazards activity in the state. During the unrest, MNFC facilitated collaboration between those onsite at the MACC and those off-site, and among all agencies involved in intelligence-gathering efforts.

STRENGTHS

1. **The use of Mobile Field Force units, specifically smaller teams, was an effective strategy for addressing unrest occurring in multiple locations across the cities.** Mobile Field Force units are small teams of law enforcement professionals trained for public order response. They are trained to quickly identify and remove agitators and lawbreakers before inciting the crowd. During this event, these units were split up to create small, nimble law enforcement units that could move to several hot spots around the cities quickly. A leader from the MACC referred to this strategy as a "brilliant plan" and "very effective."

2. **The State Patrol, the Minnesota National Guard, and the Minnesota Department of Natural Resources, once activated, mobilized quickly and worked together effectively to protect critical infrastructure and human life.** The State Patrol was engaged as early as Tuesday night, prior to any request for help from the cities. State troopers drove to the cities from across the state. Once fully activated, State Patrol, with support from the DNR, helped determine effective strategies to manage crowds and provide the resources to conduct mass arrests, which Minneapolis struggled with due to capacity, training, and equipment limitations. DNR conservation officers and the State Patrol had recently undergone Mobile Field Force (now known as Field Force Operations) training in preparation to respond to potential protests against the Line 3 pipeline development in greater Minnesota. As a result of this training, State troopers and DNR conservation officers were better prepared and equipped to work together in response to the unrest in the Twin Cities than they would have been otherwise. "That's the only reason they were ready for this," a leader from the MACC commented. This preparedness was, in part, attributed to both skills learned and equipment obtained from the Mobile Field Force training, as well as the relationship building that resulted from the practice of training together. The use of Minnesota National Guard members to provide

security to firefighters was referred to by many law enforcement representatives as a good use of resources as it freed up members of law enforcement, who have more authority (e.g., can make arrests, use dispersal methods) than the Minnesota Guard, to respond to public safety threats. The use of the Minnesota Guard in this way may also be an important way for a militarized force to be viewed as helping rather than personally threatening to demonstrators that may feel fear associated with individuals in military gear.

3. **Operational logistics – Leaders at the SEOC quickly set up a system to identify and distribute necessary resources.** As noted in the DPS AAR, HSEM quickly transitioned from a focus on the COVID-19 response to a 24-hour logistics operation to support law enforcement, firefighters, and Minnesota National Guard personnel. However, logistical challenges were heightened due to the need to minimize the spread of COVID-19. Coordinating travel and housing logistics for a substantial number of State troopers, DNR conservation officers, and Minnesota Guard members coming into the Twin Cities from around the state was a huge undertaking.

4. **Intelligence gathering and sharing – Intelligence gathering strategies and information sharing practices provided law enforcement with the necessary information to make informed decisions.** As identified in the DPS AAR, the intelligence team used live cameras and other surveillance technology to view activities in real time. Intelligence bulletins were quickly developed to share at the MACC and off-site. Intelligence information was easily shared with those involved in response decisions because the intelligence team was stationed at the MACC.

AREAS FOR IMPROVEMENT

1. **Engagement from the Minneapolis Police Department at the MACC was insufficient.** Both state-level officials and MPD representatives expressed frustration at the lack of communication between leadership at the MACC and Minneapolis' emergency operations center. MPD had an emergency operations center set up at their emergency operations training facility in Northeast Minneapolis and largely remained there. While they had a couple of representatives present at the MACC, the Minneapolis police chief was notably absent. This led to several challenges, including the initial use of competing law enforcement strategies (e.g., MPD used crowd dispersal tactics while State Patrol simultaneously used contain and arrest tactics). This also presented resource coordination challenges. Implementing multi-agency emergency response training and planning that includes local jurisdictions (last bullet under Recommendation 1) may help to address challenges like this in the future by ensuring agencies understand expectations of their roles in the response. A leader at the MACC stated, "The Minneapolis assets, in my opinion, were not effectively joined [in the coordinated effort] because they were still attempting to run the operation." Another leader at the MACC said, "[Minneapolis running their own emergency operation center outside of the MACC] couldn't possibly have demonstrated a more significant breakdown in command and control of an event like that. And to everyone at the MACC, it was very clear that Minneapolis had no interest in being a good partner."

2. **Participating law enforcement agencies followed different training and rules of engagement.** Various law enforcement agencies operated under different rules of engagement around the use of force and go-to crowd management tactics based on the training of their agency. In reference to working with MPD, a state official recalled, "we would be trying to implement containment, and then they would come through and just disperse everybody. So we were basically working against each other." This resulted in a reluctance to share resources and work in a unified way to address public safety. A state official reported, "I recognized other behaviors that were concerning to me like the MPD's use of chemical munitions. When they came to me and asked for additional chemical munitions, because they were running out, I told them no. I wasn't willing to do that because I didn't feel like their use of it was judicious and appropriate." A local law enforcement official referred to the State Patrol's conduct as "very stable and professional" and said "some other agencies, you don't know what they're going to do." These inconsistent law enforcement strategies may also have hindered the public's perception of police legitimacy.

   You can't just bring everyone together and say here are the operating rules, especially when there's no time to train and orient people toward those new rules. You can give overall objectives and goals. And that's a real challenge under any mutual aid certain circumstance, particularly when … we cannot tell other chiefs or sheriffs how they're going to operate. The law doesn't allow it, nor can they do that to us either. – State Law Enforcement official

3. **Standards promoting accountability were not consistently followed among participating law enforcement agencies.** Law enforcement representatives noted that there were instances where law enforcement agencies did not follow standard rules of engagement and, at times, were directed by leadership that they "didn't need to do reports," such as documenting the number of munitions deployed, by whom, where, and when. This conduct reveals a lack of organization and accountability from leadership to officers on the ground.

   There was this misconception that the rules of engagement, the policies and procedures, are all by the wayside and just go out and stop the unrest, which was kind of true. But, in the end, then there's lots of questions that need to be answered. And I think people like myself, [list of State Patrol personnel], we have learned a tremendous amount about accountability. And [during the events that occurred in May 2021 in Brooklyn Center] taking that time every night when we get back for two or three hours and recapping the events of the day and in a written format, and then making sure troopers are filling out use of force reports too… I imagine that might have been an issue with other agencies and entities. I think that was a thing across the board. In fact, at times, we were told [by State Patrol captains at the MACC] we didn't need to do reports when we were doing them, so we stopped doing them. I think there was a lot of miscommunication. – State Law Enforcement official

4. **On several occasions, law enforcement did not successfully differentiate between lawful and unlawful protesters.** Identifying agitators and violent actors among a large crowd of lawful protesters can be challenging. Many accounts from media reports and community members of public order tactics claimed that they were used on or targeted at individuals who were peacefully

protesting. A publicly circulated social media video captured law enforcement officials firing foam marking rounds at individuals standing on a porch in South Minneapolis. The State Patrol and other law enforcement agencies were involved in this incident, but it has not been determined which agency or individual(s) fired any foam marking rounds. Law enforcement teams used crowd control tactics, including chemical munitions, to move crowds while enforcing laws, including the ordered curfew. Some individuals were throwing objects, running between homes and onto porches to avoid law enforcement, or otherwise disrupting law enforcement efforts to move officers and vehicles down the street. Some of these tactics were used in or near residential neighborhoods, including the Little Earth public housing complex. According to some reports, these tactics were used even after city officials communicated with community residents and leaders that it was OK for them to be outside protecting their community. And some accounts claim that these tactics were used indiscriminately on residents who acted peacefully to protect their homes and community, even after violent actors had dispersed.

The use of less lethal munitions and other curfew enforcement methods at Little Earth by State Law Enforcement and other law enforcement agencies occurred because: 1) State Law Enforcement representatives did not have an understanding of the Little Earth community and their desire and plan for securing their area, 2) the city of Minneapolis and State Law Enforcement did not communicate about agreements with community leaders and residents about exemption from curfew, and 3) due to the chaotic nature of the crowds and their lack of prior information, it was difficult for law enforcement to differentiate between those causing destruction and those peacefully attempting to protect their neighborhood. It is important to note that the State Patrol and DNR had no reason to have a prior understanding of the Little Earth community or a relationship with Little Earth residents and leadership, as there are no highways or conservation lands/public parks that run through that area. And given the unplanned nature of these events, there were no pre-planning efforts in collaboration with the Little Earth community.

> There's a world in which I think the state should recognize when a presence like that escalates, turns up a situation, and when it's presence could be deescalating. It didn't look like there was a de-escalating objective. It felt like it was a "we're going to dominate and do what we want to do because we've got the biggest guns and the most amount of people and that's it."… Everybody [different law enforcement agencies] was lumped into one. You would think that trained military officers will be able to differentiate peaceful demonstrators. And peaceful doesn't mean that they're quiet and meek. Peaceful means not busting sh**. You would expect a more sophisticated approach and response, particularly given that it took a few days to get on the ground. – Local government official

5. **Operational logistics – Procedures for coordinating resources and other logistics, such as transportation to support law enforcement operations, need improvement.** "We were prepared to do what we needed to do in the field, but not at a logistical level," commented a state official. Specifically, responders discussed challenges related to transportation for law enforcement purposes (e.g., moving law enforcement personnel, holding detainees during mass arrests), including difficulty working with Metro Transit and the Metropolitan Council. A leader at the MACC noted that an important law enforcement operation was delayed by three hours due to a broken down Metro Transit bus that was supposed to transport officers to the scene, a delay that this official believed could have been avoided if they had been given access to equipment that was in good working order.

6. **Intelligence gathering and sharing – Better coordination of the sharing of intelligence information with law enforcement is needed.** State officials and representatives from local law enforcement noted the need for more collaboration among the intelligence team, unified command, and tactical operations team, and better intelligence information, in general. A local law enforcement official commented that they did not anticipate "the methods and platforms for how the bad actors were communicating – encrypted communications, chatrooms, and things of that nature." He continued, "It was a lot more coordinated than we had anticipated. We have dealt with protests and demonstrations in the past, smaller scale things that evolve organically, [but] – this seemed to be much more coordinated…That was something early on that we missed."

RECOMMENDATIONS

Recommendation 2: Inform and support development and compliance with law enforcement standards, model policies, and training to be used consistently among law enforcement agencies across the state.

Inconsistent tactics may compromise the operation of another agency, jeopardize the safety of responding personnel, and damage inter-agency trust (Links et al., 2015). An aggressive response to crowd management by one law enforcement agency, for instance, may undermine efforts to improve perceptions of police trust and legitimacy by another law enforcement agency. An "anything goes" approach and mentality in response to civil unrest must be avoided, regardless of the circumstances. Furthermore, when different law enforcement teams use uncoordinated and varying tactics, it negatively affects the morale of law enforcement professionals.

DPS only has the authority it is provided by legislation, and it can only use its appropriations for the purposes provided by the Minnesota Legislature. The Legislature should determine the role of DPS in working with the Minnesota Board of Peace Officer Standards and Training (POST Board) to make progress toward the development and implementation of statewide standards for crowd management and use of force.

- **Ensure systems, such as a multi-agency command system, are in place to facilitate state and local law enforcement agencies use consistent law enforcement best practices for crowd management**

and use of force. As possible, local, state, and federal agencies should adhere to the same policies and procedures when responding to civil disturbances. Guidelines for crowd management and control should be well-defined and adhered to by responding law enforcement agencies. Standard practices that enhance the accountability of the use of less lethal munitions should be used across participating agencies. National standards exist for public order units, formations, and mass arrests. Additionally, there are Supreme Court rulings that clarify rules for when to engage and not to engage in certain tactics regarding crowd control situations (Deorle v. Rutherford, 2001; Forrester v. City of San Diego, 1994; Graham v. Connor, 1989; Headwaters Forest Defense v. County of Humboldt, 2000). According to a State Patrol representative, requiring front-line responders to report their use of munitions at the end of each day in the field, for example, leads to more accountability and judicious use of munitions. In addition to ensuring that consistent reporting is completed, supervisors should be required to review reports to ensure appropriate action and accountability when individuals have not behaved according to policy or have otherwise engaged in potential misconduct. These types of issues or inconsistencies in practice can be addressed by training. If time and capacity is an issue, agencies can apply for Federal grants that provide compensation for participation in training over time to ensure the workforce is not affected.

The state should explore ways to work with the POST Board to advocate for legislation, as needed, to implement these practices across local jurisdictions. According to state officials, State Patrol has strong accountability practices written into their policies, such as supervisor follow-up and review of written reports when force is used. However, some state officials reported straying from these practices during the civil unrest of May 2020 due to the chaotic nature of the events and the number of agencies involved. DPS should consider opportunities to work with the POST Board to promote best practices such as reporting the use of less lethal munitions among law enforcement agencies statewide and ensure all State Law Enforcement, not just State Patrol, are trained and adhere to these policies.

The State Patrol believes it is the only law enforcement agency in the state that does not investigate its own internal affairs complaints. DPS has an internal affairs division that reports directly to the commissioner's office and not to any law enforcement division (State Patrol, BCA, or AGED) and as such is independent. This is a strong accountability best practice that has been in place at DPS since before 2005.

We acknowledge that standards should provide a guide and not be overly prescriptive to the point of agencies not being receptive to them. In addition to paying attention to standards, law enforcement agencies must follow practices that reflect the values of the community they serve.

> *There are different rules of use of force, different training [for each law enforcement agency]. That's a statewide problem. Law enforcement agencies were doing things that Saint Paul wouldn't do. … When these law enforcement agencies come together and everybody's got their different way of handling stuff…if there's a way to evolve this conversation it involves talking more broadly about the police reforms that need to happen in Minnesota and talking about training requirements, rules, or use of force requirements. – Local government official*

Recommendation 3: In general, use a tiered response to address situations of civil unrest that involve both lawful and unlawful protesters.

When the state became involved in the response to this particular instance of civil unrest, a paramilitary response may have been necessary initially due to the immediate unsafe conditions for responders and legitimate threats to their safety. However, generally, a paramilitary police response during a protest may be perceived by protestors as procedurally unjust and instigate hostility and violence towards the police (Drury & Reicher, 2000; Hoggett & Stott, 2010). Donning military gear, deploying less lethal munitions, and standing in a military formation may also intimidate protestors and escalate tension (Links et al., 2015). The California Commission on Peace Officer Standards and Training (2021) recommends using a tiered set of intervention and response strategies as a situation escalates from crowd management to crowd intervention to public order (often referred to as crowd control). Two strategies should be implemented as part of this tiered approach: (1) pre-stage equipment (e.g., protective riot gear, less lethal munitions) that may be needed in an emergency in an area not visible to protesters and (2) use negotiated management techniques. DPS should consider enhancing public order training at all levels, beginning with recruits in the Academy and going up the ranks, including basic, intermediate, and advanced courses depending on their position.

- **Riot gear and less lethal munitions should not be visible to protestors unless law enforcement officers are under imminent threat and intend to use these weapons against the crowd.** DPS should discourage law enforcement from donning riot gear unless the safety of responders is in jeopardy. There were many instances at the point at which State Law Enforcement got involved when responders were attacked violently by people in the crowd using a variety of objects as weapons. In these cases, the visibility and use of riot gear may have been necessary and appropriate. However, a show of force by law enforcement can incite fear and aggression among protestors (Maguire & Oakley, 2020). If riot gear is necessary, it is best practice to establish a staging area, not visible to protestors, in which law enforcement can have rapid access to tactical and protective equipment (Links et al., 2015; Police Executive Research Forum, 2011). During the unrest, a local business owner noted that a staging area near the Third Precinct was close enough to the area where crowds were demonstrating on Lake Street that it was visible and was perceived by demonstrators as sneaky and threatening, and may have contributed to an escalation of unlawful behavior among the crowd. Engaging crowds in a friendly, non-confrontational manner and wearing soft gear uniforms can increase the likelihood of protestor compliance, cooperation, and self-regulation (Links et al., 2015; Police Executive Research Forum, 2011; Waddington, 2013).

- **Apply negotiated management techniques and tolerate some disruption.** During this review, the perception of community residents and business owners that the State Patrol and Minnesota National Guard were coming into these communities as warriors rather than guardians came up frequently. It is best practice for law enforcement to tolerate some disruption (to keep peace rather than enforcement of all laws) and communicate to protestors that their objective is to ensure safety and protect the protestors' legal right to free speech and peaceful assembly (Links et al., 2015). By doing so, law enforcement agencies recast their role as "guardians" rather than "warriors." Consistent

with this recast, law enforcement should engage with protestors in conflict de-escalation, tolerate some disruption, and sustain an open line of communication with protestors to minimize miscommunication and police-protestor violence (Maguire, 2015). Dialoguing with protestors may also offer accurate insights into public safety risks (Gillham et al., 2013; Gorringe et al., 2012). Accounts from interview respondents differed as to how skillfully State Law Enforcement and partnering law enforcement agencies employed negotiated management techniques during the civil unrest that followed George Floyd's murder.

Recommendation 4: Differentiate peaceful protestors from those engaging in unlawful activities.

Crowds consist of distinct social identities (Maguire & Oakley, 2020). A group of "outside agitators" may, for instance, infiltrate an initially peaceful protest to incite violence (Reicher et al., 2004). While the actions of agitators are not necessarily "contagious," peaceful protestors may align with agitators if they perceive that the legitimate purpose of their protest is impeded by law enforcement response (Maguire, 2015; Reicher et al., 2004). A differentiated law enforcement response – that is, using force only on individuals that endanger public safety but not on peaceful protesters – may facilitate peaceful protests (Maguire, 2015). Public order training and a better understanding of crowd dynamics would improve skills needed to do this effectively. To facilitate peaceful protests and to promote law enforcement legitimacy, law enforcement agencies should implement the following:

- **Decide conditions and procedures for arrests ahead of time.** In preparation for future unexpected events, all responding agencies should collectively decide the conditions and procedures for making arrests, including mass arrests. Procedures for mass arrests at large-scale events can be planned ahead of time by including all responding agencies in pre-deployment briefings by the command staff. Issues to consider when discussing use of mass arrests include: First, mass arrests may aggravate protestors and increase the potential for violence (Maguire & Oakley, 2020). Second, mass arrests are costly and deplete law enforcement personnel resources. For instance, during mass arrests, law enforcement personnel must document, process, and transport prisoners (Links et al., 2015). Lastly, mass arrests can result in civil lawsuits (Maguire, 2015). If mass arrests are necessary, local and State Law Enforcement personnel should be trained to conduct them efficiently and learn how to extract prisoners from the crowd (Links et al., 2015). Consider including city attorneys when using mass arrest and other law enforcement strategies, as the city attorneys are responsible for subsequent prosecution of those arrested within their jurisdiction. City attorneys can also help write the warnings communicated to the crowd to ensure lawfulness. Oftentimes, information about individuals arrested and evidence of their unlawful behavior is needed to carry out prosecution. Gathering this evidence after the fact is challenging or impossible, placing a significant burden on city attorney offices.

The arrest process was a mess for us. Specifically just the process of it, the paperwork, the charging. We need huge improvements, and we've been working on that since then. We had people that we arrested. Now we don't know who exactly arrested them, and what's the charge? And what's their name? My investigators are trying to work on it one or two days later. So that was definitely something that didn't work well for us initially. It just wasn't consistent. Our agency was doing it one way, and Minneapolis was doing it a different way.
— State Law Enforcement official

- **Engage in differentiation tactics.** Law enforcement officers should be trained in implementing differentiation tactics and avoid restrictive tactics (e.g., mass arrests, use of force) when possible. Differentiation means using the least restrictive law enforcement tactics to defuse conflict to facilitate peaceful protests among the largest number of people possible, thereby bolstering police legitimacy. Arrests, crowd dispersal tactics, and coercive police interventions should target only those individuals or groups engaging in activities that endanger public safety and jeopardize critical infrastructures (e.g., hospitals). According to a local law enforcement official, "We've seen this at several other unrest events, including in our own county. If you immediately move in, identify the agitators, and arrest them, it stays calm and it prevents the ongoing escalation in future days." Indiscriminately enacting force on peaceful and non-peaceful protestors may increase crowd hostility and aggression toward the police (Reicher et al., 2004). Local, state, and federal law enforcement agencies should collaboratively design, train, and implement differentiation tactics in protest policing.

- **Continue to communicate to protestors about impending public order tactics.** Prior to implementing public order tactics (e.g., dispersal using chemical irritants), State Law Enforcement should continue to ensure consistent use of best practices: (1) cite the violation committed by protestors; (2) warn protestors of impending public order strategies; and (3) provide designated routes that offer means of safe egress (International Association of Chiefs of Police [IACP], Law Enforcement Policy Center, 2019). According to state officials, State Law Enforcement issued multiple warnings to the entire crowd and video recorded the implementation of public order tactics. Warnings should also be provided via social media to reinforce the message. DPS should consider expanding their use of social media to platforms beyond Twitter. Messages must be tailored to the corresponding platform; Facebook can have a story along with pictures and video, Instagram is a visual medium with minimal messages, Twitter is for giving out information via messages, and YouTube can be used to give an in-depth message.

Recommendation 5: Engage in pre-planning efforts to improve processes for managing operational, tactical, and logistical considerations.

To the extent possible, identify logistics and resources needed for a coordinated response to civil unrest. For example, planning ahead of time for mass arrests would require locating appropriate transportation for holding and transporting those arrested and immediately identifying main contacts and transit hubs (e.g., Metro Transit) to facilitate support requests. If possible, work with these entities prior to civil disturbances to understand their willingness to provide resources and any requirements they may have. Given that the civil unrest of May-June 2020 was unplanned, several pre-planning efforts were not possible. Historically and currently, DPS has been an active participant in planning for

large-scale events such as the Super Bowl, the Republican National Convention, and, most recently, Operation Safety Net. DPS should continue to: participate in training on planning for special events, create event action plans, and assist in instituting critical incident plans for all agencies/municipalities. In creating plans, they should coordinate with the POST Board to determine and agree on model policies to be used. Mass arrest training can also help to ensure that the process goes as smoothly as possible. Specific recommendations from the DPS AAR for improving operational logistics include the following activities, many of which require pre-planning:

- Always have a member of the logistics group in the MACC to clarify requests and understand needs.

- Create a streamlined ordering process for supplies and equipment.

- Develop a larger pool of state logistics personnel to staff multiple staging locations and assist.

- Hold daily conference calls for the site managers at staging locations to discuss needs and improve coordination.

- Leverage existing technology to comprehensively credential response personnel and account for them at the onset, understanding that responding to an unplanned incident may cause gaps in personnel inventories.

Recommendation 6: Improve coordination and collaboration between the intelligence team, law enforcement tactical operations teams, and MACC leadership.

Generally, law enforcement officials and MACC leadership noted the desire to improve the coordination between the intelligence team and law enforcement officials. Mutual aid training and training for local jurisdictions about how to request help from the state may improve coordination and communication among these entities before the need to respond to an emerging or unplanned incident.

In addition to training, it is critical to have a system for vetting intelligence and intelligence sources. The DPS AAR identified this as an area for improvement.

Recommendations from the DPS AAR to improve intelligence operations include:

- Establish a standard operating procedure in advance for intelligence operations in the MACC.

- Work with MACC command to establish priority intelligence requirements and questions.

- Have MACC stress the importance of responding to intelligence requests from responding agencies and units.

- Ensure members of the intelligence team are informed of current law enforcement deployment tactics, procedures, and locations.

- Have MACC determine the intended audience for intel bulletins and products at the start so they match needs.

- Foster more collaboration between the intelligence team and both the MACC and tactical operations.

Fire and life safety response

Responding to fires and other threats to life presents a critical challenge during civil unrest as it can be difficult to respond safely and to access people and places where help is needed. Uncontrolled fires can embolden those conducting unlawful behavior and lead to the spread of more fires. During this period of unrest in Minnesota, the mission of the State Fire Marshal was to support local fire chiefs' needs related to fire protection and emergency services. When the local fire chief reported that they had exhausted all their resources, the State Fire Marshal became the conduit to the Minnesota State Fire Chiefs Association inter-state mutual aid program. The State Fire Marshal helped coordinate moving resources to the incident and spreading support for a more robust response. While DPS took the lead on the law enforcement response, the State Fire Marshal remained in a supporting role, assisting the local fire departments with resources needed to address fires across the Twin Cities.

STRENGTHS

1. **The State Fire Marshal provided effective coordination with the Minnesota National Guard and other resources to support local fire departments.** Once state resources were activated, the Minnesota Guard effectively provided the Minneapolis Fire Department with the security necessary to respond to multiple fires across the city. This type of Minnesota Guard support a day earlier would have helped reduce the destruction caused by fires. The State Fire Marshal kept a pulse on what was happening in cities in greater Minnesota as well (St. Cloud, Rochester, Mankato, Moorhead, and Duluth), frequently calling the fire chiefs in these areas to see if they needed assistance.

AREAS FOR IMPROVEMENT

1. **Law enforcement lacked a comprehensive understanding of the needs of fire departments and emergency medical services.** Responders talked about the desire for more pre-planning around law enforcement supporting fire departments and other emergency responders during civil unrest. Additionally, there was a misconception that once Minnesota National Guard members were deployed to assist the fire departments, they would also be assisting emergency medical services. However, a separate deployment was required to allow Minnesota Guard members to escort and provide security to paramedics. There were periods when paramedics did not have the protection they needed from law enforcement to do their job safely and effectively. There was a period where both the Minneapolis and Saint Paul fire departments and Hennepin Healthcare Emergency Medical Services paused their response due to unsafe conditions and the absence of protection from law enforcement. A state official noted that it would be helpful for future incidents to know how many law enforcement personnel are needed to assist fire trucks and ambulances for security purposes. This would assist the MACC in planning for and distributing resources appropriately.

RECOMMENDATIONS

Recommendation 7: Improve systems to facilitate coordination between law enforcement, local fire departments, and emergency medical services and identify strategies to prioritize security for fire and life safety responders.

The Minneapolis Fire Department had the staff capacity to respond to fires but did not have the security required to do their job for several days due to MPD being overwhelmed. The same was true for Hennepin Healthcare Emergency Medical Services (EMS) and North Memorial EMS. Multi-agency response plans and training should include detailed information about firefighting and EMS needs and plans for how law enforcement can coordinate resources to prioritize supporting fire and life safety responders. DPS and law enforcement agencies across the state should participate in Rescue Task Force (RTF) or escort training to facilitate a smooth response during critical incidents. The DPS AAR identified the following recommendations to improve the fire and life safety response:

- Seat a liaison from the key local fire departments at the State Fire Marshal desk in the MACC.

- In advance of incidents, identify personnel who can provide medical support and participate in initial deployments.

- Develop a plan for how law enforcement can support safe response by fire departments.

- Include some additional State Fire Marshal stakeholders in the Multi-Jurisdictional Exercise Team that discusses hazmat and biological incidents and sets the course of action.

Coordination with and support for local jurisdictions

Minnesota Statutes § 12.09.5 (2020) asserts that DPS is responsible for providing guidance, information, and sufficient training to allow local political subdivisions to request state and federal disaster assistance. Subdivision 6 of the same statute asserts that DPS is responsible for coordinating and maintaining emergency operations plans and emergency management programs by the state's political subdivisions. DPS is responsible for integrating and coordinating these emergency operations plans and emergency management programs of political subdivisions into the state's plans and programs to the fullest possible extent.

Throughout the period of unrest, the state coordinated with city officials to stay updated on the events as they transpired and to identify the appropriate use of state resources. Neither the state nor the cities had previous experience coordinating law enforcement resources on this scale. On Thursday, May 28, 2020, after two days of violent unrest, Minneapolis and Saint Paul mayors officially requested Minnesota National Guard assistance. The following day, a contingent of the Minnesota Guard was deployed to the Twin Cities, and by Saturday, May 30, the full strength of the Minnesota Guard was present.

It is important to note that the Minnesota Guard takes time to activate and deploy. First, they have to be called up to their local armories, and then they are given orders and supplies before moving out (Bakst, 2020). Many state and local government officials were admittedly not aware of the time it takes to activate the Minnesota Guard, leading to unrealistic expectations among some and several instances of miscommunication. Additionally, the Minnesota Guard requires a clear mission to be activated.

Accounts of why the Minnesota Guard was not fully deployed until May 30 differed across state and city officials. While state and local officials and community members felt that, once the Minnesota Guard was called, they were successful in their mission, many felt they arrived a day too late.

STRENGTHS

1. **Including elected officials in briefings was useful.** There were a few instances when information was communicated effectively from the governor's office to local elected officials. Additionally, a local government official noted appreciating getting a call from the Commissioner of Human Rights before the investigation into the MPD was announced, saying, "It was thoughtful of them to call me. I think little things like that buy a little bit of capital." Another local government official valued statewide meetings via Zoom with the governor's office, where officials were provided with situation reports and plans. These opportunities provided officials with information they could share with their constituents. However, several Minneapolis City Council members initially felt left in the dark without a clear line of communication to stay informed about what was happening and what to communicate to their constituents. This may have been due to a lack of communication from the mayor's office or among city council members. According to a state official, DPS started hosting briefings for state and local officials because it did not appear that local agencies were communicating with their local officials. According to state officials, it should not be the state's responsibility to provide briefings to local governmental leaders or their various constituencies (e.g., community leaders).

2. **The existing working relationship between the city of Saint Paul and the state facilitated smooth communication and coordination between entities during the unrest.** Representatives from the city of Saint Paul noted that previous experiences working with State Patrol and Minnesota National Guard to protect state-owned buildings, for example, facilitated effective communication and coordination during the civil unrest. The benefits of established relationships, such as knowing who to call and how to work together, were key factors in determining how the state's response to the civil unrest was experienced by collaborating local jurisdictions.

AREAS FOR IMPROVEMENT

1. **Timeliness of Minnesota National Guard deployment and the communication among local jurisdictions and the state.** Based on conflicting accounts from city of Minneapolis and state officials, better communication about Minnesota National Guard requests, request status, and deployment is needed. Some state officials indicate the deployment delay was because the request from Minneapolis was unclear and lacked the necessary information for deployment. Other state officials claim that the request became complicated when elected officials became involved (i.e., the Minneapolis mayor, the governor's office), rather than allowing the Minneapolis Police Department, Department of Public Safety, and Minnesota Guard work out the details of the requests, needs, and chain of command. One official reported that the deployment may have happened more efficiently if the officials with tactical and logistical law enforcement expertise had communicated about the request rather than elected officials.

Local government officials claim that the city of Minneapolis had done their due diligence and that the state failed to communicate about the status of the request and any additional information they needed to execute it. The Minneapolis police chief submitted a written request that city officials described as "thorough and specific." Released documents show that Minneapolis Police Chief Medaria Arradondo's written request from Wednesday, May 27, asked for 600 soldiers to work under MPD commanders to assist with 1) area security and force protection operations, 2) area denial operations, 3) transportation assistance for law enforcement officers, and 4) logistical assistance for overall security operations (Croman, 2020). According to Minneapolis officials, the governor's office responded that they would consider the request, but the city did not receive any follow up until much later. Accounts suggest that the state was waiting for more detail, characterizing the request as "rather vague," and the city was not aware more detail was needed for deployment (Bjorhus & Navratil, 2020). State officials report that the request initially lacked clarity and that more information and time was needed for HSEM to develop the necessary details of the mission to activate the Minnesota Guard. Additionally, media reports suggest that once the Minnesota Guard were on the ground, they continued to await more specific instructions from the Minneapolis Police Department (Bjorhus & Navratil, 2020; Croman, 2020).

> *We were having a very hard time figuring out what they actually need to articulate to the Guard, what it is we need them to do, and how many and what kind of soldiers with what equipment. Otherwise, it's "please send help." It just doesn't work that way. … It is not an insignificant action to put soldiers on the streets of a city in the USA to assist with law enforcement. That's a pretty big deal. … So we needed some specificity. So when we talk about the morning of Thursday the 28th, we (HSEM) were working on a mission statement, that's what that means. We were trying to understand what did Minneapolis need, so we can articulate that to something that is executable to [Minnesota National Guard Adjutant] General Jensen and the Minnesota National Guard. It's not like we've got 5,000 soldiers sleeping in barracks ready to do a mission. We are pulling people out of their jobs and putting them in a military duty status, assembling them, and preparing them so that they can go do a mission effectively and safely. … We had a hard time understanding what Minneapolis needed so we could articulate it and put it into a coherent mission assignment for the National Guard. – State official*

> *We gave them a mission plan, [but] there was not a response email from Commissioner Harrington to Chief Arradondo. We didn't get a response to that first email. … I mean, our request was very clear as to what we were looking for. We made it clear we were willing to do anything that they [the State] needed to provide additional information in order to ensure that we had done our part to get the assistance. – Local government official*

In addition to poor communication between the city of Minneapolis and the state, the city of Saint Paul noted a discrepancy between what the Minnesota National Guard leadership were told about Guard members in Saint Paul and the reality of their deployment on the ground. Specifically, city leadership was informed that there were Guard members on the streets of Saint Paul when they were not there. According to local government officials, it was later confirmed there had been a breakdown in communication among Minnesota Guard leadership and those within the Minnesota

Guard responsible for deploying soldiers, causing initial confusion and delays. According to the Minnesota Guard, this communication breakdown was understandable due to the dynamic nature of the event and the historic nature of total mobilization of the Minnesota Guard.

First responders, such as firefighters and paramedics, would have benefited from an earlier deployment of the Minnesota National Guard to have the security they needed to respond to fires, which would have likely resulted in less destruction to property.

> *I've always felt that there was a real disconnect between city and state officials. The mayor's office in particular. We're [the City] always guessing what the state's response was going to be. We always try to get prepared on our end, but you're always waiting to react. After the mayor declared a state of emergency, we had a curfew order drafted, but then the state was going to do that, but then they wanted ours to align with theirs. In my mind, there should be a direct pipeline… the perception of the public, those that don't work in the government halls, is that the mayor of the largest city in the state and the governor are in regular conversation and both of their respective staff are in regular conversation, and we know what's going on, they know what's going on, there's coordination. But the truth is far from that. – Local government official*

RECOMMENDATIONS

Recommendation 8: Improve communication and coordination with local jurisdictions regarding requests for the Minnesota National Guard and other state assistance.

During times of civil unrest, clear and consistent lines of communication and reliable processes regarding requests for the Minnesota National Guard are needed so that they can be deployed as quickly as possible. Additionally, local jurisdictions that may be inexperienced in requesting assistance from the Minnesota Guard need training and guidance regarding when a request is appropriate, the information they need to provide in that request, and the expected deployment time. Instructions for requesting the Minnesota Guard assistance are provided in the Minnesota Emergency Operations Plan (MEOP); however, the information provided is minimal because the process is almost always informal, according to a state official. For example, a local jurisdiction that needs assistance typically contacts the Minnesota Duty Officer, which is followed by a conversation between the requestor and the HSEM director. The director then consults with the Minnesota Guard and calls the DPS commissioner with a recommendation. The recommendation is then passed on to the governor, who ultimately decides whether or not to activate the Minnesota Guard. As soon as the governor decides to activate the Guard, the logistical planning around how many Guardsmen should be sent where and for what specific mission should be determined by the local law enforcement experts in consultation with DPS emergency management experts, not elected officials. "We need to follow the process, but we need to improve that process," said a state official. Per Minnesota Statutes § 12.09.5 (2021), DPS should partner with local jurisdictions, namely individuals and agencies involved in potential requests, to ensure that proper assistance is requested in a timely fashion.

- **Provide local jurisdictions with clear processes, guidelines, and support for making Minnesota National Guard requests.** The DPS AAR recommends that local elected officials familiarize themselves with the MEOP guidance on submitting requests seeking Minnesota National Guard assistance. Based on our review of the MEOP and a description from a state official, DPS should consider developing separate materials, resources, and training opportunities that are more relevant for local jurisdictions (local, county, and tribal emergency managers). These materials and trainings should provide information about when it is appropriate to request Minnesota Guard assistance, how to do so effectively (e.g., necessary information for a mission plan), and expectations for the time needed to deploy. Specifically, a sample request should be provided to facilitate getting the needed information in future written requests. When elected officials find themselves in a new and chaotic situation, it is critical that they have the information they need to follow a reliable process for requesting help. Mutual aid training would be an appropriate avenue for communicating information about how to request assistance from State Law Enforcement. To maintain operational control and system discipline, the state should update the MEOP to require that the request for the Minnesota Guard come through emergency management channels for evaluation, processing, recommendation, and action. There are emergency management directors across the state appointed by city councils, county boards, and tribal councils. In this case, it was appropriate for the mayor or chief of police in Minneapolis to make the initial request, but then the request should have been processed by the city emergency manager. Authorizing the Minnesota Guard for state military service in support of a local government is just the first step. Coordinating the operational details to deploy those forces is more complex and should have been managed by emergency management professionals in coordination with law enforcement and the Minnesota Guard.

> HSEM leadership has begun to include guidance for how to submit requests for seeking the Minnesota National Guard in presentations to law enforcement agencies across the state.

During emergencies, DPS should communicate consistently with local jurisdictions about the status of any requests for assistance/mutual aid/Minnesota National Guard activation and any missing information, and provide updates on anticipated arrival time. This type of communication will help local jurisdictions and supporting agencies plan accordingly. This communication will be best accomplished through established channels between city, county, and state-level emergency operations centers to ensure established processes are utilized. Exercising these systems and processes will benefit all parties involved in future emergency events.

> *I did not have a grounded, reasonable understanding of how long it takes to deploy our citizen soldiers and airmen. I was under the impression that those are resources and assets that you can assemble rather quickly – like if we need them at noon, then perhaps we'd see them at 1 p.m. – Local law enforcement official*

You see that the National Guard, on an annual basis, does emergency manager conferences, bringing people together. But I think our takeaway is that we can and should do more to make sure that local public safety folks or local leaders know what role the State Patrol plays, what can it do to help, what can the National Guard do, how can they help. That's laid out in the MEOP, with specifics about how long it takes to mobilize National Guard, etc., but I think governing is difficult at all levels, so the more we can help local elected leaders and public safety leaders know how the state can help, the better. – State official

- **Proactively offer support to local jurisdictions as a decision-making partner.** Although local jurisdictions often handle instances of civil unrest, these entities may benefit from a problem-solving partner early on to avoid escalation of events that would require greater intervention by the state. In this case, the State Patrol was activated in Minneapolis the day following George Floyd's murder; however, there may be other ways the state could have supported Minneapolis as a collaborative partner. As a local government official suggested, rather than waiting and seeing whether Minneapolis could handle the unrest, they could have said, "We're here at the table listening, and we're problem-solving with you. We won't take the lead until that is requested, but we have experience and will help with decision-making to the extent that it's wanted." Alternatively, a state official commented, "But from the state's perspective, we were a key partner right away. … Even on Tuesday, the State Patrol was on the ground, coordinating with MPD; on Wednesday, the State Patrol had a key role in protecting the Third Precinct." In the future, to prevent confusion or delays in the transfer of power to the state as the responding jurisdiction, DPS and the governor's office might consider identifying triggers that provide clarity as to when the state should take a leadership role.

- **Identify opportunities to work with local jurisdictions that facilitate relationship building.** Consider working with the city of Saint Paul, the city of Minneapolis, and other jurisdictions, as appropriate, to identify best practices based on experience working together in public safety efforts and engage in mutual aid training. Use these practical lessons learned and training opportunities to coordinate with these and other jurisdictions for unexpected incidents that require the careful coordination of local and state resources.

Communication and messaging to the public

Information from the state was relayed to the public primarily through a series of press conferences with Governor Walz and other state leaders, including Commissioner of Public Safety John Harrington, Attorney General Keith Ellison, Colonel Matthew Langer of the State Patrol, and Adjutant General Jon Jensen of the Minnesota National Guard. Press conferences included information about executive orders, updates on the Minnesota Guard requests and their role, agencies coordinating the response, criticism of the city of Minneapolis, decisions made about the prosecution of Minneapolis police officer Derek Chauvin, and the Minnesota Department of Human Rights investigation of the Minneapolis Police Department. State leaders also made requests of residents to do their part to support public safety (e.g., stay at home, be peaceful), echoed community outrage in response to the murder of George Floyd, and referenced systemic issues that are at the root of racial injustice. Additionally, state officials

communicated an intolerance for violence and destruction and the response of force that would be used to gain control of violent and destructive crowds.

STRENGTHS

1. **Press conferences were frequent and informative.** The governor and DPS hosted 16 press conferences between May 29 and June 5. Those who listened to the press conferences appreciated the frequency and information provided, including updates on public safety risks and response plans. Community members noted that press conferences may not be the most effective way to communicate information to everyone and that providing additional modes of communication is necessary.

> *I thought they did a good job early on identifying that there were outsiders coming in to make a fuss. Commissioner Harrington used the term "white supremacists" on TV and he said it with authority and anger. I thought the fact that he put it out there like that was good. – Community memberWe appreciated the information, appreciated that they were clear about wanting to do an investigation and that they announced that early on and sort of said we want everyone to be safe and protected. Those are the messages. That they're going to investigate this. It's not just going to be left to the city, but really saying we're going to support the city of Minneapolis and that they were open to listening, to supporting, protecting, and being in control of putting the situation under control and investigate the police. They did it in a forceful, get to the bottom of this, kind of way. The trust issue is really significant. I think people were going to give the governor the benefit of the doubt. – Community leader*

2. **State leaders acknowledged the legitimacy of community outrage during press conferences.** Some interviewees and focus group participants appreciated the governor acknowledging community outrage at the murder of George Floyd. In contrast, others felt that the outrage in their community was dismissed due to a focus on outside agitators.

> *I heard from community that they appreciated the governor and others at those press conferences for owning the fact that somebody got killed that shouldn't have been killed and that race was the precursor to his death. Some people were really impressed by his ability to be that direct about this issue. I personally thought that was good too. – Local government official*
>
> *I believe it was Governor Walz who stated that the sense of grief and anger and the outpouring of emotions from the community were completely normal and that more compassion needs to be shown to the community. Not just crushing us for releasing those emotions. The protests themselves were peaceful yet we were angry. … I was surprised. I was gratified, but I was very surprised that he was calling for temperance from the authorities. That he was basically saying, "Allow these people to express themselves." – Community member*

The narrative has been shifting. … When I was a kid, I used to watch these "Eyes on the Prize" episodes in the 1960s, and they were talking about, "our Black folks down here are good, we don't have any problems, it's those agitators from up North coming down here, stirring them up." And that's how I felt when that narrative is pushed, whether it's true or not. I feel like it's just like [state officials] said, "No, they weren't angry, it was the other people come just to [expletives] up." – Community member

3. **DPS followed best practices in the use of social media to engage the public.** DPS used Twitter to keep the public informed about curfew orders, road closures, updates on law enforcement activities, where to report unlawful activity, where to get basic needs met (e.g., food, household supplies), among other things. DPS originated 225 tweets from May 29 to June 5. Critical curfew messages were provided in Spanish and Hmong through partnership with TPTNow. Law enforcement's careful use of social media during critical events can engage community and promote relationship building. As recommended from the President's Task Force on 21st Century Policing (2015), DPS regularly refreshed the content posted to maintain and engage the audience, rapidly posted content to dispel rumors, and used it for engagement, not just public information. For example, DPS attempted to engage the public by tweeting,

> **MnDPS_DPS** ✔
> @MnDPS_DPS ···
>
> Minnesotans have been a valuable source of information as the state responds to criminal activity across the Twin Cities. We encourage you to continue to be vigilant and to provide information. Where you call depends on what information you are providing.

AREAS FOR IMPROVEMENT

1. **Information flow between law enforcement and communications leads lacked structure, leading to the spread of misinformation.** A joint information center (JIC) is a facility established to coordinate all incident-related public information activities (different from the intelligence team). It is the central point of contact for all news media. A JIC provides the ability to disseminate information, diffuse rumors, and clarify facts rapidly. Ideally, public information officials from all participating agencies co-locate at the JIC. A JIC was not formally established due to COVID-19 concerns and the quick escalation of unrest across the cities. Although significant communication was happening, these efforts were not well coordinated, leading to misinformation that reached the public.

There were several instances of public officials, both at the state and local level, disseminating false or unverified information about facts on the ground. Notable examples include determinations about whether those causing the most destruction were from out of state and whether the tanker truck driver intentionally ran into a crowd of protesters on the freeway after the freeway was shut down. Unverified information that is then found to be inaccurate can undermine the public's sense of security and trust in leadership. One of the informants interviewed suggested that "there was a significant gap in terms of the information that was needed to be shared in a consistent format with

our policymakers." A local official recommended that there should be a team dedicated to providing information for elected officials during events of this scale.

2. **Initial coordination with the city of Minneapolis on press-related matters was lacking.** During one of the first press conferences, the governor referred to the city's response as an "abject failure." While the state may have had some legitimate frustration about the communication from the Minneapolis Police Department, this was demoralizing for city leadership and staff who had been working tirelessly to do what they could to address the needs of the community. City leadership was not aware that this press conference was happening. This statement gave the public the impression that the city of Minneapolis and the state were not working well together. An additional reason to coordinate with local jurisdictions is to ensure that the messaging contributes to public safety rather than increasing public safety risks. Leadership from the State Patrol felt that messaging from both city mayors was potentially escalating violence, making their job more challenging. As a local government official put it, "When you're going through these situations that are so tenuous and complex and difficult, having a united front, everything from elected leaders, to chiefs and commissioners, down to the rank and file … it is so essential. Otherwise, people get demoralized and it's all the harder to motivate the team to do the necessary work."

3. **A lack of communication to communities and businesses about how to safely protect their neighborhoods led community groups and individuals to take matters into their own hands.** Many Minneapolis and Saint Paul residents and business owners came together to identify ways to keep their neighborhoods safe given that law enforcement was overwhelmed (e.g., 911), distrusted by many, and vehicles without license plates were witnessed speeding down residential streets. Community members and leaders expressed frustration that no information was provided by government leaders about how communities could safely and effectively protect themselves and their neighbors, leaving community members with potentially unsafe ways of dealing with potential threats, like armed patrols.

Residents of Little Earth, a public housing community in South Minneapolis that is home to many American Indian residents, responded to approaching violent crowds and responding law enforcement by organizing elders in their community to patrol the area. They organized in an attempt to keep anticipated violence and destruction out of their neighborhood. Accounts suggest that there was confusion and a lack of communication between the city of Minneapolis and law enforcement on the ground about an allowance the city had made for Little Earth residents who were protecting the area to be out past curfew. An elder from Little Earth claimed that State Law Enforcement and partnering agencies used less lethal munitions on individuals peacefully protecting the residential area even after violent and destructive actors had left and that they felt their community was targeted by law enforcement. Better communication between the city of Minneapolis, the state, and Little Earth leaders would have likely resulted in a better outcome for Little Earth residents, State Law Enforcement, and other law enforcement agencies involved in the response.

4. **The cities and state could have done more to communicate urgent messages in multiple languages.** The capability to provide messages in multiple languages and to simultaneously broadcast press conferences with live translation existed during this period of civil unrest and exists today via the state's community partners at TPTNow. Future press briefings during civil unrest should continue to work closely with partners to communicate important information in more languages. Over half of residents in some of the most affected neighborhoods, such as the Phillips community in Minneapolis, speak a language other than English (59%) and nearly one-third (30%) speak English less than "very well" (Minnesota Compass, 2015-2019).

RECOMMENDATIONS

Recommendation 9: Improve coordination with local jurisdictions regarding public communications and press-related matters.

During civil disturbances, the public is looking for assurances from government leadership that there is a plan to gain control of the situation. Any display of a disjointed government response can increase public anxiety and mistrust in government. Transparency is paramount during crises, but balancing the delivery of information to increase public safety can sometimes prove challenging. Thoughtful planning and coordination among those with critical information and those tasked with delivering the message can help to encourage both transparency and intentionality. The harm caused by false or incorrect reporting "can only be overcome with targeted and continuing community engagement and repeated positive interaction" (President's Task Force on 21st Century Policing, 2015, p.37).

- **Use a variety of methods to communicate critical information to the public.** Community leaders and business owners suggest the state utilize existing local networks to relay information during civil unrest. Specifically, consider coordinating with elected officials like City Council members and legislators, neighborhood association presidents, and business leaders to organize, plan, provide information, and listen to people in communities and neighborhoods. DPS' legislative director provided briefings every few hours as the situation was emerging, and then less frequently as the situation came under control. A similar briefing with community leaders was coordinated with DPS' community affairs director. Despite these efforts, community leaders participating in this review did not feel the communications were robust enough. Coordinating with existing networks may rely on developing relationships and using various engagement strategies, like in-person forums. Community leaders, community members, and business owners want to play a part in keeping their communities safe. Neighborhood blocks were meeting to identify strategies to work together to keep their block safe. DPS should consider a co-planning approach or coordinated efforts led by leaders within communities in tandem with state and local law enforcement. A leader of an organization with connections to several downtown businesses recounted the benefits of having a direct line to individuals at the state and spoke about how he could support and relay information to his network of businesses during the unrest. Businesses owners with businesses located along the Lake Street corridor, the West Broadway corridor, the University Avenue corridor in Saint Paul, and the intersection of 38th Street and Chicago Avenue did not share this experience.

- **Develop unified and coordinated messaging.** In times of crisis, most community members want to hear that their government leaders are united and have a plan. Blaming and "finger-pointing" increase fear and uncertainty among those affected by the unrest. It is critical that state and local leadership air any grievances behind closed doors and present a unified message and plan that illustrates mutual support and shared goals. Additionally, the public needs to have information from one source so that they are not getting competing reports of varying statistics (e.g., number of arrests, how many arrests were for people not from the area). As mentioned previously, having an established joint information center would improve coordinated reporting. The words used by elected officials can either help or hinder their public safety efforts. When elected officials make remarks that may intensify existing civil unrest, it directly impacts the ability of law enforcement and other emergency responders to do their jobs safely and effectively. For this reason, elected officials should work closely with law enforcement to ensure their messaging supports rather than has adverse consequences for first responders.

> *The things that stood out to me, Walz's briefings were strong, important. In spite of the chaos, he seemed to be in control, especially after the National Guard and the state took the lead. Prior to that moment, there were a few points where I was underwhelmed with Walz. He was sort of blaming, like at one point he tried to blame Mayor Frey, pointing downhill where the problems were. And I was like, "Dude, this is a huge thing going on and it's not easy to navigate." Especially in Minneapolis, where Frey is [in] a weak mayor [system] in a strong council [system], and a strong council that's kind of unwieldy. It's just really challenging. There was a point where I felt like the governor changed his messaging to be in partnership with the cities. I felt like that was a turning point. From that point forward, I felt pretty positive about how things were happening. – City Council member*

> *Because Minneapolis was reporting their own [arrest numbers], we were reporting our own, there was not a cohesive tabulation or message. When we tried to do that, it was still confusing because we did not have a joint information center. … So it leaves consumers of that information to try to figure out who is in charge. – State official*

Recommendation 10: Strengthen communication between state and local law enforcement, elected officials, and the public.

Timely and accurate information about property damage, fires, and acts of violence can guide the public in developing safety measures and precautions for themselves (e.g., modifying travel plans). Information about multi-agency operations can also reassure the public that the government is doing all it can to restore safety, security, and a sense of calm (Links et al., 2015). Researchers and law enforcement officials have discussed leveraging the joint information center, public information officers, and social media platforms to ameliorate public anxiety, describe multi-agency operations, disseminate public safety information like road closures and transit alternatives, and provide updates about temporary changes to the standard operating procedures of responding agencies (California Commission on Peace Officer Standards and Training, 2021; IACP, Law Enforcement Policy Center, 2019; Jeanis et al., 2021; Links et al., 2015; Lum et al., 2016). To improve communication between law enforcement agencies and the public, DPS should implement the following:

- **Implement a joint information center (JIC) and designate a well-trained public information officer (PIO) for civil disturbances.** DPS should swiftly implement a JIC and an experienced PIO during civil disturbances. Timely and accurate information should be communicated to the public about the agency response efforts and public safety. A staging area for the JIC can also ensure the safety and security of media personnel. We also recommend designating a PIO knowledgeable about all of the responding agencies' functions and well-trained in working effectively with the media (Links et al., 2015). Accounts from state officials suggest that appointing the Commissioner of the Department of Corrections as the PIO during this instance of civil unrest was a poor choice, despite his prior experience and good relationships with the media. While the intent was to free up DPS staff to attend to other matters, the consequences may have led to the spread of misinformation and confusion among the public. One state official discussed receiving concerns from the public about having a White commissioner from a different department acting as the PIO rather than either the DPS Commissioner or Assistant Commissioner, who are both Black.

- **Expand the use of social media to engage the public during civil disturbances.** DPS should continue to leverage social media to promote public safety awareness during civil disturbances. Social media platforms may enhance public safety during civil disturbances by offering law enforcement agencies another tool to connect with the public. According to DPS's AAR, social media, exclusively Twitter, was used to dispel misinformation, communicate information, and engage the public. It is common practice for law enforcement agencies to leverage social media to disseminate instructions for staying safe during large-scale events (Jeanis et al., 2021; Police Executive Research Forum, 2011). Social media platforms can also be used to inform the public about incident management, restricted areas, dispersal orders, and other information that can potentially keep protestors and community members safe (IACP, Law Enforcement Policy Center, 2019). Law enforcement agencies in other jurisdictions have also encouraged civilians to report criminal or suspicious activities via police social media accounts (Reaves, 2015). DPS used Twitter, but should consider using other platforms (e.g., Facebook, Instagram, YouTube, LinkedIn) to reach a broader audience.

- **Clear and open communication may be of particular importance for DPS when working with communities that have historically had negative interactions with law enforcement.** DPS should consider the experiences and unique communication needs of specific cultural communities such as, in this case, the American Indian community at Little Earth and the nearby cultural corridor on Franklin Avenue. State Law Enforcement and partnering law enforcement agencies need to, in particular, consider how their response to these events may have damaged already tenuous relationships in Little Earth and the surrounding American Indian community, and to work collaboratively with local law enforcement and community leaders to develop proactive plans for future events that may occur in and around Little Earth and the American Indian cultural corridor on Franklin Avenue. A community leader from Little Earth expressed the need for law enforcement to know about the Little Earth community and understand their desire to patrol their area, given past negative experiences with law enforcement. This leader also expressed the need and desire for repair between law enforcement and the Little Earth community based on the events from the

period under review. Better coordination between state and city governments may have ameliorated negative encounters between law enforcement and residents on the ground. Communications approaches and related services and resources are also relevant for DPS to consider in terms of working with immigrant and refugee communities and Indigenous peoples that have directly experienced the trauma of war and may be re-traumatized by sights of military vehicles, law enforcement, and military officers wearing riot gear (Law Enforcement Immigration Task Force & Police Executive Research Forum, 2020). The Cedar-Riverside area in Minneapolis is another culturally specific community where intentional collaboration between state and local law enforcement and community leaders may lead to more desirable outcomes during times of crisis for all parties involved. The importance of working with community leaders and through community-based organizations cannot be overstated to reach these residents effectively.

Media experience

The right for journalists to document and record the actions of law enforcement is enshrined in the First Amendment to the U.S. Constitution's right to a free press. This has been affirmed and clarified through numerous court cases throughout United States history, including *Mills v. Alabama* (1966), which asserted that news reporting on police conduct promotes the "free discussion of governmental affairs." Further, the U.S. Department of Justice has issued a statement asserting its position that the right to record the actions of law enforcement is a crucial First Amendment protection in its Statement of Interest of the United States for *Sharp v. Baltimore City Police Department* (2012).

On the morning of Friday, May 29, 2020, Omar Jimenez, a CNN journalist, and his crew were arrested by Minnesota State Patrol on live TV after showing his media credentials and attempting to communicate with law enforcement about whether he and his TV crew should move. During a press conference later that day, Governor Walz apologized to CNN, stating, "I take full responsibility. There is absolutely no reason something like this should happen. Calls were made immediately. This is a very public apology to that team. It should not happen." Instances like this resulted in litigation from several media organizations against the State Patrol. On June 2, 2020, the State, along with Minneapolis and Saint Paul leadership, received a letter from the Reporters Committee for Freedom of the Press, signed by 115 media organizations, outlining specific requests from law enforcement to address the alleged mistreatment of media journalists covering the civil unrest.

STRENGTHS

1. **The media community appreciated the governor's public apology to the CNN reporting team arrested by State Patrol.** Media representatives and community residents appreciated the public apology from the governor to the CNN team. This communicated to media organizations and the public that the issue was being taken seriously and would be addressed by state leadership.

AREAS FOR IMPROVEMENT

1. **Law enforcement allegedly unlawfully detained, arrested, or inappropriately used crowd dispersal methods on journalists.** There were several instances of journalists alleging they were being exposed to irritant or inflammatory agents, often referred to as tear gas, and other crowd dispersal methods and were wrongfully detained or arrested by law enforcement (it is unclear if it was state or local jurisdictions) despite displaying legitimate media credentials.

   > *In general, I think they were not trained or some chose not to follow their training. They would arrest people who were clearly identified as established media. We're not talking about fringe, blogger media. We're talking about established [media outlets]. – Media representative*

   > *We get people saying, "I'm [so and so] and I have a blog," but is that what we're talking about [when we say media]? It's very subjective and difficult to deal with in the middle of a war zone, bricks getting thrown at you and buildings burning. Trying to maintain the peace, but yet not infringe on people's rights either as truly media. – State Law Enforcement official*

   > *I think journalists know they're taking on some risks to their personal safety. There's some inherent risk. They don't blame anyone for that. What upsets them is when they feel specifically targeted. When they're pepper sprayed point blank. And when we say we're media, let us go. I think there's also tolerance, even for temporary detention when they're caught up in a bunch of protesters, but it's the keeping them for hours on end after they've done everything they can to convince you of who they are, that really makes them angry. – Media representative*

RECOMMENDATIONS

Recommendation 11: Improve coordination and communication between state and local law enforcement and the media.

The accuracy of media reporting, to some extent, depends on how well agencies cooperate with the media. In its AAR, DPS identified the need to improve law enforcement interactions with the media during civil unrest. They note that the state should have "recognized the emerging challenges the media were experiencing while covering the events due to a variety of dangerous situations and consider educational outreach to the media, credentialing of media, and training for law enforcement on working with the media during civil unrest." As mentioned previously, a JIC should be set up during instances of civil unrest, in part to help manage relationships with media organizations and facilitate information sharing. To improve law enforcement interactions with the media during instances of civil unrest, DPS should implement the following:

- **Develop a task force or working group that facilitates solutions-based conversations between media and law enforcement officers, including law enforcement officials at all levels.** Provide training for law enforcement on working with the media during civil unrest and educational outreach to the media about how to stay safe amid a law enforcement response to civil unrest. Media may also benefit from feedback about how their reporting can help or hinder public safety

during civil disturbances. DPS should develop protocols for informing media personnel about dispersal orders, guidelines for keeping media personnel safe, and guidelines to ensure that media personnel are identifiable within a crowd (California Commission on Peace Officer Standards and Training, 2021).

- **Provide more training to law enforcement officers to ensure they are aware of their responsibility to protect journalists' First Amendment rights.** Both a state official and media representatives noted a perception among law enforcement that journalists are out to paint them in a bad light. While it may be important to shift this perception among law enforcement officers, it is their legal responsibility to protect First Amendment rights, namely freedom of the press, which includes allowing media access to safely document events.

In 2021, DPS engaged 21CP Solutions to assist DPS in developing recommendations to improve public safety agencies' ability to support and facilitate the exercise of constitutionally protected speech and assembly during large-scale protest events. More specifically, the report focuses on practices relating to media in the context of crowd management and policing responsibilities.

- **Hold law enforcement officers accountable for the mistreatment of journalists.** There should be swift discipline of officers who arrest or assault journalists who are operating within their legal rights and have shown credible media credentials. DPS and the State Patrol recently agreed to settle a case brought by independent journalists.

Although there was no determination of wrongdoing by DPS and the State Patrol, as a result of the settlement, there are now multiple ways for media to immediately address issues that may occur "on the ground." The policy now states that any allegation of a First Amendment violation regarding the media is considered "serious misconduct," which generates an Internal Affairs investigation (Minnesota State Patrol, 2022). Also, the State Patrol must embed a public information officer (PIO) liaison and PIO Ombudsman in the field during mass arrests (Goyette v. City of Minneapolis, 2021).

Legal precedent has established that law enforcement officers who violate the right of media to monitor and record law enforcement activities cannot claim legal immunity and can be held legally liable for their actions (*American Civil Liberties Union of Illinois v. Alvarez, 2010; Glik v. Cunniffe, 2011;*).

Community member and business owner experience

Understanding community members' perspectives and needs is an essential part of community engagement. Community engagement is a law enforcement best practice on its own, and can help law enforcement and government respond more effectively during planned and unplanned protests and mass demonstrations, civil disturbances, and civil unrest.

A variety of community and organizational leaders participated in this review, including leaders from Black legacy organizations, neighborhood associations, and other organizations whose leaders and staff were involved in supporting their communities during the unrest. Also included in this section of the report are perspectives from local government respondents, such as City Council members, as many of these respondents reflected the perceptions of their constituents. Participating business owners

included those located along major business corridors affected during the unrest, such as the Lake Street corridor, the West Broadway corridor, the University Avenue corridor in Saint Paul, and the intersection of 38th Street and Chicago Avenue where George Floyd was murdered. Of the local business owners, most (89%) have been operating in the Twin Cities for more than 10 years, and about two-thirds (67%) said that their business experienced significant or severe damage. In our interviews and focus groups with community members and business owners, we prioritized recruiting participants from communities highly affected by the unrest and Black community leaders and business owners.

Numerous community members and business owners framed much of the civil unrest that occurred as a justifiable reaction to the murder of George Floyd and a response to a history of racism and discrimination against Black Minneapolis residents. That said, numerous community members and business owners likewise noted that they do not condone the destruction and violence during the unrest.

> *I ask the question: What is the presenting problem? What is the issue that's being presented, with the knowledge that there are always multiple systemic issues that lie behind the presenting problem? George Floyd's execution was the presenting problem. What the state did was only to address that in a very poor way, a very White supremacy way. The community has called for a long time to look at the systemic disparities that are happening with our community. – Community leader*

Many local business owners expressed frustration with the lack of communication about what was happening and lack of assistance from the state and other law enforcement agencies about what they could do to assist in peace-keeping efforts. Several business owners talked about feeling as though they were abandoned during the unrest and that, as of May 2021, they were still waiting for assistance or follow-up from police and elected officials regarding damages their businesses sustained in May and June 2020. Immigrant business owners, in particular, appreciated the strong response from the Minnesota National Guard when they arrived but were unclear about some aspects of the Guard's role in their communities.

> *In my case, we were left without any help. We would call the police and they never responded. We were left to fend for ourselves. That's my experience. – Business owner*
>
> *For the most part, the immigrant business owners on Lake Street really, really wanted the National Guard here. They felt vulnerable, physically threatened by what was happening on Lake. They were happy to hear the National Guard was coming. The National Guard was deployed to Lake and Minnehaha, but then they retreated. … I don't know why they were pulled. I heard from residents and business owners who were upset that they were leaving. – Local government official*

On the other hand, several community members saw the paramilitary presence from State Law Enforcement and the Minnesota Guard as making a bad situation worse for them and their communities. Many community members and some business owners described State Law Enforcement and the Minnesota Guard as antagonistic and unhelpful when they were present. Some community members,

similar to business owners, noted feeling abandoned because State Law Enforcement, the Minnesota Guard, and other agencies seemingly focused their attention on communities other than theirs.

> *In our neighborhood, initially, it was a very strong police response—but not in a way that promoted calm and order. From our perspective, it was antagonistic. A lot of that was [less lethal munitions] and tear gas, and then they just left. Of course people were agitated. – Business owner*
>
> *What didn't go well? Their automatic show of force, gearing up in military grade body armor and weapons. It seems they go out of their way to create fear, tension, and volatility. I can't stand the way they do that. We're not combatants in a war. We pay you. This is what we pay for? To be beaten, tear gassed? My car was hit by [less lethal munitions]. My 20-year-old escaped being shot by a hair.*
> *– Community leader*
>
> *We had about 300 people who plugged into a community safety response because essentially law enforcement agencies abandoned us. … We were abandoned. By the time the National Guard even came, most everything had quieted down. – Local government official*

STRENGTHS

1. **Curfews, when enforced, were effective despite being controversial.** Community members and business owners shared mixed opinions about the curfews. Still, many noted that when actively enforced, the curfews were effective at quelling some of the dangerous nighttime activities during the unrest. However, many community members said that navigating the curfew was difficult for people in their networks who work the night shift, for example, or had other legitimate reasons to be outside after curfew. They recommended better guidance and assistance from State Law Enforcement regarding who can be outside, for what reasons, and what to do if they get stopped by law enforcement.

2. **Community members appreciated some state decisions and actions, indicating that systemic racism and other contributors to the unrest were being taken seriously.** When asked about strengths in the state's response, a few community members mentioned actions or decisions that were not directly related to law enforcement or responding to dangerous activities during the unrest. For instance, some respondents highlighted the decision for the attorney general's office to lead the prosecution of former officer Derek Chauvin as a strength of the state's response. These respondents expressed confidence that the attorney general's office would acknowledge systemic racism in Minnesota's policing and criminal justice systems as part of the prosecution of former officer Derek Chauvin. Systemic racism is the concept that systems and institutions produce racially disparate outcomes, regardless of the intentions of the people who work within them. Additionally, a few community members appreciated the Minnesota Department of Human Rights investigation into the Minneapolis Police Department as a strength of the state's response. Similarly, these respondents highlighted this investigation as a sign that the state recognized the role of systemic racism in the murder of George Floyd and the period of unrest that followed.

AREAS FOR IMPROVEMENT

1. **State Law Enforcement used tactics that were often perceived as escalating.** The majority of community members and business owners who participated in this review said that a weakness of the state's response was their prevalent use of what was often perceived as escalating tactics during the unrest. As noted above, the State Law Enforcement's actions on the ground during the unrest were largely viewed as antagonistic, unhelpful, and counterproductive to bringing about calm and community safety.

   It's pretty easy just to go over to someone spray painting a building and say, "Hey, please don't do that." Most people are just embarrassed to be caught and will stop. I saw someone trying to kick in the window of the post office and just yelled, "Hey, we don't mess with the post office! People need to go there to pay their bills and get their checks!" They looked up and saw me and ran away. It became increasingly hard to do any of that kind of intervention because there was just so much tear gas, grenades [distraction devices], and [less lethal munitions]. – Business owner

2. **Community members felt abandoned by law enforcement agencies; some perceived racism and discrimination in these gaps in law enforcement presence.** Many community members and business owners talked about the state's lack of attention or assistance, at times saying that they felt abandoned because the state and other law enforcement agencies decided to focus their efforts on other areas of the Twin Cities. Some respondents noted this as racism in the state's response, explaining their perception that State Law Enforcement prioritized the safety of areas with more White residents and more White-owned businesses.

   I couldn't check on my business because my wife was 8 ½ months pregnant. I was worried it would trigger her ending up in the ER. It felt like we were less important than Target. We should have been protected. – Business owner

   There was huge inequity [in the state's response]. Frankly, there was just actual racism in that response. They wanted to protect property downtown. They wanted to protect the big properties like Target and the like—which they failed at—but they weren't concerned about what was going on in the Northside. … Our own community had to step up. … That's what our community had to do because the state had no response for us. They didn't have resources to help us. And so even in their focus on property, there was the usual division and racism there. "Property" meant White property and White property owners. It also skewed heavily toward large institutional property owners. The mom and pop stores, the barber shops, they weren't getting any love from the state. – Community leader

3. **Communication and engagement was lacking between law enforcement and community members and business owners.** In addition to feeling abandoned by the lack of law enforcement presence in their neighborhoods, many community members and business owners talked about the lack of communication and engagement from government, in general, regarding questions they had or the kind of support they wanted. Many business owners in particular mentioned wanting more

information about whether they could be at their business and how to interact with law enforcement when outside of their home or business. A number of respondents mentioned feeling like both state and local government were making bad decisions on their behalf, rather than engaging with them to arrive at a decision that would positively affect their communities.

> *As a business owner, am I allowed to be standing in front of my business or will I get shot with [less lethal munitions]? Am I allowed to put out fires or will I get tear gassed? – Business owner*
>
> *I think the key is what does a community emergency response look like? The state could define that better. How do organizations play a bigger, more involved role? Especially if you have data that locates high priority areas during a crisis, and then who the key people or organizations are in those areas. Is the emergency disruptive or destructive? Those are different sets of tactics. – Business owner*

RECOMMENDATIONS

Recommendation 12: Coordinate with community members directly affected by civil unrest.

The following recommendations address what the state might do to improve outcomes for community members and business owners *during* instances of unrest. The majority of recommendations from community members and business owners offer prevention and recovery efforts the state should facilitate *before* and *after* unrest. These recommendations are detailed in the "Recommendations for the state's role in the prevention of and recovery from civil unrest" section of this report. For effective coordination with community members, DPS should establish the following:

- **Establish a network of key people and organizations that have direct connections to community members and business owners ahead of time.** Although the state is not often the primary entity responsible for communicating with community members and business owners in an emergency or in general, DPS should consider opportunities to guide and offer leadership to local jurisdictions in the use of best practices (e.g., setting up a JIC) when communicating with residents and business owners about an evolving crisis. DPS can support these entities in having plans in place prior to emergencies to aid in effective and efficient communication. Poor communication and lack of guidance was a critique from community members and business owners when reflecting on their experience of the state's response during the unrest. According to respondents, much of this stemmed from the lack of a direct relationship between the state and community members, the speed with which this unrest unfolded, and subsequent slow communication. There were a few instances in which the state communicated directly with a particular business association, for example. That business association was able to pass important information on to its members. However, this example was an exception rather than the norm; in most cases, community members and business owners did not have a trusted source of reliable information or guidance from the state. By building a more robust network of key people and organizations with direct connections to residents, DPS would be better prepared to share information and present guidance during future

instances of unrest. Key community contacts can be included in a critical incident plan. Additionally, DPS might consider supporting the POST Board and local law enforcement jurisdictions to set up Community Emergency Response Teams (CERT) and notification systems. The CERT program educates volunteers about disaster preparedness for the hazards that may impact their area and trains them in basic disaster response skills, such as fire safety and disaster medical operations.

- **Establish and implement protocols for involving community members in state-level decisions during civil unrest.** Another critique of the state's response during the unrest was the perception that many decisions were made without engaging community members who would be affected by the consequences of those decisions. Engaging community members in a meaningful way may have been challenging due to how quickly this unrest unfolded; however, having processes in place ahead of time may have facilitated more community input on important decisions. Based on this critique, DPS should establish and implement protocols for involving community members in state-level decisions, to the extent possible, during civil unrest. One way of implementing this recommendation would be to first pursue the previous recommendation (build a network of key people and organizations) and then leverage that network to design a workable approach for the state to receive real-time input and guidance from community members during times of unrest. Furthermore, it may be advantageous for law enforcement to inform the public about how resource allocation decisions are made (e.g., where the most danger is, lifesaving) and how areas of most danger are determined.

> *The spaces I have seen be most effective are community-convened spaces; government is not driving, but is there. The community members coordinate and ask government officials to attend and listen to what the community wants. If I have been invited to those spaces, my job is to share my values and commitments so that they can hold me accountable. … So what response would have been better? It's co-governing, it's sharing that space together. – Local government official*

> *The impression I get [from the state] is that the decisions are already made. If the decisions are already made, a seat at the table is just an illusion. You have to create a table that aligns with your organizational responsibility so that community can be infused into your decisions in a timely manner. – Community leader*

Recommendations for the state's role in the prevention of and recovery from civil unrest

While the scope of this review focused on the state's response *during* the civil unrest, information shared by key informants and best practices identified in the academic literature point to actions the state can take to *prevent* future instances of civil unrest and to follow up and facilitate *recovery* with communities afterwards. The following recommendations address prevention and recovery.

Recommendation 13: Continuously work to build positive relationships and trust between law enforcement and communities, especially communities affected by civil unrest. Acknowledge and work to address the root causes of civil unrest.

A positive relationship between local police and the community is critical to maintaining public safety. Law enforcement and intelligence professionals rely on the cooperation of community members to provide information about criminal activities, while community members rely on law enforcement to protect and serve the community.

> *I think as a society, we were on the edge of this being the wild, wild west and I didn't feel safe here. I didn't feel I could depend on the governor and others to keep folks that look like me safe. And that's the reality. When stuff gets shaken up, who can we trust often is the community having to come together to look out for the community, because the state and other entities, when it gets tough, they do self-preservation. – Community member*
>
> *We're going to have more interaction between police and community members that will involve death. And so I think it's very important right now to really think about, not so much how to save face or improve your reputation, but to really get at the root of the issues. Why community members don't have trusting relationships with law enforcement and being proactive, not responsive or reactive when we have another crisis. We had time to do the work, not just do all these reviews. All these reviews, everybody is doing reviews and I don't think community members have been deeply involved in these processes. – State official*
>
> *There should be a community advisory team attached to these things [multi-agency coordination efforts] – so that communities are informed. Operation Safety Net had this; healers, trauma-informed workers, the private sector, helped. – Local law enforcement official*

Confidence in police legitimacy increases the likelihood that civilians will obey the law, report a crime, and cooperate with law enforcement (Bolger & Walters, 2019). However, public perception of police legitimacy in the United States is at an all-time low (Jones, 2020). The decline in police legitimacy may, in part, explain the uptick in the rising number of violent protests (Adam-Troian et al., 2020). Police legitimacy is not static and can be regained. Researchers have posited that law enforcement should proactively work towards rebuilding trust by engaging their community in focus groups with an eye towards solutions for easing police-community tension (Skogan, 2006). Engaging the community in developing novel public safety policies and procedures may also improve perceptions of police legitimacy (Lum et al., 2010). Therefore, law enforcement agencies must implement strategic initiatives to cultivate trust and legitimacy in the following ways:

- **Routinely obtain and respond to community feedback and engage communities in organizational transformation.** DPS should routinely obtain community feedback using a variety of methods to evaluate perceptions of police legitimacy, concerns about police practice, and satisfaction with police encounters. This is particularly critical with underrepresented communities and communities heavily impacted by crime and police activities (Lum et al., 2016). Obtaining community feedback offers DPS an opportunity to listen and respond to criticisms to strengthen police-community relationships across the state. Local and State Law Enforcement agencies should collaborate with communities (local businesses, neighborhood associations, schools, faith-based organizations, and

other community entities) to prioritize public safety issues, develop new policies and training programs, and plan community outreach events. Directly partnering with communities helps to ensure that public safety planning coincides with the priorities and needs of the community. As previously mentioned, DPS might consider utilizing existing networks to engage community members in listening sessions about what is and is not working for their communities related to public safety and interactions with law enforcement. These conversations must offer opportunities for co-learning, where State Law Enforcement are open to learning from communities working on their own community-driven public safety efforts. In general, listening sessions grounded in transparency, accountability, and communication have been identified as essential to helping communities heal and rebuild trust with law enforcement (IACP, n.d.). Law enforcement agencies, including State Law Enforcement, should track and analyze the level of trust communities have in law enforcement just as they measure changes in crime (President's Task Force on 21st Century Policing, 2015). Emerging research emphasizes the need for strategic initiatives involving law enforcement in community healing. Local and state agencies should also provide rationales for their decisions and actions during a civil disturbance, discuss lessons learned, and obtain feedback for action planning and organizational change. Community members who feel heard, respected, and empowered are more likely to perceive their local and State Law Enforcement agencies as procedurally just and legitimate (Donner et al., 2015; Mazerolle et al., 2013).

- **Engage in non-enforcement, community activities.** DPS should collaborate with the POST Board and support local law enforcement and the State Patrol to continue to engage with communities via non-enforcement activities (e.g., block parties, town halls). Importantly, these events should help local law enforcement agencies and State Patrol officers learn more about the goals and priorities of communities they serve, dismantle negative stereotypes about the police, build trust, and facilitate police-community collaborations to address problems in the community (Lum et al., 2016; Peyton et al., 2019; President's Task Force on 21st Century Policing, 2015). The Badges for Baseball program, for instance, helps police agencies build trust with the community by pairing at-risk youth with law-enforcement mentors who participate in structured, afterschool programs to improve youth developmental (e.g., staying in school) and behavioral outcomes (e.g., prosocial behaviors; Cal Ripken, Sr. Foundation, 2016). Cultivating positive interactions with the community may ultimately improve the community's perception of police legitimacy and trust in police.

> During Operation Safety Net, DPS's community affairs director assisted in organizing conversations with the Minnesota National Guard and various communities to help describe their role, so people know they are not there to arrest but to secure and provide safety/security to fire and EMS who have trouble getting through crowds (and various burning barriers) to respond.

- **Acknowledge and work to address the root causes of civil unrest (e.g., poverty, unjust treatment of communities of color by law enforcement throughout history) (President's Task Force on 21st Century Policing, 2015).** Many community members and business owners cited the state's lack of focus on and acknowledgment of the root causes of the unrest and lack of follow-up as a weakness in their response. In particular, respondents noted social inequities on many fronts—including

economic inequity, health inequity, and education inequity—as contributors to the unrest and failures on the part of the state. Many respondents also noted the history of racist policing in Minnesota and across the U.S. as a contributing factor to civil unrest, alongside continued discrimination in law enforcement. The majority of respondents said that if these factors are not meaningfully addressed, another period of civil unrest is inevitable. Community members and leaders expressed that, based on what is visible about the state's response to civil unrest and other emergencies like the COVID-19 pandemic, it appears the state does not fully understand and acknowledge its role in the historical and current traumas that play out in communities of color, specifically Black communities, as a result of racism, White supremacy, and a legacy of oppression and discriminatory policies. When entering into conversations with communities, which is only a first step to changing practice, it is critical to name the state's role in racial and socioeconomic inequities and be explicit about the challenges in moving forward with communities "at the speed of trust" as a focus group participant noted. Recognizing similar factors in the role of research as historically extractive and harmful in under-resourced communities, especially the Black community, we made our best effort to do just this at the start of our conversations about experiences during the May-June 2020 civil unrest. These conversations were triggering and difficult for many who participated, and DPS and other state departments should be cognizant of this.

> *Know that these moments aren't about the moment. It's a flashpoint, a trigger. But the response, the pain, the trauma and emotions, are borne out of years of oppression. So when you're approaching folks, have in your mind that that's really what it's about and so your solution must be bigger and more comprehensive than simple plans and law enforcement approaches. – Local government official*

> *A key question for us is how do we address police violence, the relationship between law enforcement and community. It's not the state's job, but we can play a big role. Ellison, Harrington convened a task force [referring to the State of Minnesota Working Group on Police-Involved Deadly Force Encounters]. They developed a set of recommendations, got expert advice; there were GOP legislators on that task force. That set of recommendations informed the police reform and accountability agenda we took in 2020 and to some extent got done in the summer following Floyd's death. Part of it is addressing the root cause that's justifiably caused community members to be upset. – State official*

Recommendation 14: Lead efforts to reimagine policing, community safety, and public order policing in Minnesota and engage communities in law enforcement oversight and accountability.

Numerous community members and business owners talked about racism and discrimination against Black Minneapolis residents—and racist practices by the Minneapolis Police Department in particular—as a key contributing factor to the unrest. Many respondents recommended that the state prioritize policing reform or transformation. These respondents noted that police violence is not limited to Minneapolis and suggested that the state take a lead role in improving policing across the state so that fewer Minnesotans are killed during interactions with law enforcement, particularly Black, male Minnesotans.

In 2020, Minnesota Attorney General Keith Ellison and DPS Commissioner John Harrington convened a working group on police-involved deadly force encounters. The working group developed recommendations and action steps to reduce deadly force encounters with law enforcement in Minnesota.

The state needs to deal with their policing problem. It is ridiculous that the eyes of the world are on Minnesota with the Chauvin trial, yet we have another police killing of an African American male just yesterday [referring to Daunte Wright]. – Business owner

There's the actual response during the uprising and then there's the role that the state can take in systems reform. … This is not just one crisis. This came from problems deeply rooted in our systems. Both at a human level and a systems level, there is a need for reckoning with the history of racism in this state, the history of extracting and disinvesting from neighborhoods and communities. It's hard to pinpoint what the state could have done in this particular instance that isn't rooted in these bigger questions. I think the state could play a really powerful role in changing these systems that's bigger than just this one person on this one day. – Business owner

The work on police accountability and reform and work around race equity is frankly just as important if not more important than the rebuilding that we're talking about. – State official

Specifically, community-based organizations should review complaints from residents, hold police officers accountable for their actions, and ensure that policing practices reflect the values of the community. Racial disparities in policing like stop and frisk, use of excessive force in police-civilian interactions, and a paramilitary response during mass demonstrations have undermined police legitimacy within many communities (Perry et al., 2017). To rebuild police trust and legitimacy, and to ensure that communities play an active role in shaping policing policies and practices, DPS should: (1) promote external and independent investigations into misconduct among local law enforcement agencies across the state; (2) collect and report data on excessive use of force; and (3) meaningfully leverage community input when designing and adopting new technologies.

- **Promote external and independent investigations into misconduct among local law enforcement agencies across the state.** The State Patrol does not investigate allegations of misconduct against its employees. Instead, there is an independent internal affairs unit that handles these investigations. This is best practice; however, according to state officials, they are not aware of other law enforcement agencies that conduct investigations this way. Local agencies can improve police accountability by establishing community review boards. DPS should explore their role in influencing local law enforcement agencies to establish community review boards and oversight committees to improve police accountability and transparency, and build community trust. Researchers have suggested that police departments with a community review board tend to have fewer civilian complaints (Ferdik et al., 2013; Hickman, 2006). Several police departments, however, have observed an uptick in complaints after implementing a community review board (Terrill & Ingram, 2016), suggesting that civilians feel more comfortable expressing their grievances about law enforcement to community members. While it is potentially not feasible for the state to have a community review board given the lack of a defined "community," a state-level community review board, made up of various

stakeholders statewide, may be a feasible consideration. At a minimum, DPS might consider playing a role in assisting local agencies in adopting this standard. Several cities in Minnesota, including Saint Paul and Saint Cloud, established community review boards to investigate civilian-initiated complaints against their local police departments. By addressing concerns about law enforcement misconduct and holding officers accountable, communities may perceive higher levels of police legitimacy and trust. Community review boards benefit from regular evaluation to ensure they are achieving their intended impact.

- **Collect and report comprehensive data on the use of force.** DPS and other law enforcement agencies should conduct comprehensive and transparent tracking and reporting of data that document excessive use of force and other instances of misconduct by local and State Law Enforcement personnel. While use of force data is captured by several police agencies, including the Minneapolis Police Department, many agencies do not report excessive force metrics like civilian complaints and civilian injuries during arrests. The lack of data presents barriers to making policy change in use-of-force tactics (Lhamon et al., 2018). The task of compiling and using use-of-force data at the aggregate and individual levels must be led by the POST Board. At minimum, we recommend that the POST Board proactively use such data to address instances of misconduct or excessive use of force—and link these instances to disciplinary action—and use this data to release public reports about officer misconduct and excessive use of force. Capturing and using excessive use-of-force data can also help establish a culture of transparency and accountability, which may improve police legitimacy and community-police interactions.

Since May/June 2020, State Patrol has implemented technology applications to check staff in and out of each deployment and document less-lethal munition inventories before and after each deployment.

- **Consult communities when designing and adopting new technologies.** DPS should also routinely evaluate and document the impact of modern technologies, especially surveillance technologies, on policing equity and other community goals. Organizations such as the ACLU have been working to pass "Community Control Over Police Surveillance" laws in multiple cities to ensure that civilian rights and liberties (e.g., privacy) are protected (American Civil Liberties Union, n.d.). Moreover, civilians may also prefer to meaningfully participate in discussions about how the police design and implement surveillance technologies (Lum et al., 2010). Minnesota state statute (Minnesota Statutes § 626.8473, 2021) requires law enforcement agencies to allow public comment on body cameras before an agency purchases them. Taking into account public comments, new policies should reflect the community they serve, uphold community values, and be enacted with respect and dignity (President's Task Force on 21st Century Policing, 2015).

Recommendation 15: Enhance diversity and inclusion efforts.

While many police agencies are committed to promoting a diverse and inclusive workforce (Sklansky, 2006), diversity across multiple social identities (e.g., race, gender, LGBTQ+) is lacking across many police departments (Reaves, 2015; Weitzer, 2014). The history of race and policing in the U.S. is deeply intertwined. Police played a key role in upholding slavery and reinforcing Black codes, and, to this day,

engage in discriminatory practices that disproportionately negatively affect communities of color. Understanding and acknowledging these underpinnings is critical to reforming the policing system (MNJRC, 2021). A diverse and inclusive police force may play a key role in easing police-community tensions and increasing civilian cooperation and compliance (Kochel, 2020; Lum et al., 2016). Routine anti-bias training may also encourage procedurally just policing and police legitimacy. As research on discriminatory policing continues to accumulate, we offer two recommendations for addressing diversity concerns within the police system: (1) continue to diversify police departments and (2) increase the intensity of anti-bias training among officers.

- **Police officers should reflect the community they serve.** DPS should be intentional about diversifying personnel across ranks. Diverse law enforcement agencies may be more open to initiating cultural and systemic change to ensure that the law enforcement system is fair and just for all civilians (Schuck, 2017). A diverse department may also be more responsive to the needs of minority communities. Enhanced diversity of identity, experience, and background, in addition to race and gender, can bring about increased trust and legitimacy among community members (President's Task Force on 21st Century Policing, 2015). For instance, during the Ferguson protests, Black officers reported more empathy towards the protestors than non-Black officers, suggesting that a diverse police agency may be better suited to ease tensions between law enforcement and minority groups (Kochel, 2020). These studies and others like Ba et al. (2021) emphasize that recruiting, hiring, and retaining a diverse police force may improve police-civilian interactions, communications, and trust, which, in turn, may help prevent civil disturbances. Research examining the impact of police residency is currently inconclusive; however, the idea that police officers live within the communities they protect polls well across communities (Hauck & Nichols, 2020; McCamman & Mowen, 2017). Attracting racially diverse candidates for law enforcement positions may be a challenge due to the current climate, which further highlights the importance of recommendation 13 to improve the trust and confidence in law enforcement among community members.

- **Provide prolonged anti-bias training.** We also recommend prolonged anti-bias training to address discriminatory and disparate policing within DPS. While evaluations of anti-bias interventions have only documented short-term reductions in bias, researchers have posited that most anti-bias interventions may not be intensive enough to create long-lasting change (Lai et al., 2016). In light of this research, it may be beneficial for law enforcement agencies to implement prolonged anti-bias interventions that include experiencing positive interpersonal interactions with people from populations of color (Lemm, 2006). Some studies have identified unintended and undesirable consequences of anti-bias training, including the amplification of stereotypes and a feeling of defensiveness on the part of those receiving training (Caleo & Heilman, 2019). DPS should be discerning about the type of training it provides, with a focus on ensuring participants see themselves as agents of change, promoting self-efficacy, and bolstering participants' desire for everyone to be treated equally (Carnes et al., 2015; Dover et al., 2020; Legault et al., 2011). Anti-bias training should be implemented at all levels within a law enforcement agency to increase awareness and

promote respectful interaction inside and outside of the organization (President's Task Force on 21st Century Policing, 2015).

Recommendation 16: Support training of law enforcement officers in facilitating peaceful protests.

A "human rights compliant" framework for policing promotes peaceful protests (Gorringe et al., 2012) and runs contrary to coercive and invasive policing tactics such as the command-and-control model (Vitale, 2005). Protestors who perceive law enforcement agencies as fair, supportive, and trustworthy are more likely to cooperate with police and self-regulate their behavior (Brown, 2015; Gorringe & Rosie, 2008; Maguire, 2015; Papachristos et al., 2012). Communication and mutual respect between police and protestors are foundational to facilitating peaceful protests (Gilmore et al., 2019; Gorringe & Rosie, 2008; Jackson et al., 2019). Dialogue-based policing is one such method that can foster perceptions of police legitimacy and promote self-policing behaviors among protestors (Gorringe et al., 2012). Dialogue-based police officers sustain a continuous channel of communication with protestors, de-escalating conflicts via verbal mediation, and avoiding the use of force. In light of the positive association between dialogue policing and police legitimacy (Gorringe & Rosie, 2008; Gorringe et al., 2012), we provide three recommendations: (1) train officers in negotiating and dialoguing with protestors; (2) implement dialogue officers during protests; (3) train officers in adhering to the current use-of-force policies and guidelines; and (4) conduct simulation-based procedural justice trainings. Public order training addresses each of these areas and trains law enforcement professionals to skillfully transition when a peaceful protest turns violent and when a civil disturbance or unrest shifts back to peaceful protest.

- **Support training for law enforcement officers in skillful negotiation and dialogue with protestors.** DPS should consider its role in supporting all state and local law enforcement officers to participate in de-escalation training. The state may also consider playing a role in evaluating the impact of this training. Engaging with protestors in respectful dialogue may promote elements of procedural justice, enhance police legitimacy, and minimize the need for use-of-force interventions (Lum et al., 2016). Verbal de-escalation and conflict management techniques such as "verbal judo" are perceived favorably by civilians and may help lessen the potential for unlawful behaviors during protests (Davis et al., 2005). Regularly training police officers in negotiation, verbal de-escalation, and active listening may help officers engage with protestors in a non-violent, mutually respectful manner (Lhamon et al., 2018). Contrarily, the frequent use of mass arrests and use-of-force tactics raises the likelihood that protests will evolve into civil disturbances.

- **Train a team of dialogue officers**. DPS should train a unit of officers well-versed in negotiation, communication, mediation, problem-solving, and public safety risk assessment (Waddington, 2013). Unlike typical law enforcement personnel, the role of dialogue officers is to strengthen the relationship between police and protestors through constant and respectful dialogue during a protest or mass demonstration (Gilmore et al., 2019; Waddington, 2013). Dialogue officers should avoid making arrests or using force unless necessary. Dialogue officers also act as intelligence officers and provide agencies with real-time, ground-level intelligence pertaining to public safety risk, the impact of an

agency response on crowd behavior, and individual protestors engaged in unlawful behavior (Holgersson & Knutsson, 2011). The presence of dialogue officers may enhance perceptions of police legitimacy during protests and reduce the likelihood of unlawful behaviors by protestors.

- **Train and assess officers in the appropriate and judicious use and tracking of less lethal munitions and other crowd dispersal tactics.** DPS should provide continual training and assessments on the proper use of less lethal munitions and crowd dispersal tactics. A significant number of protestors who participated in the Minneapolis protests after the killing of George Floyd sustained serious injuries to the head, neck, or face due to police deployment of less lethal weapons like crushable foam rounds and bean bag rounds (Kaske et al., 2021). In a separate study, 20% of ophthalmology residency program directors surveyed reported that protestors suffered eye injuries due to less lethal munitions during the George Floyd protests (Ifantides et al., 2021). These studies collectively reveal that police officers deployed less lethal munitions to the face, head, or neck from a close distance, which is typically forbidden. While the use of force during civil disturbances may be unavoidable, DPS should: (1) routinely train officers in operating less lethal munitions safely; (2) assess State Law Enforcement's knowledge on current guidelines related to crowd dispersal tactics and the use of less lethal munitions; (3) hold officers accountable for documenting use-of-force incidents, including the use of less lethal munitions, via video recordings, daily tracking logs, and after-incident reports.

  > *The documentation was terrible. Like, who did what, who was where, and we've cleaned a lot of that up. Now we have a daily run sheet. So each Commander is responsible to submit where their team was. … Any officers injured, chemical munitions deployed, and who deployed all that stuff. So there's actually accountability. – State Law Enforcement official*

  > *I think one thing is more accountability and munitions. They [the munitions] need to be signed out individually. And when they come back at the end of the day, we count them and then they need to do a report for what's missing from what we've implemented. I don't know if any other agency is doing that other than us. So every trooper that gets them gets checked out at the beginning of the day and it gets checked back in and what's missing at the end of the day, you need to do a report for an hour and explain what you were shooting at. Which, I think also, when you put that accountability back on the line person, … they're more judicious with their deployments. Right? – State Law Enforcement official*

- **Conduct simulation-based procedural justice training.** DPS should design and implement simulation-based interventions to train personnel in implementing procedurally just law enforcement during challenging settings like civil disturbances (Lhamon et al., 2018). Procedural justice – which refers to perceptions about the quality of treatment (e.g., respect, professionalism) and decision-making by the police (e.g., fairness, objective; Tyler, 1994) – is essential for attaining police legitimacy and civilian cooperation (Links et al., 2015), and may promote positive attitudes about the police (Gilbert et al., 2015; Hinds & Murphy, 2007). While the Minneapolis Police Department, for example, currently offers procedural justice training to its officers, skills acquired through simulation training may be more transferable during high-stakes situations than other learning approaches. Thus, officers may

be more likely to employ effective interpersonal and communication skills that reflect procedural justice after simulation training than interactive seminars (Lateef, 2010).

Recommendation 17: Continue to engage protest groups and organizers ahead of time.

While it may be difficult to do with short notice, as with the unrest that occurred after George Floyd's murder, dialoguing with protest organizers ahead of time is essential for planning peaceful protests and preventing civil disturbances. This requires establishing relationships with community organizations and organizers. In past protests, law enforcement agencies and protest organizers have jointly planned and negotiated protest logistics (e.g., date, location), and identified situations that would necessitate the use of force (i.e., crowd dispersal methods; Maguire, 2015; Vitale, 2005). The State Patrol does this routinely for protests planned at the Capitol. Dialoguing with protest organizers can also facilitate information gathering and help plan multi-agency operations like requests for mutual aid and number of personnel needed (IACP, Law Enforcement Policy Center, 2019). Information gathering and joint planning with protest organizers may promote mutually agreeable outcomes, including less violence (Baker, 2020; Gorringe & Rosie, 2008). To facilitate peaceful protests, when possible, law enforcement and government agencies should (1) engage in information gathering and (2) negotiate with protestors ahead of time. Of course, these strategies may not be as useful for unplanned events.

- **Engage in information gathering.** DPS should engage in information gathering prior to protests when possible. Gathering information about an event can significantly enhance the effectiveness and efficiency of the agencies' planning and response to protests and civil disturbances (California Commission on Peace Officer Standards and Training, 2021; IACP, Law Enforcement Policy Center, 2019). Pre-event assessments should include information about event logistics (e.g., number of protestors, moving locations), information about counter-protestors, the potential for unlawful activities (e.g., starting fires), and a history of violence during previous events to inform protest planning across multiple agencies. To facilitate gathering this information, law enforcement agencies must have established relationships and lines of communication with community leaders and organizers. Information gathered from social media can also help gauge protesters' attitude and connect with protest leaders.

- **Negotiate with protestors ahead of time.** DPS should negotiate with protestors ahead of time about what is tolerable and not tolerable to minimize the use of force and arrests. The negotiated management model "emphasizes the use of dialogue between police and demonstrators throughout the planning and demonstration process" (Kennedy, 2019, p. 25). Coordination and dialogue between law enforcement and protestors before the protest may promote mutual trust (Gorringe & Rosie, 2008; Murray, 2010) and self-regulating behaviors among protestors during the demonstration (Gorringe et al., 2012). If protesters refuse to meet or negotiate ahead of time, that information should be shared publicly, as this may help with public perception of subsequent law enforcement actions.

Recommendation 18: More deeply engage with businesses and communities affected by civil unrest and face the most risk of potential future civil unrest.

Business owners talked about visits after the civil unrest from elected officials that primarily served as a symbolic presence rather than a substantive or meaningful one. The experience of community members after events of unrest can either help or hinder trust between state government and residents.

> *From almost within days of George Floyd's death and the destruction that happened that week, the governor had proposed a significant relief package. Some of it is structural, it's physical. Many businesses owned by business owners of color were destroyed. So trying to infuse state resources to help rebuild. That's been harder than it should be. We tried to get FEMA funds. Trump said no. We tried to get state funds and, up until last week, our partners in the senate have said no to that. – State official*

- **Conduct frequent outreach to business owners and communities most affected by the unrest.** After the unrest, communities engaged in clean up and community healing and recovery efforts. According to feedback from community members and business owners, the state should show their support by participating in cleanup efforts, being present physically and offering financial support to those affected by the unrest, and help facilitate spaces for communities to come together and heal in ways they feel are appropriate for them.

- **Help businesses and communities rebuild.** Widespread property damage is a potential consequence of civil disturbances. Following the civil unrest after the killing of George Floyd, the city of Minneapolis reported $55 million in property damage (Associated Press, 2020), which includes the 220 buildings in Minneapolis that were set on fire (Associated Press, 2020). In addition, over 360 businesses in the Minneapolis-Saint Paul metropolitan area were damaged (Penrod et al., 2020). Researchers, to this end, have indicated that civil disturbances can undermine the economic well-being of impacted communities (Au, 2021). The immediate economic toll of civil unrest (e.g., building, vehicle damage) may also contribute to long-term consequences such as unemployment, lack of access to transportation, homelessness, and decreased business operations (Au, 2021).

Many community members and business owners recommended that the state provide direct financial assistance to highly affected neighborhoods, such as through recovery or protection grants—doing so would likely result in the state having contact information for many business owners who may be affected by unrest in the future. Of course, giving financial contributions to communities and organizations is outside of the purview of DPS unless it falls under one of the agency's specific grant programs. Further exploration of the options or changes to DPS's authority or other legislative changes would be needed to fully realize this recommendation. However, DPS may be able to examine its current funding and engagement strategies to see if and where there may be room for better engagement with the communities most affected. Local and state agencies need to identify the economic consequences of civil unrest on the communities they serve and engage in community rebuilding efforts to the extent they can. Additionally, it is important to understand the costs (economic and otherwise) of various law enforcement actions and the potential cost of alternative actions.

I think the key is what does a community emergency response look like? The state could define that better. How do organizations play a bigger, more involved role? Especially if you have data that locates high priority areas during a crisis, and then who the key people or organizations are in those areas. Is the emergency disruptive or destructive? Those are different sets of tactics. – Business owner

The state should be thinking about recovery programs or protection grants. Not just putting up the plywood, but things that are attractive but keep things safe if you need to shutter-down. … What are some of the early indicators [of unrest] to alert property owners? There could be training for small- to medium-sized business owners—what can they do, how can they assess how prepared they are? – Business owner

We were in the midst of a pandemic. It has been hard to suss out how and what energy is going into the longer-term recovery needs of our community now that people are not still thinking of the pandemic aid they've received. So it's almost like people have been shielded from seeing how little has come into the community, specifically for community trauma and businesses that were impacted by the civil uprising that resulted from Mr. Floyd's murder. – Community leader

Recommendation 19: Support state and local law enforcement agencies in promoting mental health and providing resources.

Personnel responding to civil disturbances undergo a multitude of stressors for a prolonged period (Haugen et al., 2012). These stressors are psychologically deleterious and may compromise the personnel's ability to perform their duties (Arnetz et al., 2009). Following the civil unrest after George Floyd's murder, over 100 Minneapolis police officers filed for work-related disability, citing PTSD as their primary reason (Forliti, 2020). The psychological toll of civil disturbances on responders can contribute to negative health behaviors and outcomes (e.g., substance use), affecting one's ability to perform their duties (Substance Abuse and Mental Health Services Administration, 2018). In one study, mental fatigue was associated with more frequent work-related injuries among police officers (Fekedulegn et al., 2017). To respond effectively to emergencies and life-threatening events, agencies should foster a culture of mental health promotion, which includes: (1) addressing stigma around mental health diagnoses and treatment; (2) proactively evaluating the mental health of responders; and (3) integrating mental health supports into law enforcement and government agencies.

- **Address mental health stigma.** DPS should work with the POST Board to take steps towards dismantling stereotypes and stigma related to psychological disorders and treatments among state and local law enforcement personnel (Corrigan, 2004). Law enforcement personnel endorse elevated negative attitudes about individuals who seek mental health treatment (Soomro & Yanos, 2019; Velazquez & Hernandez, 2019). These findings may explain why police officers are less likely to seek mental health treatment than civilians despite having a higher risk of mental health conditions like depression and PTSD (Jetalina et al., 2020). Law enforcement and government agencies should receive psychoeducational training to address negative attitudes and stereotypes about mental health care use. Most importantly, agency leadership should endorse seeking mental health care.

- **Proactively evaluate the psychological well-being of responding personnel.** DPS should proactively and routinely evaluate the mental health of their team after civil disturbances. While large-scale emergencies' psychological toll on responders has been consistently documented, many agencies do not evaluate their personnel for trauma-related symptoms, depression, and other mental health conditions after large-scale emergencies (Spence et al., 2019). Moreover, we also recommend that DPS offer access to remote mental health assessments for all local and state responders. Remote assessments ensure that first responders in rural, under-sourced areas can access routine mental health assessments (Spence et al., 2019).

- **Integrate mental health services into law enforcement and government agencies.** DPS should integrate mental health professionals into its law enforcement departments and consider itself a leader for local agencies across the state. First responders have an increased risk of developing mental health conditions due to work-related stress and traumatic events (Kyron et al., 2019; West et al., 2008). Spence and colleagues (2019) recommended that agencies integrate mental health professionals who specialize in stress and trauma-related symptoms and treatments for first responders. Developing crisis hotlines, offering peer-support programs, involving family members in treatment planning, and marketing psychological support within law enforcement networks are additional strategies recommended to promote mental health within law enforcement agencies (Papazoglou & Tuttle, 2018; Spence et al., 2019). After an incident, activate support services for officers and their families, create additional awareness of employee assistance programs, and ensure they know how to properly access it (IACP, n.d.).

The State Patrol currently has a peer support program and promotes wellness resources such as an Employee Assistance Program (EAP). Since May 2020, State Patrol has utilized the services of a Chaplain at briefings.

Recommendation 20: Improve after action documentation and reporting.

After-action reports ensure that accurate information related to agency response is disseminated to the public, including the media and legal community. A comprehensive after-action report may help prevent misinformation, guide the development of better policing practices, and hold police officers accountable for their decisions and actions during an incident (Police Executive Research Forum, 2011; Zeunik et al., 2020). An after-action report can also document strength areas worth repeating or building on (e.g., procedurally just actions; Zeunik et al., 2020). Documenting strengths can also help to counteract negative publicity surrounding law enforcement agencies in the media.

Law enforcement officials have also discussed the importance of meticulously documenting all incident management decisions and actions within days after the civil disturbance (Police Executive Research Forum, 2011). After-incident reports are essential to holding agencies accountable for their actions, preventing lawsuits, identifying lessons for managing future incidents, and documenting positive changes in police response to mass demonstrations (Police Executive Research Forum, 2011). After-incident reports should be transparent, comprehensive, inform why responding agencies made certain decisions, and generate strategies for future planning. The DPS AAR aligns with several of the recommendations identified in the literature; however, there is room for improvement related to meticulous documentation of all incident management and decisions, including additional evidence to support what happened and why. To ensure that after-action reports provide opportunities for accountability, learning, and future planning, DPS should (1) document and implement changes based on lessons learned; (2) document strength areas; and (3) include additional evidence like photographs and video footage.

- **Document and implement changes based on lessons learned.** DPS should comprehensively document lessons learned in incident management. Documenting lessons can hold agencies accountable for mishandling a situation and inform future incident management approaches (Zeunik et al., 2020). Lessons may also serve as benchmarks for assessing how well an agency responds to future incidents (della Porta & Tarrow, 2012). Identifying lessons and generating future strategies communicate to the public that DPS is committed to adjusting and improving their responses to civil disturbances, improving police-community relations. That said, after-action reviews are not simply an exercise but should serve as a tool to guide action planning and changes in policies and practices that have real-life impacts on public safety. Following through with the successful implementation of new policies and practices matters just as much as the adoption of them. Quarterly, bi-annual, or annual auditing and review of the implementation of new policies and practices based on lesson learned can assist in their effective implementation. Additionally, intentional and proactive sharing of documented lessons (e.g., press releases, presentations, engagement activities) can maximize the positive impacts in the state and nationally.

- **Document strength areas.** DPS should continue to emphasize strength areas in incident management throughout their after-action reporting. For instance, documenting the use of negotiation rather than mass arrests demonstrates that DPS utilized procedurally just incident management approaches (Police Executive Research Forum, 2011). Documenting strength areas

also demonstrates that law enforcement agencies are continuously improving their approach to facilitating peaceful protests, which may counteract the negative portrayal of law enforcement in the media (Gramlich & Parker, 2017).

- **Include photographs and video footage as much as possible.** The AAR conducted by DPS does not include photographs or video footage. In the future, DPS should submit photographs, video footage, and witness testimonies about crowd behavior and law enforcement response to crowd behavior during the civil disturbance. Photographs and videos may play an important role in preventing post-incident litigations and justifying law enforcement decisions and actions (Police Executive Research Forum, 2011). Photos and videos can also verify whether current policies and protocols, like crowd dispersal tactics, were appropriately followed during incident management.

The State Patrol will have body-worn cameras by June 2022. This will include the requirement by State Patrol to record civil unrest interactions/work.

CONCLUSION

This examination of the state of Minnesota's response to one of the most challenging times in the state's history provides an opportunity to learn from effective actions and missteps and do better to protect communities. If implemented, we believe these recommendations will reduce future civil unrest and substantially improve the state's preparedness and capacity to manage mass demonstrations. Implementing these recommendations will also mitigate the risk of escalation should future instances of civil unrest occur.

In analyzing the complex and numerous recommendations above, we suggest that the critical actions are:

- strengthening multi-agency coordination systems

- enhancing coordination and relationships with local jurisdictions and the media

- leading efforts to address tensions between law enforcement agencies and communities through intentional trust-building efforts, police accountability and transformation, and education

The best way to address instances of civil unrest is to reduce their likelihood of occurring in the first place. Many of the takeaways from this report require relational work between state agencies and communities.

> **Further research and evaluation are necessary to understand the role of racism in law enforcement responses to civil unrest and determine additional steps to address community distrust in law enforcement and state government.**

In this context, the protests and unrest stemmed from a police officer murdering a Black man – the role of race cannot be overlooked. Therefore, intersectional to all the recommendations above is to incorporate a deeper sense of humanity – explicitly recognizing the humanity of Black Minnesotans – into actions from state actors. As one participant wondered:

> *What is the human piece of [the state's response]? What is people's sense of what's happened to our communities and businesses? There's a lot of need there, too—for processes and ways of helping people, understanding their collective and individual experiences. My feeling that I'm left with is that if we are going to learn from this, there has to be some tending to our human experience—not just the practical part of how to do protection "next time." – Business owner*

The tragedy and trauma that unfolded in summer 2020 were significant, unplanned, and unprecedented. Moving forward, the state has the opportunity to focus on building functional systems, plans, and relationships that will lead to a response to civil unrest that supports all Minnesotans, especially communities of color and, specifically, Black Minnesotans.

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APPENDIX

Summary of perspectives from community leaders and local business owners

An important part of the review was capturing the experiences and voices of community members, including youth, and local business owners, particularly those present in the areas most affected by the civil unrest. The Minnesota Department of Public Safety recognized the value of listening to and understanding what happened from their perspectives. This summary of the focus groups with community leaders and local business owners as well as interviews with community leaders was used by Wilder Research as part of the analysis process. Key findings were shared with a sample of focus group participants during a follow-up session facilitated by MNJRC to validate that their perspectives were accurately captured in the key themes. The key findings are included here for those interested in more detailed information provided by community leaders and local business owners.

Please note: Some conflation and inaccuracies are present in this section of the report but are unedited to accurately reflect participants' words and perceptions. For example, participants often spoke about the state and other responding agencies simultaneously, unable to differentiate between them. Our analysis took this into consideration; we do not present feedback that referred, for example, only to the Minneapolis Police Department. The findings presented in this summary refer to the state's response or the state's response in coordination with other agencies. Although we made every effort to define the "state's response" at the beginning of each focus group, many people may have attributed actions to "the state" when state actors may not have been involved. Also, respondents often use terms for various less lethal munitions (e.g., rubber bullets) that state law enforcement agencies do not use. Please see the glossary in the full report for information about less lethal munitions used by the Minnesota State Patrol.

> *These moments aren't about the moment. It's a flashpoint, a trigger. But the response, the pain, the trauma, and emotions are born out of years of oppression. … [T]hat's really what it's about, and so your solution must be bigger and more comprehensive than simple law enforcement approaches. – Local government official*

Perceptions of the state's response during the unrest

Among community leaders and local business owners, perceptions of the state's response were largely negative. Many respondents described perceptions of racism and discrimination in the state's response and noted that the state's response often escalated already dangerous situations, rather than helped to promote peace and safety.

In addition, numerous respondents noted the importance of understanding the unrest—and the state's response to it—through a lens of racism against Black residents in Minneapolis and statewide:

- **The unrest was a response to anti-Black racism in Minnesota.** This refers to understanding the unrest and the state's response to it through a lens of anti-Black racism. This was an overwhelming response from those we talked to—that to understand the unrest and the state's response, it is critical to first acknowledge anti-Black racism in Minneapolis and throughout Minnesota. In particular, respondents noted that anti-Black racism has resulted in trauma as well as systemic barriers to numerous opportunities for Black residents in the Twin Cities and statewide. The large majority of respondents noted these factors—trauma, lack of access to opportunities, and the resulting inequities between Black residents and White residents—as contributors to the unrest that followed the murder of Mr. Floyd.

  > *The murder of George Floyd was traumatic, the civil unrest was traumatic, the trial was traumatic—particularly for communities of color. This racially charged trauma can leave individuals and communities likely to be triggered. And that's not even talking about all the other traumatic experiences we may have had as individuals and communities of color.– Community leader*

- **The state's response often escalated the unrest.** The large majority of respondents critiqued state law enforcement's use of tear gas, rubber bullets, and other escalating tactics during the unrest, though some respondents thought these tactics were necessary. Law enforcement's use of such tactics conflicts with recommended practices for law enforcement officers when responding to civil unrest, according to our literature review about the topic.

  In particular, the literature noted that a paramilitary police response during a protest may be perceived as procedurally unjust and instigate hostility towards the police (Drury & Reicher, 2000; Hoggett & Stott, 2010; Links et al., 2015). Moreover, riot gear and less lethal munitions should not be visible to protestors since a show of force by law enforcement can incite fear and aggression (Maguire & Oakley, 2020; Police Executive Research Forum, 2011). In contrast, engaging crowds in a friendly, non-confrontational manner and wearing "soft gear" uniforms can increase the likelihood of compliance, cooperation, and self-regulation (Links et al., 2015; Police Executive Research Forum, 2011; Waddington, 2013).

THE UNREST WAS A RESPONSE TO ANTI-BLACK RACISM IN MINNESOTA

> *We cannot rely, as Black and brown folks, on the state to take care of us. – Community leader*

Many community leaders, local business owners, and local government respondents talked about racism in Minnesota and its role in the unrest. Numerous respondents noted that the unrest after the murder of George Floyd sprang from a long history of racism and discrimination against Black residents in Minneapolis—and the trauma and other negative experiences among Black residents as a result of this racism and discrimination. As one respondent said, "I just don't see that Minneapolis wants Blacks here."

> *I ask the question: What is the presenting problem? What is the issue that's being presented, with the knowledge that there are always multiple systemic issues that lie behind the presenting problem? George Floyd's execution was the presenting problem. What the state did was only to address that in a very poor way, a very white supremacy way. The community has called for a long time to look at the systemic disparities that are happening within our community.*
> *— Community leader*

Some respondents talked about racist experiences with Minneapolis and Saint Paul police officers and a pattern of racist practices exhibited by both police departments. Other respondents talked about quality of life disparities between Black Minnesotans and White Minnesotans, including a systemic lack of access to livable jobs, adequate health care, and high quality education (Wilder's Minnesota Compass project, which compiles data from the U.S. Census and other reliable data sources, corroborates these comments). Other respondents talked about the racism they encounter every day as Black people in Minneapolis.

> *[The murder of George Floyd] is consistent with the pattern of practice in the Minneapolis police and in Saint Paul and in surrounding communities.* — Community leader
>
> *We have to stay up at night, watching out and wondering is our son, is our daughter, is our grandchild gone? Are they going to make it back home alive? … Am I going to have to go to the funeral home to see their bodies just because they are Black?* – Community leader
>
> *Being a Black person in Minnesota is just a constant state of tension. … It is just like a muscle that is always tensed. It's like—when am I going to have to defend myself? When am I going to have to defend my people? What's the next situation where I'm going to have to check some White [expletive] on the street? You know what I mean? When am I going to have to stick up for myself? You know it's going to happen on a daily basis to varying degrees of intensity.* — Community leader

Gaps, racism, and discrimination in the state's response

> *We were abandoned. By the time the National Guard even came, most everything had quieted down.* – Local government official

Numerous community leaders, local business owners, and local government officials talked about the lack of action from the state almost as much as they talked about what the state did during the unrest. Respondents mentioned feeling abandoned by the state and other law enforcement agencies, that law enforcement officers arrived to their communities too late or not at all, and that they and those in their communities relied on each other to protect people and businesses in the state's absence.

> *We had about 300 people who plugged into a community safety response because essentially law enforcement agencies abandoned us. … We were abandoned. By the time the National Guard even came, most everything had quieted down.*– Local government official
>
> *The only officers we can count on are the ones that live over here. The cops that live over here, they were out all night with us. Their shift was over and they were still out here with us.* – Business owner

Last summer [2020] was really hard because of the lack of police presence. Police are supposed to be a sign of authority, of someone you respect. After Thursday night—Friday, Saturday, and Sunday—it was chaos. There was no organization. When the governor came out, it was a very lax situation. He didn't take it very seriously. I think that's what caused the violence to grow, to get out of hand until Saturday night [the second night of curfew].   – Business owner

Some respondents also talked about racism and discrimination in the response of the state and other law enforcement agencies during the unrest, with one respondent saying, "Frankly, there was just actual racism in that response." For example, some respondents shared their perception that the state and other agencies did not assign officers, or as many officers, to neighborhoods that saw the most violence, like the Lake Street corridor, the University corridor, North Minneapolis neighborhoods, and near the site of George Floyd's murder. Other respondents noted that higher income areas and areas with bigger businesses received more assistance and protection from the state, rather than neighborhoods where more low-income and Black residents live or where there are more minority-owned businesses. These respondents also noted the effects of the absence of law enforcement: increased violence and a lack of safety.

It felt like we were less important than Target. We should have been protected. – Business owner

In my case, we were left without any help. We would call the police and they never responded. We were left to fend for ourselves. That's my experience. I feel very frustrated with the authorities—my business was burned and broken into, my car vandalized, my house broken into. Still to this day, we haven't had any help. I don't know who to talk to or what the next step will be. – Business owner

There was huge inequity [in the state's response]. Frankly, there was just actual racism in that response. They wanted to protect property downtown. They wanted to protect the big properties like Target—which they failed at—but they weren't concerned about what was going on in [respondent's neighborhood]. … Our own community had to step up … That's what our community had to do because the state had no response for us. They didn't have resources to help us. And so even in their focus on property, there was the usual division and racism there. "Property" meant White property and White property owners. It also skewed heavily toward large institutional property owners. The mom and pop stores, the barbershops—they weren't getting any love from the state.   – Community leader

THE STATE'S RESPONSE OFTEN ESCALATED THE UNREST

As a business owner, am I allowed to be standing in front of my business or will I get shot with rubber bullets? Am I allowed to put out fires or will I get tear gassed? – Business owner

When law enforcement was present in their communities, many respondents said that officers and other personnel escalated situations that could have been handled more safely and readily with deescalating tactics. Many respondents mentioned that law enforcement officers directed tear gas, rubber bullets, and flash bang grenades at protesters who were not engaging in illegal activity or posing an immediate threat. Some respondents also mentioned that these escalating tactics from law enforcement made it difficult for them to deescalate dangerous situations themselves.

I experienced getting maced, tear gassed. I got shot with rubber bullets. … We were peaceful and they maced and shot us.– Community leader

In our neighborhood, initially it was a very strong police response—but not in a way that promoted calm and order. From our perspective, it was antagonistic. A lot of that was rubber bullets and tear gas, and then they just left. Of course, people were agitated.– Business owner

I saw someone trying to kick in the window of the post office and just yelled, "Hey, we don't mess with the post office! People need to go there to pay their bills and get their checks!" They looked up and saw me and ran away. It became increasingly hard to do any of that kind of intervention because there was just so much tear gas, grenades, and rubber bullets. – Business owner

What didn't go well? Their automatic show of force, gearing up in military grade body armor and weapons. It seems they go out of their way to create fear, tension, and volatility. I can't stand the way they do that. We're not combatants in a war. We pay you. This is what we pay for? To be beaten, tear gassed? My car was hit by rubber bullets. My 20-year-old escaped being shot by a hair. – Community leader

Some respondents empathized with law enforcement and understood why they employed tactics like tear gas and less lethal munitions, with one respondent saying, "The state and law enforcement officials were caught off guard by the magnitude of what was happening." Other respondents noted that it must have been difficult for law enforcement to distinguish between peaceful protesters and violent demonstrators when deciding whether to use tear gas or rubber bullets.

The state acted appropriately in that time—it could have gotten a lot worse. – Business owner

I would characterize [the state's response] as regrettably effective, but I wouldn't necessarily say that I believe that the totality of it was necessary. They needed to take action, but there were degrees of [their response] that I think were unnecessary, like the rubber bullets. They need to look at how to do a better job with quarantining an area, to shut down an area before you rely on brute force. – Community leader

In addition, many community leaders and some local government officials described the Minnesota National Guard deployment as an escalating tactic. However, perspectives on the Minnesota Guard's presence were nuanced and divergent. Some respondents mentioned that they and their communities felt frightened by the Minnesota Guard presence, that they did not fully understand why the Minnesota Guard was there, and that they felt like the Minnesota Guard was there to control or suppress them rather than help them. A few respondents wondered about what they perceived as an inconsistent response from the state in their community—initially, they felt abandoned because there was no law enforcement presence, and then they felt overwhelmed and like their communities were occupied when the Minnesota Guard arrived.

People don't want an occupied community in order to be safe. Why is there no balance between being occupied and being abandoned? The fact that our law enforcement experts cannot answer that question is very disconcerting. – Local government official

One of our granddaughters was afraid to go to school because of the National Guard. She was trembling, wondering, "Are they going to shoot me? Why are they here?" She internalized the violence of the state. – Community leader

Another thing the state did not do well was articulate exactly what the National Guard was supposed to be doing. It might have been different if they were passing out water and food to community members, like the rest of us. They didn't come in as partners, but as regulators. It felt like opposition. It felt like community was seen as opposition, as a target. – Local government official

In contrast to these negative perceptions of the Minnesota National Guard, some business owners talked about appreciating the Minnesota Guard deployment. Prior to the deployment, they said they felt their business was unsafe and vulnerable. Additionally, some community leaders said that the presence of the Minnesota Guard helped the situation feel "under control." However, some of these same respondents also expressed confusion about the Minnesota Guard's purpose. Specifically, a few respondents wondered why Minnesota Guardsmen in their neighborhood left without any explanation; these respondents felt that the Minnesota Guard were removed when they were still needed in their communities.

When they did bring in the National Guard, I noticed that things got under control pretty quick, but they probably should have called out the National Guard much sooner than they did. – Community leader

For the most part, the immigrant business owners in [the respondent's neighborhood] really, really wanted the National Guard here. They felt vulnerable, physically threatened by what was happening. They were happy to hear the National Guard was coming. The National Guard was deployed to [the respondent's neighborhood], but then they retreated. … I don't know why they were pulled. I heard from residents and business owners who were upset that they were leaving. – Local government official

Lastly, many respondents reflected on the overall goals and approach of law enforcement during the unrest and the training they receive in regards to escalating or deescalating tactics. In particular, these respondents suggested that law enforcement officers are effective at protecting buildings and infrastructure, but are less effective at deescalating situations and caring for people's physical and emotional health. As one respondent said, "They claim that they're peace officers, but that's not what they do."

Business owner 1: They spent millions of dollars protecting infrastructure and buildings. What was the action plan for helping people in distress from seeing the Floyd murder? … They're so concerned about buildings, but they're not doing anything with the human response.

Business owner 2 (responding to the above quote): That's the easy way out, they already know how to do that stuff. They don't know how to take care of people.

> *Protesters aren't there to harm you or beat you down. We want to be heard. We want our civil rights! … A more peaceful response from the state [would have been better]. A less combative, forceful, oppressive presence from law enforcement would probably change the outcome of every protest in this country. … [Law enforcement] are not trained to impart a sense of safety. They claim that they're peace officers, but that's not what they do. – Community leader*

Perspectives on public messaging and executive orders

Many respondents expressed conflicting viewpoints about the state's communication regarding outside agitators and White supremacists during the unrest. While some respondents appreciated the state's handling of this information, others thought that it invoked fear among Twin Cities residents and escalated feelings of danger and vulnerability. Some respondents also saw the focus on outside agitators as a distraction from the issue at hand—that George Floyd was murdered by a Minneapolis police officer.

> *A lot of the state's response was about these outside agitators—this narrative about these peaceful protests and then these outside people coming in. To me, these press conferences were creating fear. – Community leader*

> *That narrative of outside agitators supports this notion that Minnesota doesn't act like that…. It was an energy-less, ineffective attempt to try to change the narrative about who Minnesota is: "We're nice after all, we don't do this kind of thing." – Community leader*

> *I thought they did a good job early on identifying that there were outsiders coming in to make a fuss. The [DPS] Commissioner used the term "White supremacists" on TV and he said it with authority and anger. I thought the fact that he put it out there like that was good. – Community leader*

In addition, many community leaders, local business owners, and local government officials expressed differing opinions on the use of curfews during the unrest. For instance, one respondent said, "It's simple—the curfew worked." Another noted, "I saw the curfew as a complete joke." Other respondents mentioned issues created by the curfew, particularly for people who work night shifts or had other legitimate reasons to be out after curfew. In addition to worrying about the unrest, these respondents said, people who needed to be out after curfew worried about getting stopped by law enforcement on their way to and from work, for example.

> *A Black woman and a mom who lives near me got caught in the curfew just trying to get home. – Local government official*

> *The first night of curfew, nothing bad was happening [suggesting that the curfew was not effectively enforced], but then the second night, they were on that. … It was more heated. You actually had to hurry up and go home on the second night. – Community leader*

> *I don't mean this in a funny way, but it seemed like Floyd was murdered by an officer and then we were all punished for that officer's actions for several days after. Eight days of lockdown for us because of what an officer did. I would not be proud of that. – Community leader*

Recommendations for the state

> *Just talking about "the response" is the most limited way to look at this.*
> *– Local government official*

Numerous community leaders, local business owners, and local government officials offered recommendations for how the state can improve its response next time or prevent unrest like this from happening again. Many respondents noted that any response from the state should acknowledge the complex and systemic factors that contributed to the unrest, including issues like racism, poverty, policing, and COVID-19.

Please note that these recommendations are a subset of the recommendations included in the full report; they pertain only to the feedback we heard from community leaders and local business owners. The recommendations from this group of respondents include:

- **Help local businesses recover and prepare.** Help local businesses recover from the destruction during the unrest and prepare for future instances of unrest that may harm or affect their businesses.

- **Support and partner with affected communities, particularly Black communities.** The state should support affected communities to recovery physically and emotionally from the unrest—by partnering directly with community members to keep their communities safe in ways that align with their goals and values and addressing racial inequities in quality of life (employment, health, education, etc.) as a strategy to prevent future unrest.

- **Transform policing and law enforcement in Minnesota.** Make systemic changes to policing and law enforcement in Minnesota so that fewer Minnesotans are killed during interactions with police officers and there is greater trust between law enforcement officers and other personnel and the communities in their jurisdictions.

HELP LOCAL BUSINESSES RECOVER AND PREPARE

Numerous community leaders, local business owners, and local government officials talked about the toll of the unrest on local businesses, especially businesses in highly affected areas like the Lake Street corridor, the University corridor, North Minneapolis neighborhoods, and near the site of George Floyd's murder. Many business owners mentioned the desire for more guidance and assistance from the state, both during unrest (*Is my neighborhood safe? Can I be at my business?*) and after periods of unrest (*When can I take the boards off of my windows? How can I make sure my business is safe next time?*). In order for community members and business owners to get timely guidance during times of unrest, a few respondents noted the state should consider establishing positive working relationships with key people or organizations in various neighborhoods so that lines of communication exist prior to an emergency.

> *Even now almost a year later, there has been no checking in. Our buildings are still boarded up. How long are they supposed to stay like this? It's just our own judgment. That has a cost on our neighborhood—whether people feel like it's a place where they want to come. – Business owner*

> *I think the key is: What does a community emergency response look like? The state could define that better. How do organizations play a bigger, more involved role? Especially if you have data that locates high priority areas during a crisis, and then who the key people or organizations are in those areas. Is the emergency disruptive or destructive? Those are different sets of tactics. – Business owner*

Many business owners expressed a desire for more help from the government—local, state, and federal—in financially recovering from the unrest. Some business owners said that their businesses were destroyed and that their insurance will not cover the damage. Other business owners said that while their business did not sustain physical damage, they saw a decline in revenues after the unrest. A few business owners recommended that the state fund financial recovery programs for businesses as well as provide protection grants to business owners and educate them on how to keep their businesses safe.

> *We lost everything—cash, checks—we couldn't recover anything. The insurance didn't want to cover it. We didn't recover it. – Business owner*
>
> *It didn't have direct impact in my space; however, it did impact my space in that it compounded with the negative impression that people already have of [respondent's neighborhood]—businesses boarded up, burned out. It impacted my business in that way. It continued that stereotype of not being safe over here. We were open, but business was slow— nobody was coming in. – Business owner*
>
> *The state should be thinking about recovery programs or protection grants. Not just putting up the plywood, but things that are attractive but keep things safe if you need to shutter-down. … What are some of the early indicators [of unrest] to alert property owners? There could be training for small- to medium-sized business owners—what can they do, how can they assess how prepared they are? – Business owner*

SUPPORT AND PARTNER WITH AFFECTED COMMUNITIES, PARTICULARLY BLACK COMMUNITIES

Many respondents offered recommendations for how the state can support and partner directly with affected communities, particularly Black communities, during periods of unrest and after periods of unrest. Other respondents offered recommendations for how the state can support and work with communities during times of peace. These recommendations centered on addressing inequities and racism experienced by many Black residents in the Twin Cities and throughout Minnesota.

In regards to supporting communities during periods of unrest, as mentioned previously, respondents recommended that the state establish ways of communicating and making real-time decisions with key people and trusted organizations in affected communities. These respondents urged the state to view community leaders and organizations as partners in responding to and making decisions before, during, and after times of unrest.

The spaces I have seen be most effective are community-convened spaces; government is not driving, but is there. The community members coordinate and ask government officials to attend and listen to what the community wants. … So, what response [from the state] would have been better? It's co-governing, it's sharing that space together. – Local government official

The impression I get [from the state] is that the decisions are already made. If the decisions are already made, a seat at the table is just an illusion. You have to create a table that aligns with your organizational responsibility—so that community can be infused into your decisions in a timely manner. – Community leader

In regards to supporting communities after unrest, numerous respondents talked about the lack of follow-up from the state once the situation calmed down. They talked about the lack of financial assistance from the state, the lack of help in regards to cleaning up their neighborhoods, and the lack of support for physical and emotional healing for community members. In the absence of the state's assistance after the unrest, many respondents told stories of people in their communities helping to clean up their neighborhoods and providing time and space to promote physical and emotional healing in the days and weeks following the unrest.

Respondents also wanted state support in regards to the trauma among Black residents caused by witnessing George Floyd's murder, experiencing the unrest that followed, and reliving these experiences through the Derek Chauvin trial. Other respondents talked about how businesses in their neighborhoods have received meaningful financial assistance from local and federal government sources, but little from the state.

We have gotten through the fallout of this [the unrest] with almost no help from the state. There has been local assistance funds and some help through the federal government. I know that the state finally passed something that meagerly helps us. … We're not getting meaningful help. – Local government official

What is the human piece of [the state's response]? What is people's sense of what's happened to our communities and businesses? There's a lot of need there, too—for processes and ways of helping people, understanding their collective and individual experiences. My feeling that I'm left with is that if we are going to learn from this, there has to be some tending to our human experience—not just the practical part of how to do protection "next time." – Community leader

What struck me for weeks about the state's response was the garbage all over the streets, buildings that had collapsed. They [the state] left property owners on their own to clean up five-story buildings. … They could have helped repair the damage, helped us clean up our streets so that people can walk the sidewalks, so that people in wheelchairs have access to these places, so that people can wait at the bus stops. It just felt like their effort was focused on antagonizing the protesters, not about helping clean up so that people can come to our businesses. – Business owner

An overwhelming observation from community leaders, local business owners, and local government officials was that while the murder of George Floyd sparked the unrest, the unprecedented scale of the unrest was in response to a long history of racism and discrimination against Black people in the Twin Cities and

throughout Minnesota. In particular, respondents noted racial inequities on a number of fronts—economic inequity, education inequity, inequities in health and safety—as contributing to the breadth and depth of the unrest during this time. In light of this observation, respondents recommended that the state help to address these inequities, particularly the impact that these inequities have on Black Minnesotans, because doing so will likely result in increased public safety.

> *A lot of it had more to do with poverty than it did George Floyd. … What are those underlying things that the community needs? – Community leader*

> *It was a sign of people reaching their breaking point. We should make room in our understanding that not all unrest needs to be righteous or noble—sometimes it's just people who are fed up and like, "This is ridiculous and I just want some shoes" [referring to people breaking into retail stores]. If you feel hopeless and angry, and everything feels like [expletive] because the government isn't doing what it's supposed to do, sometimes you're just like, "I'm gonna get some shoes." A lot of the communication was about good versus bad protesters, but really we need to look at the human side of it, at the oppression on multiple levels. … Of course people shouldn't be doing that [stealing shoes], but that's not the right place to go to. It's why are they doing it? Hopelessness, despair—it grew from those core things—and tiredness. Then they brought charges [against former officer Derek Chauvin and the other responding officers] and it died down. "No justice, no peace"—it is plainly telling people what it would take to bring peace. – Local government official*

TRANSFORM POLICING AND LAW ENFORCEMENT IN MINNESOTA

Many community leaders, local business owners, and local government officials recommended that the state prioritize the transformation of policing and law enforcement across Minnesota. These respondents noted that police violence is not limited to Minneapolis or the Twin Cities, and suggested the state take a lead role in transforming policing and law enforcement statewide so that fewer Minnesotans are killed during interactions with police officers, particularly Black male Minnesotans.

> *How do we, first of all, reimagine having a police force that everyone can trust? We need a police force that recognizes our humanity, our right to liberty, our right to freedom—all of those things. – Community leader*

> *There's the actual response during the uprising and then there's the role that the state can take in systems reform. … This is not just one crisis. This came from problems deeply rooted in our systems. Both at a human level and a systems level, there is a need for reckoning with the history of racism in this state, the history of extracting and disinvesting from neighborhoods and communities. It's hard to pinpoint what the state could have done in this particular instance that isn't rooted in these bigger questions. I think the state could play a really powerful role in changing these systems. – Community leader*

Some respondents expressed hope that Minnesota can transform our approach to policing and law enforcement so that in the future fewer or no Minnesotans are unnecessarily killed during interactions with law enforcement officers. Other respondents were less hopeful in this respect. Regardless, numerous community leaders, local business owners, and local government officials felt that if policing does not drastically and systemically change in Minnesota, the state should prepare for the next period of unrest.

We know Minnesota is not going to crack down on their police. "The next situation" is very real for that reason. But, if the state decides to deal with this policing problem—and how the police deal with African American people and communities—then there won't be "a next time." … It is ridiculous that the eyes of the world are on Minnesota with the Chauvin trial, yet we have another police killing of an African American male just yesterday [referring to Daunte Wright]. – Business owner

Glossary

After-action reports: A report that details law enforcement decisions and actions during an incident, assesses decisions, identifies areas of improvement, and recognizes strength areas.

American Indian Movement (AIM) patrol: Formed in August of 1968, the American Indian Movement Patrol (AIM Patrol) was a citizens' patrol created in response to police brutality against Native Americans in Minneapolis. Patrollers observed officers' interactions with Native people and offered mediators that community members could call on for help. As of 2016, a similar but separate group operates under the same name.

Black codes: Restrictive laws designed to limit the freedom of African Americans and ensure their availability as a cheap labor force after slavery was abolished during the civil war.

Civil disobedience: An unlawful and non-violent action involving a planned or spontaneous demonstration by one or more people.

Civil disturbance: A gathering that constitutes a breach of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts.

Civil unrest: A prolonged period of civil disturbance.

Crowd dispersal: Tactics to disperse a non-compliant crowd which can include, but is not limited to, mass arrests, use of aerosol crowd control chemical agents (e.g., tear gas), and police formations.

Crowd dynamics: Factors which influence crowd behavior.

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 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.

Dialogue policing/dialogue officers: Establishing contact with the demonstrators before, during, and after protests to facilitate de-escalation and act as a liaison between protest organizers and commanders.

Differentiation: Enforcement actions are taken against individuals or groups acting violently or destructive, while law-abiding members of the crowd are allowed to protest.

Emergency Management Performance Grant (EMPG): A grant provided by FEMA (Federal Emergency Management Agency) that provides state, local, tribal and territorial emergency management with the resources required for implementation of the National Preparedness System.

Incident command: A standardized, hierarchical approach to command, control, and coordination between responding agencies (e.g., local police, state patrol).

Incident commander: The person responsible for all aspects of an incident response. The incident commander sets priorities and defines the organization of the incident response teams and the overall incident action plan as defined under the National Incident Management System (NIMS).

Incident Command System (ICS): ICS is a standardized approach to the command, control, and coordination of on-scene incident management, providing a common hierarchy within which personnel from multiple organizations can be effective. ICS is the combination of procedures, personnel, facilities, equipment, and communications operating within a common organizational structure, designed to aid in the management of on-scene resources during incidents. It is used for all kinds of incidents and is applicable to small, as well as large and complex incidents, including planned events.

Incident management system (IMS): A standardized structure (i.e., guidelines, policies, and hierarchies) that guides all levels of government to coordinate activities and manage emergencies. IMS originates from the National Incident Management System, which provides systems, policies, and practices for resource management, command and coordination, and communication and information gathering between government organizations, non-government organizations, and the private sector. Additional information about IMS and the National Incident Management System can be found here: National Incident Management System (https://www.fema.gov/emergency-managers/nims)

Interoperability: The ability for diverse organizations and agencies to communicate seamlessly and cultivate a shared situational awareness to respond to emergencies.

Joint information center (JIC): A facility or a central location to coordinate the communication of accurate and timely information related to the incident, including incident management activities and potential risks to public safety.

Less lethal munitions: Specialty impact munitions, hand delivered or propelled from launching devices, at an extended range, intended for use based on manufacturer's recommendations in compliance with agency policy. Note: State Law Enforcement used three delivery methods: hand delivered, 40mm launched, and less lethal shotgun launched. Munitions included 40mm less lethal munitions including crushable foam rounds, aerial warning devices, CS skat rounds, and rubber stinger balls. Some of the aforementioned products have an integrated CS (irritant agent) or OC (inflammatory agent). Hand delivered crowd control munitions included inert blast balls, stringer blast balls, CS triple chasers, CS (irritant agent) blast balls, and OC (inflammatory agent) blast balls. OC aerosol and less lethal shotgun bean bag rounds were also used for crowd management.

Little Earth: A public housing complex – the only public housing in the U.S. with American Indian preference – located in the heart of the American Indian community in South Minneapolis**.**

Long Range Acoustic Device (LRAD): A long range acoustical device used to safely give clear and concise commands to crowds, so they can comply with law enforcement directives.

Memorandum of Understanding (or Agreement) (MOU or MOA): A written or oral agreement between and among agencies/organizations and/or jurisdictions that provides a mechanism to quickly obtain assistance in the form of personnel, equipment, materials, and other associated services. The primary objective is to facilitate rapid, short-term deployment of support prior to, during, and/or after an incident.

Mental health promotion: Organizational policies and actions that proactively improve the psychological well-being of its constituents.

Minnesota Board of Peace Officer Standards and Training: The Board of Peace Officer Standards and Training, which operates pursuant to Minnesota Statutes § 626.84 to 626.863 (2021), is authorized to adopt rules and standards relating to the selection, training, and licensing of peace officers and part-time peace officers in Minnesota. The following rules are adopted pursuant to Minnesota Statutes § 214.12, 626.843, and 626.863 (2021).

Minnesota Emergency Operations Plan (MEOP): The basis for a coordinated state response to a major disaster or emergency. The plan is reviewed and updated annually by implicated agencies.

Multiagency Coordination Systems (MACS): MACS, typically comprised of agency leaders and administrators, functions to coordinate resource allocation, situational assessment and awareness, and multi-agency operations during large-scale emergencies such as civil disturbances.

National Incident Management System (NIMS): A systematic, proactive approach to guide all levels of government, NGOs, and the private sector to work together to prevent, protect against, mitigate, respond to, and recover from the effects of incidents. NIMS provides stakeholders across the whole community with the shared vocabulary, systems, and processes to successfully deliver the capabilities described in the National Preparedness System. NIMS provides a consistent foundation for dealing with all incidents, ranging from daily occurrences to incidents requiring a coordinated Federal response.

Negotiated Management: A model of protest policing in which protest organizers and law enforcement personnel collaboratively plan and specify logistics of the protest, including determining crowd behaviors that warrant enforcement activity.

Operation Safety Net: In advance of the trial of former Minneapolis police officer Derek Chauvin, Minnesota law enforcement officials coordinated efforts to, as stated on the website, ensure everyone can safely have their voices heard before, during, and after the trial. The stated mission of Operation

Safety Net was to preserve and protect lawful First Amendment non-violent protests and demonstrations and prevent large-scale violent civil disturbances, assaultive actions, property damage, fires, and looting to government buildings, businesses, and critical infrastructure.

Paramilitary response: Implementing a militaristic command-and-control tactic during an emergency response.

Peace officer: Officers who received specialized training in maintaining peace, safety, and order (i.e., preventing crime) before being employed at the state, county, or local level. The Minnesota Peace Officer Standards and Training Board licenses nearly 11,000 professional peace officers who are employed at more than 400 law enforcement agencies across the state. Licensed peace officers include municipal police officers, sheriffs and deputy sheriffs, Minnesota State Patrol officers, conservation officers of the Department of Natural Resources, special agents of the Bureau of Criminal Apprehension, and officers at other law enforcement agencies.

Police legitimacy: Members of the public view police authority as legitimate and believe that the police should exercise its authority to maintain public safety.

Procedural justice: Police-civilian interactions that embody four principles: (1) fairness, (2) transparency, (3) opportunities for voice, and (4) impartiality in decision-making.

Protest/demonstration: A legal assembly of people to publicly express disapproval or objection of an idea, policy, or action.

Public information officer (PIO): The official spokesperson responsible for managing press releases, disseminating messages to the general public, and engaging in external communications.

Public order (often referred to as crowd control): At the highest level of response, law enforcement responds to preplanned or spontaneous activities that have become unlawful or violent and may require arrests and dispersal of the crowd.

Simulation-based training: Emergencies are realistically simulated to practice and transfer key skills for managing actual emergencies.

State response: Minnesota state entities (Department of Public Safety, including State Patrol, Homeland Security and Emergency Management Division, Bureau of Criminal Apprehension; National Guard; Department of Natural Resources; Department of Corrections; Department of Human Rights; governor's office; Department of Transportation) that responds to civil disturbances by aiding local police departments (e.g., Minneapolis Police Department) in their response efforts.

Statewide Emergency Communications Board: The Board, made up of five Regional Communications Boards and two Regional Emergency Services Boards, provides leadership to set the vision, priorities, and technical roadmap for interoperable communications and alerts and warnings across the state.

Systemic racism: The concept that systems and institutions produce racially disparate outcomes, regardless of the intentions of the people who work within them.

Talkgroups: A talkgroup is comprised of an assigned similar group of users (e.g., public safety responders) on a trunked radio system (e.g., ARMER). Unlike a conventional radio system which assigns users a specific frequency or channel on which to communicate with a similar group of users, a trunked system uses a number of frequencies allocated to the entire system rather than just a single frequency or channel. When an end user presses their push-to-talk key on their radio, the trunked radio system automatically provides them with a digital talk path on the system which has been pre-programmed or allocated to the talkgroup.

Unified command: A unified team that consists of multiple agencies (e.g., state patrol, local police) that varies across functional responsibility and jurisdictional areas. The unified command primarily exists to plan, coordinate, and execute an inter-agency response to a large-scale emergency. An incident commander is typically assigned to oversee and guide incident management activities of the unified command.

Use of force: Effortful action by the officer to obtain compliance from a non-compliant person.

Literature review

Wilder Research conducted a literature review to recommend best practices for preventing and responding to civil disturbances such as riots and insurrections. Our team reviewed research studies that extended across multiple disciplines (e.g., psychology, criminology), subject areas (e.g., crowd management, procedural justice), and methodologies (e.g., historical analysis, survey research). The literature review included articles from a search of peer-reviewed academic journal articles; media stories; and reports published by advocacy organizations, law enforcement trade publications, research and policy organizations, and other sources. We used key search terms, including civil unrest, social unrest, civil disturbance, crowd control, riot control, protest control, multi-agency command, police legitimacy, procedural justice, police stress, police trauma, police mental health, community policing, law enforcement interoperability, protest incident management, and protest policing. Wilder Research staff reviewed the sources and cited them, as relevant, throughout this report.

Recommendations from these sources are often based on lessons learned from other jurisdictions that responded to instances of civil unrest. However, caution should be used when comparing the response to planned events in other states to the unplanned and unprecedented events that occurred in May and June 2020 in Minnesota after George Floyd's murder.

Literature that looks at law enforcement best practices can inform the policies and practices of the State Patrol within their purview of state highway traffic safety and the Minnesota National Guard within their purview of assisting local jurisdictions when requested in emergency management situations. While much of the existing literature focuses on prevention and response among local police departments, many best practices may be transferable to state-level law enforcement.

A reference list is included in the Appendix.

How the review was conducted

Research methods incorporated data from multiple sources and approaches to add strength to the review findings. Analyzing multiple data sources helps capture different dimensions of the same phenomenon. We used the following methods to answer the research questions.

Media review

Wilder Research reviewed local, text-based media articles from May 26-June 7, 2020. The information gathered from the media review was used to: 1) build a timeline of events during the period of interest; 2) identify key decisions, actions, and communications from the state; and 3) understand what and how events had an impact on community members, including business owners. This review also served as a check against other information and data collected to ensure the timeline is accurate and that the most salient actions taken by the state were explored in subsequent data collection activities.

Wilder Research staff identified nine different media sources to include in the review. In an attempt to capture reporting from a spectrum of local sources, six of the selected sources do not have a strong political leaning, two are considered left-leaning, and one is considered right-leaning. Wilder's research librarians used ProQuest, NewsBank, and publication websites to search the selected publications for articles published from May 26 to June 7 using key search terms to find relevant articles. This review was limited to local, text-based web content. The review excluded sources that do not have transcripts (e.g., most TV newscasts) or do not have a print component in addition to an audio component (e.g., live radio broadcasts). The review did not include print versions of newspapers; however, there is considerable overlap between print and web content. See Figure A1 for search details.

A1. MEDIA SEARCH METHODS

Publication	Source	Search words/keywords used
Minneapolis Star Tribune	ProQuest (database)	(("george floyd" OR "floyd") AND (riot OR riots OR protest OR protests OR "civil unrest"))
Saint Paul Pioneer Press	NewsBank - Minnesota newspapers (database)	(("george floyd" OR "floyd") AND (riot OR riots OR protest OR protests OR "civil unrest")) AND ("state" OR "governor" OR "multi-agency command")
MinnPost	ProQuest (database)	(("george floyd" OR "floyd") AND (riot OR riots OR protest OR protests OR "civil unrest"))
City Pages	NewsBank - Minnesota newspapers (database)	(("george floyd" OR "floyd") AND (riot OR riots OR protest OR protests OR "civil unrest")) AND ("state" OR "governor" OR "multi-agency command")
Associated Press State Wire – Minnesota	NewsBank - Minnesota newspapers (database)	(("george floyd" OR "floyd") AND (riot OR riots OR protest OR protests OR "civil unrest")) AND ("state" OR "governor" OR "multi-agency command")
Minnesota Public Radio (includes web edition articles, blogs)	NewsBank - Minnesota newspapers (database)	(("george floyd" OR "floyd") AND (riot OR riots OR protest OR protests OR "civil unrest")) AND ("state" OR "governor" OR "multi-agency command")
Unicorn Riot	Internet Archive (Wayback Machine)	Scanned articles and blog content published May 25-June 7, included content referencing protest and unrest
Minnesota Reformer	Internet Archive (Wayback Machine)	Dates available: May 28, May 29, May 30, May 31, June 1, June 3. Selected anything to do with the topic. (Not all days in time frame were available)
Fox 9 KMSP	Internet Archive (Wayback Machine)	Scanned web content published May 25-June 7—only included those that referenced protest/unrest

Articles based on this search were uploaded into Atlas.ti, a leading software program for qualitative research analysis in the social sciences. A coding framework was developed to capture any reporting related to our research questions and any relevant mentions of key events or decisions from the state (e.g., calling in the Minnesota National Guard) and opinions of the state's response.

Review of state documents and interviews with key state personnel

Wilder received an after-action review (AAR) conducted internally by DPS ("DPS lessons learned from civil unrest, May 25 to June 10, 2020") and a 30-page timeline that detailed actions and communication among state leadership and local government during the period of unrest. Wilder reviewed these documents and used the information to inform subsequent tool development for data collection and analysis for reporting. For a more in-depth understanding of what happened during this period, Wilder conducted interviews with 11 individuals who played a leadership role as part of a state agency or, in one case, a local law enforcement agency. The interview protocol is included in the Appendix.

Interviews with key informants

Wilder conducted a second and third round of interviews with a wide variety of stakeholders, completing interviews with 47 people (58 people total, including first round interviews) (Figure A2). Participants for whom the interview was not part of their professional role (e.g., media representatives, neighborhood association presidents, business representatives, and community leaders) received a $30 gift card as a thank you. The interview protocol for these second and third-round interviews is included in the Appendix.

A2. TYPE AND NUMBER OF INTERVIEW RESPONDENTS (ROUND 1, 2, AND 3 INTERVIEWS COMBINED)

Type	Includes	Number of people*
State officials	Governor's Office, Department of Public Safety, Homeland Security and Emergency Management, State Patrol, Department of Natural Resources, Bureau of Criminal Apprehension, Department of Corrections, Council for Minnesotans of African Heritage, Department of Transportation	20
Local law enforcement, fire departments, and emergency medical services	Minneapolis Police Department, Saint Paul Police Department, Bloomington Police Department, Anoka County Sheriff's Office, Moorhead Police Department, Minneapolis Fire Department, North Memorial EMS, Hennepin Healthcare EMS	12
Local government officials	Minneapolis Mayor's Office, Saint Paul Mayor's Office, Minneapolis City Attorney's Office, Saint Paul Attorney's Office, Minneapolis City Council members, Saint Paul City Council members, City of Minneapolis staff, Saint Paul Emergency Management Department, Minneapolis Civilian Police Oversight Commission	14
State legislators	Democrat and Republican	2
Community leaders	Neighborhood association presidents and leaders of activist or community organizations	6
Business representatives	Representing Black-owned businesses and downtown businesses	2
Media representatives	Journalist and attorney representing media organizations	2

*Some interviews include multiple people.

Focus groups with various affected groups, led by the Minnesota Justice Research Center

Wilder Research partnered with the Minnesota Justice Research Center (MNJRC) to conduct eight focus groups with community members and business owners who were highly affected by the unrest or highly involved in supporting their communities during the unrest. MNJRC staff coordinated and facilitated the focus groups; Wilder Research staff took notes. MNJRC staff developed the focus group protocol used for all eight groups with feedback from Wilder staff. Of the eight focus groups, six were with community members (34 respondents), many of whom were youth, and two were with local business owners (14 respondents). Community members included positional leaders, such as leaders of nonprofits or neighborhood associations, and informal community leaders, such as people who were highly respected by the people in their communities. Of the local business owners, most (89%) had been operating in the Twin Cities for more than 10 years and about 2 in 3 (67%) said that their business experienced significant or severe damage. Business owners' businesses were located in 13 zip codes, with 6 in 55104 (Saint Paul Midway), 5 in 55407 (Minneapolis Lake Street), and 3 in 55411 (North Minneapolis). Please see Figure A3 for race/ethnicity information for focus group participants who responded to a follow-up survey sent after each group.

A3. FOCUS GROUP PARTICIPANT RACE/ETHNICITY

Race/ethnicity	Number of respondents (n=25; N=48)
Asian or Asian American	-
Black or African American	17 respondents
Latinx or Hispanic	3 respondents
Native American	-
White or European American	4 respondents
Multiple races/ethnicities	1 respondent

Note: MNJRC sent a follow-up survey to each focus group respondent to collect demographic information; 25 of 48 respondents completed the survey.

Analysis process

Wilder analyzed the data from each of these sources and synthesized the findings to identify what went well and what could be improved in the future about the state's response to civil unrest.

We developed a unified codebook for the interviews and focus groups that allowed us to code data from the 51 interviews (with 58 people) and 8 focus groups together. This codebook included method codes (interview or focus group), respondent codes (type of respondent), perception codes (good experience, bad experience), and experience codes (codes that captured the different experiences of

respondents, such as experiences with law enforcement tactics or experiences related to coordination and mutual aid between responding agencies). MNJRC provided feedback on the codebook during the coding process to make sure that it captured key insights from the eight focus groups; however, the Wilder team led the analysis process.

The coding team received training on how to use the codebook and met weekly to discuss any questions or challenges that arose during coding. The team discussed these questions or challenges to ensure inter-coder reliability between team members and adjust or change the codebook to capture respondent feedback adequately.

The 51 interviews (58 individuals) and 8 focus groups were coded in Atlas.ti. Once coding was complete, we used several analysis tools within Atlas.ti to map the data pertaining to the primary research questions. Overall, our analysis process included using co-occurrence tables to identify significant connections between codes and then combining these codes accordingly into "smart codes" (this is Atlas.ti's language to refer to one code that combines responses from multiple different codes). The resulting smart codes included: Coordination; Leadership, Chain of command; Tactics; National Guard; Media, Information, and Messaging; Follow-up, Prevention, and Community care; and Recommendations. We then used the co-occurrence tool again to produce output from the interviews related to these smart codes and particular respondent types, such as state-level respondents, local government respondents, community leader respondents, etc.

Once we identified key themes through this analysis process, we then triangulated the themes from interviews and focus groups with findings from the literature review, the media review, and our review of documentation provided to us by DPS. As a result, the findings that we present in this report are grounded in these multiple methods: 1) interviews, 2) focus groups, 3) literature review, 4) media review, 5) review of state documentation, and 6) consultation with a law enforcement expert with expertise in managing civil disturbances.

Consultation with a law enforcement expert trained in managing civil disturbances

In October 2021, Wilder and DPS agreed to contract with a law enforcement consultant with expertise in managing civil disturbances to review and provide feedback on the draft report submitted by Wilder in June 2021. Wilder then requested and received a list of six potential law enforcement experts from DPS for consideration. After searching for information about each candidate, Wilder approved of the proposed candidates and conducted an informal interview with the candidate that appeared to have the most relevant background and experience. Jose Vega has 25 years of experience in the New York City Police Department (NYPD). Nineteen of those years, he was assigned to the Disorder Control Unit. During his time with NYPD, he was the exercise coordinator for the unit and a trainer in crowd control and civil disturbance. He was also one of the training coordinators for the NYPD's Strategic Response Group. In his final years at NYPD, he researched, developed, and administered exercises to private

institutions to help them manage critical incidents and provided training on how to best interact with responding officials. Now retired, Jose is a consultant, implementing training programs for organizations to improve response to and mitigation of civil disturbances. He has significant experience with the Incident Command System (ICS) and currently teaches ICS courses.

Per the independent contractor agreement with Wilder, Jose provided several rounds of review and feedback on the draft report. He also participated in three meetings with Wilder and DPS to discuss the report. Specifically, Jose 1) provided the report authors with a better understanding of what happens in large scale, unplanned instances of civil unrest, 2) provided feedback on the key findings in the report (suggested caveats or other explanatory language, new citations, as appropriate) to make sure the key findings were put in appropriate context, 3) bolstered the credibility of the report; and, 4) provided law enforcement expertise to inform the recommendations outlined.

High-level visual timeline of state's response to civil unrest May-June 2020

A Timeline Including Key Touch Points From the State

May 25	May 26	May 27	May 28
• George Floyd murdered	• Minnesota State Patrol activates (Mobile Field Force unit and Special Response Team) to freeway and Third Precinct • Minneapolis Police Department fires all four officers involved in death of George Floyd	• Press conference #1 - Governor Walz addresses killing of George Floyd and announces BCA and FBI investigations • Minnesota State Patrol stationed at Third Precinct	• Minneapolis Mayor Frey and Saint Paul Mayor Carter officially request Minnesota National Guard assistance • Emergency Executive Order 20-64: Activating the Minnesota National Guard and Declaring a Peacetime Emergency to Provide Safety and Protection to the People of Minneapolis, Saint Paul, and Surrounding Communities; 500 Minnesota Guardsmen are deployed • Third Precinct is evacuated and abandoned, then stormed and set on fire • Minnesota National Guard and Minnesota State Patrol protect State Capitol and other buildings • State takes a lead role per Governor Walz's law and order mission to secure the Third Precinct and Lake St. in Minneapolis

A Timeline Including Key Touch Points From the State (continued)

May 29	May 30	May 31
• CNN reporting team arrested by Minnesota State Patrol on live TV	• State Patrol begins mass arrests along Lake St., less lethal munitions used – deemed unsuccessful mission	• Emergency Executive Order 20-68: Extending the Temporary Nighttime Curfew in the Cities of Minneapolis and Saint Paul
• Press conference #2 - Governor Walz apologizes for arrest of CNN reporting team, Maj. Gen. Jon Jensen expresses concern over lack of clarity in Minnesota Guard's mission	• State Patrol leaves Third Precinct to patrol Nicollet Ave, march to Fifth Precinct (as directed by Mpls), fires nearby and along West Broadway in north Minneapolis	• Multi-Agency Command Center releases report saying they have identified evidence of outside threats to the Twin Cities
• Chauvin arrested and charged with third-degree murder and second-degree manslaughter	• Press conference #3, 1:30 a.m. - Governor Walz declares law enforcement is overwhelmed by number of people out	• 6:00 p.m. - gas tanker semi-truck drives into protest crowd on I-35W bridge
• Multi-Agency Command Center (MACC) is set up at TCF stadium	• Press conference #4, 9:00 a.m. - Governor Walz declares mobilization of full Minnesota Guard	• Press conference #7, 7:00 p.m. - Governor Walz talks about extended Minneapolis & Saint Paul curfews and road closures
• Emergency Executive Order 20-65: Implementing a Temporary Nighttime Curfew in the Cities of Minneapolis and Saint Paul; extends curfew through May 30	• Press conference #5, 12:00 p.m. – Large contingent with Governor Walz, Lieutenant Governor Flanagan, community/faith leaders, state legislators to call for peaceful protest and compliance with the 8 p.m. curfew	• Governor Walz announces Attorney General Ellison to lead prosecution of Chauvin
• Violence near Third Precinct, less lethal munitions used by Minnesota State Patrol to manage crowd	• Press conference #6, 6:30 p.m. - Governor Walz urges Minnesotans to respect the 8 p.m. curfew	• 8:00 p.m. - Curfew goes into effect
	• MnDOT shuts down freeways from 7:00 p.m.-6:00 a.m.	• Amicable mass arrest at Bobby & Steve's
	• Emergency Executive Order 20-67: Implementing and Coordinating Cooperative Firefighting, Health, and Peace Officer Assistance	
	• Response from State Law Enforcement to civil disturbance on Nicollet Ave, less lethal munitions used	
	• A photographer from WCCO is struck by less lethal munitions and arrested by State Patrol; marking rounds are shot at people gathered on their porch (unclear by who)	

A Timeline Including Key Touch Points From the State (continued)

June 1	June 2	June 3
• Emergency Executive Order 20-69: Extending the Temporary Nighttime Curfew in the Cities of Minneapolis and Saint Paul • Press conference #8 – Governor Walz thanks Minnesotans for cooperation and apologizes again to the media • Minnesota Department of Human Rights opens an investigation into the practices of the Minneapolis Police Department & issues temporary restraining order	• Press conference #9 – Governor Walz provides update on protests, speaks to addressing systemic issues, and announces civil rights investigation	• Emergency Executive Order 20-71: Extending the Temporary Nighttime Curfew in the Cities of Minneapolis and Saint Paul • Press conference #10 – Governor Walz discusses new charges against MPD officers • Other three officers charged with aiding and abetting second-degree murder and charge against Chauvin is upgraded to second-degree murder

Data collection protocols

Purpose of the Review

Hi, my name is (   ). I'm a researcher from Wilder Research, a nonprofit research organization based in Saint Paul. We conduct applied social science research and evaluation to improve the lives of individuals and families. We are interested in talking with you today about your recollection of and your role as part of the state government during the events of civil unrest from May 26 to June 7. As you may be aware, the Minnesota Department of Public Safety has contracted with Wilder Research to conduct an external review of the state's response to the civil unrest. We would like to hear your perspective on what went well, what did NOT go well, and what could be improved about the state's response to civil unrest. We want to make sure you know that this is not a "good-bad" kind of review process. We recognize this was an extremely complicated event. Our sole purpose in this review is to understand what happened during this window of time, identify strengths in how the State responded to civil unrest, and provide recommendations for how to improve the state's response should something like this occur in the future.

We want to thank you for agreeing to participate. We know that you are busy and we will be as focused as possible. We anticipate this interview will take about an hour.

Confidentiality Statement/Informed Consent

Your participation in this discussion is voluntary and you may choose not to answer questions you do not wish to. We also want to let you know that we will be taking notes and – with your permission – recording the interview. The recording will only be used as back-up for our notes and will be destroyed at the termination of the project. Are you comfortable with this interview being recorded?

Please let us know if something you say should not be attributed to your name or is "off the record". We cannot promise confidentiality as we are only speaking with a small sample of people for this first round of interviews (in some cases only one person from a particular agency or department). When we write our report and discuss our findings, we will present information aggregated from across our interviews in order to shield the identities of individual interviewees to the best of our ability. However, if you are in a position that makes it so that you are the only person who could know a certain piece of information, it is possible someone reading our report might infer the source of the information. We will make every effort to avoid this, but you should be aware of the possibility. We also ask that you refrain from sharing anything we discuss today with others to help us ensure confidentiality.

Do you have any questions before we begin?

Introduction

1. Please describe what your role was during the civil unrest that occurred from May 26 – June 7. (*Probe: What was your day-to-day function?*)

MACC operations

We have some questions about how the Multi-Agency Coordination Center operated.

2. Who were the most critical players? What role did they play?

3. How were key decisions made by participating MACC agencies/leadership and who was involved in those decisions? Did the decision-making process change over time? If so, how?

4. How were decisions communicated within and beyond the MACC? *(Probe: How were new orders communicated? Was chain of command clearly understood/followed? Was there consistency in how participating MACC agencies operated?)*

5. To what extent did participating MACC agencies understand and adhere to policies or orders communicated by the MACC?

Timeline of events - key decisions and actions

To the extent that you are able, please take us through key decision points and actions taken by the state during this period. Feel free to refer to your calendar, email, or notes as needed. I want to remind you that your comments will not be linked back to your name. Our research team is simply using the information you provide to help us get the "lay of the land" and understand what happened from the perspective of various stakeholders. We will be using multiple data sources and input from all stakeholders to understand the events that occurred and recommendations to come up with the final recommendations to be presented back to the state.

6. What were the key decisions made during this period? Please differentiate between decisions and actions taken by the state and other decision-makers (e.g., city of Minneapolis).

7. What actions were taken by the state?

8. What went well in terms of the state's response?

9. What did not go well in terms of the state's response?

10. How could the state's response be improved should something like this happen again?

Additional information and snowball sampling

11. What, if any, documentation of the state's decisions or actions do you have that you would be willing to share with us?

12. Is there anyone else we should speak with in order to get a comprehensive understanding of the timeline of events during this period? (*Probe: Representatives from your department, other state agencies or departments, local agencies and departments, other key stakeholders such as community leaders. Get as much info as possible and then follow up to get additional contact info, if possible.*)

Closing

13. Is there anything else you think we should know that has not been covered yet to help us get a comprehensive understanding of the state's response?

14. May we contact you if we have any follow up questions?

Thank you for your time! We will be using the information you provided us today along with several other data sources (reviewing state documentation, reviewing media sources, looking at the academic literature, and any relevant data collected) to understand what took place and best practices in response to civil unrest. We are also speaking with a broader group of stakeholders, including residents, business owners, community leaders and other key players (local government) that were either involved in the response or affected by it for a more comprehensive assessment of what about the state's response went well and what could be improved for next time. We plan to have a final report to Commissioner Harrington by mid-July. Do you have any questions for us?

Key Informant Interview Protocol – Additional stakeholders within and outside of the state

Purpose of the Review

Hi, my name is (   ). I'm a researcher from Wilder Research, a nonprofit research organization based in Saint Paul. We are interested in talking with you today about your understanding of what went well and what could have been improved about the state's response to the civil unrest from May 26 to June 7 after George Floyd died while in custody of the Minneapolis Police.

The Minnesota Department of Public Safety has contracted with Wilder Research to conduct an external review of the state's response. As part of this process we're interviewing a wide variety of people who played a leadership role or were significantly affected by or intimately involved in the events during that period. Our aim for these interviews is to get an understanding, from a variety of perspectives, of how the actions and decisions made by the state during that time were and are perceived. We believe as [insert role of interviewee] you bring a unique perspective to contribute to this review. The purpose of this review is to understand what happened during this window of time, identify strengths and weaknesses in how the state responded, and provide recommendations for how to improve the state's response in the future.

We want to thank you for agreeing to participate. We know that you are busy and we will be as focused as possible. We anticipate this interview will take about an hour.

Confidentiality Statement/Informed Consent

Your participation in this discussion is voluntary and you may choose not to answer questions you do not wish to. We also want to let you know that we will be taking notes and – with your permission – recording the interview. The recording will only be used as back-up for our notes and will be destroyed at the termination of the project. Are you comfortable with this interview being recorded for this purpose?

Please let us know if something you say should not be attributed to your name or is "off the record". We cannot promise confidentiality as, in some cases, only one person may know a certain piece of information due to their professional role or involvement during the unrest. When we write our report and discuss our findings, we will present information aggregated from across our interviews in order to maintain the confidentiality of individual interviewees to the best of our ability. However, if you are in a position that makes it so that you are the *only person* who could know a certain piece of information, it is possible someone reading our report might infer the source of the information. We will make every effort to avoid this, but you should be aware of the possibility.

Do you have any questions before we begin?

Okay, as we are specifically interested in your feedback on the response from the state, we think it is important to define which agencies we are thinking of when we say "the state". The pertinent agencies include the Minnesota Department of Public Safety (including the State Fire Marshal and Homeland Security and Emergency Management), the Minnesota State Patrol, the Governor's Office, the Minnesota Department of Natural Resources, the Minnesota National Guard, the Minnesota Department of Transportation, the Minnesota Department of Corrections, the Bureau of Criminal Apprehension, and the Minnesota Department of Human Rights. We understand that it may be difficult to think back to last summer and determine what the state did vs. what other agencies did. If you are not sure about a particular memory—whether the state was the main actor or if it was a different agency—please mention it anyway and we will note that and then later we will try to confirm whether your comment refers primarily to the state.

For all interviewees

1. Please describe what role you played during the civil unrest that occurred from May 26 – June 7.

    We've developed a high-level timeline to jog your memory of the events during this time. Specifically the key touchpoints from the state. We developed this timeline based on a detailed timeline we received from the Department of Public Safety and other sources such as timelines published in the media and accounts of state officials.

    — [Show timeline to share major touchpoints from the state during this period.]

First, I'm going to ask some more general open-ended questions and then I will prompt you with more specific topic areas and targeted questions based on your role/position.

2. Looking at this timeline, what comes to top of mind when thinking about what the state did well during this period? *(Probe: What were strengths of the state?)*

3. What would you identify as things that did not go well with regard to the state's response?

4. How could the state's response be improved in the future?

    In our review, we want to make sure we cover different aspects of the state's response. I'm going to prompt you with several different topic areas. If you don't feel like you have a good perspective on one, we'll skip it and go to the next. Again, we're interested in what you feel the state did well, did not do well, and could have improved upon related to each of these topics. [Don't read ones that were already covered in the previous line of questioning.]

    a. Strategies and tactics used by law enforcement used by state actors: Interactions with peaceful protestors, interactions with rioters, effective and ineffective strategies to preserve life and property

b. State-level decisions not related to tactical law enforcement strategies (e.g., calling in all State Patrol, Human Rights investigation of MPD, Minnesota National Guard, making Attorney General the prosecution)

c. Timing of state decisions and actions: Too slow, too fast

d. Coordination and communication: interagency collaboration among several state agencies and departments, collaboration with local jurisdictions (law enforcement and city government), setup and operations of the Multi-Agency Coordination Center (MACC)

e. Communication/messaging to public (e.g., press conferences, press releases): Issues with misinformation, providing information, encouraging peace and cooperation, acknowledging systemic issues and community outcry

f. Media relations: working collaboratively with media to improve public safety and communicate with the public, coordinating with media to safely document what was happening?

Questions specific to interviewee type

For local government officials (e.g., mayors, city council members, city commissioners)

5. How did the state coordinate and communicate with local officials and law enforcement during the civil unrest?

a. What worked well? What could have been improved?

6. What could the state have done to assist Minneapolis and Saint Paul in preventing or reducing the violence and destruction that was unfolding? *(Probe: In what ways was the state limited in their ability to respond or support local jurisdictions, if at all?)*

For media interviews

We would like to understand your perspective on the relationship and communication between the state and media organizations during the unrest.

7. What was communicated to the media, if anything, about what was permissible and what was not for journalists covering the unrest? To what extent do you think what was communicated was actually legal and within the state's policies?

a. What worked well related to media relations? What could have been improved?

8. What should the state do in the future or what is the state currently doing to mitigate problems with the media (e.g., litigation) in the future?

9. How might the state work collaboratively with the media in the future to increase public safety during times of civil unrest?

For local law enforcement and local fire interviews

Tell us about the coordination and communication from state leadership during this time, both prior to and after the setup of the multi-agency coordination center (MACC).

10. How did the state work with local city government, police, and fire? How did it change over time? *(Probe: How did the state help or hinder efforts of local agencies to address the unrest?)*

11. What led to the shift from local/city leadership during the unrest to state leadership/control? (Note: This happened middle of the night on May 28th after the Third Precinct was set on fire.)

    a. What went well and didn't go well about this transfer of command?

12. Once that shift happened (officially on May 29th), how did operations work moving forward? Was chain of command understood/followed?

13. To what extent were policies and procedures communicated from state leadership to you and your team? *(Probe: What policies and procedures were helpful/not helpful? Why?)*

14. What went well and what could have been improved related to law enforcement (e.g., crowd dispersal) strategies and tactics used by state incident command to keep people safe and protect buildings?

15. In what ways did decisions or actions by the state affect the ability of police officers and other first responders to do their jobs safely?

16. How might the state work proactively to help prevent and prepare for future instances of civil unrest? (Note for interviewer: Try to obtain concrete suggestions here.)

For community leader interviews

17. Based on what you heard and saw from people in your network, how did community members (including business owners) perceive the State and their actions and decisions during this time? *(Probe: How were people getting information (e.g., listening to press conferences)?*

18. In what ways did decisions or actions by the state affect the ability of police officers and other first responders to do their jobs safely?

19. What was your impression of how people felt based on what they were seeing and hearing from the state (e.g., safe, unsafe)? What made them feel that way?

    a. What would you have liked to hear from state leadership (e.g., messaging, information)? Why?

20. To what extent did the state engage organizers of the protests to try to keep things peaceful or seek input on how to engage with crowds that were or had the potential of becoming violent? *(Probe: How willing are organizers to engage with state government? How organized were the organizers (e.g., were they organized enough to potentially work together with government agencies?)*

21. How might the state work proactively to help prevent and prepare for future instances of civil unrest? (Note for interviewer: Try to obtain concrete suggestions here.)

For the Minnesota Department of Human Rights

22. To what extent was the decision to open a human rights investigation into the Minneapolis Police Department a strategic response to the civil unrest (e.g., to quell violence, respond to community outrage)?

    a. How was that decision made (e.g., who and what departments were involved, what were conversations that led to this decision)?

23. To what extent do you think the announcement of this decision had an impact on public safety (i.e., demonstrations and rioting / community perceptions)?

Additional information and snowball sampling

24. Is there anyone else we should speak with in order to get a comprehensive understanding of perceptions of the state's response? (*Probe: People who were involved in direct action, involved local officials, or others who are intimately aware of decisions and actions taken by the state and their impact? Get as much info as possible and then follow up to get additional contact info, if possible. See if you can get information for people who might be more politically right-leaning.*)

Closing

25. Is there anything else you think we should know that has not been covered yet to help us make useful recommendations to the state about responding to civil unrest?

26. May we contact you if we have any follow up questions?

Thank you for your time! We will be using the information you provided us today along with several other data sources (reviewing state documentation, reviewing media sources, looking at the academic literature, and any relevant data collected) to understand what took place and best practices in response to civil unrest. We plan to have a final report to the Commissioner of Public Safety, John Harrington, by mid-July. Do you have any questions for us?

Focus Group Protocol – Business owners and community members

Introduction (verbal script in italics)

1. Welcome everyone, ice breaker **poll (in Zoom)** as folks log on, MNJRC to greet participants as they arrive.

   Ideas for ice breaker:

   How many lakes does Minnesota really have (that are larger than 10 acres)?
   1. 5,415
   2. 10,000
   3. 15,291
   4. 18,172

   Chocolate, vanilla, or swirl soft serve ice cream?
   1. Chocolate
   2. Vanilla
   3. Swirl

   What is your favorite part about Minnesota summers?

2. Introductions: Whip around for names by practicing using the hand raise feature.

   Before we dive into a deeper introduction of this project and our conversation today, I want to take a minute to allow everyone to introduce themselves using their preferred name and pronouns. [For business focus groups: Please also tell us the name of your business. For our staff, tell us your affiliation.] [If you'd like, you may take a minute to change your name on the zoom screen. (Participants - Click name - More - Rename).] In doing this, we'll also do a quick technology check. On the bottom of your screen you should see a button on the right side called "Reactions" - If you click on this button you'll see a series of emojis. I'd like everyone to click the button that says "Raise hand" and I'll begin calling on folks to introduce themselves as I see hands up! Once you're done introducing yourself, please click back into the Reactions button again and click "lower hand".

(~ 2 min) + all intros (10 min?)

3. Overview of project: Slides

   I'm going to share my screen and walk through a few slides before we start our conversation. Today you've all joined us to engage in a focus group conversation about the state's response to the unrest here in the Twin Cities following the killing of George Floyd last May. We want to start by recognizing two things:

   1. *Our current climate and context with the Chauvin trial unfolding and the continued anxiety, exhaustion, fear, and frustration in our communities makes this an especially charged and challenging time to hold this conversation. This is a topic that may bring up emotions as many of*

your re-live deeply traumatic experiences. This is hard work. We are grateful for your willingness to engage and understand if you ever need to step away.

2. Many of you may have agreed to join us thinking "this focus group is happening too late, what use will this serve?" We hear you and we feel similarly. When the opportunity to learn and do better presented itself, we wanted to make the best of it and critically involve your voices and hope you'll join us in that spirit today.

This project comes to us from the state and in partnership with Wilder Research. These focus groups are one part of a larger project to review the state's response to the unrest following the killing of George Floyd and the impact of this response in the community. The project goals are to:

– *Objectively evaluate what the state did well*
– *What they did NOT do well*
– *And identify options that may have produced better outcomes*

The information from these sessions will be used, **anonymously** (and I'll talk about that in more detail shortly) to provide recommendations to DPS, Cmr Harrington, and the Governor's Office in a report that will be finalized by mid-July.

The Minnesota Justice Research Center is a nonprofit organization committed to using research, education, and policy to engage in meaningful transformations to our current criminal legal system and dig into what justice really looks like and means.

At the MNJRC, we seek to use these focus groups to support this project toward the stated goals BUT ALSO to create space for conversations to begin - our role in this work is collaborative and we focus our research within the community. For us, this is also an opportunity to start a conversation that we plan to continue and broaden moving forward and take from discussions to action. We plan to meaningfully re-group you all to share back what we learn. We plan to involve you all in a plan beyond a conversation as we understand what's at stake here is more than just recommendations for the state to do better next time while also balancing this with the specific goals of this project.

4. Logistics for the focus group

- Time expectation: Ideally 2 hours - business FGs will be 1.5 with the opportunity to stay on if folks have time

- Video: Keep it on if comfortable, would love to see your reactions and connect as humans in the limited way we can online

- Muting: Unlike most meetings, we are going to encourage you today to remove background noise if at all possible and actually not to turn your mute on - we want to hear your auditory reactions (mmmhmmm, sighs, etc.) and make it as conversational as possible so you don't have to click unmute to jump in!

- Moving about - Feel free to do so! In a normal focus group we might all stand up and walk around while chatting

- Bio breaks - Definitely pop out whenever you need to - and you can always turn your mute on if you have distractions

- Compensation - We are so grateful for the time you are taking out of your day to share your experiences and perspectives with us. We will be following up with each of you after this conversation with a $20 gift card to show our appreciation.

- Confidentiality and consent -
  - Participation is voluntary - you may leave at any time and are not required to answer any questions
  - Nothing you say will affect any services they're receiving from the state or Wilder
  - You can also say something off the record - explicitly asking for the recording to stop to work through an idea without us taking notes
  - We ask that you don't share what others have said during this session outside of this session for confidentiality purposes.
  - Nothing you say will be connected to your name or business (names and identifying information won't be included **anywhere** to the state)
  - We *will* also need to ask for consent to record. Everyone needs to be on board in order to do that → *we'll only be recording audio on the focus groups, which we will store on a computer and destroy after we collect the data via transcripts.*

5. Setting ground rules for participation

Step up, step back (I will interrupt) - If you're someone who takes up air time, try to recognize this and take a step back. If you haven't spoken at all or for a while, please feel welcome to jump in. I will occasionally interrupt folks in order to share the air time and may also invite folks to participate we haven't heard from - not to put you on the spot but to create space for full participation. You can always feel free to decline to comment.

Join however makes sense: Feel free to use the technology to jump in and to react (e.g. use the hand raise feature or give a thumbs up or surprised face etc.). You can also of course raise your hand visibly on your video and react physically, that is part of how we make this as close to in-person as we can. Also know that you certainly don't have to raise your hand to participate - I won't be calling on folks but rather it'll tell the group you want to step up. In addition, we briefly met [name of Spanish speaking Wilder staff] at the beginning of this conversation and he is with us today to offer translation support. For some of you, it may be easier to describe your experiences in Spanish or react in Spanish, or you may find yourselves slightly unsure of what I say… while he won't be translating everything, he is here for support and happy to translate as much as is necessary so please use whatever language is most comfortable for you.

Relatedly, talk to **each other** - this is not a group interview.

- I agree because…
- I have a different perspective on this...

Respect perspectives: You each bring a unique perspective to this conversation… some of you own businesses/live in North Minneapolis and some in St. Paul. Some of you live close to GF square and others to the 3rd precinct. You also all bring different identities to this conversation.

Finally, my questions are invitations to contribute, not solicitations of right or wrong answers.

6. Any questions?

(~15 min)

Focus group questions

1. Grounding "Who's in the room?"

We're going to start by going around and allowing everyone to take a few minutes - and try to keep it somewhat brief to start - to introduce themselves and share what brought you here today. We'd love to ground our conversation in what happened to you and your business in the timeframe from May 26th to June 7th, 2020. For example, you can share your overall experience either personally, for your business, or both following the killing of George Floyd.

Right now we'd like to get a sense of who is joining us today and where we all come to the conversation. We'll spend time digging into your experiences throughout our conversation.

2. Overview of the State's response

Considering all your unique and challenging experiences, I want to give you all a brief overview of what we mean when we say "the state's response to the unrest". I'm going to walk through a few definitions and examples, but I want to be clear that it is HARD even for us to differentiate between the state and everyone else. As we talk, if something comes to mind to you that you THINK is the state's doing, please share! Being "right or wrong" is less important here than learning about your experiences.

Definition of "state's response" - complex actors and factors

We think of the state's response as falling into four categories -
1. Communication and operations among law enforcement agencies - like who was responding to what, how and when (MPD vs. State for example)
2. Strategies and tactics to quell unrest - both effective and misconduct and include things like having the AG lead the prosecution
3. Law enforcement logistics - transportation, prep, training, etc.
4. Communication with the public - press conferences, curfews, etc.

Definition of "unrest"

We don't have a perfect definition of 'unrest' but we mean the large amount of actions and protests - that sometimes catalyzed looting and property destruction - from May 26-June 7. This amount of activity prompted multiple government agencies to coordinate with each other to attempt to control and deescalate these situations, sometimes through the use of crowd dispersal tactics.

Examples: pulled from Wilder's list

On this slide I have a few examples from work the team at Wilder has done in conjunction with a timeline from the State to shown what the response looked like. These are only a few of MANY examples, meant to jog ideas or thoughts.

3. Knowledge/understanding question: After seeing the examples we listed, which by no means represent an exhaustive list, I want to open the conversation for folks to share their perspectives: When we described the project as being about the "state's response to the unrest," what came to mind for you?

    Follow up probes…

    - *How knowledgeable did/do you feel about the state's response?*

    - *If you had to define or describe the "state's response to the unrest," how would you describe it?*

4. Opinion question #1: What did you feel the state did well in response to the unrest? In thinking about this, you can consider our categories including: collaboration among law enforcement; tactics to quell unrest; Law enforcement logistics; and communication with public

    Follow up probes…

    - *Were any of the state's actions things you thought had to be done?*

    - *Where or how did they consider residents/community organizations/businesses in their responses?*

5. Opinion question #2: What in particular did they NOT do well? Again if it's helpful you can consider our categories including: Communication and operations among law enforcement agencies; strategies and tactics to quell unrest; Law enforcement logistics; and communication with public

    Follow up probes…

    - *What might the state have done differently?*

    - *What do you think the state could do better in the event something similar happened in the future here or in another state*

    - *Where or how did they NOT consider residents/community organizations/businesses in their responses?*

6. Impact question: Finally, what was the impact/effect of the state's response to the unrest on you and your community?

   Follow up probes...

   - *How could the state have mitigated any negative impacts on your community?*

   - *How did the response from the state make you feel? Safe? Unsafe? Concerned? Assured? Nervous? Calm?*

   - *How did the communication from the state make you feel? Was it sufficient? Overwhelming?*

   - *How did the state's response affect your life/livelihood?*

   - *What did you do (or didn't you do) in reaction to the state's response?*

7. Additional thoughts: With the remaining time, I'd love to open it up for any additional thoughts you'd like to share and discuss with the group.

Thank you all <u>so much </u>for joining us today. I'm going to put the slides back up briefly which has our contact information on it - please feel free to follow up with any of us with remaining questions or thoughts as they arise.

A final ask we have for you is to complete a short survey so we can collect aggregate demographic information about the participants who are joining us over the course of the next few weeks. There will also be a space to share written comments (if you'd rather not share them now) and give us feedback about your experience with this focus group so we can improve moving forward. I'll put the link to the survey in the chat right now if you have the time and want to fill it out now, otherwise we'll be following up with each of you via email with your gift card as a thank you and will include the survey then.

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