#CampusBridge

JOINT CAMPUS-LAW ENFORCEMENT PREPARATION FOR CAMPUS DEMONSTRATIONS AND HATE INCIDENTS AMID VIOLENCE IN THE MIDDLE EAST:

Ideas for an Agenda

An initiative of the Divided Community Project
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Other publications by the Divided Community Project are available at https://go.osu.edu/dcptoolkit and https://go.osu.edu/campusbridge:
- Leading a Divided Campus: Ideas and Illustrations (2024)
- A Checklist for Extending Support to Other Students (2024)
- Symbols and Public Spaces amid Division: Practical Ideas for Community and University Leaders (2021)
- A Practical Guide to Planning Collaborative Initiatives to Advance Racial Equity (2022)
- Maxwell Herath, Julie Howard, Konner Kelly, Meara Maccabee, Initiating Constructive Conversations Among Polarized University Student Groups: A Framework for Faculty, Staff and Students (Divided Community Project 2023), https://go.osu.edu/dcppsg
- The Springfield University Simulation allows campus leaders to practice their response to an ongoing crisis. It’s available from DCP Director Bill Froehlich, Froehlich.28@osu.edu

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Two distinct campus events – large scale crowds and hate incidents – pose significant challenges and require campus leaders and policing agencies to respond quickly and without advance notice.

Law enforcement responses may be rapid, but their impact can be long-term. Campus policymakers, campus safety/police/security, and outside law enforcement agencies can reduce the likelihood of injuries, arrests, and loss of trust by developing a shared, coordinated understanding for addressing large gatherings and hate incidents in advance of their occurrence.

The current dynamics on college campuses present more challenges than usual for leadership, and that alone suggests that campus and law enforcement leaders should prepare ahead for incidents that many campuses have not faced in decades. Emotions related to the Middle East violence are raw. Students disagree about who is at fault and what role the U.S. should play. Some students feel desperate – willing to disrupt and attack in their efforts to influence national or international leaders. The combination of raw emotions, internal campus conflict, and urgent advocacy presents even more challenges because an increase in hate incidents leaves some students feeling afraid, unsupported by campus leaders, isolated, and angry. [i] Beyond the university, political and media figures have staked positions on whether campus administrators are or should be lenient or harsh, act neutrally or favor one viewpoint. In the midst of crowd events or hate incidents, political leaders may demand the involvement of additional policing agencies such as state or federal levels.

These challenging dynamics, plus the likelihood of more and larger scale outside crowd events in March and April, suggest that policing agencies which do not typically get involved in campus incidents may be drawn in. Thus, it might be helpful for university leadership, risk management, legal affairs, student affairs, or campus police or security to convene such a meeting, bringing together all of these parts of campus leadership, plus campus constituencies and all law enforcement agencies – city, county, state, and federal – that might become involved in worst-case scenarios.

A STRUCTURED AND PRACTICED PLAN COULD:

- Allow campus and outside law enforcement leadership to project jointly a positive tone with the campus community.

- Facilitate an interchange on reducing the likelihood of violence by combining law enforcement capabilities and options with campus leadership’s abilities to advise on and control admission to locations that separate opposing groups and allow for safety of demonstrators; hear from, advise, and stay in touch with students; plan other events at the same time; and more. In fact, the University of Florida’s joint planning and student consultation prior to a speech on campus by a white nationalist in 2017 is credited with averting injuries and limiting arrests to a few non-students.[ii]
• Avoid situations where campus leadership will step back and let police from off-campus “take over” control. Individuals who were not part of the original demonstration may join subsequent ones if they perceive campus leadership as “turning over” fellow students to law enforcement for discipline or punishment, thus notably expanding the number of students who may have lost trust in campus leadership.[iii]

• Together arrange for trusted individuals, perhaps by creating an advisory council of such persons, to explain the role that campus police and law enforcement will play and why to various constituencies within and outside the campus. Absent this, campus police presence may be reassuring to some members of the campus community but frightening to others.[iv] This recognition led the International Association of Chiefs of Police (IACP) to heed those differences in reaction by emphasizing the value of arranging for trusted persons to explain the role of campus police and law enforcement ahead of its involvement in hate crimes.[v] Presumably, a similar approach would help when off-campus policing agencies will be working with students in crowd situations.

• Plan for an Emergency Operation Center (EOC) that includes campus leadership and leaders of all involved policing agencies during an event. The unfortunate absence of sufficient joint preparation and establishment of joint command posts or an EOC has also been cited in the after-action analysis of the 2017 “Unite the Right” University of Virginia/Charlottesville march as a likely contributing factor in the violence,[vi] whereas joint planning and command is thought to have averted injuries that year in another white nationalist/counter-protest event at the University of Florida.[vii]

• Agree upon plans (such as a mutual aid agreement) among off- and on-campus policing agencies and with campus leadership for the necessary quick communications and coordination. Otherwise, they may act at odds with each other and with demonstrators, potentially resulting in violence, as has occurred in other contexts.[viii]

• Allow time for training those who will be involved, such as in de-escalation and interacting with crowds, and even practicing potential scenarios.

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_Broad experience among large law enforcement programs and civil rights mediators helpfully provides valuable lessons about preparation and coordination that can enable leaders to avoid or minimize these potential problems. Building on these insights, set out below are ideas for an annotated agenda for conducting such a planning meeting._

_The agenda is designed to support planning for unusually large and intensely emotional crowd events or targeted hate incidents and with the understanding that organizers will modify the agenda to fit the size of their institutions, the preparation that has already occurred, and their projections for challenging events._
REGARDING LARGE SCALE CROWD EVENTS, DISCUSS:

1. REACHING OUT TO EVENT ORGANIZERS/INFLUENCERS, COORDINATING WITH THEM, AND SHARING INFORMATION.

Context: This is an opportunity to set a collaborative tone in campus leadership and law enforcement’s relationship with event organizers and related student leaders that may translate into positive relationships during and after the event. The overall purpose is to communicate how campus safety/police and law enforcement presence helps to keep them safe as they exercise their First Amendment rights and to be sure that they understand what they can and cannot do without repercussions under campus policies and the law. Reaching out can also be an opportunity to help event organizers execute the permit process (if applicable); address safety matters; designate areas for speech and public safety access/medical emergency, media, etc.; and establish points of contact to reach one another before and during the event. The result may be gaining a strengthened understanding of the organizers’ event goals and affirming mutual support and practical plans for the lawful exercise of First Amendment rights. See also points 4-8 below, listing additional matters to raise with organizers and leaders regarding potential for counterprotests, protest disbursement, communications during an event, and concerns about violence.

Agenda Items:

- Who will reach out to event organizers and related leaders with the above-listed goals and those in points 4-8, below, in mind (e.g., campus student affairs with advisors of student organizations and, if national groups become involved, a conciliator from the US DOJ Community Relations Service).

- Who will watch social media over time (for smaller communities, perhaps help from a state resource; for some campuses, student affairs personal can augment what law enforcement does in watching social media) for:
  - Evolving plans for the event, including any threats of violence?
  - Various groups involved, and particularly any groups that might come in conflict with each other?
  - The goals of the various groups that are preparing to gather?
  - The types and intensities of group members’ feelings?

- Who will identify potential flashpoints, such as a professor or administrator making a controversial statement or an escalation of international violence?

- How will this information be shared among the planning group in a timely way?
2. ESTABLISHING AN EMERGENCY OPERATIONS CENTER (EOC)
(or call it something else, such as a coordinating group) to solve problems in the midst of an especially large-scale gathering and what may be a highly dynamic event.

Context: Effective decision-making in these situations requires immediate and continual communication. This often requires that all key persons be present in one room or a series of breakout rooms and connected to a room located at the event to share instantly relevant information. Public safety agencies may be familiar with the Federal Emergency Management Agency’s (FEMA’s) National Incident Management System and Incident Command System, and campus leaders can review these, posted at https://www.fema.gov/emergency-managers/nims, before the meeting.

Agenda Items:
- Who will represent the college/university administration – someone who understands not only the university’s values but also traffic and transportation options, communications options, legal affairs, and goals of involved student groups?
- What off-campus law enforcement agencies, such as city, county, state, or federal, and prosecutors might or must be called in a worst-case scenario and therefore should have a representative present?
- Should a conciliator from the U.S. Department of Justice Community Relations Service be present to advise on de-escalation methods?
- Would it be helpful to have community members present who could transmit real-time messages that would be trusted by event participants and also the general public?
3. ASSESSING THE CROWD DURING THE EVENT.

**Context:** Crowds are not homogeneous. Various groups and individuals have different interests and perspectives. Crowd composition can vary by time of day, venue, and other factors. Crowd management and developing a broader and deeper understanding of the crowd(s) can facilitate more effective, focused responses.

**Agenda Items:**
- Who will take responsibility for assessing changing goals (e.g., to gain attention? to mourn? to disrupt?), emotions (anger? show of solidarity?), and intensity of emotions of various parts of the crowd? Will there be liaisons in the crowd relaying information to the EOC?
- Who will watch out for pedestrians or motorists who might be diverted from the event to preclude them from becoming either victims or perpetrators of harm?
- How can campus safety and law enforcement responses be focused on the demonstrators who are threatening safety while not angering or confronting the other demonstrators?
- Who can assess how people are coming to and exiting the event so that plans are in place (directing, bussing, escorting) to ensure that people are not vulnerable to disruption and injury?
- Are campus police and the various off-campus law enforcement agencies communicating on the same radio frequency, or have supervisors from each physically next to each other, to ensure optimal communication and direction?

4. MANAGING COUNTERPROTESTS.

**Context:** Counterprotest is a significant risk factor for disruption. An organized protest tends to have a defined command and control organization that leads it. A counterprotest is more likely a reaction drawing in individuals and groups that have different interests and views. Counterprotests often are contentious, have less command and control, and, consequently, are more vulnerable to disruption. They are sensitive to signs that authorities lean in favor of the other group.

**Agenda Items:**
- Who, perhaps a campus team reflecting events management, student life, and security, will hold conversations with the organizers about entry/exit procedures, ticketing, dangerous materials, medical emergencies, etc.? Regarding an event/speaker, who will talk with organizers about limiting attendance to this college/university’s students, faculty, and staff and what they can bring to the venue?
- If the opposing groups are divided, do their suggested physical location areas appear to offer equal treatment?
• Does the campus security and law enforcement presence appear equal to both groups (e.g., facing both sides, not appearing to see one group as more threatening)?

• How can media be accommodated in terms of location while keeping everyone safe, acknowledging that this will sometimes be difficult to enforce?

• How can the groups be separated without the means of doing so appearing menacing (officers on bicycles?) and therefore set the crowd against the officers?

5. PLANNING FOR DISBURSEMENT.

**Context:** Crowd events can have distinct stages (assembly, march, rally, etc.). The disbanding period in particular warrants discussion and planning, since the end of the event can have the largest crowd numbers and participants may leave energized by animated, motivating speeches.

**Agenda Item:**
• How can transportation, directions, officers visibly on the paths for departure, and other measures reduce the likelihood of violence among hostile groups as the crowds disband and return to cars or housing?

6. COMMUNICATING WITH POTENTIAL ATTENDEES.

**Context:** Demonstrators, especially students, may be attending their first event of this type and thus may not appreciate the parameters and potential consequences of violating event guidelines. Especially for student participants, it is valuable to inform them in advance about rights and responsibilities under the student code and laws, safety advice related to the event, and the joint approach that campus safety and off-campus law enforcement personnel will take to support the right to peacefully demonstrate while also taking responsibility for ensuring public safety.

**Agenda Items:**
• Who will handle pre-event communications to members of the campus community (e.g., a campus team including student life, communications, security)?

• Who can reach participants during the event (see also points 2 and 8)?
7. MOVING DISRUPTIVE BUT PEACEFUL DEMONSTRATORS.

**Context:** The Report of the Presidential Commission on Campus Unrest of 1970 (the “Scranton Commission”), in perhaps its most significant criticism of university event responses, cited the failure of university leadership to pursue campus management options before asking campus police or off-campus law enforcement to terminate or move disruptive but peaceful events.[ix] A helpful vehicle for rules of engagement would be the “Incident Action Plan.”

**Agenda Items:** Discussions might lead to understandings on:
- What are the roles of campus administrators, campus police and outside law enforcement in deciding what is a significant public safety threat such that demonstrators will be forced to move from peaceful on-campus sit-ins or analogous events?
- What are campus alternatives (e.g., campus space reservations processes? enduring an inconvenient crowd event for a few days?) to asking campus security or outside law enforcement to forcibly move demonstrators, thus risking criminal records and injuries?
- What activity (e.g., blocking a street?) will be the basis for an arrest?
- Can these understandings be translated into policies that will be communicated in advance to the students and apply to all events, both to give warnings and avoid the reaction that particular causes are targeted for stronger law enforcement actions?
- Who among responding agencies will make arrests on campus, acknowledging that this may be modified during an event if required because of the scale?

8. MINIMIZING CHANCES OF VIOLENCE AT THE EVENT.

**Context:** Multiple university and community group members might be available to contribute toward a peaceful event. Faith leaders, community leaders, student groups, community peacemaker groups, and other resources may help maintain a peaceful focus. Maintaining communication with participants can affect the tone positively, make it safer, and convey accurate information (taking into account the social media posts and real or fake videos that will circulate among demonstrators during the event).

**Agenda Items:**
- Should plans be made to mobilize the assistance of persons trained in de-escalation techniques?
- What groups can assist in organizing and providing transportation to event participants that can move them safely to, through, and away from event space?
• How should officers present themselves (e.g., vests to mark de-escalation/dialogue officers; less obvious protective equipment; or bicycles)?

• How might officers, assisted by crowd event monitors, distinguish peaceful demonstrators from persons who may pose risks to public safety?

• How might the leadership group and community leaders stay in touch with participants to offer accurate information, identify safe options, and set a positive tone?

9. COMMUNICATING AFTER THE EVENT.

Context: Communicating an accurate narrative of the event’s activities promptly through multiple media and social media outlets is critical to the public’s understanding of what transpired and, if positive, the reaffirmation of the resilience of contesting yet civil acts of assembly and disagreement.

Agenda Items:
• Who will issue statements summarizing and framing what occurred during the event?

• What methods of communication will be used (e.g., social media, email to campus, news conference)?

• What are the lessons of what to include or not include in such communications, understanding that the application of these lessons will vary based on what occurred (e.g., regret and compassion for any who were injured; not negative characterizations of entire demonstration based on actions of a few; not off-putting defensive statements)?

10. TESTING THE PLANS AMONG THOSE AT THE MEETING.

Agenda Items:
• Portray several 10-minute scenarios (“What would you do if the following, which happened at the University of ____, occurred here?” “Have we established plans and protocols needed for those situations?”).

• If the planning group learns in advance of a planned demonstration or protest on campus, conduct a tabletop exercise that mirrors the anticipated dynamics of the planned event and arrange for facilitated discussion afterward about what was missing and needs to be arranged for effective leadership in a real situation.
11. SEEKING AN AFTER-ACTION ANALYSIS.

**Context:** Particularly for every event interaction involving multiple personnel, demanding time constraints, and, potentially, significant public visibility, conducting a post-event review and analysis helps to apply lessons learned to the next such gathering. The Commission on Accreditation for Law Enforcement Agencies requires its accredited agencies (not all policing agencies have this accreditation) to have an after-action meeting and create a report to learn what was done right and what can be improved in the future. It would be beneficial to have an after-action meeting with all university partners and any outside law enforcement who assisted with the event. Especially if the group wants an independent analysis, it’s preferable to agree in advance to conduct such an assessment as a matter of course, so that the review is not misconstrued as a negative reaction to what occurred.

**Agenda Items:**
- Should outside law enforcement and campus leaders agree in advance to have the after-action analysis conducted together?
- Should it be done by an independent party?
- Should the independent party be identified and retained in advance?
- Should the after-action analysis be made public? If so, when and by what means?

REGARDING HATE INCIDENTS, DISCUSS:

12. TRAINING FOR CAMPUS SAFETY, OUTSIDE LAW ENFORCEMENT AND STUDENT CODE PERSONNEL.

**Context:** Training can increase accurate identification, prosecution, and reporting of hate crimes, thus helping others to be safer. Accurate reports can also ease concerns raised by false reports of hate crimes. Students targeted with bullying or danger because of a perceived identity group membership often feel unsafe on campus even when the act does not violate a law or university code. They may be even more anxious if they report the incident but are told that “there is nothing we can do.” Training can reduce the number of "wrong doors" for those reporting by encouraging those encountering hate incident victims to help anxious individuals find campus or community resources for support or safety.

**Agenda Item:**
- Who would organize the training, which might include FBI courses on hate crimes and encompass:
  - What are state and federal hate crimes?
  - Understanding the importance of reporting them and where to report.
• Targeted hate incidents negatively impact not just the targeted individual, but also those who share the targeted identity.

• Complaints about hate incidents that are not crimes ("lawful but awful") should be treated with empathy, compassion, and trauma-informed practices and referred to supportive resources.

13. ISSUING JOINT UNIVERSITY-OUTSIDE-LAW ENFORCEMENT STATEMENTS ABOUT REPORTING HATE INCIDENTS.

**Context:** It helps to examine and articulate steps that will be taken for secondary victims of a bias incident, not only the identifiable victim. Individuals, families, and communities will have anxieties raised when a hate event is reported. Personal concerns for individual and group safety will be present in communities. Articulated recognition of this beyond the specifics of an incident can greatly comfort a victim community.

**Agenda Items:**

- How will leadership convey how seriously they take such matters? Possible elements might include: assuring community members that each individual report matters in terms of reducing such acts; informing the community about punishments that courts have recently imposed for such acts in this jurisdiction, for this importantly signals to demonstrators, especially those students new to campus, about the risks they might be taking in engaging in actions that they may erroneously regard as protected speech, but in reality, may constitute a hate crime.

- How will leadership support and organize transparency practices regarding hate incidents and their consequences? Possible elements might include: Campus and law enforcement leaders accumulate and post reports on a website available to students, parents, and others, so that community stakeholders can be aware of safety risks. Report incidents to the FBI, the applicable state agency, and applicable nonprofit watch groups.

14. SHARING WITH OUTSIDE LAW ENFORCEMENT WHAT RESOURCES THE CAMPUS OFFERS TO FACILITATE REFERRALS OF THOSE REPORTING HATE INCIDENTS FOR APPROPRIATE SUPPORT.

*These might include resources for counseling, health services, student faith centers, student affinity groups, and victim support services.*


[vi] Hunton & Williams LLC, Final Report: Independent Review of the Protest Events in Charlottesville, Virginia 5, 158-159, 164-165 (2017). (“There was no joint training, unified operational plan, or joint radio communication between the agencies. VSP operated largely independently throughout the Klan rally, rather than in an integrated multi-agency force. CPD planners failed to anticipate the counter-protesters’ desire to disrupt the event by impeding the Klan’s arrival and departure. To protect the safety of all participants, officers had to adjust plans and use an enclosed parking garage for Klan vehicles and a mobile field force to clear a path of ingress and egress into the park. While officers created separation between the Klan and counter-protesters, they left too little space between barricades and allowed media representatives into the buffer zone between the conflicting groups.”), https://www.huntonak.com/images/content/3/4/v4/34613/final-report-ada-compliant-ready.pdf


[ix] President’s Commission on Campus Unrest, supra note iii.

[x] For counsel on how to craft after-incident communications, see Divided Community Project, Immediate Considerations and First Steps for Leaders Following Use of Deadly Force (forthcoming 2024).