

Civil Disturbance Operations



District of Columbia
National Guard Special Study



CENTER FOR ARMY LESSONS LEARNED

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Civil Disturbance Operations District of Columbia National Guard Special Study

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Foreword

On 25 May 2020, George Floyd died while in the custody of officers from the Minneapolis Police Department in Minnesota. The ripple effect of Floyd's death reverberated rapidly throughout the United States as calls for police reform grew louder, and in some cases, transitioned from peaceful protests into violent engagements with police. Washington, D.C. experienced this civil unrest as protestors forcefully demonstrated their calls for change. The White House was placed in temporary lockdown on 30 May 2020 because of unrest in Lafayette Park, located north of the White House. Elsewhere around the city, protests that dotted the streets thoroughly consumed the attention of the metropolitan police department. As a result, criminal opportunists took to the streets looting and vandalizing businesses, government office buildings, and private property.

The unrest led to calls for assistance in support of federal agencies and authorities within Washington, D.C. The District of Columbia National Guard responded to this crisis through a unique set of Title 32 authorities. As the scale of the situation rapidly grew, calls for additional support from other state National Guard units resulted in the deployment of additional capability and capacity from 12 states.

In mid-June, the Secretary of Defense directed that an after action review be conducted to reflect on what was done well and what needs improvement. The purpose of the after action review was to disseminate best practices to reinforce continued training and to identify what needs to be improved and how improvements can be achieved, including through changes in laws, policies, doctrine, training, tactics, techniques, and procedures.

This special study details the numerous challenges and best practices that emerged from this situation of civil unrest. The key leader interviews that were conducted to support this special study, discussed policy, doctrinal, and training issues. The scope of this special study addresses a range of issues that are within the Department of Defense's (DOD's) control. This special study rapidly captures and disseminates the topics discussed with senior military and supported federal agency leadership and identifies recommended additional areas of study.

The Center for Army Lessons Learned is deeply grateful for the candid responses to interview questions presented to numerous senior military leaders from the National Guard Bureau, the District of Columbia National Guard, the National Security Law Division of Headquarters, Department of the Army, and key leaders from the Tennessee Army and Air National Guard.

Christopher J. Keller
COL, IN
Director, Center for Army Lessons Learned

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Executive Summary

In May and June 2020, units and elements from several states and Washington, D.C. deployed to Washington, D.C. in a Defense Support of Civil Authorities role to provide support for domestic civilian law enforcement. This special study is in response to an 11 June 2020 request by the Secretary of Defense to organize and lead a Department of Defense (DOD) after action review of the National Guard's actions during that time.

Over a 10-day period, the Center for Army Lessons Learned conducted interviews with key leaders at the strategic, operational, and tactical levels to determine what went well, areas needing improvement, and the responsible agent for improvements. During these interviews, the Center for Army Lessons Learned identified crosscutting issues that merit further consideration that include the following:

- Robust contingency planning will enable a more effective National Guard response.
- Clear command and control relationships and tactical command and control nodes are critical.
- Effective use of liaisons is essential to success.
- More readily available civil disturbance equipment is required.
- Public affairs efforts require more people to be effective.
- Civil disturbance training is not just for military police units.

Clearly the National Guard remains the force best suited to conduct civil disturbance operations. Because of the emerging crisis and compressed timeline, trained and ready Guardsmen deployed from their homes to the point of need provided timely and professional support to multiple interagency organizations.

Likewise, the Air National Guard's response to the event exemplified the unique partnership between the Army and Air National Guard, and demonstrated the synergistic coordination and support that are possible during crisis events.

Key Points

- During the event, there was not enough time to conduct deliberate planning before the execution of operations. The lack of existing contingency plans exacerbated the challenges faced by the District of Columbia National Guard and other deploying forces.
 - The District of Columbia National Guard and the National Guard Bureau should develop more comprehensive civil disturbance contingency plans for future operations.

- The National Guard response lacked adequate tactical-level command and control nodes. Use of additional intermediate command and control nodes would have allowed greater situational awareness, enhanced control, and more deliberate planning in the joint task force headquarters.
 - Future deliberate planning and requests for forces should include command and control requirements. The District of Columbia National Guard should develop memorandums of understanding to clarify expected command relationships and anticipated rules for the use of force.
- Liaisons are essential. The most successful deploying units used liaisons extensively. The District of Columbia National Guard established successful liaison with other key agencies.
 - The National Guard Bureau should place liaisons at each state headquarters to improve coordination and communication during contingencies.
- The doctrine for civil disturbance operations is out of date, and much of it assumes a federal response to any crisis. Current doctrine and practice do not match in this regard.
 - The U.S. Army Training and Doctrine Command should coordinate to update this doctrine and develop interim guidance.
- The Domestic Operational Law Handbook is a critical resource during civil disturbance operations. The Center for Law and Military Operations is currently updating this publication.
 - National Guard Bureau leaders should consider distributing the publication through command channels when this update is complete.
- Pay policies are unclear, especially Section 502(f) of Title 32, U.S. Code. National Guard units conducting both federal and local operations require clear guidance on how to pay Guardsmen.
 - Army leaders should direct a comprehensive review of current pay policies.
- Civil disturbance gear was not immediately available for all deploying Guardsmen. Aggressive, ad hoc coordination across multiple Guard units was successful in overcoming initial shortages. However, coordination of this type may not be practical in future scenarios.
 - The National Guard Bureau should develop a consolidated stock of essential equipment for contingency use.

- Current full-time public affairs staffing is inadequate during civil disturbance contingency operations. The intensity and breadth of media coverage easily overwhelms currently assigned personnel.
 - The National Guard Bureau should develop a plan and include public affairs in their activation activities to surge public affairs and develop and maintain a crisis communications messaging plan and a crisis communications actions and response library to address subsequent contingencies.
- General purpose National Guard units need a better balance and frequency of civil disturbance training.
 - Recommend state adjutants general coordinate with the National Guard Bureau to review requirements and increase specific civil disturbance training. Use of vignette training at home station is highly encouraged.

CHAPTER 1

Key Leader Interviews

The Center for Army Lessons Learned (CALL) civil disturbance in the District of Columbia collection and analysis team conducted interviews with key leaders to bring to light insights, lessons, and best practices observed during recent domestic operations in the Washington, D.C. area. The interviews are not listed in order of precedence, nor is the information presented therein all-inclusive. Instead, each interview is a summation, vice a word-for-word transcription of the event.

The key leader interviews were conducted by the National Guard in Washington, D.C. from late May through early June 2020, after escalation of civil unrest in response to the death of George Floyd in Minneapolis, Minnesota, while he was in the custody of a police officer. These interviews provided unique and insightful analysis, lessons, and best practices of civil disturbance operations.

SECTION I

The following questions helped stimulate discussion and provided a baseline structure for the information exchange among MG Walker, Commander, District of Columbia National Guard, and other key leaders:

- What were the unique command and control challenges you faced as the commander of the District of Columbia National Guard during civil disturbance operations? How were the challenges overcome?
- How prepared were National Guard leaders and troops to help quell civil unrest in Washington, D.C.?
- Can you provide insights, lessons, and best practices associated with the civil disturbance operations in Washington, D.C.?
- Please provide insights and analysis from your perspective using a doctrine, organization, training, materiel, leadership and education, personnel, facilities, and policy (DOTMLPF-P) framework, including organizing, manning, training, funding, and equipping National Guard forces used for civil disturbance operations in Washington, D.C.
- Is there anything else you would like to add regarding the conduct of civil disturbance operations?

1. Purpose

1.1. Event Summary. At approximately 2030 hours on 29 May 20, the commanding general of the District of Columbia National Guard, after observing civil unrest unfold in Washington, D.C. to include the lockdown of the White House, rescheduled the June drill periods to 30 and 31 May 2020 in anticipation of requests for District of Columbia National Guard support from the District of Columbia and federal government agencies.

Additionally, the commanding general activated the quick reaction force of 150 Soldiers and Airmen, which respond to any requests for District of Columbia National Guard civil disturbance assistance within four hours.

By 2130, the commanding general notified the Secretary of the Army that the June drill dates for the District of Columbia, Army, and Air National Guards had been amended and all members would report for duty on 30 May. The Secretary of the Army was advised that the quick reaction force was activated and the District of Columbia mayor, metropolitan police chief, U.S. Capitol Police, U.S. Park Police, and U.S. Secret Service were all told that the quick reaction force would be available, if needed.

The following morning, on 30 May 20, the District of Columbia, Army, and Air National Guards were medically screened in accordance with the Center for Disease Control protocols for COVID-19. They also received refresher civil disturbance training, legal briefings, and rules for the use of force, and were addressed by the Secretary of the Army and commanding general on what was expected of them.

The initial challenge the commanding general faced during civil disturbance operations was having to immediately re-mission the joint task force of 450 personnel who were conducting COVID-19 support operations for District of Columbia agencies to a joint task force of over 1,200 conducting civil disturbance support operations for the Department of Justice under Joint Task Force-Guardian. With essentially no notice, BG Robert K. Ryan went from commander, Joint Task Force-COVID-19 to commander, Joint Task Force-Guardian.

Because of the rapidly escalating criminal activity and violence, it was determined that the District of Columbia National Guard required additional forces to assist civilian law enforcement agencies in their efforts to maintain order, protect federal functions, persons, and property, and to help provide a safe environment for citizens to peacefully protest in the District of Columbia.

The Secretary of Defense estimated that the force required to perform the mission was 5,000 Guardsmen. He directed the National Guard Bureau to acquire the additional forces from the states and territories to assist the District of Columbia National Guard. Thankfully, these much needed forces from “Guard Nation” began arriving in the District of Columbia within 12 to 24 hours, which required swift coordination between the J-1 and J-4 and rapid joint reception, staging, onward movement, and integration operations.

These logistical challenges were compounded by COVID-19 and included requirements for immediate contracting for transportation, lodging, subsistence, equipment, storage of weapons, and other sensitive items and operational security. An additional leadership challenge was ensuring that everyone consistently followed the Center for Disease Control guidance for COVID-19 to include medical screening of over 5,000 personnel. This impacted how the forces were fed, housed, and missioned that, nevertheless, was a complete success.

1.2. Unit Mission. Joint Task Force-Guardian provides civil disturbance support to the U.S. Park Police and the Metropolitan Police Department in the District of Columbia from 2 through 7 June 2020 to protect federal functions, life, property, infrastructure, and constitutional rights of the populace to protest peacefully in the District of Columbia.

Intent. Joint Task Force-Guardian will provide National Guard civil support to the Metropolitan Police, U.S. Park Police, other federal agencies, and District of Columbia agencies as assigned. The joint task force will provide administrative, operational, and logistical sustainment for all forces assigned to and in support of the District of Columbia National Guard. Successful joint reception, staging, onward movement, and integration of Guardsmen from supporting states and coordination with Federal government departments and District agencies are critical to mission success. Restoration of normalcy within the District of Columbia shall be the highest priority.

1.3. Locations

1.3.1. District of Columbia Armory

1.3.2. Joint Base Andrews

1.3.3. Joint Base Anacostia-Bolling

1.3.4. Washington, D.C., including numerous locations for traffic control points and positioning of personnel to protect federal functions, persons, and property

1.4. Units Covered

1.4.1. District of Columbia National Guard. Full encampment for the District of Columbia National Guard

1.4.2. Guard Nation Support. Florida, Idaho, Indiana, Maryland, Missouri, Mississippi, New Jersey, Ohio, Pennsylvania, South Carolina, Tennessee, and Utah

1.5. Commander's Summary. Joint Task Force-Guardian conducted civil disturbance operations for 39 continuous days during its 105 days of operation. During this time, Joint Task Force-Guardian provided support to the U.S. Park Police, U.S. Secret Service, and the District of Columbia Metropolitan Police Department. There were no significant injuries (although six Guardsmen sustained injuries), no property damage, weapons discharged, vehicle or equipment accidents, or loss of life during the mission. In addition, there were no significant issues during the civil disturbance operations between National Guard members and protesters.

2. MG William J. Walker, Commanding General, District of Columbia National Guard

(**Note:** MG Walker is the 23rd Commanding General. Since 1802, with the establishment of the only federal National Guard in the United States, MG Walker was appointed by the President, but reports directly to the Secretary of Army for District requests for support and to the Secretary of Defense for federal requests for support.)

2.1. Issue: Command and control during civil disturbance operations.

2.1.1. Observation: Command and control of the District of Columbia National Guard is well-documented, understood, and practiced.

2.1.2. Discussion: The District of Columbia National Guard did not and does not have any unique command and control challenges. The Secretary of the Army provides direct supervision over the District of Columbia National Guard and approves all requests for the District of Columbia National Guard domestic support from the District of Columbia government. The Secretary of Defense approves all requests for District of Columbia National Guard domestic support from federal agencies in the District of Columbia. Although the Secretary of the Army and Secretary of Defense approve the District of Columbia National Guard support operations, the President of the United States has ultimate authority over the District of Columbia National Guard. In addition, external states participating in Joint Task Force-Guardian were well-integrated into the existing task organization and allocated to their respective task forces. Each state received the guidance of the Joint Task Force-Guardian commander, as illustrated by the lack of issues while on mission. In addition, task force commanders also maintained effective command and control throughout the mission.

2.1.3. Recommendation: The fluidity of the mission and short period available to integrate outside forces required a creative solution to ensure that all states were quickly informed and prepared to execute their assigned mission. The Joint Task Force-Guardian J-3 created and distributed a daily product, entitled *The Commander's Handbook*, to ensure that all task force commanders and assigned states understood the concept of the operation on a daily basis. This product was updated and published three times daily to ensure the dissemination of the most accurate information available concerning current and future activities and events impacting the mission.

2.1.4. Implication: As a result of the District of Columbia National Guard's effective command and control processes, the District of Columbia National Guard, Joint Task Force-Guardian, and supporting states were able to successfully plan, direct, coordinate, and control all assigned forces which led to successful mission accomplishment.

2.1.5. Submitter: MG Walker, Commanding General, District of Columbia National Guard

2.2. Issue: Rapidly escalating civil unrest required immediate action.

2.2.1. Observation: The protests and civil unrest rapidly escalated throughout the nation and specifically in the nation's capital in response to the death of George Floyd.

2.2.2. Discussion: This was a no-notice and novel event. Few members of the District of Columbia National Guard outside of the military police, security forces, and quick reaction force, had recent civil disturbance response experience. The challenge was to keep the Soldiers and Airmen focused on the mission tasks to ensure fast and effective response to the civil unrest. The second leadership challenge was to ensure that Guardsmen maintained their military bearing, restraint, and personal discipline. This was especially important when they were provoked by hostile agitators, some of which were known to the Guardsmen since they are from the same community as many of the protestors.

2.2.3. Recommendation: Schedule additional civil disturbance response training to include realistic practical exercises conducted with federal and District government agencies, and reviews of de-escalation scenarios and periodic briefings on rules on the use of force.

2.2.4. Implication: Insufficient training among personnel could result in unauthorized escalation of force with the civilian populace or personnel not having a clear understanding of their mission, responsibilities, and role in civil disturbance support operations.

2.2.5. Submitter: MG Walker, Commanding General, District of Columbia National Guard

2.3. Best Practice. Leverage relationships with District and federal government agencies to help better provide responsive support.

2.3.1. Observation: Well-established relationships with District and federal agencies led to effective communication and coordination during a highly stressful and dynamic operation.

2.3.2. Discussion: As information regarding upcoming protests were being planned in the District, BG Ryan was already commanding Joint Task Force-COVID-19 providing support to the District of Columbia in response to the public health emergency caused by the coronavirus. His role was rapidly expanded to include oversight of civil disturbance operations, known as Joint Task Force-Guardian. Medical support (i.e., to include mortuary affairs), social distancing, and other measures used in support of the COVID pandemic prevention were expanded to also support civil disturbance response operations. Additionally, the District of Columbia National Guard was able to effectively leverage ongoing relationships with the Department of Interior, National Park Service, U.S. Park Police, Homeland Security, U.S. Secret Service, and the District of Columbia Metropolitan Police Department.

These relationships proved to be valuable and helped mitigate the challenge of supporting civil disturbance operations on short notice. The District of Columbia National Guard also quickly established liaison with other key agencies, such as the Federal Bureau of Investigation, the U.S. Marshals Service, and others with embedded field grade officers (O-4 and above), and senior noncommissioned officers (E-8 and E-9). Leveraging special skills with agencies due to previously existing working relationships should be sustained in future operations. (**Note:** The lead agency for these most recent civil disturbance operations in Washington, D.C. was the Department of Justice, which is an agency that does not normally request District of Columbia National Guard support).

2.3.3. Recommendation: Engage in open dialog and reinforce relationships with the District of Columbia and federal agencies through periodic meetings and key leader engagements.

2.3.4. Implication: Lack of open communication with requesting federal and District agencies can result in significant time delays, miscommunication about District of Columbia National Guard support capabilities and capacity to respond in a timely manner (part-time force) or methods of coordinated response prior to and during execution of the mission.

2.3.5. Submitter: MG Walker, Commanding General, DC National Guard

2.4. Best Practice. National Guard troops and leaders are well trained and disciplined to support civil disturbance operations.

2.4.1. Observation: There were no incidents of violence between National Guard units interfacing with the local populace, many of whom were their own neighbors, friends, and acquaintances. There were several instances of District of Columbia National Guard personnel being injured by projectiles thrown at them.

2.4.2. Discussion: Refresher and sustainment training was conducted during civil disturbance operations, with continued updates to the rules of force smart card, and training vignettes to prepare Guardsmen for the mission.

2.4.3. Recommendation: In addition to training Army military police and Air Force security forces personnel, civil disturbance training should be expanded to include everyone that can be trained for this type of mission (i.e., excluding clergy, medics, and others that cannot legally perform this duty). Furthermore, training readiness posture should be increased with the use of “no-notice” snap drills (e.g., moving up scheduled drill dates) to help replicate the chaotic conditions that District of Columbia National Guard troops could face during future civil disturbance operations.

2.4.4. Implication: As the civil disturbance event demonstrated, there will likely be future instances where District of Columbia National Guard personnel and possibly other Guard Nation support may be requested for civil disturbance operations in the District with little to no notice.

2.4.5. Submitter: MG Walker, Commanding General, District of Columbia National Guard

2.5. Lesson. DOTMLPF-P (Personnel) District of Columbia National Guard needs more integrated strategic messaging and trained public affairs personnel for high-visibility, multi-agency operations that attract substantial media interest.

2.5.1. Observation: During the recent civil unrest activities in the District of Columbia, there were insufficient trained and skilled public affairs personnel to help with strategic communication and to inform the general public on National Guard support activities and effectiveness in the conduct of civil disturbance operations.

2.5.2. Discussion: During Operation Guardian, personnel from the 715th Public Affairs Detachment, Joint Force Headquarters Public Affairs, and 113th Wing Public Affairs Office provided public affairs support. These organizations are understaffed and both were required to provide joint support.

2.5.3. Recommendation: Additional trained and experienced personnel would provide the capacity required for sensitive, dynamic, complex, fast moving and high visibility mission sets.

2.5.4. Implication: Even with the combination of available units in the District of Columbia National Guard force structure, there were significant gaps in public affairs capabilities which hampered the District of Columbia National Guard's ability to win the trust and confidence of the community, and explain the Guard's role in providing a safe and secure environment for citizens to lawfully assemble and peacefully protest.

2.5.5. Submitter: MG Walker, Commanding General, District of Columbia National Guard

2.6. Lesson. DOTMLPF-P (Organization) The District of Columbia National Guard force structure needs to be increased to decrease reliance on "Guard Nation" to augment capabilities during operations.

2.6.1. Observation: The District of Columbia National Guard force structure, especially the Army, is currently insufficient to meet the increasing demands for support requested by District and federal government agencies.

2.6.2. Discussion: The District of Columbia Army National Guard has one military police battalion with three companies and the District of Columbia Air National Guard has one security forces squadron. Increased organic capability of personnel and equipment would bolster the District of Columbia National Guard capabilities and enable it to rapidly mobilize and support civil disturbance operations with less reliance on augmentation by other Guard Nation units. The additional battalions will be prepared for civil disturbance operations, severe weather incidents, national disasters, and other contingencies in order to have the capacity to deal with future events of this scale and complexity.

2.6.3. Recommendation: Increase the District of Columbia National Guard Army force structure by two military police battalions.

2.6.4. Implication: Force structure increases will allow the District of Columbia National Guard to be better postured to support the District of Columbia and federal government with military support to civil authorities today and tomorrow.

2.6.5. Submitter: MG Walker, Commanding General, District of Columbia National Guard

2.7. Lesson. DOTMLPF-P (Personnel) District of Columbia National Guard forces require more cyber capability to enhance real-time situational awareness and understanding and protect the District of Columbia National Guard networks.

2.7.1. Observation: The District of Columbia National Guard needs additional Army cyber force to augment G-6 manning and equipment..

2.7.2. Discussion: With additional Army cyber capability, the District of Columbia National Guard will improve its ability to mitigate network cyber security threats..

2.7.3. Recommendation: Add a cyber protection team to the District of Columbia National Guard force structure.

2.7.4. Implication: The District of Columbia National Guard has the potential to lose real-time situational awareness and digital reporting capabilities with the loss of the network.

2.7.5. Submitter: MG Walker, Commanding General, District of Columbia National Guard

2.8. Lesson. District of Columbia National Guard requires enhanced secure communications capabilities.

2.8.1. Observation: Prior to civil disturbance operations, the Joint Force Headquarters-District of Columbia only had limited secure communications capabilities and no mobile secure communications capability, which limited District of Columbia National Guard senior leaders' communications to the Department of the Army and Office of the Secretary of Defense leadership.

2.8.2. Discussion: The District of Columbia National Guard only had secure telephone equipment phones for secure voice communication at the outset of civil disturbance operations. Within 72 hours, the National Guard Bureau loaned secure telephone units and executive communications kits to the District of Columbia National Guard. However, the District of Columbia National Guard requires the authorization, funding, and fielding of organic capabilities given the District of Columbia National Guard chain of command.

2.8.3. Recommendation: Authorize, fund, and field fixed and mobile secure voice communication capabilities to senior District of Columbia National Guard leadership.

2.8.4. Implication: The lack of secure communications capability inhibits the District of Columbia National Guard leadership from providing senior Department of the Army and DOD leadership with real-time situational awareness and limits their ability to provide guidance to District of Columbia National Guard leadership.

2.8.5. Submitter: MG Walker, Commanding General, District of Columbia National Guard

2.9. Lesson. DOTMLPF-P (Organization) Medical support.

2.9.1. Observation: The existing COVID-19 pandemic and possible future mass casualty threats in the District of Columbia requires Roles I and II medical capabilities to be reestablished and remain resident in the District of Columbia National Guard.

2.9.2. Discussion: The District of Columbia National Guard has limited Role I and no Role II medical assets within its force structure. To fulfill this capability gap, Region III National Guard Homeland Response Force typically has a unit prepositioned in the National Capital Region on standby during large events or on a 96-hour recall during steady-state operation. The District of Columbia National Guard Medical Detachment is a table of distribution and allowances unit whose core mission is to maintain the medical readiness of the force. This unit is not trained, manned, or equipped as a medical treatment unit.

2.9.3. Recommendation: A brigade support medical company or C-Med company is the best fit for meeting the needs of the District of Columbia National Guard, including for national special security events and civil disturbance missions. According to the U.S. Secret Service, the District of Columbia National Guard supports more national special security events than all other National Guard units combined.

2.9.4. Implication: The capabilities of a manned, trained, and equipped C-Med company offering Role I and Role II operations is critical for the District of Columbia National Guard now and in the future. Integrating C-Med as a District of Columbia National Guard asset to support the District of Columbia all-hazards plan will benefit the security and stability of the nation's capital. The District of Columbia National Guard will be able to field a large number of medical assets in hours versus days to fulfill medical surge requirements.

2.9.5. Submitter: MG Walker, Commanding General, DC National Guard

3. CSM Brooks, Senior Enlisted Advisor

3.1. Lesson. DOTMLPF-P (Materiel) Civil disturbance gear.

3.1.1. Observation: The number of personnel requested exceeded the available civil disturbance gear that could be issued to those personnel.

3.1.2. Discussion: Civil disturbance gear is composed of the following items: shin guards, baton, helmet, face shield, and vest. The District of Columbia National Guard has 450 sets of civil disturbance gear. This operation required 2,000 sets. Guard Nation units helped fill the gap by bringing approximately 600 sets. It was a total combined effort, with outstanding support from the active Army, U.S. Army Reserves, and the U.S. Air Force to ensure that we got the required equipment in support of civil disturbance operations.

3.1.3. Recommendation: Assess the District of Columbia National Guard and Guard Nation requirements for civil disturbance gear. Based on that assessment, budget for and purchase additional civil disturbance gear, if justified. Identify locations to warehouse and store civil disturbance gear to facilitate distribution to supporting personnel in a timely manner.

3.1.4. Implication: Inadequate civil disturbance gear could limit personnel in supporting the mission. Personnel supporting the mission without civil disturbance gear are at a higher risk of injury.

3.1.5. Submitter: CSM Brooks, Senior Enlisted Advisor

3.2. Issue: DOTMLPF-P (Leadership) Junior and mid-level leadership in support of civil disturbance operations.

3.2.1. Observation: Effective command guidance facilitated the execution of mission command at junior and mid-level leadership in support of civil disturbance operations.

3.2.2. Discussion: With proper leadership, purpose, motivation, and guidance, mission command execution is enhanced at all levels during operations.

3.2.3. Recommendation: Sustain this effort.

3.2.4. Implication: Ineffective command guidance can lead to the breakdown of operations.

3.2.5. Submitter: CSM Brooks, Senior Enlisted Advisor

4. BG Aaron R. Dean II, Adjutant General

4.1. Insight. There is a distinct difference between combat operations and domestic operations.

4.1.1. Observation: Domestic operations with the civilian population involve sensitivities not normally present in combat operations.

4.1.2. Discussion: During the conduct of domestic operations, National Guard forces must abide by U.S. laws, and use terms that civilians and agencies can readily understand.

4.1.3. Recommendation: Continue to reinforce the domestic operations planning and training in the District of Columbia National Guard.

4.1.4. Submitter: BG Aaron R. Dean II, Adjutant General

4.2. Best Practice. Rapidly convert verbal guidance into written plans and orders.

4.2.1. Observation: During hasty missions, much of the guidance is initially through verbal orders of the commander, but should be reduced to writing as soon as practical and distributed appropriately to ensure the commander's intent is followed.

4.2.2. Discussion: This practice helps enable the effective execution of mission command in a timely fashion and should be sustained in future operations.

4.2.3. Recommendation: Train with simulated operations to build and reinforce good planning processes.

4.2.4. Implication: It is essential that the District of Columbia National Guard has experienced planners to be able to respond to dynamic support requirements for domestic operations.

4.2.5. Submitter: BG Aaron R. Dean II, Adjutant General

4.3. Best Practice. Embed planners and liaison personnel with supporting agencies to help synchronize the timeliness of support.

4.3.1. Observation: The District of Columbia National Guard embedded planners and liaison personnel with multiple supporting agencies resulting in improved synchronization and timeliness of support.

4.3.2. Discussion: This practice proved effective when dealing with multiple agencies operating in the same space and helped deconflict potential friction points in support of domestic operations.

4.3.3. Recommendation: Continue to have liaisons in various agencies as well as having their liaisons in the District of Columbia National Guard.

4.3.4. Implication: Liaisons help quickly transmit information in other agencies to give better real-time situational awareness during operations.

4.3.5. Submitter: BG Aaron R. Dean II, Adjutant General

5. BG Robert Ryan, Commander, Joint Task Force-COVID-19 and Joint Task Force-Guardian

5.1. Best Practice. The standing joint task force was trained and operational.

5.1.1. Observation: The District of Columbia National Guard units and Guard Nation units were trained to execute the mission.

5.1.2. Discussion: Sustain this line of effort to provide the capability to rapidly support operational contingencies. Through prior planning, senior leaders pre-identified Joint Task Force-Guardian organizational structure and staffing requirements. As a result of the Joint Task Force-COVID-19 response support, Joint Task Force-Guardian was quickly operational and pivoted the main effort from Joint Task Force-COVID-19 to Joint Task Force-Guardian civil disturbance operations.

5.1.3. Recommendation: Sustain prior planning and sustain a skeletal standing joint task force for novel crises.

5.1.4. Implication: A standing joint task force would reduce the time involved in the initial planning and execution of a mission.

5.1.5. Submitter: BG Robert Ryan, Commander Joint Task Force-COVID- 9 and Joint Task Force-Guardian

5.2. Best Practice. Joint, interagency, and intergovernmental efforts.

5.2.1. Observation: Joint, interagency, and intergovernmental efforts were hallmarked by a culture of unity of effort, which helped provide responsive support for civil disturbance operations.

5.2.2. Discussion: Because of the standing joint task force, all involved personnel were properly trained to face the challenges associated with domestic operations.

5.2.3. Recommendation: Sustain the culture of unity of effort in U.S. Army professional education courses: officer, warrant officer, and noncommissioned officer. Regardless of Service, rank, assignment, or duty skills, the spirit of teamwork and collaboration will ensure mission success.

5.2.4. Implication: Complex interagency domestic operations require close coordination both within the organization and with other partners.

5.2.5. Submitter: BG Robert Ryan, Commander Joint Task Force-COVID-19 and Joint Task Force-Guardian

6. BG Mark Maldonado, Director, Joint Staff

6.1. Insight. Civil disturbance operations are unique.

6.1.1. Observation: Civil disturbance operations typically occur when there are already heightened tensions that could quickly turn violent or destructive.

6.1.2. Discussion: Most active duty troops will not perform this type of mission. One aspect and challenge for domestic operations is the stress of National Guard forces to operate in their own neighborhoods. It is vitally important to take care of our troops and convey to the public the important role our personnel have in sustaining the rule of law.

6.1.3. Recommendation: More civic engagement with the community.

6.1.4. Submitter: BG Mark Maldonado, Director, Joint Staff

7. Colonel Ebbert, J-3

7.1. Lesson. DOTMLPF-P (Materiel) National Guard units were greatly assisted by the rapid infusion of technology in support of COVID-19 and civil disturbance operations.

7.1.1. Observation: Integration of DOD rapid fielding technology initiatives (Microsoft Teams and Tactical Assault Kit) led to increased asset visibility and situational awareness during Joint Task Force-Guardian.

7.1.2. Discussion: The Microsoft Teams tool provided the capability to rapidly share important information and conduct conference calls. The Tactical Assault Kit—a contingency response kit for leaders/troops—proved to be valuable during the execution of this domestic operation. This enabler was able to be installed on government, as well as personal mobile phone devices through the Nett Warrior Contingency Response Situational Awareness/Situational Understanding Tactical Applications Leader Kit (CRSSTALK) program. This expanded District of Columbia National Guard capabilities and helped improve real-time situational awareness.

7.1.3. Recommendation: Sustain the use of these tools and conduct an assessment to identify areas where the District of Columbia National Guard can integrate these capabilities with District and federal partners.

7.1.4. Implication: Real-time situational awareness is improved by the ability to effectively and quickly communicate to District of Columbia National Guard forces that are distributed in and around Washington, D.C.

7.1.5. Submitter: Colonel Ebbert, J-3

7.2. Lesson. DOTMLPF-P (Facilities) Force protection requirements at lodging facilities.

7.2.1. Observation: The District of Columbia National Guard required additional lodging arrangements for a significant number of National Guard personnel and it created a force protection issue given social media targeting toward National Guard members and their bed-down locations.

7.2.2. Discussion: The District of Columbia National Guard had to coordinate lodging for thousands of National Guard members utilizing commercial facilities throughout the National Capital Region. Several social media posts identified lodging locations with follow-on comments that included nonspecific threats (for example, “National Guard members are staying at X hotel. You know what to do.”) The District of Columbia National Guard and DOD rapidly conducted force protection surveys at each bed-down location and made changes to operating procedures in order to reduce risk. Ideally, this practice should take place before operations at each potential lodging facility.

7.2.3. Recommendation: Conduct force protection surveys for commercial lodging facilities to ensure proper force protection measures can be planned for and emplaced.

7.2.4. Implication: Insufficient or inadequate lodging is a force protection issue and can negatively affect the mission.

7.2.5. Submitter: Colonel Ebbert, J-3

8. LTC Ingram, Deputy Staff Judge Advocate

8.1. Best Practice. Training and execution guidance during the conduct of domestic operations.

8.1.1. Observation: The District of Columbia National Guard had effective standing rules of force and rules of conduct training and cards, but had to update them because some personnel were armed.

8.1.2. Discussion: The rules of use of force and rules of conduct smart card was updated as necessary and training vignettes were adjusted accordingly. This was done to better prepare troops and leaders to conduct civil disturbance operations. The District of Columbia National Guard personnel were able to react reflexively to situations because they had practiced similar situations in a training setting.

8.1.3. Recommendation: Maintain separate smartcards for nonlethal armed and unarmed personnel and rules of force and rules of conduct training.

8.1.4. Implication: Rules of force and rules of conduct training is important especially for junior personnel who may not have been on a domestic operation; reinforcement training is effective for all personnel prior to conducting domestic operations.

8.1.5. Submitter: LTC Ingram, Deputy Staff Judge Advocate

8.2. Issue: Deputations of all supporting personnel.

8.2.1. Lesson: DOTMLPF-P (Personnel) Deputizing personnel for a civil disturbance operation.

8.2.2. Observation: It was a challenge to ensure that all available personnel could be deputized in accordance with existing U.S. and District laws and regulations.

8.2.3. Discussion: Domestic operations differ from emergencies. In order to deputize, one must be a U.S. citizen, and not all Service members are U.S. citizens. Prior to being deputized, each person on the mission was required to fill out or sign on a sign-in sheet if a U.S. citizen. Although not everyone could be deputized, National Guard forces operated effectively. Personnel that could not be deputized served in other roles.

8.2.4. Recommendation: Gather this information in a consolidated and easily accessible format, in particular for outside Guard Nation personnel.

8.2.5. Implication: Not having a list of cleared personnel could increase the risk of non-U.S. personnel being deputized.

8.2.6. Recommendation: Notify Guard Nation commanders of the requirement for U.S. citizenship for deputations in advance, so that commanders can adjust the composition of their personnel supporting the mission.

8.2.7. Implication: Personnel who come in to support the mission cannot be effectively utilized because they are not U.S. citizens.

8.2.8. Submitter: LTC Ingram, Deputy Staff Judge Advocate

9. MG William J. Walker, Commanding General, District of Columbia National Guard, Final Comments

MG Walker stressed the critical importance of establishing, nourishing, and leveraging trusted relationships and networks with those having mutual interests and concerns as well as those with shared responsibilities. He specifically cited the following three colleagues:

- U.S. Army, MG Jones IV, Commanding General, Military District of Washington
- U. S. Army, MG Vereen, Provost Marshal General
- U.S. Army Reserve, MG Hussey, Commanding General, 200th Military Police Command

All three of these officers immediately offered support, provided needed equipment, and collaborated with others to quickly acquire riot control kits and other items that they did not personally possess in their inventory to support civil disturbance operations.

9.1. Lesson: Establish mutually beneficial relationships and strong, trusted partnerships well before they are needed.

SECTION II

MG Nordhaus, J-3 National Guard Bureau; BG Adrian, Army National Guard G-3; and COL Crawford, Army National Guard G-33

Each of the above key leaders was interviewed. The following questions helped stimulate discussion and provided a baseline structure for the information exchange. Answers to questions are a summation, vice a word-for word transcript.

Key Leader Interview Questions

- What would you say were the biggest command, control, and liaison issues you or your organization experienced? How were they mitigated?
- What were the biggest issues you faced in the areas of policy and rules of engagement or procedures with engaging the civilian population?
- What were the biggest issues with attaining unity of effort (mission, task-purpose clarity) between the military support and the lead agency?
- What have been the two or three biggest lessons you or your organization experienced? In addition, what have been the two or three top best practices you or your organization identified?
- What training or education needs to be address in the future?
- Is there anything else you would like to address?

Executive Summary Observations

Lesson: DOTMLPF-P (Leadership) The lack of an on-the-shelf operations plan made it a challenge for the Army National Guard to response to civil disturbance in Washington, D.C.

Way-Ahead: The Army National Guard G-Staff has recognized this as a gap and their intent is to use the lessons learned from this deployment to Washington, D.C. as a template to develop operational and supporting plans to address national civil disturbance deployment support in the future and for other similar domestic operation response activities.

Lesson: DOTMLPF-P (Organization) Command, control, and liaison.

Way-Ahead: The Army Guard Headquarters should seek to place liaisons in each state headquarters and operationalize its crisis action center or emergency operations center.

Lesson: DOTMLPF-P (Materiel) Insufficient sets of civil disturbance equipment.

Way- Ahead: Review the current allocation, distribution, and purchasing of more civil disturbance equipment for each state.

Lesson: DOTMLPF-P (Material) Civil disturbance equipment national stock.

Way-Ahead: Army National Guard or National Guard Bureau should have a national stock of civil disturbance equipment (improved outer tactical vest, enhanced small arms protective insert, and helmets). Recommend a stock level for at least 10,000 Soldiers in a location that is accessible to the Army National Guard at all times.

Lesson: DOTMLPF-P (Training) There is a need for a better balance and frequency of civil disturbance training for general-purpose National Guard units.

Way-Ahead: The state adjutants general, in coordination with the National Guard Bureau, should review the requirement to increase specific civil disturbance training in general purpose Guard units. Army National Guard units use of vignettes to train and educate Soldiers and leaders on civil disturbance operations should be expanded to home-station training.

Lesson: DOTMLPF-P (Policy) Title 32, Section 502(f) authority. Having verbal commander approval to utilize Title 32, Section 502(f) authority enhanced the speed at which the twelve supporting states were able to respond to Washington, D.C.'s civil disturbance.

Way-Ahead: Review how this can be formalized or streamline the process for crisis response.

MG Nordhaus, J-3, National Guard Bureau

Best Practice: National Guard Bureau running estimates and common operational picture. The National Guard Bureau established a common state-level reporting format (via PowerPoint) requiring each state to provide a current and future snapshot of its operations, tied to a daily battle rhythm. In addition, the National Guard Bureau J-3 conducted a daily state call/meeting with state J-3s. The National Guard Bureau chief did the same up the chain to the Pentagon. Finally, the Federal Emergency Management Agency, Federal Bureau of Investigations, and District of Columbia National Guard provided liaisons to the National Guard Bureau operations center. The combination of the above activities provided the needed information for leaders to make informed decisions.

Best Practice: The National Guard is the right force to use during a civil disturbance, versus the use of the Insurrection Act. The National Guard should always be the force used because they live in the communities, know the local agencies, understand the population, and know the terrain. This is, again, because they live there and have developed partnerships with their local and state agencies. One of the best examples is when a member of the crowd was yelling at a Guardsman, "Hey, you need to go home," the guardsman replied, "I am home. I live three blocks away."

Best Practice: Leveraging the Air National Guard. Utilizing the Air National Guard instead of having to coordinate through the Transportation Command to move more than 3,800 Guardsman to Washington, D.C., and overall 48,000 across the country, was instrumental in the National Guard's ability to meet the short DOD suspense. In addition, in the current COVID-19 environment, using internal air assets from both Air and Army National Guard reduced the risk of infecting the force during joint reception, staging, onward movement, and integration to Washington, D.C. and other states.

Insight: National Guard Bureau's role in a national response is more liaison than direct command and control. The direct command and control of National Guard elements is retained at the state and local level. In a national response, however, the biggest challenge with the activation of 34 states and territories and Washington, D.C. was gaining a unity of effort because each state's situation is different. Therefore, the National Guard Bureau's role is more of a national liaison, focused on synchronizing efforts, resourcing requirements across multiple states, and providing a common operational picture to the Joint Chiefs of Staff and to lead and other governmental agencies. For example, where there was a shortage of civil defense gear, the National Guard Bureau effected the authorization, transfer, and movement of the equipment.

Lesson: DOTMLPF-P (Policy) legality or nuances of state-to-state guard force support. The states and Washington DC, which has no governor, are not all the same when it comes to employing its National Guard during domestic operations. State governors and the adjutants general set both the rules of engagement and the expectations of the rules for the use of force and law enforcement. In many cases, another state’s Guard force, like an out-of-state police officer, has no jurisdiction. During a national response, where states provide troops to another state these differences, must be part of the joint reception, staging, onward movement, and integration set of briefings to educate leaders and Soldiers to the lowest level.

Way-Ahead: The National Guard Bureau and the state adjutants general should explore developing memorandums of understanding to support each other in times of crisis for recommendation to governors. As far as Washington, D.C., it would be beneficial to have at least a framework of a response plan that could be developed quickly in a crisis.

Lesson: DOTMLPF-P (Materiel) Insufficient sets of civil disturbance equipment (This was also identified by AGB G-3). There is a shortage of civil disturbance gear. During the recent national effort, some gear had to be transferred laterally between states to meet deploying unit requirements. In addition, specific pieces of civil disturbance equipment have a shelf life and need periodic replacing. For example, the enhanced small arms protective insert plates need to be x-rayed periodically to ensure they maintain their integrity. There is also a monetary cost to maintaining, sustaining, and replacing civil disturbance equipment.

Way-Ahead: Review the current allocation, distribution, and purchasing of more civil disturbance equipment for each state.

Lesson: DOTMLPF-P (Training) There is a need for a better balance and frequency of civil disturbance training for the general-purpose National Guard units. Each state is individually responsible for civil disturbance. While there is a basic level of training for National Guard units on civil disturbance, each state has a designated reaction force trained further on entry control, point-to-point protection, nonlethal equipment, etc. The reaction forces per state are not all staffed the same, some have a 2,000-person force, and some may have only up to a 200-person force. With the current national response, where 34 states, territories, and the Washington, D.C. area activated their National Guards, more training may be required for all National Guard units.

Way-Ahead: State adjutants general, in coordination with the National Guard Bureau, should review the requirement to increase specific civil disturbance training in general purpose guard units.

BG Adrian, Army National Guard G-3; and COL Crawford, Army National Guard G-33

Best Practice: Prioritize public affairs support to lead the narrative. The quick rise in civil disturbance activities in Washington, D.C. was a magnet for media organizations. This overwhelmed the resident public affairs office in Washington, D.C. There was a critical need to augment the Washington, D.C. National Guard public affairs office, and this was accomplished by direct intervention by the National Guard Bureau public affairs office. Also, the National Guard Bureau public affairs office developed “fly-away” teams, trained and ready to deploy to impacted areas (other states), to assist in performing public affairs office missions and ensure message continuity between the National Guard Bureau and DOD.

Best Practice: Targeted communication and synchronization meetings. These meetings allowed for effective and efficient response from both the Army National Guard G-Staff and the states supporting Washington, D.C. The Army National Guard G-3 orchestrated two synchronization teleconferences daily for internal and external dialogue. The internal call included representation from all Army National Guard G-Staff, ensuring the staff had a common operational picture and was working on outstanding issues. The external call included all of the supporting states, Washington, D.C., select Army National Guard G-Staff (G-1, G-3, G-4, G-8, surgeon general, and judge advocate general), National Guard Bureau, and the Air National Guard. These teleconferences facilitated cross-coordination from the strategic level to the operational level, and enabled immediate response for any requests for information. Internal and external synchronizations teleconferences were vital to the success of the rapid deployment.

Insight: Training on civil disturbance. Army National Guard units' use of vignettes to train and educate Soldiers and leaders on civil disturbance operations should be expanded to home-station training. Commanders annually conduct individual training on law of war, rules of engagement, and rules of the use of force. Soldiers receive training on identifying actions to prevent law of war violations, including actions to protect civilians, actions to prevent unlawful acts, and actions to prevent excessive use of force. When Army National Guard units provide military assistance to state and local government agencies, they receive additional vignette training and briefings on escalation and de-escalation from local authorities. This increases the shared understanding throughout the unit about the current climate and observations of local populace actions, resulting in zero to minimal injuries of both civilians and service members. In addition, the Army National Guard coordinates with local authorities in developing rules for the use of force guidelines, which proved to be valuable in effectively, safely, and efficiently utilizing directed rules for the use of force while supporting civil disturbance operations in Washington, D.C.

Lesson: DOTMLPF-P (Organization) Command, control, and liaison. The Army National Guard Headquarters in Washington, D.C. faced challenges tracking the movement of 3,927 Soldiers from across 12 states, and, therefore, had difficulty providing the National Guard Bureau; Headquarters, Department of Army; and the Joint Task Force-Guardian with a common operational picture. The Army National Guard Headquarters structure at the National Guard Bureau does not have the personnel to send liaisons to all, or even 12, states. Army National Guard Headquarters addressed this issue by establishing daily synchronization teleconferences, and by sending a liaison to Washington, D.C. to embed with the joint task force. The first synchronization meeting was held within the first 24-hours of mission assignment, and included all 12 states and enterprise partners. Daily synchronization meetings facilitated cross-staff coordination and enabled immediate response to requests for information. The liaison officer was embedded with Joint Task Force-Guardian, and reported the progress of forces throughout the joint reception, staging, onward movement, and integration process.

Way-Ahead: The Army Guard Headquarters (National Guard Bureau) should seek to place liaison officers in each state headquarters, and operationalize its crisis action center or emergency operations center.

Lesson: DOTMLPF-P (Leadership) The lack of an on-the-shelf operations plan made it a challenge for the Army National Guard to respond to civil disturbance in Washington, D.C. The Army National Guard G-staff and the Army National Guard crisis action team worked diligently to build a plan in motion.

Way-Ahead: The Army National Guard G-staff has recognized this as a gap, and their intention is to use the lessons learned from this deployment to Washington, D.C. as a template to develop operational and supporting plans to address national civil disturbance deployment support in the future and for other similar domestic operation response activities.

Lesson: DOTMLPF-P (Policy) Title 32, Section 502(f) Authority. Having verbal orders of the commander's approval to utilize Title 32, Section 502(f) authority enhanced the speed at which the 12 supporting states were able to respond to Washington, D.C.'s civil disturbance. Placing Soldiers on Title 32, Section 502(f) orders ensured the Soldiers would receive pay at the proper pay grade and medical benefits, which is not necessarily the case when on state active duty. When asking for an "all-volunteer" force to respond to civil disturbance, assured pay and benefits under Title 32 are critical to increasing the number of volunteers.

Way-Ahead: Review how this can be formalized or streamline the process for crisis response.

Lesson: DOTMLPF-P (Material) Civil disturbance equipment national stock. (This was also identified by National Guard Bureau J-3) The Army National Guard G-4 borrowed over \$40 million of equipment from the Tank-Automotive and Armaments Command and did not have immediate access to the equipment. Although the Tank-Automotive and Armaments Command was accommodating, the Army National Guard did not have control of release, shipping, or statuses. If the civil unrest would have called for more Soldiers initially, there was a possibility that not all Soldiers could have been outfitted with the appropriate equipment in the time required.

Way-Ahead: The Army National Guard or National Guard Bureau should have a national stock of civil disturbance equipment (improved outer tactical vest, enhanced small arms protective inserts, and helmets). Recommend a stock level for at least 10,000 Guardsmen in a location accessible to the Army National Guard at all times.

SECTION III

COL Gail Curley, Chief, National Security Law Division Office of the Judge Advocate General Headquarters, Department of Army; and COL Joshua Berry, Deputy Chief National Security Law Division, Office of the Judge Advocate General, Headquarters, Department of Army

The following questions helped stimulate discussion and provided a baseline structure for the information exchange. Answers to questions are a summation, vice a word-for word encryption.

- What is your role (if applicable) in support of civil disturbance operations in Washington, D.C.?
- What are your unique insights regarding your personal observations of what occurred with Army and/or Air National Guard forces to help quell civil unrest in late May and June in the Washington, D.C.?
- What success stories can you relate from civil disturbance operations in Washington, D.C.?
- What are some of the challenges that leaders and troops had to overcome?
- From a DOTMLPF-P perspective, what do we need to sustain and improve?
- Under what authorities were organizations involved in civil disturbance operations operating?
- What would you say were the biggest issues you faced in the areas of policy and rules of engagement or procedures with engaging the civilian population?
- Is there anything else you would like to address?

Authorities

- Military District Washington/Joint Force Headquarters-National Capital Region: Title 10
- National Guard Bureau: Title 10/Title 32
- District of Columbia National Guard: Federal law, as reflected in the District of Columbia Code (enacted by U.S. Congress) established the President as the Commander in Chief of the District of Columbia National Guard (District of Columbia Code §29- 109) (of note, the District of Columbia National Guard comprises the District of Columbia Army National Guard and the District of Columbia Air National Guard); the President in Executive Order 11485 (in 1969) delegated this authority over the District of Columbia National Guard to the Secretary of Defense. The Secretary of Defense then delegated to the Secretary of the Army the authority to supervise, administer, and control the District of Columbia Army National Guard and the District of Columbia National Guard when in a militia status. The Secretary of the Army exercises this authority through the commanding general of the District of Columbia Army National Guard and District of Columbia National Guard.
- Joint Task Force-Guardian: Title 32

- Task Force Civil Disturbance: Title 32
- 12 States: Title 32, when requested to provide support to operations in the District of Columbia under Title 32, U.S. Code Section 502(f)(2).

Active Duty: (Prepositioned in the National Capital Region, specifically Andrews Air Force Base, VA; Fort Myer, VA; and Fort Belvoir, VA, but did not enter the District of Columbia).

Note: The only way active duty forces could have participated in civil disturbance operations was via the authority found in the Insurrection Act.

Insight: National Security Law Division, Office of the Judge Advocate General.

COL Curley and COL Berry, the National Security Law Division; Office of the Judge Advocate General; and Headquarters, Department of Army are legal advisors for the Secretary of the Army and provided legal advice and assistance to Headquarters, Department of Army G-3, G-5, and G-7. They coordinated with the Army Operations Center and District of Columbia National Guard's judge advocates during civil disturbance operations from 29 May to 7 June 2020. Much of their efforts during civil disturbance operations in May and June were focused on who was requesting what kind of support and determining what legal authorities enabled support requests to be filled. Before the civil disturbance operations support, the Office of the Judge Advocate General was providing COVID-19 support and continued to provide COVID-19 support during civil disturbance operations.

Additionally, the Office of the Judge Advocate General participated in multiple working groups focused on legal coordination and collaboration with all the legal entities involved with civil disturbance operations in Washington, D.C.

Insight: Command and control. Command and control, and communication in general, was a big challenge during civil unrest in Washington, D.C. between Title 10 and Title 32, and state and federal entities. The 12 states' National Guard units that came to support the District of Columbia National Guard remained under the control of their governors until the Secretary of Defense directed the Secretary of the Army to exercise coordinating authority over them; the District of Columbia National Guard had tasking authority. One significant success was a DOD general counsel working group that met daily to assist with command and control and legal issues of all involved parties.

Insight: Requests for National Guard support. At least three formal requests were made for the District of Columbia National Guard support during civil disturbance operations in Washington, D.C. from 29 May to 7 June 2020. The first formal request came from the Department of the Interior, Secretary of the Interior, for assistance with overwhelmed U.S. Park Police on 30 May. On 31 May, the Secretary of the Interior additionally requested District of Columbia National Guard assistance from 31 May to 7 June. On 1 June, the U.S. Marshal Service requested support from the District of Columbia National Guard. On 5 June, the District of Columbia Chief of Police requested National Guard support to quell civil unrest through the District of Columbia Homeland Security Emergency Management Agency, requesting support from 7 through 13 June.

On 6 June, the DC Homeland Security Emergency Management Agency requested 150 National Guardsmen to assist with traffic control and metro rail operations. Of note, 100 District of Columbia National Guard Soldiers work regular day jobs in the District of Columbia Metropolitan Police Department.

Insight: Washington, D.C. is unlike other states in many ways. Most states belong to an Emergency Management Assistance Compact. The District of Columbia, not being a state, does not have an Emergency Management Assistance Compact for National Guard support. The District of Columbia mayor does not exercise any authority over the District of Columbia National Guard. The mayor did not request outside state National Guard support, but did eventually ask outside National Guard units, not the District of Columbia National Guard, to leave Washington, D.C.

Insight: Protest de-escalation. The question of whether or not a Soldier can take a knee to de-escalate a situation while conducting civil disturbance operations came up. There was some concern it might be considered joining a political protest while in uniform, which would violate DOD and Army regulations. After review, the National Guard Bureau opined that Soldiers could take a knee to de-escalate a situation during civil disturbance operations without it being considered participation in ongoing protests.

Best Practice: Domestic Operational Law Handbook. The Judge Advocate General's Legal Center and School's Center for Law and Military Operations has a handbook that was extensively used by legal entities in multiple organizations during civil disturbance operations in the District of Columbia. Located in Charlottesville, VA, the Center for Law and Military Operations is also conducting an after action review on civil disturbance operations in the District of Columbia and updating their Domestic Operational Law Handbook to reflect lessons learned in the May and June 2020 civil disturbance operations.

Best Practice: Daily synchronization meetings. The Office of the Judge Advocate General had daily synch meetings with active duty personnel, Joint Force Headquarter-National Capital Region, Department of the Army Office of General Counsel, DOD Office of General Counsel, National Guard Bureau, and District of Columbia National Guard on use of force training and other legal issues.

Best Practice: DOTMLPF-P (Training) The District of Columbia National Guard did joint reception, staging, onward movement and integration and had well established rules for the use of force training for Guardsmen arriving to provide support in the District of Columbia before deputizing and taking of oaths.

Lesson: Intelligence Support to Civil Disturbance Operations Executive Order 12333 and DOD Manual 5240.01 govern the intentional collection of U.S. persons information by DOD intelligence units and personnel. DOD intelligence organizations collect intelligence, which is either foreign intelligence or counterintelligence. The G-2 must remain focused on foreign threats that may attempt to influence or inflame civil disturbances inside the U.S with influence and disinformation operations. Law enforcement conducts domestic terrorism and the investigation of U.S. persons. The Provost Marshal should be the lead staff element on force protection issues, including domestic threats to Soldiers. The Provost Marshal should work and coordinate with law enforcement agencies to address force protection issues. It is critical that everyone understands the proper roles and responsibilities of the Provost Marshal and G-2 in civil disturbance operations.

Lesson: DOTMLPF-P (Training) The Office of the Judge Advocate General should routinely conduct internal tabletop exercises to practice legal channel coordination for civil disturbance operations.

SECTION IV

COL Bowlin, Commander, 278th Armored Cavalry Regiment; and COL Brock, Director of Staff for the Joint Force Headquarters, Tennessee

The interview focused on the June deployment of the Tennessee National Guard forces to support the Defense Support of Civil Authorities mission of the District of Columbia National Guard.

The questions below were provided the Tennessee National Guard representatives as a read-ahead package before the interviews in an effort to stimulate discussion and provide a structure for the exchange. What follows is a summation of the interview exchange of information, vice a word-for word transcription.

Background and Stage Setting

- Can you tell us about the types and sizes of the units that deployed from your state?
- Can you walk us through the process that led to the deployment? Who requested your support? Did your deployment and employment go as expected?
- How well prepared were your troops and leaders for the missions they were assigned?
- What was the biggest surprise?

Command and Control

- Can you talk about the missions your units were given, and for whom they were working?
- Were the expected command and control relationships made clear up front? How or did they evolve over time?
- What were the biggest issues you faced in the areas of policy and rules of engagement or procedures with engaging the civilian population?
- Did you face any unique command and control challenges during the recent civil disturbance operations? How were these challenges overcome?
- Were liaisons used? Were they effective?
- Did the Army achieve unity of command? Unity of purpose? What were the biggest impediments?

Training Impacts

- Can you talk about how this deployment will impact your training, both this year, and in the future?
- How was your deployment funded? Were there any follow-on impacts related to funding?
- What were the training shortfalls you observed?

Recommended Changes

- What changes to doctrine, training, and tactics, techniques, and procedures should the Army implement to make deployments for civil unrest better, who should lead the changes?
- What policy changes would improve the deployment and employment of National Guard forces?
- Were there any legal impediments to your deployment or operations? Should any laws be changed?

Closeout

- What were the two or three biggest lessons you or your organization encountered?
- What have been the two or three top best practices you or your organization identified during daily operations?
- Is there anything else you would like to address?

The interview manifested as a discussion about the deployment, and the lessons, insights, and best practices below were highlighted during that conversation. The summaries provided here are intended as a synopsis of those points, rather than direct quotations.

Best Practice: Deployment of major commands in response to support requests.

The Tennessee National Guard's decision to provide a full brigade simplified many of the communication and coordination issues it would have otherwise faced managing such a large dynamic deployment. This decision was fundamental to the overall success of the mission. Deploying the 278th Armored Cavalry Regiment as a unit enabled continuity for deploying personnel and facilitating the execution of unit-specific tactics, techniques, and procedures.

Best Practice: The Tennessee National Guard training focus left them well prepared for the Defense Support of Civil Authorities mission. The Tennessee Guard's annual training plan included routine, cyclic Defense Support of Civil Authorities training for individual units. The synchronized approach to unit training allowed for a cadre of recently trained Soldiers to be available to deploy immediately. Further, it allowed the remainder of the deploying unit to leverage the training of that cadre to enhance the readiness of the larger force.

Best Practice: Leveraging the Air National Guard. Tennessee Guard forces self-deployed, using federal funds (National Guard Bureau mission number), but state-controlled Air Guard assets (C-17s [cargo] and KC-135s [air refueling]) to deploy personnel into the operational area quickly. This marked the first time the Tennessee Air National Guard Air Operations Branch facilitated such coordination in a "real-world" environment. Initial forces were airborne within 12 hours, and the entire 1,000-Soldier contingent deployed in less than four days. The Tennessee Air National Guard aircraft also moved elements from Utah, South Carolina, and Idaho. The in-depth internal coordination required to facilitate this deployment should be captured and repeated.

Lesson: National Guard units should deploy with appropriate command and control nodes. The 278th Armored Cavalry Regiment provided the only brigade and battalion-level headquarters available to the District of Columbia National Guard's task force. The shortage of command and control nodes reduced the ability of the task force to manage the overall effort. If this had become an enduring mission, the task force would have been forced to address the unwieldy task organization. **Way-Ahead:** Requests for forces should include command nodes adequate to manage individual state contributions.

Insight: Liaison officers are essential and should be deployed as early as possible. The Tennessee National Guard deployed liaison officers early and they proved to be a great advantage. These officers were able to stay one step ahead of developing situations, and to facilitate and coordinate for support where required. Consider routine identification and training of liaison officers to support this approach.

Lesson: The Tennessee National Guard struggled to respond quickly to rumors and incorrect information available through social media. The protests in the District of Columbia were the subject of intense news coverage. When the deployed unit's rules for the use of force were modified, reports emerged that were inaccurate and troubling to friends and family back home. There was a delay providing clarifying information through official channels that exacerbated local opinion.

Lesson: Civil disturbance equipment availability. Some civil disturbance equipment was not immediately available in the quantities required to outfit available personnel. While this shortfall was quickly overcome, it could have been avoided altogether if a properly resourced issue and distribution plan had been in place. **Way-Ahead:** Recommend the District of Columbia National Guard develop a stockpile and distribution plan to allow for the rapid fielding of individual civil disturbance equipment to externally augmenting forces.

Best Practice: Reduced visible presence. Deployed forces were able to avoid or de-escalate confrontations with protestors by reducing the visible presence of large numbers of guard forces in public spaces. Guard public presence was limited to a minimum, while ready forces were immediately available nearby to respond if needed. This technique reduced tension between protestors and Guardsmen, enabling both peaceful protests and site security.

SECTION V

MG Richard F. Johnson, Deputy Director, Army National Guard

The following questions helped stimulate discussion and provided a baseline structure for the information exchange.

- What is your role (if applicable) in support of civil disturbance operations in Washington, D.C.?
- What are your unique insights regarding your personal observations of what occurred with Army and/or Air National Guard forces to help quell civil unrest in late May and June in the Washington, D.C.?
- What success stories can you relate from civil disturbance operations in Washington, D.C.?
- What are some of the challenges that leaders and troops had to overcome?
- What would you say were the biggest command, control, and liaison issues you or your organization experienced? How were they mitigated?
- From a DOTMLPF-P perspective, what do we need to sustain and improve?
- What would you say were the biggest issues you faced in the areas of policy and rules of engagement or procedures with engaging the civilian population?
- What were the biggest issues with attaining unity of effort (mission, task-purpose clarity) between the military support and the lead agency?
- What have been the two or three biggest lessons you or your organization experienced? In addition, what have been the two or three top best practices you or your organization identified?
- What training or education needs to be addressed in the future?
- Is there anything else you would like to address?

Insight: Role of the deputy director, Army National Guard. The deputy director of the Army National Guard has Title 10 responsibilities, not Title 32. The deputy director acted as the subject matter expert on National Guard matters and operations in a domestic environment, provided indirect support during the May and June 2020 civil unrest, and supported National Guard Bureau Joint Staff.

Insight: COVID-19 activities. MG Johnson noted that the National Guard was already providing support for COVID-19 when civil unrest began. This made responding to civil unrest that much quicker. He also noted that the observation of what was taking place around the country allowed more proactive response in Washington, D.C.

Insight: Requests for National Guard support. MG Johnson noted there are as many different scenarios for use of the National Guard as there are states and governors. He mentioned that, at first, “synapses weren’t firing between agencies,” meaning agencies were not coordinating and communicating well with each other. As time went on, both improved.

Insight: Protecting members of the crowd and property. MG Johnson noted that the National Guard's focus was to support and protect the public's right to protest. Additionally, it was tasked with protecting private property and public property, including national monuments and buildings.

Best Practice: The National Guard is an appropriate force for civil unrest. MG Johnson noted that the capabilities and the organizational construct of the National Guard make it an appropriate organization for helping law enforcement officers deal with civil unrest. Additionally, he mentioned that bringing in National Guard from other states was a wise decision, given the size of the gathering crowds. Finally, he emphasized that restraint in using Title 10 forces stationed at Andrews Air Force Base was also a good thing.

Lesson: Press coverage influence on National Guard. MG Johnson noted that press coverage of civil unrest in Washington, D.C. (e.g., social media and/or the press) also had other impacts on aspects of the National Guard, including recruitment.

Lesson: DOTMLPF-P (Doctrine) MG Johnson noted that doctrine needs updating with respect to conducting domestic operations, including civil disturbance operations.

Lesson: DOTMLPF-P (Training) MG Johnson emphasized the one area that needs the most attention with respect to civil disturbance operations is training. He said that the entire Army needs to understand better how to conduct operations in a domestic environment, including responding to national security threats internally. He said basic civics should also be taught during professional military education, at Basic Officer Leader Course and Captains Career Course levels because of the confusion between cities, state, federal officials in a crisis that involves all three.

Lesson: DOTMLPF-P (Policy) According to MG Johnson, paying National Guard Soldiers with federal funds is messy business, policy-wise. There is much confusion when state and local response becomes a federal response. Title 32, Section 502(f) specifically. Policy needs to be clearer when it comes to paying National Guard Soldiers for conducting federal operations.

SECTION VI

Mr. LaCrosse, Director, Defense Support of Civil Authorities, in the Office of the Secretary of Defense

Mr. LaCrosse provided written answers to questions via email in lieu of conducting a key leader interview.

What is your role (if applicable) in support of civil disturbance operations in the District of Columbia?

I am the Director, Defense Support of Civil Authorities in the Office of the Secretary of Defense. In that role, requests for DOD assistance are normally coordinated by my staff and I, who consolidate legal, fiscal, policy, and operational comments, and provide a consolidated recommendation to the Secretary of Defense, so he can make an informed decision.

The uniqueness of the District of Columbia National Guard makes exercising that role challenging in normal times, and proved impossible in last May, early June 2020.

What are your unique insights regarding your personal observations of what occurred with Army and/or Air National Guard forces to help quell civil unrest in May and June in Washington, D.C.?

Under normal circumstances, requests for District of Columbia National Guard assistance from civilian authorities of the District of Columbia government are consolidated by the District of Columbia Homeland Security and Emergency Management Agency. The requests are presented to the District of Columbia National Guard Staff, who conduct a mission analysis and provide a recommendation to the commanding general of the District of Columbia National Guard. In turn, the commanding general of the District of Columbia National Guard communicates his best military advice to the Secretary of the Army, who has been delegated the authority to command, through the commanding general of the District of Columbia National Guard, all operations of the District of Columbia National Guard in militia status to aid civil authorities.¹ After the required consultation with the Attorney General,² and coordination with the Office of the Secretary of Defense General Counsel and ASD (Homeland Defense and Global Security), the Secretary of the Army approves the requested support and notifies the Secretary of Defense.

When a request for District of Columbia National Guard assistance is from a civilian authority *other than* the District of Columbia government, the Secretary of Defense, and not the Secretary of the Army is the approving authority. Consultation with the Attorney General is not required, but my office coordinates all requests with the Secretaries of the Army and Air Force, the Joint Staff, Under Secretary of Defense (Comptroller) and (Policy), and General Counsel of the DOD.

During the period of civil disturbances in the District of Columbia in late May and early June, the District of Columbia National Guard were supporting the District of Columbia Homeland Security Emergency Management Agency; the Department of Interior, U.S. Park Police; and the Department of Justice, U.S. Marshal for the District of Columbia Circuit Court.

Missions exceeded the capacity of the District of Columbia National Guard, so the Secretary of Defense and Chief of the National Guard Bureau requested select governors' consent to deploy parts of their states' National Guard to Washington, D.C., to supplement the District of Columbia National Guard in their support to federal partners; Department of Interior, U.S. Park Police; and the U.S. Marshal for the District of Columbia Circuit Court.

Because of the in extremis situation, requests and approvals were made verbally, without normal staffing or advice provided to the Secretary of the Army and Secretary of Defense. Days later, the verbal orders of the commander decisions were memorialized by the Army General Counsel's office and my office.

National Guard personnel from outside of the District of Columbia National Guard were put into a federal pay status under Title 32, U.S. Code Section 502(f)(2)(A) for "Support of operations or missions undertaken by the member's unit at the request of the President or Secretary of Defense." The DOD assumed responsibility for pay and benefits, and assumed all risk and liability associated with the employment of these personnel in a volatile domestic civil disturbance operation, but the command and control remained with the 12 sending states' governors. There was no doctrinal command relationship, but senior leaders have said that the commanding general of the District of Columbia National Guard had coordinating authority.³

What success stories can you relate from civil disturbance operations in Washington, D.C.?

The District of Columbia National Guard and National Guard personnel from 12 states deployed and protected individual's freedom of speech, the right of the people to assemble peaceably, and to petition the government for a redress of grievance. They provided a visible deterrence to the members of the crowd who may have contemplated vandalism, destruction of private and public property, or violence against others. They supported civil authorities and conducted civil disturbances operations, using only the measured amount of force necessary to complete their missions. The personnel appeared to be well trained, equipped, and led. Upon completion of the support missions, all personnel successfully redeployed to home stations.

What are some of the challenges that leaders and troops had to overcome?

As with any short notice deployment, joint reception, staging, onward movement, and integration and logistics (strategic lift, lodging, in-and-around transportation, and subsistence) were initially challenging. Operating in a COVID-19 environment compounded these challenges.

The staff of the District of Columbia National Guard, like other National Guard staffs, are made up of a combination of full-time (Active Guard Reserve and dual-status technicians) and traditional man-day Guard personnel. Overseeing a multi-state civil disturbance operation, coupled with supporting the District of Columbia government's COVID-19 response, was challenging.

The initial media engagement was not proactive and was slow to respond to queries. The DOD message was not well coordinated or synchronized. Who had the "lead" for media (and Congressional) engagement? Who was the "face" of the DOD response? Secretary of Defense? Secretary of the Army? Chairman Joint Chiefs of Staff? Commanding General DC National Guard?

From a DOTLMPF perspective, what do we need to sustain and improve?

Sustain (Training, Material): Equipping and training National Guard personnel nationwide on civil disturbance operations. Select U.S. Army COMPO1 and COMPO3 military police companies should also be equipped and trained to the same standards.

Needs Improvement (Policy): If the National Guard or another military unit loans civil disturbance personal protective equipment to civilian law enforcement personnel, care must be taken to cover any military police markings (on helmets, vests, body shields, etc.).

Needs Improvement (Doctrine, organization, training, and policy, and possibly the law) Recommend evaluation and possible changes in doctrine, organization, training, and policy to emphasize a total force sourcing solution for DOD support to civilian authorities in the District of Columbia.

- Active duty personnel from the 3rd U.S. Infantry Regiment (The Old Guard), 89th Airlift Wing, Naval District of Washington, and Marines from the Marine Barracks, could have supplemented District of Columbia National Guard to execute non-law enforcement support missions, including joint reception, staging, onward movement and integration.
- There is already an active duty joint headquarters in Washington, D.C. (Joint Task Force-National Capital Region⁴). Its full-time staff, or that of Headquarters, Department of Army, or Office of the Secretary of Defense staff, could have supplemented District of Columbia National Guard staff with critical enablers such as public affairs, legislative affairs, operations, logistics, and communications.
- With the commander, Joint Task Force-National Capital Region and the commanding general, District of Columbia National Guard, you have two majors general (O-8), both answering to the Secretary of the Army (at times), conducting identical missions (Defense Support of Civil Authorities) in the same geographic area. Having two separate chains of command and approval processes is inefficient.⁵
- Use routine events, like the State of the Union Address, Independence Day celebration, economic summits, major planned events on The Mall, even the Presidential Inauguration, to train together for no-notice Defense Support of Civil Authorities events, like civil disturbances.

Additional Comments for Consideration

The District of Columbia National Guard is conducting an investigation into the facts and circumstances surrounding the operational employment of District of Columbia National Guard helicopter assets in and around the District of Columbia on Monday June 1.

The investigation is looking into whether the aircraft in question flew at inappropriately low altitudes, and whether they adhered to applicable safety standards and flying procedures while in flight. The investigation will also explore whether military medical evacuation aircraft bearing the Red Cross emblem were improperly or inappropriately employed to support District of Columbia National Guard civil disturbance response operations.

There is at least one instance (Arkansas), where civilian authorities ran out of nonlethal riot control agents/munitions, and asked the state's National Guard to provide it to them. I do not know how widespread that occurred. I do not know if the State Police paid for the nonlethals or replaced them. There may be a void or conflicting guidance on who can approve the loan, transfer, and release of nonlethal riot control agents/munitions to civilian law enforcement authorities.

Endnotes

1. Secretary of Defense Memorandum on Supervision and Control of the National Guard of the District of Columbia, dated October 10, 1969.
2. Executive Order 11485—Supervision and control of the National Guard of the District of Columbia, dated October 1, 1969.
3. Coordinating Authority—A commander or individual who has the authority to require consultation between the specific functions or activities involving forces of two or more Services, joint force components, or forces of the same Service or agencies, but does not have the authority to compel agreement. (Joint Publication 1)
4. The Commander, Military District of Washington, an Army MSC, is dual-hatted as Commander, Joint Force Headquarters-National Capital Region, under U.S. Northern Command, and is responsible for land-based homeland defense, Defense Support of Civil Authorities, and incident management in the National Capital Region. When activated, Joint Task Force-NCR becomes Joint Task Force-DC-National Capital Region.
5. Requests for assistance from the D.C. Government are approved by the Secretary of the Army, after consultation with the Attorney General. The Secretary of Defense approves requests for assistance from non-D.C. authorities, including federal partners, and Attorney General consultation is not required.

CHAPTER 2

Observations

This chapter provides observations centered on the District of Columbia National Guard, augmented by additional U.S. National Guard states and territories, in support of civil disturbance operations that occurred in late May and early June 2020. The information presented in this chapter is not all-inclusive.

Note: The following executive summary and observations are attributed to the National Guard Bureau Civil Disturbance After Action Review, 10 July 2020. LTC Brian K. Dean, Deputy Chief of Staff G-3/5/7 (point of contact).

Executive Summary: The nation experienced unprecedented civil disturbance in early summer 2020, despite an ongoing whole-of-government COVID-19 pandemic response. National Guard elements mobilized under state active duty orders within their states and territories, and under Title 32, Section 502(f) status for Washington, D.C. The influx of National Guard personnel enabled timely and efficient civil disturbance support to local, state, and federal authorities. At the peak of the civil disturbance response, 43,400 Guardsmen of the National Guard were protecting life, property, and the right to assemble peaceably in 33 states and Washington, D.C. The duration and scale of the civil disturbances, to include episodic but intense acts of violence, strained the force protection resources available for mobilizing National Guard Service members. To unencumber future National Guard civil disturbance responses, it is recommend that additional allocation of funding for training and surety of personal protective equipment stocks and nonlethal kits to close identified shortfalls.

Title: National Guard for Support of Civil Law Enforcement

Observation: The National Guard is the optimal Department of Defense (DOD) choice to support civil law enforcement.

Discussion: Domestically, the National Guard responds to natural and man-made disasters and national special security events, in addition to civil unrest as core missions. The National Guard units assigned to these missions are trained, equipped, and prepared to assist communities, first responders, and civil authorities.

Recommendation: Because of the unique and longstanding partnerships with the communities and first responders, the National Guard is the optimal DOD choice for support once local and state authorities exhaust capabilities during civil unrest.

Title: National Guard Deployment to the District of Columbia

Observation: The National Guard provided 3,939 National Guard Service members from 12 states to augment the District of Columbia National Guard's support of law enforcement within 96 hours of notification.

Discussion: On 1 June 2020, The Secretary of Defense requested 5,000 National Guard members to support the District of Columbia National Guard and law enforcement agencies within Washington, D.C. At the height of operations, the District of Columbia National Guard deployed 5,140 National Guard members to protect federal property, provide point security, conduct crowd management, and assure access control, while also acting as a quick response force. The National Guard Bureau-Operational Contracting Division secured the necessary logistical support contracts, the National Guard Bureau J-6 established enhanced communications capability, and the District of Columbia National Guard controlled joint reception, staging, onward movement, and integration from the District of Columbia Armory for the influx of 3,939 additional National Guard Service members. The Air National Guard flew 102 missions from 26 states in support of District of Columbia National Guard civil disturbance operations from 1 through 10 June with aircraft and crews from moving personnel and critical equipment (e.g., riot gear and nonlethal kits).

Recommendation: Sustain National Guard capacity, agility, and cooperation to surge resources in support of civil authorities across myriad responses.

Title: Logistics Support

Observation: Necessary supplies for civil disturbance operations were not available to all National Guard Service members activated for the response.

Discussion: New challenges arose during the simultaneity of nationwide civil disturbances. Shortfalls in quantities and widely dispersed locations hindered the timely equipping of National Guard Response Force and general-purpose forces in multiple states. These challenges spurred the National Guard Bureau to create proper stocks of small arms protective insert (SAPI) plates, riot gear, laser-safe glasses and goggles, and biohazard personal protection equipment in a containerized roll-on, roll-off capability to expedite movement and rapid fielding. In addition, the shelf life of National Guard Response Force equipment becomes an integral factor for operational usage of National Guard Response Force stocks (such as TASER batteries and nonlethal spray).

Recommendation: Establish National Guard Bureau civil disturbance stocks (e.g., personal protective equipment, riot gear, laser-safe glasses and goggles) for rapid movement and usage. Program appropriate sustainment funds for the National Guard Response Force and related civil disturbance equipment for general-purpose forces.

Title: Civil Disturbance Training

Observation: Personnel not assigned to National Guard Response Force units or trained as military police or U.S. Air Force Security Forces were required to perform civil disturbance operations with minimal preparation.

Discussion: The magnitude of civil unrest occurring throughout the nation exceeded the National Guard designated National Guard Reaction Force capacity. Augmentation by rapidly trained National Guard follow-on, general-purpose forces became necessary to protect life, property, and the rights of Americans to protest peaceably.

Recommendation: Program and allocate additional resources to the National Guard Response Force formations for civil disturbance training while seeking opportunities for the National Guard Rapid Reaction Force to raise proficiency on an annual basis.

Title: Authorities

Observation: Narrow authorities limited the use of federal funding for states and territories to support civil entities and law enforcement agencies during nation-wide civil unrest.

Discussion: Thirty-three states and territories were supporting local authorities in a state active duty status to protect life, property, and the right to protest peacefully across the United States, but were unable to receive federal funding.

Recommendations

- Seek wider authorities under Section 502(f) to increase adaptability and force generation agility for affected states and territories to support civil entities and law enforcement agencies during nationwide unrest.
- Align authority status with proper protections to the Service member who is executing civil disturbance tasks within a heightened threat environment.
- The National Guard conducts a comprehensive review to codify policies and processes for the use, approval, and extension request regarding immediate response authority.

Title: Public Affairs Action Teams

Observation: Full-time public affairs personnel numbers within a unit are insufficient to support large-scale civil defense operations.

Discussion: The quick rise in civil disturbance activity in Washington, D.C. was a magnet for media organizations. Align public affairs assistance packages for specific specialties to augment a state, territory, or District of Columbia headquarters.

Recommendation: National Guard Bureau develops and prepares pre-determined “Public Affairs reaction teams” that are trained and ready to deploy to impacted areas.

Title: Battle Rhythm/Personnel Status

Observation: An inconsistent battle rhythm caused unnecessary friction between the National Guard Bureau and states and U.S. territories.

Discussion: More than 40,000 National Guard Service members were on active duty supporting COVID-19 response operations when national civil unrest ensued after the death of George Floyd. Changes in the standing COVID-19 National Guard Bureau battle rhythm intended to support rapidly evolving civil defense operations placed unnecessary friction on state, territory, and District of Columbia reporting requirements and product development.

Recommendation: Maintain battle rhythm during large and expanding domestic operations. Report information in “as of” time versus “real time” and route through the orders process.

Title: Rules for the Use of Force

Observation: As a portion of joint reception, staging, and onward integration, rules for the use of force training with vignettes occurred in Washington, D.C. and throughout affected states and territories for effective execution of rules for the use of force during civil disturbance operations.

Discussion: When units provide civil disturbance assistance to state and local government agencies, they receive additional vignette training and briefings on escalation and de-escalation from local subject matter experts. This increases the shared understanding throughout the unit.

Recommendation: Sustain current procedures for units to coordinate with local subject matter experts to update, receive, and understand rules for the use of force guidelines.

Title: Human Resources System Updates

Observation: The states, territories, and the Washington, D.C. were unable to immediately submit transactions in the Integrated Personnel and Pay System–Army.

Discussion: The District of Columbia National Guard received the civil disturbance operations mission on 30 May 2020 with the necessary Human Resources System coding requirements following on 1 June 2020. This delayed the accurate and timely reporting of active duty Service periods for Army National Guard Soldiers participating in civil disturbance operations for 23 days. For states, territories, and the District of Columbia to submit transactions, system updates are necessary for the Integrated Personnel and Pay System–Army and Total Army Personnel Database–Guard for reporting active duty Service periods to the Defense Manpower Data Center in accordance with DOD Instruction 1215.06. Because of Total Army Personnel Database–Guard programming and testing requirements, full implementation for the human resources system to track civil disturbance operations active duty Service periods took 22 days. States were notified on 23 June 2020 to submit transactions within the personnel database of record, which is the Integrated Personnel and Pay System–Army.

Recommendation: Continue the programmed transition of the Integrated Personnel and Pay System–Army, Release 3. During this transition, the Integrated Personnel and Pay System–Army will subsume Total Army Personnel Database–Guard in fiscal year 21, eliminating the current data transfer process and reducing human resources system code change implementation to 72 hours or less. Until this transition occurs, expect a minimum of 23 days for human resources system code change implementation.

Title: Daily Adjutant General and National Guard Bureau J-3 All-Calls

Observation: Daily adjutant general and National Guard Bureau J-3 all-calls enhanced coordination and situational understanding during the combined civil disturbance operations and COVID-19 response periods.

Discussion: During civil disturbance operations, the Chief National Guard Bureau and National Guard Bureau J-3/4/7 established daily calls with adjutants general and J-3s respectively. This practice facilitated faster collaboration, communication, and coordination opportunities for decision makers. As a result, situational awareness and understanding contributed to the successful response and opened direct interaction between senior DOD leaders (i.e., Secretary of Defense, Chairman of the Joint Chief of Staff, North Command Commander, and National Guard adjutants general). In addition, J-3s utilized the forum to exchange best practices for immediate tactical-level implementation across the country.

Recommendation: Sustain multiple communication bridging opportunities during domestic responses.

Note: The following additional observations relating to support for civil disturbance operations are attributed to the National Guard Bureau PowerPoint presentation entitled “Total Army Support to Domestic Operations.” The observations are not listed in order of precedence.

Title: Joint Task Force-National Capital Region J-2 Manning

Observation: The current table of distribution of allowances for the Headquarters, Military District Washington does not provide sufficient authorizations in the G/J-2 section.

Discussion: This shortage in authorizations does not allow the section to conduct 24-hour operations when the headquarters converts into Joint Task Force-National Capital Region to support operations. The current table of distribution of allowances only has four Department of the Army Civilians authorized, and their duties focus primarily on garrison personnel security actions. When the Joint Task Force-National Capital Region activates, these individuals provide the core of the Joint Task Force-National Capital Region’s J-2 section. There are not enough individuals to provide sustained 24-hour operations, as witnessed during their support to the civil unrest activities from 1 to 7 June 2020.

Recommendation: During the Total Army analysis 24 to 28 period, the Military District of Washington should submit a change management plan to increase the size of their G/J-2 table of distribution of allowances to allow for at least five more individuals. This will provide the necessary capability to meet future contingency response requirements. Approval of this force management action will ensure the Joint Task Force-National Capital Region has the required authorizations to support other little or no notice national security events in the future. The Deputy Chief of Staff G-2 is also looking at options that will provide augmentation for contingency situations in the interim.

Title: Department of Justice Request for Assistance

Observation: The office of the Attorney General/Department of Justice requested DOD equipment in support of state and local law enforcement agencies.

Discussion: During civil disturbance operations, the DOD received a warning order for a potential mission to support the Department of Justice with nonlethal munitions and equipment in support of state and local law enforcement agencies. Emergency requests of munitions and equipment for civil disturbance operations require Secretary of Defense approval. As emergency requests emerged, Headquarters, Department of Army G-4 coordinated across the sustainment enterprise to ensure synchronization of the process flow. The Headquarters, Department of Army G-4 Supply Directorate created a process map to outline steps in accordance with Army Regulation 700-131 to clearly identify steps for key stakeholders (G-4; G-3; Office of the U.S. Assistant Secretary of the Army for Acquisition, Logistics, and Technology; Army Materiel Command; Joint Munitions Command; and U.S. Army Sustainment Command).

Although the equipment was ultimately not sourced to Department of Justice, the process map enabled responsive support from the Title 10 to the Title 32 forces in several states and the Military District of Washington, D.C. and are now part of the G-4 standard operating procedures.

Recommendation: Continue to build awareness across the enterprise on the process for requests of emergency verses routine, non-emergency equipment to support federal, state, and local government agencies.

Title: Congressional Communication Strategy

Observation: Because of political sensitivities regarding DOD support to civil authorities during time of civil unrest, an established Congressional communication strategy will assist the DOD to communicate quickly and effectively with Congress.

Discussion: Defense Support of Civil Authorities operations supporting civil unrest generates a significant amount of Congressional interest, especially in the first 24 to 48 hours of the operation. Based on the sensitivities of the operations, especially during the initial response, pre-coordinated lines of effort with established battle drills will ensure all requests for information are reported to the appropriate centralized legislative affairs office while maximizing the entire enterprise to communicate effectively with Congress. The strategy should cover all Defense Support of Civil Authorities operations with corresponding action plans detailing which offices and agencies are authorized to respond to Congressional requests for information. This will assist the department in responding in a timely manner and control the narrative with members of Congress.

Recommendation: Develop a Defense Support of Civil Authorities Congressional communication strategy with clear lines of effort and responsibility across the DOD legislative affairs enterprise. The strategy needs to outline responsibilities during all Defense Support of Civil Authorities operations to include natural disaster response; chemical, biological, radiological, and nuclear incidents; acts of terrorism; and civil disturbance.

Title: District of Columbia National Guard Tactical Augmentation during National-Level Unrest

Observation: The Joint Staff Element provided essential mission command functions that enabled the District of Columbia National Guard’s tactical mission.

Discussion: The Joint Staff Element at the Washington Federal Bureau of Investigations Field Office consisted of elements from the Joint Staff Crisis Management Team and Headquarters, Department of Army staff representation from G-2, G-3, G-4, G-5, and G-7. The Crisis Management Team provided overall mission command, provided timely legal recommendations to ensure tactical decisions were in accordance with legal requirements, and maintained DOD senior leaders’ situational awareness. The Headquarters, Department of Army G-2 representative was primarily responsible for updating both the Joint Staff and District of Columbia National Guard of federal law enforcement deployments and protest activity. The Headquarters, Department of Army G-4 representative collaborated with the G-4 section to provide timely strategic logistic support. The Headquarters, Department of Army G-3, G-5, and G-7 representative established a whole-of-government common operational picture to inform District of Columbia National Guard tactical deployments. Given the unique District of Columbia National Guard direct-reporting relationship with the Secretary of the Army, political sensitivity, and fluid nature of protests, the Joint Staff element at the Washington Field Office served a critical role in informing senior leaders and enabling District of Columbia National Guard tactical operations.

Recommendation: During a national-level civil unrest in Washington, D.C., standardize a DOD liaison cell to co-locate with District of Columbia National Guard tactical command post to provide strategic-level mission command, enabling the District of Columbia National Guard to focus on the tactical mission.

Title: Validating Reimbursable Activities

Observation: The Army approves requests for civil support to civil authorities in Washington, D.C. without a written request from the District of Columbia mayor, U.S. Marshal for the District of Columbia, or National Capital Service Director. In the past, non-reimbursable requests were approved for support without any justification other than meeting the requirements of Title 10 of U.S. Code, Section 277.

Discussion: The Secretary of Defense memorandum, dated 19 June, “Reimbursable Activities in Support of Other Entities,” requires services to provide justification for approval of non-reimbursable support requests. The Army should require the civil authorities follow their own code and demonstrate that they have or will have exhausted their capabilities before calling on the District of Columbia National Guard for support. Section 1 of Executive Order Number 11485, provides that, “the Secretary [of Defense] may order out the National Guard under Title 39 [now 49] of the District of Columbia Code to aid the civil authorities of the District of Columbia.” Pursuant to an October 1969 Secretary of Defense delegation of authority, the Secretary of the Army is the approval authority for the use of the District of Columbia National Guard in a militia status to aid the civil authorities of the District of Columbia; however, the Deputy Attorney General must also approve the request and Secretary of Defense must be informed. In accordance with the District of Columbia Code 49-103, when there is the threat of “a body of men acting together ... to offer violence to persons or property, it shall be lawful for the Mayor of the District of Columbia, or for the United States Marshal for the District of Columbia, or for the National Capital Service Director, to call on the Commander in Chief to aid them in suppressing such violence and enforcing the laws.”

Recommendation: Require one of the three listed District of Columbia authorities or the head of another federal agency to provide a written support request with a full justification that they have or will have exhausted their capabilities, along with agreeing to reimburse for District of Columbia National Guard civil support, in all but the direst circumstances.

Title: Military Police for Civil Defense Operations

Observation: Military police are the best forces available for civil disturbance operations.

Discussion: Component, Army National Guard (COMPO 2) contains the largest portion of military police force structure. The COMPO 2 military police formations have been deployed on several occasions throughout the years for these types of mission. In 2020, over the course of the last few months, these critical Army assets were deployed again in support of local law enforcement, based on civil unrest across the nation. Military police are the only troops in the Army trained on and equipped with nonlethal weapons specifically designed for law enforcement operations. Civil disturbance operations is a DOD Police Officer Standards and Training requirement for military police and many COMPO 2 military police regularly train alongside their civilian law enforcement partner agencies. Additionally, military police are trained in de-escalation techniques and the use of force continuum. Military police have security clearances and access to law enforcement sensitive information, which is critical for supporting civilian law enforcement partners. Negative media attention has recently been directed at the Army’s use of certain force types (Special Forces) to conduct civil disturbance operations. Using combat arms forces largely trained and equipped for high-intensity conflict and large-scale ground combat operations for civil disturbance operations can be a high-risk option, from an operational and political perspective.

Recommendations: Military police from all COMPOs should be equipped and tasked with being the initial response force for civil disturbance operations-specific missions within their respective authorities.

- Formally identify the National Guard Response Force as the immediate response to support civilian law enforcement agencies.
- Equip military police battalions of all COMPOs with civil disturbance/riot-control gear to execute civil disturbance operations quickly to protect our installation populations and property, as well as be prepared to deploy and protect other personnel and property, as designated in the event of an Insurrection Act declaration. Equip military police formations directly, to ensure adequate training.

Title: Medical Evacuation Helicopter Utilization

Observation: Medical evacuation helicopter utilization during civil disturbance operations necessitates the importance of medical evacuation support plans to augment civil authorities.

Discussion: Medical evacuation support plans to augment civil authorities may be necessary for a variety of contingencies. Defense support of civil authorities planning must address a range of problems such as—

- Early identification of medical evacuation capabilities, units, and personnel available to support various contingencies large enough to require Defense Support of Civil Authorities.
- Command and control relationships between civil authorities and DOD forces especially when DOD units are split-based.
- Cost capture and reimbursement from civil authorities to DOD in non-Stafford Act emergencies.
- Support for deployed DOD forces when no DOD logistics operations are deployed, including medical support.

Recommendation: Medical evacuation assets, both air and ground, may provide services similar to what they do when supporting unified land operations. This support includes the evacuation of patients, movement of medical supplies and personnel, and support of search and rescue activities per Army Techniques Publication 4-02.2, *Medical Evacuation*, July 2019, paragraph 2-137.

CHAPTER 3

Conclusion

During the response to the recent civil disturbance in Washington, D.C., the District of Columbia National Guard's response provided effective support to requesting agencies. The decision to commit state National Guard units and personnel on a voluntary-by-state status created unintended effects by precluding participation of the active Army's command and control nodes. Future operations of greater length and size will require additional structure if federal forces are not authorized.

During the recent crisis, the National Guard deployed thousands of Soldiers, both to the nation's capital, and to cities across the country. With few exceptions, the conduct of the Soldiers was exemplary. In those few instances of questionable conduct, investigations are underway. The National Guard is the right force to conduct domestic operations. With updated doctrine and planning, and frequent and balanced civil disturbance training, National Guard units will succeed in future contingencies. Readily available mission-specific equipment will ensure success.

Key Recommendations

- The District of Columbia National Guard and the National Guard Bureau should develop more comprehensive civil disturbance contingency plans for future operations.
- The District of Columbia National Guard should develop memorandums of understanding to clarify expected command relationships and anticipated rules for the use of force.
- The U.S. Army Training and Doctrine Command should coordinate to update civil disturbance doctrine.
- National Guard Bureau leaders should distribute the *Domestic Operational Law Handbook* through command channels when its update is complete.
- Army leaders should direct a comprehensive review of current pay policies.
- The National Guard Bureau should develop a consolidated stock of essential civil disturbance equipment for contingency use.
- The National Guard Bureau should develop a plan to surge public affairs capacity during civil disturbance contingencies.
- Recommend state adjutants general coordinate with the National Guard Bureau to review requirements and increase specific civil disturbance training.

The National Guard Bureau and the District of Columbia National Guard are already taking many of the actions recommended in this report. Planning, training, and coordination efforts are currently underway to address some of the shortfalls and requirements identified in the last 30 days. These efforts are commendable and must continue.

Although addressing the aforementioned items typically takes detailed, time-consuming planning and coordination, the Center for Army Lessons Learned recommends taking steps now that will alleviate the most pressing concerns. Given the ongoing protests and foreign efforts to influence elections, the National Guard must act now to prepare for additional support to municipalities around the country, including the District of Columbia.

SUBMIT INFORMATION OR REQUEST PUBLICATIONS

To help you access information efficiently, the Center for Army Lessons Learned (CALL) posts publications and other useful products available for download on the CALL website:

<https://call.army.mil>

PROVIDE LESSONS AND BEST PRACTICES OR SUBMIT AN AFTER ACTION REPORT (AAR)

If your unit has identified lessons or best practices or would like to submit an AAR or a request for information (RFI), please contact CALL using the following information:

Telephone: DSN 552-9533; Commercial 913-684-9533

Fax: DSN 552-4387; Commercial 913-684-4387

Mailing Address: Center for Army Lessons Learned
ATTN: Chief, Analysis Division
10 Meade Ave., Bldg. 50
Fort Leavenworth, KS 66027-1350

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Center for the Army Profession and Leadership (CAPL)

CAPL serves as the proponent for the Army Profession, Leadership, and Leader Development programs and assists the Combined Arms Center in the integration and synchronization of cross-branch, career management field, and functional area initiatives. CAPL conducts studies on the Army Profession, Leadership and Leader Development and produces publications, doctrine, programs and products that support current operations and drive change.

Combat Studies Institute (CSI)

CSI is a military history think tank that produces timely and relevant military history and contemporary operational history.

Combined Arms Doctrine Directorate (CADD)

CADD develops, writes, and updates Army doctrine at the corps and division level. Find doctrinal publications at either the Army Publishing Directorate (APD) or the Central Army Registry.

Foreign Military Studies Office (FMSO)

FMSO is a research and analysis center on Fort Leavenworth under the TRADOC G2. FMSO manages and conducts analytical programs focused on emerging and asymmetric threats, regional military and security developments, and other issues that define evolving operational environments around the world.

Military Review (MR)

MR is a revered journal that provides a forum for original thought and debate on the art and science of land warfare and other issues of current interest to the U.S. Army and the Department of Defense.

TRADOC Intelligence Support Activity (TRISA)

TRISA is a field agency of the TRADOC G2 and a tenant organization on Fort Leavenworth. TRISA is responsible for the development of intelligence products to support the policy-making, training, combat development, models, and simulations arenas.

Capability Development Integration Directorate (CDID)

CDID conducts analysis, experimentation, and integration to identify future requirements and manage current capabilities that enable the Army, as part of the Joint Force, to exercise Mission Command and to operationalize the Human Dimension.

Joint Center for International Security Force Assistance (JCISFA)

JCISFA's mission is to capture and analyze security force assistance (SFA) lessons from contemporary operations to advise combatant commands and military departments on appropriate doctrine; practices; and proven tactics, techniques, and procedures (TTP) to prepare for and conduct SFA missions efficiently. JCISFA was created to institutionalize SFA across DOD and serve as the DOD SFA Center of Excellence.

Support CAC in the exchange of information by telling us about your successes so they may be shared and become Army successes.



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