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CONFLICT RESOLUTION CONSORTIUM INTRACTABLE CONFLICT/CONSTRUCTIVE
CONFRONTATION PROJECT

Developing Constructive Approaches for Confronting Seemingly Intractable Conflicts

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NCJRS

CONFRONTING CONFLICTS CONSTRUCTIVELY

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ACQUISITION

As the Chief[2] has said, the trust that you build within a community and community-based planning are probably what get you the most mileage when dealing with intractable conflict situations. You have to do a lot of talking, a lot of negotiating, and you have to assess each situation for its potential for violence. You don't respond the same way to every situation.

I drew up a list of some of the characteristics that we see in intractable conflicts. General categories of events which often evolve into demonstrations or other manifestations of less-tractable conflicts include:

- Actions by government
- Human rights/human dignity issues
- Environmental issues

Less-tractable conflicts which lead to police involvement are often characterized, at least in part, by:

- A banding together of people
- Highly-charged emotions
- Hidden agendas
- Multiple agendas
- Demands
- Confrontation with people who have no power to satisfy demands (often the police, citizens, or symbols)
- A strong need to take action
- Conflicting action plans and desires
- Someone feeling threatened (lifestyle, political belief, personal bias, or prejudice)
- Symbolic action which may or may not have a direct relationship to the issue (blocking traffic, sit-ins, damaging property)
- Anger
- Distrust of the system
- Counter opinions

We need to be aware of these characteristics and we need to be ready to respond to them.

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Our local area has a relatively small police departments. The CU police department has 34 commissioned officers. There is no way that we could host a large event--even a football game, for example, without using resources from many of the other law enforcement agencies in Boulder County. When we have a demonstration, the same is true. Last Friday night I worked for the Boulder County Sheriff's Department at a Community for Family Values even.[3] We had CU officers and Boulder police officers supporting the Boulder County Sheriff's Department because the Sheriff alone did not have the number of people that it took to make sure that event went without violence.

If you notice, on this list, you have hidden agendas and multiple agendas. This is one thing that we have seen in most of the large demonstrations we have dealt with. For example, we had the Gulf War marches. When the Gulf War started, we had a number of marches that took place throughout the City of Boulder--both on-campus and off-campus--moving back and forth between jurisdictions. So we had to work very closely with the City. There were people within the groups that had other agendas beside just protesting the Gulf War. Some wanted to protest the military in general, some wanted to protest the government in general, and some wanted to protest the police supporting the government. Part of our purpose was to identify as many of those agendas as possible. When you can identify some of those agendas, you can try to help facilitate them and help deal with them.

The community-based policing concept is probably the most important way that you can deal with community issues. We had a group of faculty members during the Gulf War who put together a series of teach-ins. These teach-ins took a lot of the energy that the people were feeling, energy that needed to be expressed, and put that energy into activities that were very constructive for the people involved, rather than being destructive to the community as might have happened. So, it's not just the police who are trained to deal with these things. It is many different segments of our community that try to reduce the chance of violence.

One of the biggest concerns we have as law enforcement officers is being in a position of suddenly becoming the spark that sets off a violent confrontation. We try to deal with that in a number of ways. First, we try to find out what is going on. We listen to the people involved in order to identify their goals and their action plans. Second, we set groundrules, all the things that Chief Michaud went through. We discuss with the demonstrators the rules that the demonstrators should follow, the rules the police will follow, the general response police will take in particular circumstances, and the rights of the demonstrators, their target, and others. These understandings can lead to us having a successful relationship with a group.

There are some other things that are also very important to do, especially when you have multiple agencies working together, but also when just one agency is involved. Either way, you need to make sure that the folks who are out there on the line, the police officers who are doing the work, understand what the police agenda is. They must be willing to follow that agenda no matter what or how they personally feel about a situation. We have officers working who are human beings, who have different feelings about different things. We had officers who supported the Gulf War and we had officers who were vehemently opposed to the Gulf War. During the Vietnam conflict we had officers who were vehemently opposed to the United States' role in Vietnam and we had officers who were vehemently supportive. No matter what your feelings, however, you must be willing to follow the pre-set agenda.

To go back to the series of major demonstrations we had on campus--the last major series was probably the Central Intelligence Agency recruiting protests on campus. We had a series of three years in which CIA recruiters came to campus to interview potential employees. The

CIA and its recruiting activities were strongly opposed by a number of people, who staged demonstrations protesting the CIA all three years.

The first year the interviews lasted three days. Over this three-day period we made over 700 arrests, all of which went without a hitch. This was perfectly orchestrated because we came to an agreement with the people who were protesting. Their agenda was to have a high number of arrests so that they could point out to the CIA and the University that there was a large number of people that disagreed with the University's willingness to let the CIA recruit on campus. We understood their interests and were able to accommodate them. We even took them in groups of five directly into the building where the interviews were being held and we processed them right outside where the interviews were going on. We were prepared, if people were going to violate the agreement, to prevent them from disrupting the interviews. But no one did, because we had a good solid agreement.

The next year we had a harder time because we did not get an agreement before the day of the planned demonstration. We were dealing with a different leadership who had a different agenda and who were less-willing to talk to us about what they planned to do. So we reduced the number of interview days from three to only one. At noon we reached an agreed compromise and again, arrests went without a hitch. The protestors were less friendly--we didn't have people just walking up to be arrested. We had people who approached a cop and said, "I'm going in to disrupt the interviews," and the officer would have to say, "No you're not, please leave." They'd say, "No, I refuse to leave." Then the officer would say, "Okay, then get on the bus," and for the most part, they did. Again, it was orchestrated.

The concern we had during both of those demonstrations was making sure every officer knew what our agenda was, what the limits were, what we said we would do, and what we were going to do at any given time. As Chief Michaud implied, you better be able to back up your word, because the first time you are caught in a lie or the first time you are caught trying to manipulate somebody, you are going to lose that trust and confidence.

The biggest problem we had was in the third year. That's when negotiations actually broke down and we had some violence. We had moved the interviews to a facility that we could actually secure and had fences put up. But, we had people who were throwing things at the police and we had people who were trying to tear down the barricades and fences. We ended up having to use gas and having to use batons, physically striking people. But what we found was that the people willing to do the violence were a very small percentage of the people present. While we had a large demonstration of people who still disagreed with University policy, they were not willing to do violence against the police because of the trust we had established over the previous two years. In fact, I'm sure a lot of demonstrators from the past years talked a lot of other people out of doing violence toward the police. They could at least understand that we didn't like what we were doing, that this was not a whole lot of fun, but that we had to maintain control. We did, I think, still establish a positive image of the police for the vast majority of the people who were out there demonstrating, even though we had 25-30 arrests. The key was making sure that all our officers understood what our agendas were, making this agenda clear to the demonstrators, and making sure officers were able to implement those plans.

When you're dealing with lots of different people out there with different feelings, control becomes important. There are two things that have really helped us control officers, and also control demonstrators and they have helped us immensely in court. One is videotape. We have a policy of trying to videotape every demonstration, every arrest, every confrontation that

the police get into when they know about it in advance. We have been sued on several occasions for events that have occurred during demonstrations. Every one of them that has been on videotape, we've won--every single one of them--because the court, either the judge or the jury, could see and hear what was, in fact, happening. As an officer, I would not want to go into a situation that one could plan ahead, without that kind of protection. I don't think any of our officers want to do that either, because it is protection for us. We always remind officers, "you're on videotape," which helps us keep in mind that even though I can get angry really fast, I've got to control that anger. This is my job and I have to control it.

The other program that helps us is the Observer Program. I'll pass out an article written about this program written by one of our top University administrators, Susan Hobson-Panico. [This article is available from the Consortium.] The observer program is a program of civilians who are not associated with the police, but are associated with the University. We provide training to that group about police tactics--we go in and show them what we do. They can look at our equipment, touch it, play with it, feel it. We show them how we do things and tell them why we do things. They meet with protestors. I'm sure we have had people from Rocky Mountain Peace Center come in and meet with the Observers and do the same thing.

This group acts as neutral observers at demonstrations. They observe the demonstration and then make a report that is available to anybody that has the need to know. They record what they see and hear. The Chief of Police can call up and ask them about any incident, or a protestor could ask about any particular incident and that information is provided to them.

These are very neutral observers and they have ID tags provided by the University. We show these tags to all our officers. The observers are allowed to go anywhere in any kind of a situation unless we deem it to be dangerous to them. Then we tell them, and they are very happy to go away when told they are likely to get hurt.

The benefits of this program are several. We tell protestors that the observers are there and why they are there. Like the videotape, the observers' presence reminds the protestors that if they start kicking and spitting and throwing stuff at the cops and the cop has to actually arrest them and they fight and kick and the officer has to use mace to subdue this person, it's probably going to be reported as just what happened. It is not going to appear as if the police officer was out there just to enjoy brutalizing people.

One of the things we have found is that the role of the police in these kinds of confrontations is viewed quite differently, depending on the point of view one holds towards the issue and the participants in the conflict. For instance, demonstrators often view the police roles as:

- supportive of the government or corporate activity being challenged
- oppressive for the sake of oppression
- stifling dissent
- abusing authority for the sake of abuse

The focus or target of the demonstration often sees the police role as

- protecting them from "radicals" and "crazies"
- automatically supporting their position
- their personal guardians
- having a personal responsibility to insure their safety or activity

The public often view the police role as

- coddling "radicals" and "crazies"
- being afraid of enforcing the law
- being brutal
- protecting the rights of the minority but not protecting the majority

But the police officers on the line see themselves as

- being pawns of every conceivable side of an issue
- being asked to overlook violations for the wrong reasons
- being asked to take responsibility for things over which they have no control or cannot foresee.

Some of these divergent views may be unavoidable. However, by establishing strong communication links between the police and the other people involved in a confrontation, everyone can have a better idea of what is happening, and who is there for what reason. This will not eliminate the conflicts, but it will help keep them within bounds and will help prevent escalation that stems from misunderstandings about these issues.

[1] This paper is an edited transcript of a talk given by Dave Evans for the Intractable Conflict/Constructive Confrontation Project on March 2, 1993. Funding for this Project was provided by the William and Flora Hewlett Foundation and the University of Colorado. All ideas presented are those of the author and do not necessarily represent the views of the Consortium, the University, or Hewlett Foundation. For more information, contact the Conflict Resolution Consortium, Campus Box 327, University of Colorado, Boulder, Colorado 80309-0327. Phone: (303) 492-1635, e-mail: crc@cubldr.colorado.edu.

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[2] Dave Evans's talk followed a talk by Denver Police Chief David Michaud, to whom he refers several times in the following transcript. A copy of Michaud's talk is available as CRC Working Paper 93-34.

[3] Colorado for Family Values is the group which developed Amendment 2, an anti-gay rights constitutional amendment, which was passed by Colorado voters last November and is causing a serious conflict.