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SUBJECT: THE CHALLENGES OF MANTAINING PUBLIC ORDER RESPONSIBLY

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Executive Summary: Recent incidents in Berkeley have been indicative of a wider problem of polarization in political discourse across the country. Unfortunately, Berkeley has become a particular focus for those that seek to use violence to espouse their political cause. This incendiary behavior has enabled a small minority who choose to employ violence at political events to threaten free speech, public safety and the First Amendment rights for everyone.

The tactics currently taught to police officers across the US are not designed to deal with the type of incidents seen recently in Berkeley and elsewhere, which leaves the police in a situation where they are expected to act, and would like to act, but lack the ability to do so effectively, safely and using force in a proportionate and accountable manner. Several states have recently proposed or enacted legislation that limits peoples' ability to protest as a result of initially peaceful political protests escalating into violence. We do not believe this is necessary, but that it is penalizing the many for the actions of a few. Instead, the Densus Group can provide Crowd Management solutions that were specifically designed to deal with this type of incident, minimize the use of less lethal weapons, and respect the rights of those who protest peacefully and responsibility.

Assessing the Problem: Chief Greenwood was absolutely correct in his description of the issues facing the police when they respond to these incidents; that they are very volatile situations, that there are multiple challenges, and that police can seriously exacerbate the situation if they get the type of intervention required wrong. Unfortunately, the Crowd Management tactics and approach currently taught and common in the United States do not suit this type of intervention. They are generally slow moving, overly reliant on less-lethal weapons, and do not give the units a flexible range of options to address a changing situation. The over-reliance on less-lethal weapons leads to frequent incidents of non-violent protestors and bystanders having exactly the same level of force used on them as the violent offenders the police are trying to deal with. A police response in the conditions that existed on April 15 using these tactics and less lethal weapons was likely to have exactly the sort of consequences Chief Greenwood outlined in his report to the City Manager.

The occurrence of this type of incident is only likely to increase, as not only will anarchist and extreme left wing groups continue to use the tactics they have imported from Europe to disrupt events they disagree with, but now that Right Wing groups feel they have achieved successes in fighting back against those gathering under the ANTIFA banner, they are likely to attract even more like-minded individuals. Sadly, Berkeley seems to have been singled out by both these groups of people due to the city's reputation as a 'liberal town.' The Far Right see it as a place they can confront a set of beliefs they dislike, while the Far Left see it as a place that they need to defend. This is likely to result in more events being planned that aim to trigger counter-protests and provide the opportunities for further violence. As they attract more people that are attending

in the hope of violence, the level and type of violence may well escalate, and the risk to other protestors and members of the public will increase. This means that the option for police not to intervene is not always going to exist, and the risks will become so high that the police will have to intervene for public safety reasons, escalating and intensifying the need for the police to possess the ability to intervene effectively and safely.

Why the Current Problem Exists: The type of issues being faced by Berkeley PD are not common in the US, and it is rare they reach the intensity of the incidents on April 15. Therefore, U.S. Crowd Management tactics, procedures and equipment have not been designed with this sort of situation in mind. The tactics and training provided by FEMA are antiquated and do not provide the police with the speed of action and flexibility to match the speed and flexibility of modern protestor tactics (such as Black Bloc). A large part of this issue is the fact that while law enforcement officers are trained for 'riot control' which gives them the ability to deal with completely peaceful and compliant crowds and violent crowds, the reality is that most Crowd Management situations fall somewhere in the middle of these two extremes with a mix of violent, non-compliant, and completely peaceful individuals

Other Western Democracies who regularly see violence between two factions at political, sports matches, and other events have had the opportunity to learn from experience and to develop strategies and tactics which effectively deal with these situations. U.S. police departments have not had similar opportunities on anything like the same scale. The countries that have had the most experience of dealing with these issues have taken an approach where less-lethal weapons are used to support the tactics only where necessary, and are not the key element to the tactics.

Our Solution: We at Densus advocate a different path from that currently taught by FEMA. Our approach and terminology is that of crowd management, not riot control. We deliver a system of graduated response to protest activity that gives officers a set of tactics suitable for different levels of protestor behavior and violence. We also give them a practical understanding of how groups of people behave and how modern protestor tactics work. The combination of these two elements allows commanders and individual officers to apply the right tactic to the situation on the ground to the right specific environment, preventing the conditions for violence from occurring, deescalating the situation where possible, and dealing effectively with criminal elements when required. It has been our extensive experience that this degree of judgment and flexibility is absolutely essential in the modern world, where different protest groups can use very different tactics, encompassing very different levels of threat, in close proximity to each other.

Densus has been delivering the kind of change required on behalf of the Department of State to foreign countries' national police forces for the past decade. We have gained tremendous referenceability and corresponding momentum overseas, as well as a burgeoning growth here in North America, as more organizational leaders like Mayor Arreguin and Chief Greenwood realize that there has to be something better than having their city be held hostage physically, financially, politically, legally, and morally, in the easily persuaded eyes of public opinion. The proven capabilities that we deliver are far more operationally effective and far more human rights compliant than the previously mentioned U.S. methods. We are the leading providers of crowd management training to the Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL). We recruit our instructors internationally and teach a combination of tactics taken from the countries that are world leaders in this field. All of our crowd management instructors have many years of experience using the tactics they have learned and taught while on operations in their own countries, as well as their considerable experience of teaching internationally. The lead trainers also have experience in protest events in the U.S. and in

providing training to US Police Officers and the Military. All our training is based on the latest academic research in this field, combined with the practical experience of our staff.

Densus provides training in:

- Command and control
- Strategic and Operational Risk Management
- Operational planning
- Unit and individual tactics
- Use of force and the appropriate use of less lethal weapons
- Protest preparation and preparedness

Everything we teach is proven operationally and supported by past performance, including evidence of our successful implementation in hostile environments both in the countries where our tactics and concepts were first devised, and in the countries where we have taught them for INL. We can provide extensive past performance and referenceability upon request. We are currently in the third year of an extremely successful five-year engagement in Crowd Management and Antiterrorism Training in North Africa for the Department of State, and have over 1700 individuals and counting trained to the high standard. This is exactly what we do best.

Proposal: We would propose a 60-90 minute briefing in Berkeley to make our capabilities tangible and as vividly differentiable as possible. We wish you every success in your goals of setting the standard in public order and crowd management, and we look forward to helping you reach that goal. We thank you for your time, and await your response.

Yours Very Sincerely and Respectfully,



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