MEMORANDUM

TO: Mayor and Council Members

FROM: Joseph Chacon, Chief of Police

DATE: September 16, 2022

SUBJECT: **After Action Report - APD Response to 2020 Protests**

This memorandum provides key details related to the protests from the summer of 2020, the police response, and subsequent improvements made to policy and practice by the Austin Police Department (APD). The After Action Report (AAR) serves as an analysis of the events and responses, a historical record, and a roadmap for safe and effective responses in the future. The AAR includes a description of an issue or event, recommendations for improvement, and implementation strategies to date. APD is sharing this AAR with all APD leadership and their teams, the City of Austin leadership, and the public at large to ensure better outcomes in the future and provide transparency.

When major events occur, such as the protests in 2020, an AAR can be a critical tool to collectively identify what happened and how the situation and resulting response could be addressed and improved in the future. The AAR serves as an analysis of the events and responses, a historical record, and a roadmap for safe and effective responses in the future. The development of this AAR outlining APD's response to the 2020 protests has been an iterative process over multiple months. APD carefully evaluated a multitude of factors to determine which policies and procedures were effective and which were not. For each specific area identified, APD has thoughtfully crafted recommendations for improvement, both short and long term.

Over the past two years, this analysis has led APD to implement several changes to its policies and procedures to better serve the community and support its officers. While changes have been ongoing throughout this time, there is still more work to be done and APD is committed to further implementation of the recommendations outlined in the AAR.

The full AAR provides detailed information on 17 topic areas that impacted the protests and police response in 2020. Many of the recommendations outlined in the report will take time and resources to implement. At the same time, several changes to policies and procedures at APD were adopted quickly after the protests began. A few key areas in which APD has made significant progress are noted in the memorandum.

Key Response and Action Areas:
- Discontinuing use of Bean Bag/Less Lethal Munition for Crowd Management

- Emphasis on De-escalation Training
- Strengthening the Mobile Field Force Training
- Integrated Training for Tactical Response Units

Bean Bag/Less Lethal (LL) Munition
During the protests in 2020, APD initially deployed the use of 12 gauge less lethal (LL) impact munition (otherwise known as "bean bag" munition). While the use of this less lethal impact munition is generally regarded as an appropriate individual incapacitation tool, it became clear that the bean bag munitions did not perform as expected resulting in unintended injuries. Once this was discovered early on in the protests, APD leadership acted to discontinue the use of this tool. APD policy no longer allows the use of this type of munition for crowd management purposes.

De-escalation Training
While de-escalation techniques have always been considered key tools for officers to use, APD has adopted a renewed focus on training and implementing such techniques. De-escalation techniques include tactics such as clear communication (active listening and verbal communication), maintaining a safe distance, explanations of actions needed and any consequences, and securing additional resources. In 2021, the Office of Police Oversight (OPO) drafted a report with recommendations for APD in response to the protests and riots from 2020. In addition to an analysis of current APD policies and nationwide best practices related to use of force, OPO also queried the Austin community for their input. The resulting report points to the need for an emphasis on standardized de-escalation techniques across the Department. APD has revamped its training efforts to ensure that all officers are thoroughly and regularly trained in effective de-escalation techniques for a variety of situations. Department-wide, there is a renewed focus on the expectation to and importance of utilizing de-escalation techniques when possible.

Mobile Field Force (MFF)
Mobile Field Force (MFF) is not a regular standing unit within APD. MFF is a deployment posture assumed by the Department in order to be prepared to augment the work of standing special purpose units. During the protests in 2020, APD determined that additional training was necessary regarding MFF. To be better prepared for future events, APD has identified the need for regular and ongoing MFF, crowd management, and riot control training for all officers. The clarification process of MFF concepts has already begun and the Department was able to effectively implement MFF in early May 2022 as a precaution when the draft ruling on Roe v. Wade was leaked from the Supreme Court. While the resulting public reactions in no way rivaled those from the summer of 2020, APD was poised and prepared to effectively support the citizens of Austin in their efforts to participate in safe demonstrations, free of property destruction and violence.

Integrated Response Training
The Special Response Team (SRT) within APD is specifically tasked with crowd management activities in Austin. In May 2020 it was apparent that more than SRT was needed for a thorough and effective response to the events. Through the deployment of MFF, APD engaged all of its specialized units as well as its patrol officers. All APD personnel were on tactical alert and required a great deal of collaboration with SRT and with one another. Not everyone was familiar with the responsibilities, duties, and procedures of SRT or the other specialized units, making a coordinated response more challenging to achieve. To better prepare for similarly intense situations, APD now conducts integrated, Department-wide trainings across the various specialized response units. These collaborative joint operations trainings allow for the different tactical response units to familiarize themselves with the roles and

capabilities of the other units and be better prepared for a thorough and efficient roll out of MFF in the future.

While more work is needed to support the community and officers more effectively in future situations, APD is well on its way to crafting a comprehensive path forward that will strengthen its responses and rebuild trust with the public.

cc: Spencer Cronk, City Manager
        Rey Arellano, Assistant City Manager
        Anne Morgan, City Attorney

Attachment

AUSTIN POLICE DEPARTMENT PROTEST / RIOT EVENT 2020 AFTER ACTION REPORT
SEPTEMBER 16, 2022

Executive Summary

Demonstrations occurring in Austin during the last week of May of 2020 devolved into chaos. A relatively small number of individuals embedded within mostly peaceful crowds committed criminal acts that ultimately escalated into rioting and looting within the City from May 29th to May 31st, 2020. Based on expectations defined by previous experiences with hundreds of peaceful demonstrations and protests, the Austin Police Department (APD) was unprepared for a riot of this magnitude. Miscalculations alongside actions and inactions of APD personnel, including those in leadership positions, contributed to the challenges. The demonstrations continued for months, and APD adjusted its tactics ultimately stabilizing the situation.

When the demonstrations ceased, substantial damage had been done. In addition to financial losses from looting and vandalism, officers had been assaulted approximately 250 times, being pelted with baseballs, golf balls, frozen water bottles, balloons filled with asphyxiates, eggs, rocks, boards, fireworks, and other objects. More than 700 bean bag rounds, a less lethal munition utilized by law enforcement, and baton strikes were deployed by officers as were CS (2-chlorobenzalmalononitrile) gas and OC (oleoresin capsicum) spray. These actions resulted in serious injuries to numerous community members prompting urgent medical assistance, and over 300 protest-related formal complaints were ultimately levied against APD officers. These complaints, submitted through the Office of Police Oversight (OPO), were investigated by APD's Internal Affairs (IA) unit.

Two factors that demonstrated strengths within APD during the events are worth noting. First, the bean bag munition did not perform as expected, resulting in the unintended injuries. Once this became apparent, APD leadership explicitly prohibited the use of the less lethal (bean bag) shotguns demonstrating the Department's ability to adapt to evolving circumstances. Second, Department employees worked relentlessly under arduous conditions enduring substantial abuse demonstrating a steadfast commitment to service and public safety.

Despite these strengths, there are several areas where the Department could have performed better. This after-action report focuses on several key areas of response to highlight lessons learned and to identify ways to improve in the future. These areas include:

- Global Threat Awareness, Anticipation & Analysis
- Event Planning and Preparation
- Logistics and Support
- Department Staffing
- Enforcement of Laws
- Unified Command & Control Structure
- Operational Adaptability
- Response to Resistance Utilization and Reporting
- Crowd Management Training and Policies
- Crowd Management Systems and Equipment
- Utilization of Technology
- Community Engagement
- Officer Resilience and Morale

- Internal Communications
- External Communications (Public Information & Media Relations)
- Internal and External Complaints
- Use of Force Reporting and Investigation

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List of Acronyms

A/B	Alpha/Bravo Emergency Staffing System
APD	Austin Police Department
ARIC	Austin Regional Intelligence Center
ASU	Air Support Unit
BPOT	Bicycle Public Order Team
CAD	Computer Aided Dispatch
CAST	Counter Assault Strike Team
COA	City of Austin
CP	Command Post
DOC	Department Operations Center
DPS	Texas Department of Public Safety
EMU	Emergency Management Unit
EOC	Emergency Operations Center
FRU	Force Review Unit
HALO	High Activity Location and Observation (Public Safety Camera System)
IA	Internal Affairs
IATF	Internal Affairs Task Force
ICS	Incident Command System
MetTac	Metro-Tactical
MFF	Mobile Field Force
NIMS	National Incident Management System
OCD	Organized Crime Division
PIO	Public Information Office
RTCC	Real Time Crime Center
R2R	Response to Resistance
SIU	Special Investigations Unit
SRT	Special Response Team
SWAT	Special Weapons and Tactics
TCSO	Travis County Sheriff's Office
TNG	Texas National Guard

1. Global Threat Awareness, Anticipation & Analysis

The Austin Regional Intelligence Center (ARIC) and the Real Time Crime Center (RTCC) within the Austin Police Department (APD) were able to provide comprehensive operational intelligence regarding pre-planned and spontaneous events during the demonstrations in a timely manner. The intelligence included information regarding potential threats and other public safety concerns that was utilized to allocate resources from all responding agencies.

Many of the threats identified were made through social media. Although many social media threats were not legitimate, each of them had to be appropriately vetted to determine whether an actual threat existed. This required analysis of a substantial volume of information which created an initial backlog. To address this backlog, ARIC utilized additional staffing to process the information.

Recommendations

Staffing
To ensure the success of intelligence operations, ARIC should be fully staffed and have access to additional staffing when needed to retain effectiveness. Short-term and long-term staffing plans for full time personnel are needed, as are contingency plans to utilize additional staffing during large-scale events. Personnel from Tactical Intelligence Unit (Tac Intel), Organized Crime Division (OCD), and Metro-Tactical (MetTac) should be used to assist in assessing potential threats and diffusing credible threats as part of the contingency planning.

Information Storage and Dissemination
ARIC should be used to review, analyze, store, and disseminate human-sourced information on threats related to protest activity and should serve as the central hub for information during events of this magnitude. Storage of such information is subject to ARIC's policies on privacy and retention.

Implementation

APD continues to struggle with staffing shortages across the Department, including within ARIC. In recent months, APD provided to City leadership a long-term staffing plan in an effort to address these shortages and ensure coverage across the department. APD is also moving toward the civilianization of ARIC personnel in the future. ARIC continues to assess the most appropriate mechanisms and resources for enhancing staff support and information storage and dissemination.

2. Event Planning and Preparation

Austin is host to numerous large-scale events throughout the year including demonstrations and protests. Events of this nature have the potential for violent and other criminal activity; however, the majority of events in Austin occur with little to no police intervention. Likewise, use of force and arrests during these

events are very rare. The vast majority of events, demonstrations, and protests utilize the standard permitting process which allows APD and other agencies the opportunity to adequately prepare.

The intensity of the protests related to the murder of George Floyd in Minneapolis and the death of Michael Ramos in Austin were unexpected, and the scale of the protests caught the majority of departments and government agencies across the country, including APD and the City of Austin (COA), off guard. Considering Austin's relatively peaceful protest history, a contingent of crowd management officers were scheduled to be available for response during the first few days of protests. Based on the nature of the protests, it rapidly became clear that APD had underestimated the need for police response. It took over a week to reorient response efforts so that the overall response would be more appropriate to the situation. Events occurring in the first few days gave little time for planning preparation equipment distribution, refresher training, and debriefs. And as the initial hours and days rolled on, communication was less efficient and less effective. As a result, the Department's response lacked a consistent vision, a clear mission and objectives, and well-defined expectations.

Recommendations

Operations Plans

Leadership from specialized units, including the Special Response Team (SRT) and Mobile Field Force (MFF), should develop thorough operational response plans that clearly define goals and objectives, establish processes, set expectations, and define staffing plans. All plans should be reviewed to ensure consistency and continuity across units. The goals and objectives specified in these operational response plans should be developed to give guidance to planners, managers, and field staff who are responsible for monitoring operations and ensuring progress toward the goals. This will carry the additional advantage of supporting consistency across events.

Future operational plans should specifically detail the processes managers will use to deploy assets. This will ensure that the deployment is done efficiently and effectively, reducing the potential for conflict between officers and protestors. The consequences of deployment of various asset types should be considered.

The operational plan should clearly articulate expectations for all field-deployed staff. This includes tolerances for law violations, rules of engagement and use of force in response to non-compliance or aggression. It is imperative to establish these expectations and detail a clear process for communicating them during an event to ensure consistent services and to hold all persons accountable for their individual decision making and actions.

The operational plans should also identify the elements of a successful response to a large demonstration. Establishing pre-stated goals will provide an opportunity to assess operations during the event as well as to implement a stronger post action review. Particular emphasis should be placed on staffing and deployment relative to the stated goals. It is important that a top-down analysis of every function of a crowd control response is evaluated and that the most effective of units are prioritized and deployed.

ICS Framework

In order to ensure a successful coordinated response from the involved public safety agencies/units, it is recommended that the APD Emergency Management Unit (EMU) work closely with the operation planners to create specific and effective incident command, support, and communication structures that complement the operational plans. Special attention should be given to clearly define the Incident Command System (ICS) roles and responsibilities of the various staff positions and operations centers needed in a large-scale tactical event. This will reduce the confusion that existed regarding the functions and requirements of an ICS framework.

Operations Centers

The EMU should pre-identify several locations across the City which would satisfy the physical and technological criteria for housing a fully functioning Command Post (CP), Department Operations Center (DOC), and Emergency Operations Center (EOC) in the event that a rapid implementation of these centers is needed. Agreements should be established in advance to allow for the smooth assumption of these spaces if the need arises.

Physical Site Preparation

APD should prepare plans for physical site and area security to include access and area denial, as well as logistical support measures for areas of potential conflict or civil disorder, police facilities, locations for staging equipment, areas for sustainment and replenishment and preplanned key command locations (CP and DOC).

Implementation

APD implemented systems to create and review operational plans on a regular basis. APD holds weekly meetings with the specialized units to review operational plans and ensure communication lines remain open. Operational plans developed for specific known events are submitted through the ICS framework.

APD has responded to multiple protests since the summer of 2020. The implementation of the ICS framework and initiation of MFF have yielded safe and effective outcomes for the Department and the Community. APD continues to refine these processes with each new event to ensure the needs of all involved are appropriately met.

Every large-scale event that is potentially volatile requires staff able to conduct intelligence operations, event preparations, and field operations as well as management and support functions. APD uses the department-wide operational planning process to identify assets and units that are regarded as most effective for particular situations. While officers were used to create a barrier between protestors and police headquarters during the summer 2020, APD has identified the use of human assets in this way as an ineffective and dangerous strategy. APD has explored the use of environmental design approaches and technologies to create effective and safe barriers. APD now works more closely with Special Events to create these necessary physical barriers for crowd safety and management. Within field operations some units were identified as being more effective crowd control tools than others. For example, the Bicycle Public Order Team (BPOT) and Mounted Patrol are able to more effectively maneuver within a crowd situating them for specific crowd control functions.

The EMU identified several locations suitable to serve as primary and backup Command and Operations centers for events and emergencies. The EMU bolstered relationships and agreements with management of those facilities and identified and prepared equipment and logistics needs for rapid deployment. In addition, the mobile SRT van has the capability to be flexible and fluid in response to emergency situations. The EMU also procured large quantities of emergency supplies to include food, water, cots and blankets and have staged them in designated areas at the various police facilities to be used to support long-term operations throughout the City.

3. Logistics and Support

The response to the protests included officers and staff assigned to the Air Support Unit (ASU), EMU, RTCC, ARIC, Counter Assault Strike Team (CAST), Special Weapons and Tactics (SWAT) team, SRT, BPOT, MFF, Mounted Patrol, Patrol, Investigations, Research & Planning, and others. Every unit within the Department contributed or modified their operations to aid in the overall Department response to the protests. The full, multi-day deployment of APD created numerous logistical considerations that needed to be identified and mitigated. Primary among these considerations were the transportation and daily movement of hundreds of officers and equipment, the resupply of food and hydration to officers, peer support, crime analysis, public information, intelligence, and the coordination of the investigative response to criminal conduct.

During emergency operations it is the function of the DOC to coordinate the logistics in support of the operations of the CP and consequently, the overall operational response. Generally, the DOC personnel accomplished this function effectively throughout the protest activity, which provided a stable roster of officers, safe and efficient movement of officers and other assets, and the relief and resupply of field-deployed officers. It should be noted that the number of emergency management trained personnel was not adequate considering the daily staffing of the DOC for protests as well as the EOC for the ongoing COVID-19 pandemic.

Recommendations

Staffing
In order to ensure a successful coordinated response, future operations plans will need to pay special attention to the activation and intelligent staffing of the DOC with personnel who are skilled in matters of logistics for events that surpass the resource capability of responding units. To be better prepared to support these types of operations, the department must continue to foster and reaffirm relationships with support partners and providers.

Reserve Team
A reserve element of interested and capable employees should be identified and trained to supplement the operations of the EMU. This will allow for the EMU to utilize additional staffing to efficiently and quickly meet goals and objectives related to establishing and supporting the DOC and CP.

While APD continues to suffer from staffing shortages across the Department, the emphasis on coordinated operational plans and integrated trainings have been effective in the preparation for large-scale events. Staff across units are better situated today with seamless lines of communication and activation. The recent deployments of MFF demonstrated the Department's improved emphasis on coordinated operations and logistics is effective in managing crowd and protest related events. In addition, APD recently provided to City leadership a long-term staffing plan to ensure the entire Department is appropriately staffed with the personnel best suited to fulfill a myriad of roles.

4. Department Staffing

The size and scope of the initial protests was unprecedented and unexpected. On the second day of the first weekend of the protest, an emergency page was sent to all officers that ordered them to report for duty immediately. However, as a result of several existing issues, including ongoing telework conditions due to COVID-19 and operational structure, reception of responding officers was generally disorganized. In some cases, officers were directed to report to a sub-station which did not have adequate facilities, space, or logistics to support all of the officers deployed there. As such, alternative sites had to be identified. Officers were then deployed from staging areas and sent into protest areas prior to receiving operational direction and objectives. In some cases, officers received unclear or contradicting directions.

It became clear very early that the protests necessitated the full, yet rare, deployment of every officer within the Department. Initially this triggered the utilization of the Alpha-Bravo (A/B) emergency staffing system[1] to ensure an adequate response. The A/B staffing designation, which occurs when officers are scheduled to work on a daily basis, was understandably made with little notice. This created confusion for officers and supervisors. Additionally, the overall staffing plan was changed numerous times during the protests, and a clear version of the plan was never mass-distributed to officers so they could familiarize themselves with the staffing plan. This created a great deal of confusion concerning when and where officers were directed to report for duty and to whom they were directed to report.

Over time it became clear that traditional staffing, including the A/B designation (which initially required officers to work 7 days a week), would not be effective long-term due to work force fatigue, staffing shortages due to vacancies, and shifts quarantining due to COVID-19 exposure and infection. As time went on, several modifications were made, such as dividing the A/B process into thirds and providing for occasional and sporadic days off, but the weekly changes caused additional confusion. Finally, there was no advance planning for replacement and/or demobilization back to the previous operational status as defined by the augmented teleworking structure due to the pandemic and COA mandates.

Throughout most of the protest period, staffing strength was supplemented by the Texas Department of Public Safety (DPS), the Travis County Sheriff's Office (TCSO), and the Texas National Guard (TNG) as well as various federal law enforcement agencies. With a full deployment of these partner agencies, staffing numbers were adequate for safely managing the protests.

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[1] The Alpha-Bravo (A/B) designation: A modified work schedule broken-down into 12-hour shifts all for sworn personnel. Day shift (Alpha) begins at 0600 and ends at 1800 and Night shift (Bravo) begins at 1800 and ends at 0600 the following calendar day.

Recommendations

Long Term Preplan

APD should continue to anticipate the level of staffing needed for a safe, effective, and thorough response in similar situations. The Department should identify, establish, or revise long-term staffing plans to enhance operational consistency, employee resilience, unity of command, and decentralized command.

Event planners should holistically consider the capabilities and efficacy of each crowd control asset or unit utilized by the department to ensure that protestors are able to continue to peacefully express their First Amendment rights. A section of the plan should address how patrol operations and the departmental response to calls for service will be impacted or modified should a large deployment of resources be needed, allowing planners to identify new minimum staffing for patrol operations.

Implementation

Staffing shortages continue to pose challenges at APD. However, even with the reduced number of personnel, APD has successfully responded to community demonstrations over the past several months. Comprehensive and coordinated officer notification is accomplished through the initiation of a Tactical Alert[2] to prepare officers in advance for the possibility of mass deployment. Chains of command are clearly established through this process to streamline communication and operational plan implementation. APD's long-term staffing plan takes into consideration the staffing needs should a large-scale deployment be necessary.

5. Enforcement of Laws

One of the common concerns expressed by both officers and protesters alike was the confusion with identifying the APD tolerances for violations of law. From the first spontaneously developed protests and throughout, there were numerous occurrences of destruction of property and violent crime directed at officers and civilians alike. At various times during the first weekend of the protest, agitators who committed criminal law violations appeared to be emboldened due to the fact that there was no immediate consequence for their actions. As the daily crowd size diminished and APD tactics evolved over time, violent and egregious law violators were detained and/or arrested, and it was apparent that this process resulted in a reduction in the occurrences of property destruction and assaultive behavior. Law enforcement, when safe for officers and the public, must be uniformly applied.

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[2] Tactical Alert: When the Department has received or developed reliable intelligence that there is a relatively high probability that a circumstance (man-made or natural) may escalate into an emergency situation requiring the use of tactics and resources other than those used in a Normal State of Readiness, the Chief or Police, or designee, may place the Department on Tactical Alert in order to prepare for a decisive and immediate department-wide tactical response, if needed.

Recommendations

Clear Expectations

To ensure APD fosters consistent expectations and safety for the citizens of Austin as well as its police officers, it is recommended that arrests be made for violent and egregious violations of the law whenever possible, prudent, and safe. Incident/Event plans should provide clear guidance for officers regarding appropriate enforcement levels and proper procedures. While enforcement within large crowds may, by necessity, be different than in smaller crowds, clear operational enforcement orders should be established, communicated, and followed.

Implementation

With the adoption of the ICS framework, regular implementation of MFF, and ongoing coordinated trainings, APD is more prepared to maintain crowd safety and management during challenging situations. This level of preparation allows APD officers to apply consistent expectations to maintain law and order in any context. If an officer observes an arrestable offense and the situation allows for a safe arrest for all parties involved, APD will make the arrest to ensure everyone's safety and security.

6. Unified Command & Control Structure

Early in the protests, there was confusion regarding the purpose and scope of the CP, DOC and the EOC. Implementation of the National Incident Management System (NIMS) and ICS was enacted late and was never fully completed. This had a cascading effect on the ability of managers and decision-makers to exercise command and control over APD's response to on-going demonstrations. There were instances when managers did not know if they had the authority to issue orders or to authorize actions due to lack of familiarity with the ICS model. In other instances, requests for information and requests to submit information were sent to wrong locations. For example, the RTCC along with police dispatch were continuously contacted, sent extraneous information, or were tasked with handling issues that should have been managed by the CP and/or DOC.

Moreover, the location of the CP proved problematic. Located on the 4th floor of APD Main Headquarters, the location created problems with ingress and egress. This issue was compounded by exposure to threats given the location, and the space utilized for CP was ultimately too small. Attempts to find alternatives were undertaken, however, there was no capacity to implement an alternate location while maintaining functional access to various necessary APD operational computer systems.

One of the issues that supervisors had to overcome during the response was not having the capacity to adequately co-locate the leaders of the multitude of agencies involved in the overall public safety response for unified command. Initially it was thought that the tactical operation could be controlled from the DOC, which is typically defined as a single agency logistics and support center. This proved to be

untenable and several attempts to modify the DOC and/or combine it with a CP and/or unified command were attempted but the changes proved confusing and unmanageable. When the DOC encountered instances of redundancy, confusion and gaps in operation, a mobile CP naturally developed wherever the crowd management commanders happened to be operating. Unfortunately, this street level command all but eliminated the possibility for co-location with other agencies and provided a narrow view of overall area events.

The failure to fully implement an ICS model also resulted in instances where APD Commanders in the EOC, DOC, and CP acted autonomously and not always in concert with the others. Having a high-ranking officer in each of these locations without a centralized and unified Chain-of-Command caused confusion and contributed to both redundancy of and lapses in operations. Communications between core functions was hampered by the chaos and confusion caused by the unprecedented civil unrest, however, over time the lack of planning and successful implementation further strained communications between core functions.

Communication between the core management functions was not the only impact of the failure to fully implement the ICS model. The ability to accurately cascade information to individual supervisors and line officers was impacted by the fractured command system. In the early days and weeks of the event, conflicting orders were received from various Lieutenants and Commanders who were tasked with executing objectives. As crowd sizes diminished over time, and command and control structure became more refined, this ceased to be a problem.

Recommendations

Embrace ICS

APD should review, identify, and implement proper pre-planned command and support frameworks according to ICS protocols to improve, clarify, and ensure consistency of direction and mission. It is recommended that APD fully embrace the NIMS/ICS core concepts. It is critically important that only one Chain-of-Command exist at any given time. The ICS model would provide the structure to allow field commanders and supervisors to manage ground tactics for various locations while establishing a clearly identified Incident Commander and Incident Command Structure to provide coordination, integration, and overall strategic direction.

Training

One of the core reasons for failure to implement the ICS model was a general lack of familiarity with the ICS model, its concepts, and its components. Senior managers from the rank of Lieutenant and higher should regularly attend training and table-top exercises to learn these key elements, before being called upon to command a real-world event. It is also important that there be department-wide familiarization with the NIMS and ICS models to include terminology, staffing, and responsibilities, as well as various sites and centers that might be utilized. It is important that APD clearly understands what each site is capable of and responsible for under the ICS model.

Policies

It is also recommended that APD review the incident management policies and procedures to establish a rapid, efficient, and effective ICS framework for large scale and/or protracted incidents including defining

areas of component responsibilities and capabilities, staffing, logistics, preplanned command and staging locations, employee alerts, scheduling, and mobilization/demobilization.

Implementation

The EMU, in coordination with CAST, developed training relating to ICS-based incident management to include a unified command with other response agencies. They also partnered with the APD Training Academy to implement the training courses in the various levels of supervisory training schools, as well as stand-alone courses for employees of APD. The EMU fortified the process for the collection of thorough and complete operations and communications plans from the involved operational units, collating them into a single cohesive, specific and ICS-compliant Event and Incident Action plan.

7. Operational Adaptability

Throughout the summer, APD leadership adapted operations based on daily lessons learned and constant feedback from police employees and the public. During the initial stages of the protests, unintended injuries occurred among the protestors. Reports of the number and significance of the injuries were not fully recognized by the chain of command, resulting in two days delay in making operational changes. These injuries were unfortunate and APD subsequently made the necessary adjustments to the police response. This adaptation ensured smoother and more effective operations for the remainder of the summer, thereby limiting further injuries.

APD initially deployed the use of 12 gauge less lethal impact munition (otherwise known as "bean bag" munition). While the use of this less lethal impact munition is generally regarded as an appropriate individual incapacitation tool, it became clear that the bean bag munition did not perform as anticipated, resulting in the unintended injuries. Once this was discovered, APD leadership acted to adjust its operations and discontinue the use of this tool.

In spite of the challenges presented during the initial weekend of the demonstrations, command structure and decision-making became more refined, formalized, and effective as time passed. Executive and Command staff worked continuously to adjust plans to meet new needs based on current situational assessments. This led to APD creating a rapid and streamlined response process to ensure that real-time operational changes could be addressed to minimize the chances of future challenges. This is evidenced by the decrease in the reported occurrences of destructive property crime and violent crime.

Recommendations

To improve operational adaptability, it is recommended that APD continue to examine and embrace new and progressive ideas and processes to ensure the APD response simultaneously protects the rights of peaceful assembly and free speech and provides for the safety and security of all of Austin's diverse community. Though the demonstrations sought to address social concerns about government, the institution of law enforcement was the primary focus of the nationwide unrest. To be both the enforcer of law and the subject of collective anger, APD was put in a precarious position which would be

exacerbated if unnecessary show of force was utilized in response to an exercise of the First Amendment. Department leadership should accept that protests will likely occur in the future, and they must, therefore, plan, prepare, and adapt accordingly for both the protection of peaceful protest as well as addressing violence effectively and impartially. Ideas may include proactive environmental design, expanding the use of effective crowd management units such as BPOT and Mounted Patrol officers, and community engagement.

Implementation

After the protests in 2020, APD policy was changed to reflect the prohibition of the use of less lethal impact munition in crowd control situations.

In addition, the on-going, coordinated work of the specialized units has prepared APD to effectively and efficiently identify the evolving needs of a particular situation and respond appropriately. These department-wide collaborative efforts have created an increased understanding of the roles and benefits of different units and assets. This comprehensive knowledge of the larger picture allows for improved adaptability based on real-time needs.

8. Response to Resistance Utilization and Reporting

At the height of the protests, a decision was made that officers would make a modification in their reporting of use of force incidents. This decision was made, in part, because of the sheer chaos and confusion that occurred during aggressive and violent behavior by protesters. As opposed to documenting each individual application of force with specific details, officers were instructed to omit this reporting requirement and to document all force applications in a single report that was a supplement to the daily master report number. This created numerous reporting and data collection issues given the current records management system and methodology for collecting and analyzing the data. At times, there was also confusion on what the master case number was, as it might have been different depending on the specific units that were involved in demonstrations.

One of the hallmarks of police legitimacy is the uniform application of law enforcement in a procedurally just manner. APD recognizes that it is critically important that the use of force by a law enforcement officer be both reasonable and minimal in overcoming the resistance or aggression of the individual(s) that the force is directed against. Additionally, reporting needs to be transparent for the benefit of fostering legitimacy in the authority of the police to enforce the law.

Recommendations

To reduce confusion and inconsistency and ensure transparency, APD should identify and establish improved information and record tracking and management processes for incident and Response to Resistance R2R (use of force) reporting, as well as case management. Additionally, it is recommended that APD clearly establish policies for the use of force against individuals within crowds and crowds themselves and clearly communicate them in an operations plan. The operational plan should clearly

articulate under what circumstances, and to what extent, officers are able to utilize force to enforce the law during protests. In order to have consistent reporting, any mutual aid agreements should also specify how assisting agencies should document their use of force incidents.

Implementation

A response to resistance task force was created to retroactively review the uses of force which occurred during the demonstrations and identify potential trends. In addition, the Force Review Unit (FRU) was created to conduct consistent response to resistance reviews across the department. The FRU works closely with our records management system and video vendors to regularly improve upon an easy-to-use reporting system to support the review of responses to resistance. The FRU acts as an information gatherer and releases monthly reports regarding the department's use of force.

9. Crowd Management Training and Policies

In the protests, the City encountered events that were unprecedented in recent times. Specifically, APD had never managed an event of this magnitude or duration. The response demonstrated that there was a lack of thorough and standardized understanding of crowd management, riot control techniques, tactics, and protocols. In addition, a lack of ongoing and reoccurring training, officer understanding and proficiency in overall crowd management varied depending on individual officers' years of experience or volunteer involvement in a special purpose unit.

MFF is not a standing special purpose unit. Rather MFF is a deployment posture that the Department assumes in order to be prepared to augment the standing special purpose units such as SRT or BPOT. Utilizing on-duty employees from all over the Department for MFF provides an immediate response to emergencies while the special purpose teams are utilized for planned events or emergencies with a longer deployment time. It was clear that there exists a lack of understanding of the capabilities, responsibilities, and restrictions of each unit. This resulted in confusion, challenged communications, and limited integration. As a result, these units were, at times, either under or over utilized.

Recommendations

Integrated Training
Moving forward, APD should establish immediate Department-wide training for crowd management and riot control, as well as joint operations training for tactical response units such as CAST, SRT, SWAT, MFF, Mounted Patrol and BPOT in addition to regular tabletop exercises designed to familiarize all officers with the roles and capabilities of each of the special purpose units. This is particularly important for senior level leadership who will be responsible for deploying and managing these assets. Training for senior leadership should include tabletop exercises that integrate partner agencies including Austin Fire Department (AFD) and Austin/Travis County EMS (EMS) into the training and should mandate that senior leadership participate in large-scale exercises in a capacity to learn before they supervise a real event.

Mobile Field Force Training

Annual training for all sworn officers should be established for MFF concepts and all of the training should be provided by qualified instructors who are given a sufficient amount of time for each module of instruction. As Austin is the Capitol of Texas, protests and events are a common occurrence, and all officers need to be prepared to respond to ensure a safe demonstration, free of property destruction, and violence.

Policies

It is recommended that APD review and update the crowd management policies regarding planning, organization, deployment, and scheduling, training, equipment, communications to employees and public, use of force and enforcement of law.

Implementation

SRT has moved to a quarterly training model in which all SRT personnel receive 20 hours of training every quarter. This integrated training engages specialized units from across the Department, as well as partner agencies. EMS frequently attends the training and cross-trains and deploys with SRT. SRT cadre now respond to all MFF activations and major events so that the specialized knowledge regarding interagency MFF operations is readily available to the MFF Commander.

SRT training cadre members developed a new training class for Department-wide implementation for officers, detectives, and support unit personnel. This training class incorporates lessons learned in 2020, review of current policies and tactics, and has a significant focus on policy, laws, and case law that guide MFF operations. Currently, SRT is working on a class titled "MFF Leadership" for MFF squad leaders, platoon leaders, and senior leadership. This 8-hour course will be complete and ready for implementation by the end of 2022. Once it is complete, the MFF Leadership class will be integrated into the training schools for various ranks and provided as standard practice to all APD personnel who promote to those ranks. The SRT training cadre is also working on scheduling leadership training specifically for SRT squad leaders, assistant squad leaders, lieutenants, and commanders.

SRT training cadre members currently meet at least every other week to discuss, review, and update crowd management policies regarding planning, organizing, deploying, training, equipment needs, communications, use of force, and legal training. The training cadre arrives at learning points that are written and submitted in policy update recommendations, incorporated into standard operating procedures (SOPs) updates, turned into tangible products such as new communications methods using APD-issued cell phones or other technology, and training classes.

10. Crowd Management Systems and Equipment

One of the issues common throughout the response was that officers did not have the proper equipment for the tasks they were assigned. Most importantly, this included equipment necessary for crowd management. The majority of officers were not equipped with gas masks, which meant that they were

affected by the Department's utilization of CS gas on the interstate highway. Moreover, officers directed to stand on the front lines of riotous crowds were subjected to protesters throwing rocks and other projectiles at them, shining blinding lasers in their eyes, and continuously blasting high decibel air sirens and bullhorns causing officers to incur injuries as a result. Officers were not issued riot-related protective equipment such as shields, protective arm and leg guards, eyewear, or earplugs.

Additionally, after the use of the 12 gauge less lethal munition was prohibited in crowd situations, the officers had limited means to deal with crowd-based violent aggression directed towards them and/or peaceful protesters. In some cases, officers developed a mindset that they simply had to accept whatever the agitators did.

Recommendations

Protective Equipment

To ensure the safety of all, employees should be issued proper and current protective and response equipment prior to deployment. Some of this equipment has been obtained as of this writing, however, continued research and purchase of effective protective equipment is needed to protect the officers while they protect the citizens of Austin.

Response Equipment

Moving forward, it is recommended that APD research, identify, and procure new technology and crowd management response systems to safely and effectively respond to singular violent agitators as well as riotous crowds.

Implementation

While some components of protective gear are available for officers, APD is in the process of identifying additional appropriate gear, such as protective eyewear. Unfortunately, the necessary budget for new equipment for the SRT is not available. Funds continue to be needed to assist in purchasing items such as protective eyewear and vans for operational maneuverability. Patrol cars are not optimal based on their limited availability citywide and the use of Capital Metro buses to move APD officers is no longer available. Passenger vans are the appropriate size to move officers where needed in a timely manner.

APD identified safe and effective new equipment to use as part of the crowd management response. The use of 12 gauge less lethal munition is prohibited. For more effective crowd management in the future, APD has identified alternate equipment, such as pepper ball launchers for potential use.

11. Utilization of Technology

A host of technological systems were employed during the public safety response to the demonstrations. These systems enhanced the ability of managers and line officers to perform their respective missions.

Technology such as log-on tracking systems for on-duty officers, maintaining digital internal and external lines of communication, monitoring crowd movements through the use of High Activity Location and Observation (HALO) cameras and unmanned aerial camera systems, and conducting virtual meetings were key elements utilized throughout the protests This was especially critical in light of the ongoing COVID-19 pandemic.

Recommendations

Aerial Platforms

APD should move forward with fully operationalizing its own unmanned aerial camera systems and robotics program. The Department had to rely heavily on the assistance of other agencies to fulfill this critical mission including AFD, DPS, and neighboring LE agencies to provide aerial monitoring throughout the protests. This technology allowed the Incident Commanders to assign and apply resources in an appropriate and efficient manner in response to the changing crowd dynamics and movements, while simultaneously minimizing the potential for conflict. Unfortunately, each of these agencies also had their own agency responses during the protests and APD's access to information from these systems was dependent on other agency availability.

Radio Encryption

Another recommendation for change to sustain success is related to the security of internal police communications, specifically radio broadcasts. The majority of radio communications were broadcast on an unencrypted radio network. It was confirmed that criminal actors were listening to police radio broadcasts and altering their tactics in response to decisions broadcast over the radio. Once this was discovered radio transmissions were moved to a patrol channel that was encrypted. This operational change had a noticeable impact on the ability of some criminal actors to adjust their tactics in response to information they obtained from police radio broadcasts. Presently there are only a handful of encrypted channels with wide distribution (the majority of these channels are special purpose encryptions). It is recommended that the Department move forward with encrypting the majority of the police radio frequencies to prevent sensitive information from being released over public broadcasts.

Officer Tracking

At the height of the response, hundreds of additional police officers were on-duty and logged into the computer aided dispatch (CAD) system. The dispatch center was largely able to track and maintain accountability for each of the officers through the use of the "text-to-logon" system. However, it was found that officers would sometimes provide incomplete information when submitting their logon requests. A change was made to this process that utilized an automated system that required users to enter relevant information. This greatly increased the accuracy and accountability of officers that were actually working. It is recommended that the "text-to-logon" system continue to be employed by the dispatch center and that a process be drafted for officers to submit their specific assignment with their logon information.

Implementation

Since the summer of 2020, APD has worked to address many of the recommendation points regarding effective utilization of technology. APD completed phases six and seven of the HALO expansion project and is currently in the middle of phase eight for expansion. These expansions allow APD to access additional unmanned cameras and tools for crowd management and crime prevention. Pursuant to Council Resolution, APD is continuing to explore possible solutions to access additional monitoring resources without the need for a significant increase of funding.

While full radio encryption requires the ability to overcome multiple challenges, APD has been active in its efforts to "upfit" mobile units with radios that are encryption-capable. For several months, APD has installed approximately 15 encryption-capable radios per week. Once all radios are encryption ready, APD will purchase the necessary tools and software to physically encrypt all radios, including the thousands of handheld radios in the field. APD is also addressing rezoning issues for encryption to ensure all public safety agencies in the area are supported and not impeded through this process.

APD continues to utilize "text-to-logon", along with CAD and Body Worn Cameras (BWC), to effectively track officers. The Department is continuing to identify the appropriate fields within the "text-to-logon" system that should be mandatory for maximum effectiveness.

12. Community Engagement

The normal practice of APD is to engage and speak with organizers of protest groups. However, the unplanned, dynamic nature of these protest events made it difficult to identify any organizers and leaders in order to engage with them. In many instances, event organizers could not be identified.

One of the strategies that was very beneficial during the APD's response to the protests was to actively engage with protestors, listen to their concerns and participate in dialogue. However, a period of time passed as the protests began, before members of APD were able to connect. Due to this delay, a widespread belief was held that the decision to engage was more strategic than genuine. This falsely reaffirmed the belief of some protestors that, as an organization, APD does not understand, empathize, or agree with the systemic and endemic problems experienced by members of our community.

Recommendations

Building strong and trusting relationships with the community is critical. It is recommended that APD identify and reaffirm positive, supportive relationships with peaceful protest groups, partner with support agencies (civilian, city, state), and technological systems and companies. Police legitimacy is derived from the trust and confidence from the public that police are entitled to exercise authority. This fact demands that APD operate in a manner that is procedurally just. It is therefore necessary for the Department to immediately and continually take steps to correct the false narrative that the organization does not desire to foster dialogue and mutual understanding with the community.

Implementation

APD prioritizes engagement with the community to build strong and trusting relationships. This community engagement work is ongoing and evolving. Since the protests in 2020, APD has enhanced training with District Representative Officers to be more intentional practitioners of "active engagement" techniques. These techniques include the key strategies of listening, validating, and being action or problem oriented. These trainings help the District Representatives to connect with the communities they serve and foster a collaborative problem-solving approach.

To more fully engage the community, APD uses several strategies for stronger connection: intentional engagement of people who are uninformed or opposed to the way APD conducts its services; meaningful dialogue and engagement; and connection with people by meeting them on their own terms rather than telling them what to do. Serving the community is our top priority as well as ensuring each community member's voice is heard. Achieving this requires APD be flexible and engage in clear and direct communication. APD is committed to demonstrating trustworthy motives and transparency through the creation of opportunities to give people a voice they believed was previously ignored.

13. Officer Resilience and Morale

Predominately, APD employees demonstrated flexibility, strength, fortitude, and resilience during the protests/riots, especially those on the front lines. The officers involved in the public safety response to the protests were subjected to near constant abuse as well as threats and acts of violence. This was true for both front line officers as well as those in support roles. The high degree of tension as well as the duration of the demonstrations contributed to officers exhibiting stress and fatigue. The majority of officers worked shifts in excess of 12 hours a day for weeks and were, in many cases, face-to-face with protesters who were projecting their frustrations on the officers in a variety of physical and mental means. The effects on the officers' health and well-being were evident and showed in their readiness to perform their job functions over time.

Employee morale was also severely impacted throughout the months of protest response. The lack of vocal support by local government officials and APD leadership for the Department and its officers significantly impacted officer morale, and left officers feeling that they were not supported by the community. Despite these challenges, the officers that were part of the response to the demonstrations showed exceptional courage, resilience, and flexibility.

Recommendations

Staffing and Deployment Strategy
It is crucial for future operations plans to consider the importance of consistent and adequate staffing rotations to give officers adequate time off to rest and recover. Implementing environmental designs for area denial measures, utilizing BPOT and mounted patrol units more effectively, as well as expanded use of technologies would reduce the need to have officers subjected to long durations of exposure to agitated crowds, which will in turn reduce the impacts on officer fatigue and morale.

Morale

APD morale suffered during the summer of 2020. To better address morale issues in the future, it is recommended that COA leadership and APD demonstrate public and private recognition and appreciation for the continued dedication, service, and sacrifice from police employees. It is important for the senior leadership of COA and APD to recognize and show appreciation for the continued service and sacrifice of APD and partner agency employees. This display would be extremely beneficial to morale because it affirms their purpose and confirms that, while improvements and evolution are certainly needed in policing, the work and sacrifice of the employees is valued.

Enforcement

It is recommended the uniform enforcement of law, when safe for officers and the public, be applied across all situations. Arrests should be made for violence and egregious violations of the law whenever possible, prudent, and safe. This will foster consistent expectations and safety for APD and the citizens of Austin by removing the few violent agitators who are pushing the protests into violence.

Implementation

APD continues to work towards ensuring the safety and well-being of all personnel. Additional staffing is needed to assist in these efforts as the Department is facing severe staffing shortages even as community needs rise. To help foster officer morale and demonstrate greater appreciation, APD began implementing monthly awards ceremonies once again to honor officers. These awards ceremonies had previously been cancelled due to the COVID-19 pandemic but they are now held virtually to allow for greater and safer attendance. Chief Chacon opens all awards ceremonies with remarks and gratitude.

Within his first year as Chief of Police after the protests of 2020, Chief Chacon ensured that he attended a "show-up" meeting for every single shift across all areas. Chief Chacon understands the importance of recognition for officers at all levels and in all areas of the City. He attended each of these shift meetings to connect with APD personnel and demonstrate his, and the Department's, appreciation for the work they do.

14. Internal Communications

A common observation throughout the protest activity was that event action and operational plans, as well as "Command Intent", was only communicated to a handful of supervisors or down to a certain level of supervisor. This left those supervisors with the responsibility of interpreting and then communicating the plan to all the affected employees. Due to the sheer number of supervisors, this sometimes resulted in different interpretations and therefore different understanding. In some cases this resulted in orders not making it to all levels. With a lack of clear understanding of the intent and strategy plans, officers and supervisors were left to improvise under stressful and time sensitive conditions. Communication systems, both in person and electronic, need to be developed and/or improved to ensure consistency.

Recommendations

Briefings and Plan Dissemination

APD should establish clearly defined communication lines that include regular joint briefings with leadership from all involved units and agencies to ensure effective, consistent, and Department-wide information dissemination. Every supervisor involved in the response should hear the plans at the same time, and APD units should work together to clearly identify roles and responsibilities, decrease conflict, and reduce confusion.

Implementation

APD leadership hold regular meetings to ensure clear lines of communication are open. The Executive Leadership Team meets at least once per week and the Command Staff meets twice per month. These meetings are critical for information sharing to be disseminated to the rest of APD. While not available during the summer of 2020, APD now uses MS Teams as a technology tool to rapidly and comprehensively share information and news with all APD personnel. MS Teams is a standard issue information tool on every employee's City-issued cellphone.

Chief Chacon supports internal communication efforts in other ways as well, including attending Austin Police Association meetings. APD-wide emails (known as APD All) and video messages are shared as needed to ensure everyone receives uniform and consistent information at the same time.

15. External Communications (Public Information & Media Relations)

During the protests false or incomplete information was shared through social and traditional media creating a false narrative which grew over time. Protest groups engaged in prolific media and social media campaigns with little to no response from the APD. While it is understood that this is not a new phenomenon, a protracted public argument about what is fact and what is not, usually serves to fuel the fire rather than calm it. The lack of any proactive or reactive response is tantamount to accepting the existing narrative. While APD's Public Information Office (PIO) put out educational safety materials during the events, additional public service communications regarding safe procedures, locations, and expectations for peaceful protests may have assisted citizens with the lawful exercise of their rights.

Recommendations

Media

Media and social media engagement is needed for enhanced community support and effective communication. APD should develop a robust, aggressive, and informative media plan to address public safety perspectives, police and public expectations, and public assistance in order to ensure meaningful communication with the public and community safety during emergencies.

After the protests in 2020, APD took strategic steps to ensure everyone is able to lawfully exercise their rights. Clear communication and messaging is key to this effort. The PIO created safety messaging that emphasizes the right to free speech in a safe and lawful manner. This type of messaging is regularly shared on all APD social media platforms.

In June of 2022, with the release of the Supreme Court's ruling that affected Roe v. Wade, APD distributed a public message directly from Chief Chacon. Through this message, APD encouraged citizens to express themselves, whether they agreed or disagreed with the ruling, in a peaceful manner. APD publicly reiterated that violence is not tolerated in individual or collective environments. APD requested that anyone who observed someone committing an unlawful act creating an imminent emergency, they should call 911. Messaging also informed the community to use 311 as an option if the crime was no longer in progress.

16. Internal and External Complaints

The intensity of the protests and the large number of people in attendance resulted in higher than usual officer complaints over a short period of time. APD carefully reviews every internal and external officer complaint received. Given the volume of complaints received following the protests, APD was unable to manage all complaints with its existing review process. It became apparent that an expanded system was needed to address this acute need.

Recommendations

APD should create a full time temporary unit to ensure the integrity of the thorough investigation process for internal and external officer complaints related to the protests.

Implementation

APD created the Internal Affairs Task Force (IATF) to complement the traditional review process. The IATF's robust complaint review process for internal and external officer complaints began the week of June 22, 2020. The initial workload consisted of 339 individual complaints, with approximately 260 complaints originating from the first weekend of protests (May 29-31, 2020). Initial assessments were conducted in a manner consistent with APD's policy and practice. An initial assessment is conducted on all external complaints and was not unique to the protest complaints. An initial assessment of the protest complaints included but was not limited to reviewing reports, BWC, external video, HALO video, contacting the complainant, and collaborating with the FRU to locate incidents. As these initial reviews progressed, further investigative activity was prioritized to critical incidents, those with identified officers involved, incidents with potential policy violations, and incidents requiring additional interviews or investigative activity. Incidents clearly captured on video, fully documented in Versadex, and with no

apparent policy violations other than minor issues already identified and addressed by chains-of-command, were classified as such and did not require further investigation based on the parameters outlined in APD's General Orders.

Initial reviews of all these complaints took most of June, delaying investigative activity until July 2020. The Office of Police Oversight (OPO) initially assigned one Complaint Specialist as the primary point-of-contact with their office for case coordination. In August 2020, two additional OPO employees were assigned to work IATF investigations to ensure all reviews could be thoroughly assessed in a timely manner. Unlike the normal intake process for external complaints, the OPO did not conduct an initial review or screening of the protest-related external complaints. Rather, IATF investigators first reviewed, located, and classified all of the external complaints before investigations could be initiated. The vast majority of the external complaints were vague in nature, meaning investigators had to spend several hours contacting citizen complainants, reviewing numerous hours of video, searching hundreds of Versadex report entries, and requesting information from various chains-of-command before being able to initiate focused investigations.

The IATF successfully completed the protest related complaint review process in a thorough and timely manner. The IATF was designed to be time-limited with a specific focus on protest related complaints. Any non-protest related complaints that were received during this time period went through the normal APD process for complaint review and investigation. The IATF completed their purpose once the protest related complaints were reviewed and assessed. At that point, there was no longer a need for the IATF's operation as the typical complaint caseload is easily managed through the normal complaint review process. APD continues to operate a thorough and robust complaint review process for any and all complaints received.

17. Use of Force Reporting and Investigation

Apart from the decision to change use of force reporting at the onset of the protests, APD follows clear guidelines on use of force reporting and subsequent investigations. When the chaotic events unfolded in May 2020, APD was forced to adjust normal reporting protocols to focus attention on the situation and ensure community and officer safety. This temporary change was necessitated by the sheer number of people and intensity of the protests in the moment. The official change in R2R reporting requirements started on May 30, 2020 and directed officers to write a supplement report each day consolidating incidents of use of force to approximate number of times, types of force, and reasons for using force. These truncated R2R reporting requirements were in effect until normal protocols were reinstated on June 11, 2020. After the protests, it was apparent APD would need a full and transparent process for examining all protest-related R2Rs given the limited reporting available.

Recommendations

APD should create a temporary full time unit to ensure proper reporting and investigation of all use of force incidents that occurred within the scope of this event.

Implementation

In response to the civil unrest, APD created the Response to Resistance (R2R) Review Task Force to evaluate the BWC recordings related to the protests and riots for the period of May 29, 2020 to June 11, 2020. The R2R Task Force was tasked with reviewing all BWC recordings during that initial period to identify any R2Rs and potential APD policy and/or criminal violations.

At the conclusion of the review process on September 13, 2020, the R2R Task Force reviewed and documented a total of 5,648 BWC recordings. The total approximated number of R2Rs identified during this 14 day period was 1,011. The intensive review process also identified possible APD policy violations regarding incidents of use of foul language or BWC-related issues. Of all reviewed situations, 459 (8%) were sent to the subject officer's Chain-of-Command for review of an R2R, and 16 were directed to IA or the Special Investigations Unit (SIU) after being forwarded to the appropriate Chain-of-Command. Most of the incidents sent to IA or SIU were considered Level 1 reviews (highest level of concern) or external complaints. It is important to note that this number represents less than one-third of one percent (.3%) of the total BWC recordings reviewed.

The media portrayed the protests and riots as mainly peaceful. However, after reviewing over 5,600 recordings from the incidents, the RTF clearly observed riotous activity, particularly during the first three days (May 29- May 31, 2020). The recordings showed officers were assaulted at least 247 estimated times and were the subjects of attempted assaults at least 327 additional times.

The Force Review Unit (FRU) was created as a result of recommendations from the IATF. The newly formed FRU is tasked with providing a cohesive review process for all R2Rs going forward. The FRU applies a consistent lens and comprehensive set of protocols to all R2Rs across the department. This new process removes potential variances in individual unit or Chain-of-Command reviews for similar instances. This same process allows for a more objective and uniform set of recommended corrective actions and findings to be applied evenly across the department. The FRU and its role in R2R reporting and investigations is clearly defined in the APD General Orders dated July 12, 2022.