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# MCCA Protest Report Summary

By **Eric Daigle, Esq.**

March 16, 2021

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**DAIGLE LAW GROUP**

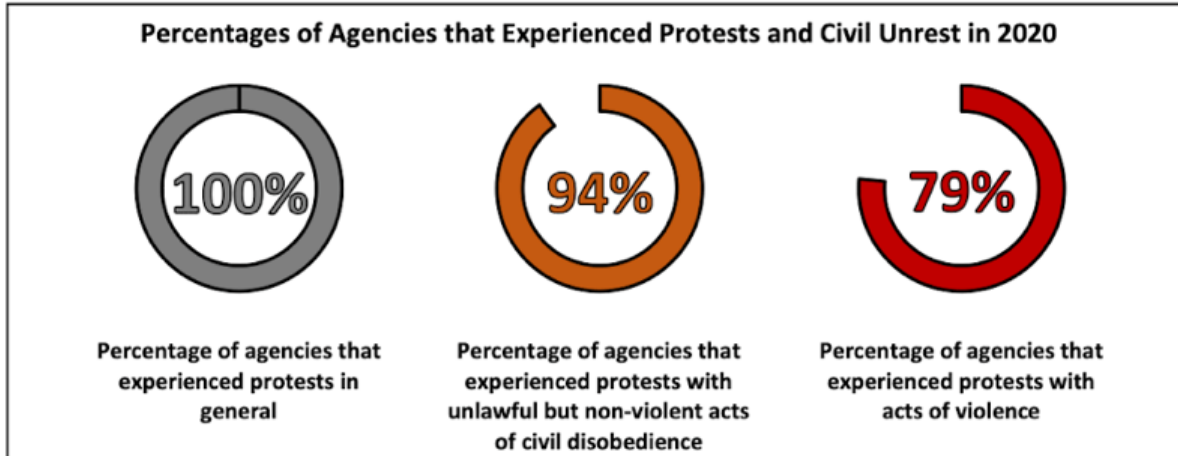
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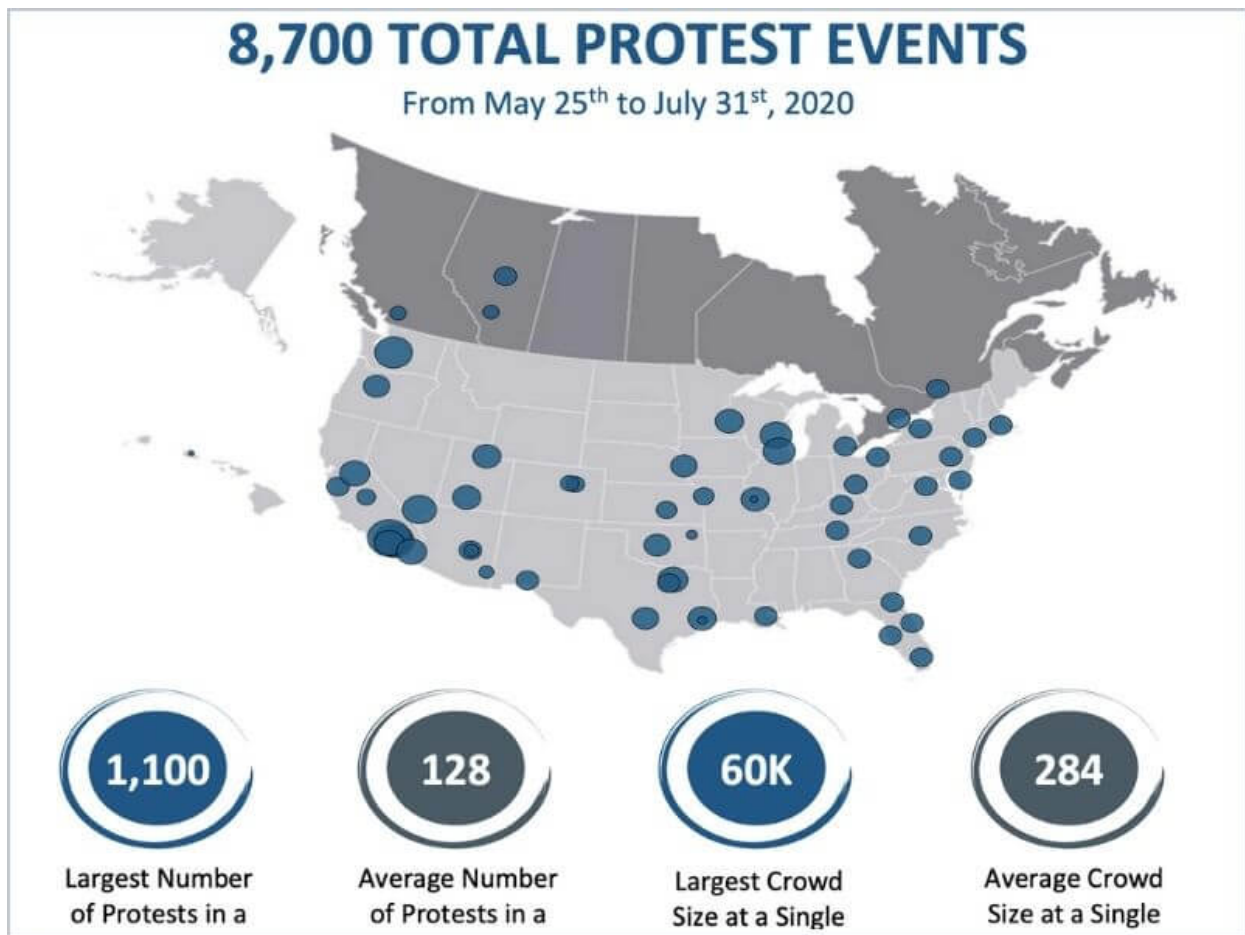
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*Figure 2 - Percentages of Agencies that Experienced Protests, Civil Disobedience, and Violence*

Without question, 2020 was a year that brought more protests than any other year in our recent history. So, what does the rise in protests mean for law enforcement moving forward? In October of 2020, the MCCA, an organization made up police executives from seventy-eight of the largest police agencies across the US and Canada, released a report that documents protests that took place in major cities across North America. Because we at DLG strive to keep everyone informed, we have summarized the report and noted some key takeaways and figures that may help your department better prepare for these types of incidents.

The report's timeline begins with the protests that erupted after May 26<sup>th</sup>, 2020. After footage of the in-custody death of George Floyd went viral protests began sprouting up across the US and Canada. The full timeline of this report is from May 26<sup>th</sup> to July 31<sup>st</sup>, 2020. The overall number of protests that this report documents is 8,700. The vast majority of these protests were peaceful, but the report also relays information about protests that were non-violent but involved civil disobedience and the 574 protests that involved violence. It is important to note that violence was present in only about 7% of the protests and much of the violence stemmed from perpetrators that infiltrated the protests, meaning they were people who were there simply to cause violence and destruction and used the protests as an excuse to do so.



For the purpose of this summary, protest uses the following definition: “demonstrations or public assemblies that involve 1) lawful and peaceful, 2) unlawful but non-violent (i.e. civil disobedience), and 3) violent protest-related activities.” The MCCA’s data was collected through surveys (68/78 agencies filled out the protest survey), facilitated discussions (44 MCCA agencies were represented at these discussions), and through after-action reports, although many agencies were still creating these reports when this data was collected.

### Types of Protests

- 94% of major city law enforcement agencies (64 out of 68) experienced at least one protest that involved unlawful but non-violent acts of civil disobedience (e.g. illegal takeover of a public roadway)
- 79% of agencies (54 out of 68) experienced at least one protest that involved some level of violence

*Peaceful & Lawful*

- 4434/8700 reported protests were both peaceful and lawful (51%)

#### *Peaceful & Unlawful (Civil Disobedience)*

- 3692/8700 reported protests were peaceful but involved civil disobedience (42%)

The main types of civil disobedience that occurred were the takeovers of a freeway or roadway, protestors blocking traffic, and refusing to cooperate with lawful orders. In some cities, protesters also disrupted outdoor dining and entertainment areas by trespassing onto private property, harassing patrons, and challenging the flow of commerce. As stated in the report: “Although any form of peace is much better than violence, there is still a negative effect and challenge that accompanies a law enforcement agency’s response to protesters that illegally block traffic or passively disrupt commerce.”

#### *Violent Protests*

- 574/8700 reported violent protests (7%)

On average, 10% of all the protests occurring in each city resulted in some level of violence. Some were driven by extremist anti-government or anti-law enforcement ideologies on both sides of the political spectrum. Others simply used the protests as cover to engage in criminal behavior. Although the number of violent protests was not a hugely prevalent number, violent protests led to a number of officer related injuries and complications for police departments. Let’s take a more in-depth look at the level of violence within the protests.

### **In-Depth Analysis of Protest Related Violence**

According to the MCCA assaults on police officers, looting, and arson were the most common criminal activities and approximately 72% of major city law enforcement agencies had officers harmed during the protests.

- More than 2,000 officers sustained injuries
- 62% of law officers reported some form of looting during protests (2,385 instances)
- 56% of agencies experienced arson incidents

#### *Types of Weapons Used*

- Most common weapons: improvised or weapons of opportunity (rocks, bricks, pieces of landscape, and bottles, including frozen water bottles and glass bottles); 78% of major city law enforcement

agencies that experienced violent protests reported having officers attacked with these types of weapons.

- “Molotov cocktails” were thrown at officers
- Fire extinguishers, hammers, wood, cinderblocks, rocks, frozen fruit, and suspected bodily fluids.
- 41% of agencies dealt with a new type of weapon: lasers to target the eyes of officers
- Fireworks, bats, poles, shields were also reported
- 51% were confronted with firearms (usually they were legally obtained open carry weapons)
- Types of guns were mainly AR-15s, shotguns, and handguns

More than anything these types of weapons required more specialized units to handle the protest to limit civilian or officer injuries. Tragically, five agencies reported police officers being shot or critically injured during protests. One agency reported four of their officers being shot and a retired police captain killed by protesters using firearms. Another agency reported protesters discharging their firearms from vehicle caravans and two agencies reported protesters being shot and killed by other protesters.

## **Violence Trends**

There were some notable trends that correlated with violent protests as well. The biggest factor that led to violence was the presence of out-of-state protestors. Another issue that was noted was the use of social media to ensure nationwide coordination. The weekend of May 29<sup>th</sup> through June 1<sup>st</sup> was the most violent weekend during the protests and a huge factor in that trend was the “prepared and coordinated resistance” that protestors stood by. Violent and extremist tactics were also coordinated online and oftentimes these violent extremists used the protests as an excuse to act out their violent goals. “Individuals with suspected violent extremist ideologies infiltrating various protest groups to commit acts of violence, looting, and rioting. More than three quarters of agencies (78%) discovered persons that seemed to self-identify with violent far-left ideologies, and more than half (51%) discovered persons that seemed to self-identify with violent far-right ideologies.”

## **Protest-Related Arrests**

From May 25<sup>th</sup> until July 31<sup>st</sup>, major city law enforcement agencies arrested 16,241 individuals during protest-related events. Nearly 17% (2,735) of these arrests were for felony offenses. “The fact that only 7% of the protests were violent but almost a fifth of the individuals arrested were for felony offenses is

significant. This level of felony arrests demonstrates that law enforcement agencies largely focused on individuals who engaged in serious criminal activity and/or represented a threat to public safety.” Unfortunately, because of media pressure and a shift in public opinion, many arrests that were made were quickly dismissed, which led to 52% of agencies reporting that they had to rearrest many criminals for protest related crimes.

### **Police Use of Force Analysis**

The main takeaway from the use of force analysis is that agencies used force tactics **far less than was allowed** in the acts of protest that they were handling. “Analysis of the level of force used by major city law enforcement agencies indicates the response to the protests that occurred between May 25th and July 31st, 2020 was measured and proportionate. Major city law enforcement agencies deployed CS gas, pepper balls, and high-volume pepper spray during 1.8%, 1.8%, and 3.5% of protest-related events, respectively. The use of kinetic projectiles was even more limited. The use of less lethal shotguns only occurred in 1.2% of all protests and 40mm launchers (for foam rounds or similar projectiles) only occurred in 2.1% of all protests.”

### **High Trending Protester Tactics**

- **Staging Ahead of Protests:** Many agencies have seen protesters use homeless camps or suburban neighborhoods to stage in advance of an incident.
- **Out-of-Town Protesters:** Many agencies experienced a correlation between the level of violence and presence of protesters from out of town. In some cases, the violence stopped entirely once out-of-town protesters left the area.
- **“Snack Vans” Concealing Weapons:** Many agencies observed vehicles delivering or storing weapons for protesters that were disguised as vehicles delivering water or snacks.
- **Recording Police Radio Broadcasts:** Many agencies experienced protesters using their cell phone to record radio transmissions from officers’ lapel mics. The assumption is this tactic was used to listen to what was being broadcasted between police personnel.
- **Bicycle Scouts:** Many agencies experienced people on bicycles serving as scouts for protesters that were on foot. The bicyclists would ride in advance of the group and provide information on police activity.
- **Doxing Police Officers:** Many agencies experienced the targeting of their officers and their families, where persons associating with anti-police protests would use the internet to harass and cause

personal harm.

- **Barricades in Autonomous Zones:** Many agencies experienced barricades being used against law enforcement. In one city, the barricades police deployed to contain a self-proclaimed autonomous zone were used by protesters to strengthen their position against law enforcement.
- **De-Arresting Tactics:** Many agencies experienced protesters using aggressive tactics to free arrestees from police custody.

## **Challenges with Community Support**

Obviously, many of the protests stemmed from an anti-police mindset. Because of that, many agencies feel that there is divide happening between them and their community. Agencies also noted a disconnect between them and their elected officials. This leads to the larger challenge of planning for protests and ensuring safe and peaceful protests moving forward. 51 out of 68 agencies reported that this lack of cooperation was one of the biggest challenges they faced during the pre-planning and handling of protest-related incidents.

## **Possible Areas of Improvement & Conclusion**

Without a doubt protests will continue throughout North America. Community outreach was the number one priority of agencies moving forward; because of a feeling of distrust from their community, police executives recommend neutral actors, such as community leaders or others, to act as liaisons between police and protest groups to facilitate some sort of communication. Funding was the second most important issue moving forward. Reforms and training require funding, which we're sure comes as no surprise. The third most important area for improvement was increasing the accuracy of media reporting. Several agencies reported that media outlets would fail to report on the violent acts that occurred and instead focused more on police use-of-force and the false narrative that agencies were disproportionate in their response. The last two categories that were identified involved improving policies and tactics and adding more transparency and body worn cameras to police agencies.

We hope that this summary helps your agency think more clearly about a plan of action when it comes to protests moving forward. Transparency with your community and acting with a liaison to help coordinate these types of events may help peaceful protests stay peaceful. We'd like to thank the MCCA for taking the time to create this report and we hope that our summary helps your agency. [For the full report please click here.](#)

Daigle Law Group and the DLG Learning Center will have more training available on Crowd Management and Protests at our upcoming [Virtual First Amendment Summit](#). Continue your education on First Amendment and crowd control issues. Stay safe and thank you for all that you do, even during these difficult times.

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