

An aerial, top-down view of a city street grid, likely New York City, showing a complex pattern of streets and building footprints. The entire image is overlaid with a semi-transparent teal color.

Neutrals Promoting the Rule of Law

Lyndsey Olson, St Paul City Attorney

ACAN, Washington, DC 3/8/2025

Distinction: Requires that combatants distinguish between civilians and combatants, and only attack combatants

• **Proportionality:** Requires that actions are not excessive in relation to the military advantage gained

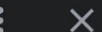


Principles of the Law of Armed Conflict (LOAC)

- **Military necessity:** Allows actions that are necessary to defeat the enemy, must be an attack on a military objective
- **Proportionality:** Requires that actions are not excessive in relation to the military advantage gained
- **Distinction:** Requires that combatants distinguish between civilians and combatants, and only attack combatants
- **Humanity:** Prohibits actions that cause unnecessary suffering, injury, or destruction



Newsweek



The Murder of George Floyd- The Act Heard (and Seen) Around the World



More Than 1,500 Minnesota Businesses Damaged in George...

Visit



George Floyd killing: More than 170 St. Paul businesses looted or damaged, dozens of fires set

Dave Orrick and Nick Ferraro
PUBLISHED: May 29, 2020 at 8:19 a.m. | UPDATED:
May 29, 2020 at 8:35 a.m.
Crime and Public Safety, Latest Headlines, National News, News



What Is Procedural Justice?

(Definition from Yale Law School Justice Collaboratory)

- Procedural justice speaks to the idea of fair processes, and how people's perception of fairness is strongly impacted by the quality of their experiences and not only the end result of these experiences.
- Individuals' perceptions of procedurally just encounters are based on four central features of their interactions with legal authorities:
 - i. Whether they were treated with **dignity and respect**;
 - ii. Whether they were given **voice**;
 - iii. Whether the decision-maker was **neutral and transparent**; and
 - iv. Whether the decision-maker conveyed **trustworthy** motives.
- For decades, our research has demonstrated that **procedural justice is critical for building trust and increasing the legitimacy of law enforcement authorities within communities. As such, it has paramount implications for both public safety and officer efficacy.**

St Paul Results May 25,2020- March 1, 2022

- Over 450 days of multiple, sustained protests
 - Thousands of people
 - Armed groups
- Hundreds of arrests
- **ZERO 1983* cases** from actions of St Paul Police after the murder of George Floyd through the federal trials of all officers (3 held at Federal Courthouse in St Paul)
 - 42 USC 1983 –Civil Action for Deprivation of Rights

DOMINANT MODELS OF POLICE RESPONSE

Police responses to public protests and unrest have varied over time and depend on the motivation for the protests. The strategies largely fall into the following general models used to maintain public peace:

A **“show of force” model** that deploys police forces in overwhelming numbers in the hopes of preventing violence at protests and demonstrations;

An **“escalated force” model** that matches the level of police aggression to that of protesters who elect to use violence;

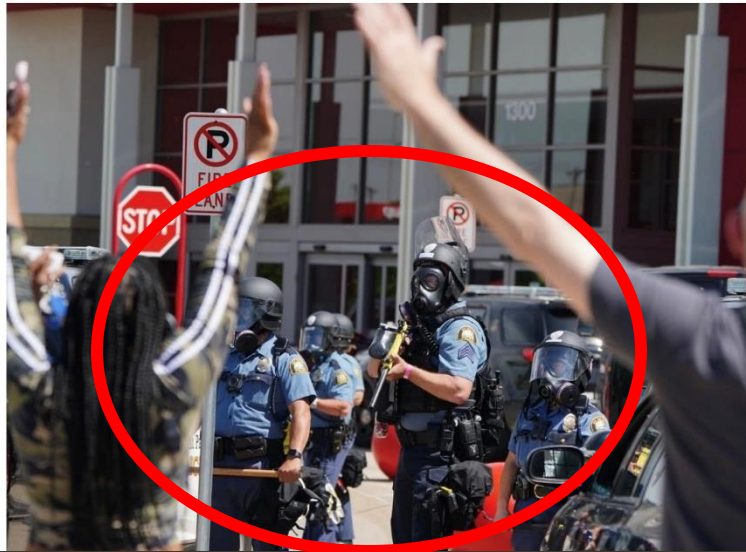
A **“negotiated management” model** that emphasizes police-protester communication ahead of protest events in the interest of developing and negotiating the limits of peaceful protest and preventing violence on the side of both police and protesters;

A **“strategic incapacitation” model** that relies heavily on the identification and arrest of instigators of violence against the police, other persons, or property; and

A **“command and control” model**, in which departments organize and deploy personnel and resources according to deliberate and careful planning that anticipates how a protest is likely to evolve.

This is how we began...

Mayor Carter seeks Guard help as Floyd protests roil St. Paul



Peter Cox
@peterncox · Follow

Police firing tear gas at crowds around university and hamline, crowds running back and forth. A handful of people throwing objects at police



7:08 PM · May 28, 2020

Saint Paul Police Department
@sppdmn · Follow

Please stay away from the Midway area, near Target on University Avenue.

We continue to work to disperse the crowds, protect people and protect property. However, our officers continue to be assaulted and the area is not safe.

4:40 PM · May 28, 2020

203 Reply Copy link

[Read 68 replies](#)

While Midway was the center of St. Paul's confrontations, officers were giving similar dispersal orders to groups around the 1700 block of Suburban Avenue on the city's east side.

On the Capitol grounds in St. Paul, buildings and offices of lawmakers, state court staff and judges have been evacuated out of precaution. Staff were urged to leave quickly and work from home for the time being.

St. Paul Police officers seen kneeling in solidarity with protesters at Governor's Mansion

| Published June 1, 2020 5:27pm CDT | FOX 9



St. Paul Police officers at at least one State Patrol deputy were seen kneeling with protesters outside the Governor's Mansion Monday afternoon. (Andrea Yoch)

ST. PAUL, Minn. (FOX 9) - A group of St. Paul Police Officers and at least one State Patrol deputy were seen kneeling in solidarity with peaceful protesters outside the Governor's Mansion Monday afternoon.

Then this happened...

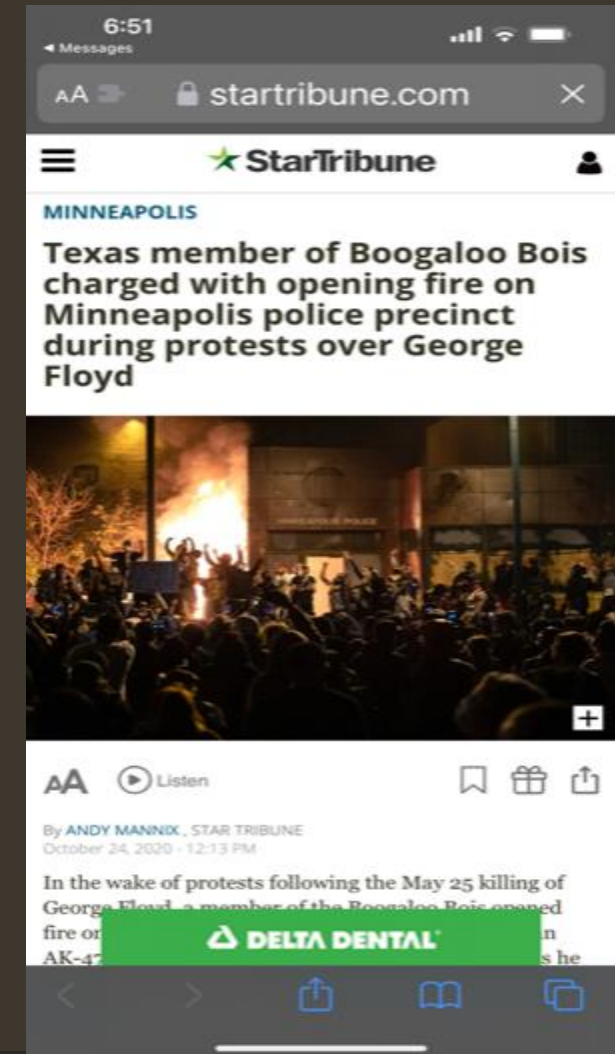
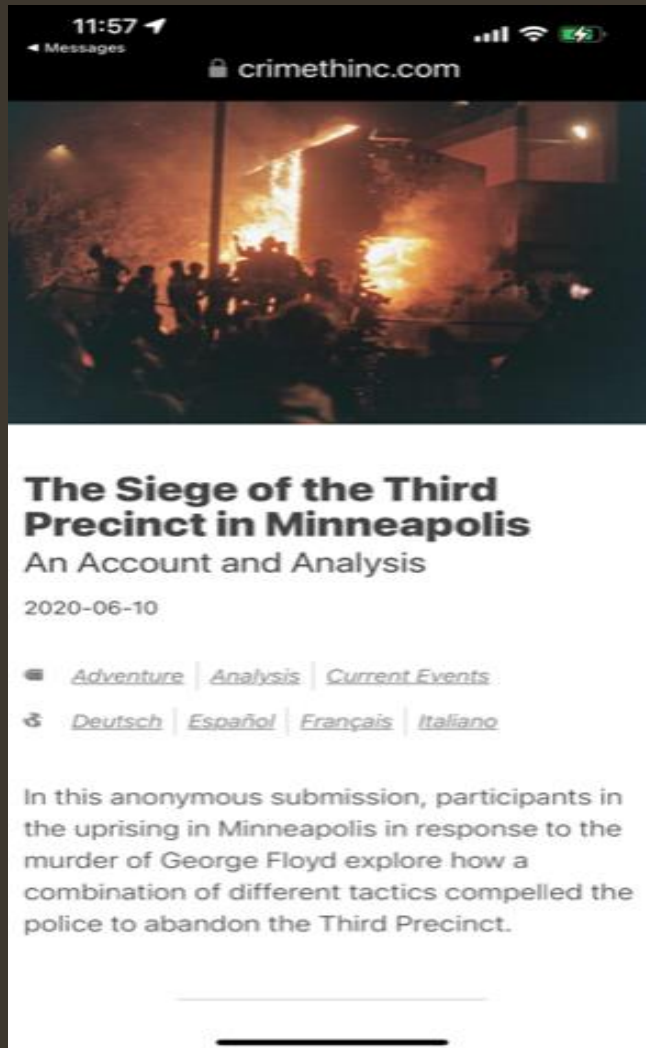
Why So Many Police Are Handling the Protests Wrong | The Marshall Project

“Researchers have spent 50 years studying the way crowds of protesters and crowds of police behave—and what happens when the two interact. One thing they will tell you is that when the police respond by escalating force—wearing riot gear from the start, or using tear gas on protesters—it doesn’t work. In fact, disproportionate police force is one of the things that can make a peaceful protest not so peaceful. But if we know that (and have known that for decades), why are police still doing it?”

Why are Police and Protestors Caught in a Bad Cycle?

- Police are trained to respond, not to plan
- “There’s this failed mindset of ‘if we show force, immediately we will deter criminal activity or unruly activity’
- The disconnect between rank and file and executive leadership
- Even a single protest isn’t really a single protest
- De-escalation, of course, does not guarantee that a protest will remain peaceful, and when protests take an unpredictable turn, it can be challenging for police to estimate the appropriate level of force.
- “The time to make friends isn’t when you need them, you have to be in front of it.”

The Approach - Who Is In the Space and WHY?



Protest policing: When do tensions escalate between protesters and police? (police1.com)

- **A large body of literature shows that protesters are more likely to endorse and use violence in response to repressive tactics by police and other state agents.** This is particularly true when perceptions of unjust force against protesters become widespread. For example, **research shows that protesters who directly observed officers using disproportionate force during Occupy Wall Street protests in New York and Washington, DC in 2012 were more likely to shift their attitudes in favor of violence and to engage in violence themselves.** Police that used their authority in ways that protesters deemed were unjustified had the effect of alienating protesters and **propelling otherwise moderate, peaceful demonstrators towards defiance.** Indeed, an after-action assessment of the police response to the 2014 protests in Ferguson, Missouri concluded that the overwhelming use of force by police had the “unintended consequence of escalating rather than diminishing tensions.”
- On the other hand, when individuals believe that authority figures are treating them fairly, they are more likely to refrain from violence. Acts such as vandalism do not receive substantial support from protesters when protesters perceive that police have treated them fairly, and protesters are more likely to stick to nonviolent acts of civil disobedience to demand change, such as staging mass demonstrations or occupying public or abandoned buildings.
- In short, different police tactics yield different responses from protesters: tactical mismatches are likely to influence escalation as well as who joins or desists from protest events.

Why Procedural Justice for Protests?

Why Misuse of Police Power at Protests Undermines Respect for Law

BY TCR STAFF ⌚ 6 MINS READ



Injuries from Less-Lethal Weapons during the George Floyd Protests in Minneapolis

New England Journal of Medicine

February 25, 2021

N Engl J Med 2021; 384:774-775

“Although less-lethal weapons are designed as an alternative to lethal weapons, we found a substantial number of patients with serious injuries, including many injuries to the head, neck, and face. United Nations guidelines state that these weapons should only be aimed directly at the extremities and that hits to the head, neck, and face are potentially unlawful.⁵ Although the results represent only a single region in a worldwide protest, these findings reveal that under current practices, projectiles are not appropriate for crowd control.”

Injuries from Less-Lethal Weapons during the George Floyd Protests in Minneapolis | NEJM

Procedural Justice Flow from Police to Prosecutors to Courts

CAO

- Lessons Learned from previous mass arrests
- Communication with LEA on the front end
- City Leadership Coordination – CAO leadership in Emergency Ops Center
- Individualized justice and alternatives to traditional prosecution



TWINCITIES.COM

'Vast majority' of charges related to curfew violations will be dismissed in St. Paul

CITY ATTORNEY LYNDSEY OLSON ANNOUNCES PLANS FOR RESOLUTION OF CIVIL UNREST CASES RELATED TO EVENTS FOLLOWING THE DEATH OF GEORGE FLOYD

FOR IMMEDIATE RELEASE

June 12, 2020

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651-266-8717

SAINT PAUL, MN - Today, Saint Paul City Attorney Lyndsey Olson announced plans for the resolution of civil unrest cases related to the events following the death of George Floyd. The Saint Paul City Attorney's Office Community Justice Unit will review cases using principles of individualized justice, supporting and protecting First Amendment Rights while maintaining public safety through a distinction between those engaging in peaceful protest and those engaging in aggressive, harmful behavior.

"Supporting healing in our community following the death of George Floyd means making a distinction between those peacefully protesting, and those causing destruction in our community," said City Attorney Olson. "Our plans for resolving these cases strikes this



FREEDOM IS NOT A PRIVILEGE.

FREEDOM IS A RIGHT.

Remind our government and elected officials of this.

**JANUARY 17TH, 2021
ARMED MARCH ON
ALL STATE CAPITALS**

For too long, our government has used their powers to trample our rights and freedoms as citizens. They have divided us into a polarized country for their personal gain.


We, as a unified people, come together to stand up to the corruption within our country that is tearing us apart.

**WE STAND TOGETHER.
WE WILL NOT BE DIVIDED.**

Brought to you by non-partisan common folk who are tired of being tread upon.



11:56
Justice For George Floyd
oved to Wed, 6/03



All-Arrestee Meeting
5pm Powderhorn Park

WEDNESDAY, JUNE 3, 2020 AT 6 PM – 8 PM EDT

JusticeForGeorgeFloyd All-Arrestee Meeting
Minneapolis, MN

Event Ended

2 hr

Event by National Lawyers Guild Minnesota and Pipeline Legal Action Network

Powderhorn Park
Powderhorn Park, MN 55407 · 1,000 mi

43 went · 298 interested

Public · Anyone on or off Facebook

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“Never mistake law for justice. Justice is an ideal, and law is a tool.”
-LE Modesitt

