NATIONAL GUARD AND FEDERAL TROOPS IN CIVIL DISORDER

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by

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SUMMARY

The purpose of this essay is to study the recent past performance of police, National Guard, and army forces in the control of the various and changing types of civil disorders. Emphasis is placed on control and coordination of the several agencies involved. New concepts are sought, to reflect the newest available techniques and equipment to minimize force while still obtaining maximum results from all elements employed. Riot control, civil disturbance operations, and confrontation management to cope with the changing character of disorders are discussed; from control of classic riots, through handling of violent demonstrations, to the management of campus confrontations.
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The overriding consideration in the handling of riots, civil disorders, or confrontations occurring in the United States and potentially involving the National Guard and/or Federal Troops must be that most, or even all of the people involved are United States citizens and have to be accorded all the rights of citizenship, even if it appears that they have divorced themselves from the responsibilities connected with their status. This consideration can be modified only by the paramount rights of all citizens to the protection of the law. This encompasses the right of the individuals charged with the protection of the citizenry to safeguard their own person, the life and limb of innocent bystanders, and others engaged in the re-establishment of law and order.

Awareness of their civil rights by dissidents and criminal elements in our society, and the ever increasing protection afforded them by the courts have combined to make operations against civil disorders much more difficult in recent years. The keeping or re-establishing of peace and order requires ever more sophisticated responses to insure not only efficiency, but also full legality of the actions taken.

The level of occurrence of civil disorders shows a considerable increase throughout the 1960s and into 1970. Along with the frequency went basic
changes in the character of disorders, demanding a new look at the methods employed in handling them. The classical riots with widespread mob action, burning, looting, and wholesale destruction of property, such as occurred in Detroit in 1967, were followed by the type of demonstrations encountered at the Democratic National Convention in Chicago, by peace marches, and by anti-Vietnam rallies turning to violence, and finally campus confrontations, deliberately planned and executed. We now seem to have arrived at a phase where attacks on individual police officers or squad cars, small, scattered "teens disturbances," and bombings of public buildings and other symbols of authority predominate (viz., the repeated bombing of the police statue in Haymarket Square in Chicago, and bombing of the Army Mathematical Research Center at the University of Wisconsin.)

While large scale riots seem to be on the wane, they could happen again at any time. Experience has shown that this would require federal troops. Campus confrontations will often call for National Guard assistance since large universities are frequently located in areas with relatively small police forces, and their own campus police are neither geared nor trained to fight large outbreaks of violence. The ambushes and bombings will probably remain within police capabilities.

Civil disorder operations by all levels of authority have varied greatly in the period since 1967, and from one locality to another. A trend toward improvement of response can, however, be established. As the authorities and commanders have gained experience, and police officers, guardsmen, and
soldiers have benefitted from training, a definite improvement in efficiency of civil disorder operations has become evident. The following study will outline how this came about, and how the experiences gained can be broadened into valid recommendations to improve the efficacy and legality of riot control and confrontation management.

Three basic principles have emerged as most important to the successful accomplishment of civil disturbance missions. They are: The principle of Mass, the principle of Economy of Force, and the principle of Unity of Command. Where these basic rules have been properly applied, results have been forthcoming fast, and peaceful conditions have been promptly restored. Where not, troubles have spread, excessive loss of life and property has occurred, and both time and cost have been out of proportion with results obtained.

Military operations based on these three principles require a high degree of control, coordination, and cooperation. In all cases, coordination of at least two forces, local police and whatever military units are involved, is required. Often, an additional number of civil authorities and law enforcement bodies must be controlled and coordinated to achieve a combined effort without wasteful duplications or, even more serious, diversity of purpose and neglect of citizens' rights.

To attain this necessary unity of effort has proved difficult. In some cases, the differing objectives of various civil authorities posed problems. In other instances, divergent training of police, National Guard, and regular army forces made coordinated operations difficult to achieve, sometimes...
nearly impossible. Police are trained and used to operate alone, or at the most in two-man teams, and in dealing with criminals use of their firearms is quite natural. National Guard units and regular army troops with emphasis on unit training, on the other hand, are used to war-type operations against an "enemy" rather than against dissident or riotous citizens.

All these factors have played various roles in confrontation management during the last few years, as have the distinct differences in the types of troubles encountered. These points are illustrated below, in the description of a few of the different disorders and official reaction thereto. They are outlined in chronological order rather than by type or size and thus offer some insight into the changing character of civil disturbances.

The Detroit riots of July, 1967 provide a striking example of the "classical riot." Burning, looting, some sniping at police; not much shooting; all in scattered sections of the city, mostly in the rioters' own neighborhoods or business areas. A racially motivated riot, sparked, but not caused, by a police raid against a so-called "blind pig."

Control efforts, first by Detroit police, later assisted by State police, then Michigan National Guard, and finally federal troops, were hindered by several factors:

The Detroit police, not realizing the extent of the disorders, poured squad car loads of officers into the area, without planning or organization. State police help, when called upon, was not sufficient. The next to be called were Michigan National Guard units. They were caught several hundred
miles away at Camp Grayling, leaving only Air National Guard as the first available military force. Not trained or equipped for disorder operations, they did no more than augment police with ill-qualified auxiliaries. Truck loads of guardsmen arriving from Grayling without unit integrity were assigned as extra "bodies" to various police districts, with equally negative results.

Guardsmen arrived without spare uniforms, without proper riot control equipment, and without time or means to operate according to existing plans. Only later, as command elements arrived, did some semblance of military order result. It took the full time and efforts of all staff sections just to reconstitute the units and get control of operations.

Federal assistance was asked for. Troops of Task Force Detroit arrived, and even here mixups and delays in transportation from airfields to the city occurred. The National Guard, now federalized under AR 135-300, as then written, started a mountain of paperwork to comply with mobilization requirements of this regulation; again, the riot control operations suffered from lack of support. Army Task Force Detroit, under LTG Throckmorton, then in overall command, finally managed to get the disturbances under control.

Michigan National Guard after action reports reflect some of the problems encountered: Lack of command post space, aggravated with the arrival of federal troops; lack of liaison with police on the scene; communication problems between the several agencies involved.

Actual street operations suffered from lack of concentrated manpower due
to piecemeal arrival of Guard forces. This constituted a violation of the principle of Mass. Coordination between Guard officers, and later army commanders, and city authorities and police supervisors was difficult and scanty, so Unity of Command was lost. Neither police, nor for a time, Guard forces operated as coordinated units, but rather as a large number of individuals, or at best small teams. This went against Economy of Force principles.

The Detroit riots did, however, provide valuable experiences, and led to much improved responses to later occurrences in other areas.

The so-called King Riots in Chicago, triggered by the assassination of Dr. Martin Luther King, Jr., in April 1968, found the Chicago police, then some 10,000 men, the Illinois National Guard, and army troops under LTG Mather well prepared.

The Illinois National Guard, first under MG Francis Kane (now retired and an official of the Chicago city administration,) then under MG Richard T. Dunn (since also retired) had received considerable riot training. Through the foresight of its commanders and Chicago city and police authorities, extensive planning, liaison, and even exercises had been conducted. Facilities for co-location of command and communication people had been provided, including fire department radio teams and an FBI desk, as well as pre-setup headquarters space for federal troops, ready for use if required. As a matter of policy, National Guard liaison teams were, and are now, monitoring police operations as soon as a possible call-up situation developed.
These continuous operations, and some luck, assisted in the prompt and smooth arrival of Guard forces when called. The luck was a conference of National Guard, police, and city people, called to plan the protection of the coming Democratic National Convention, and in session just at the start of the "King" riots, finding most staff officers in position for immediate action. Fifth U.S. Army logistical advance personnel, and a military intelligence team were on hand as soon as the National Guard was called, and observers and liaison personnel from Task Force III (Corps) arrived almost immediately.

A broad and clear mission was given to National Guard units, permitting operations to be executed as planned. When army troops were needed, the change-over was effected without confusion, and police and Guard units continued operating as before, but under new direction. Overall order was restored as promptly as could be expected. Most non-applicable provisions of the AR 135-300 had been waived in the change over of National Guard units to federal active duty, resulting in considerable saving of time, cost, and temper of all staff sections concerned. Continued cooperation and coordination by commanders of all agencies preserved Unity of Command, even during changes of overall authority.

"Restructuring" of Chicago police into military type units as provided

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for in the department's "Immediate and Total Response Plans" allowed police operations along required principle of Mass lines. Necessary chow of force, and application of force operations were facilitated. National Guard rules for unit integrity worked as planned, with a nine man squad as the absolute smallest unit used, and platoon and company size forces immediately available.

All Chicago police officers with National Guard status switched to Guard operations as soon as called, furnishing police knowledge and "arresting officers" to the Guard forces. Police liaison officers, all Guard officers with police supervisory civilian positions, just changed uniforms and resumed their assigned and new duties. Police commanders, and Guard and army commanders of battalion and higher units were constantly on the streets and able to shift forces as needed to follow Economy of Force principles.

After-action reports revealed few problems. Over twelve square miles of the city and suburbs were patrolled, as compared to just over one and one half during a 1966 riot control operation. Many new tasks had to be assumed, concerned mostly with protection of public health, utilities, and other facilities, and personnel. Even food deliveries to indigent persons in the affected areas were made, all of this on a twenty-four hour basis.

The prompt accomplishment of this mission confirmed that with proper application of the basic principles of Mass, Economy of Force, and Unity of

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1Chicago Police Department, Tactical Operations Handbook, p. IV.
Command, as well as other military principles, long established, civil
disturbance operations can be concluded without costly confusion, and
especially with proper regard for the rights and persons of the citizenry.

The "Shoot-Out in Cleveland"\(^1\) of July 1968 may be termed a classical
riot with variations. It did not start like most riots up to then, but rather with
a well planned ambush of, what the ambushers thought, were police officers,
actually uniformed tow-truck drivers, and continued with deadly and fre-
quently shooting at police officers. At that stage: "It was not a riot. It was
armed, guerrilla warfare."\(^2\) Later, the other lawless acts of a classical riot
appeared, but still with more shooting and sniping than usually encountered
under these conditions.

The Ohio National Guard had to be called early, as Cleveland police
did not have control of the situation from the start. Efforts at control were,
in the beginning, left to police on the scene, but:

As Stokes (Cleveland Mayor Carl T. Stokes) was later to admit, Cleveland police were inadequately trained and supplied to
cope with urban guerrilla warfare. According to Major General Sylvester DelCorso, Adjutant General of the Ohio National
Guard, he had tried to get the Stokes administration to discuss
measures for handling racial disturbances but had been rebuffed.\(^3\)

National Guard forces were used to augment police in the troubled area,

\(^1\)Civil Violence Research Center, Case Western Reserve University,

\(^2\)Ibid., p. viii.

\(^3\)Ibid., p. 64.
mostly in motor patrols of three guardsmen and one police officer per jeep.
The Guard was not given a clear mission by city officials. On the contrary,
both Guard and police forces were alternately sent into and removed from the
affected areas. Nearly all principles of proper application of military forces
were disregarded. In the end, termination resulted more from internal collapse
of the riots than from control operations by the authorities.

A show of force, one of the first tactics normally used in riot control
operations, was never attempted, due to a lack of unity of command. Mass,
if used at all, was scattered in all directions, and without the economy of
force that would have permitted its proper application.

During the Democratic National Convention of 1968, in Chicago, and
the demonstrations and confrontations attendant thereto, the Chicago police
operated as a paramilitary force, Illinois National Guard units had to be
called to duty, and federal (army) troops were prepositioned in strategic
locations near the convention site, but not used.

New experiences consisted of the extreme verbal abuse heaped upon the
committed forces, interspersed with exhortations to the guardsmen to leave
their posts and join in the demonstrations, all with full knowledge that police
and military response would be as restrained as possible. Very close control
by junior leaders on the streets and continual presence of senior commanders
was required.

Clashes between the demonstrators and police were numerous, injuries
resulted on both sides. The Walker Report, now in book form, and called
"Rights In Conflict" describes these in detail. A curious fact is, that as soon as military forces (National Guard) were used, the real violence usually subsided, leading the investigator to believe that planned disorders were directed against the City of Chicago, but not intended to fight military power.

Gleaned from After Action Reports of the Illinois National Guard EOH: Administrative and logistic delays developed due to activation of all elements, command and troop, at the same time. ECH organisation did not include sufficient personnel to operate the command post on a full 24 hour basis. Telephone shortages developed. Radio communications were excellent, owing to the availability of battalion radio packs furnished by the army. A shortage of M-1 ammunition clips existed, making handling and loading of issue weapons difficult.

Aside from the above mentioned, relatively minor difficulties, street operations by the Guard units approached in concept and execution the newer objectives and techniques developed by then. Mass, Unity of Command, and Economy of Force, all were used as planned; and proved that operations even against well planned disorders can be accomplished within the framework of minimum force for maximum results when dealing with the problem of dissenting and violently militant citizens.

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2Illinois Army National Guard EOH (hereafter referred to as: III.ANGL EOH.), After Action Report, 3 Sep. 1968, BG. Richard T. Dunn, CG.
The, by now, nationally notorious case of campus violence at Kent State of May 1970, resulted in the death of four students, and wounding of several more by units of the Ohio National Guard. Considerable controversy concerning these shootings is evident even now.

The Guard unit involved was badly outnumbered and completely surrounded by a large and menacing crowd of students. The unit was out of chemical riot control agents, all expended on the previous day, and out of contact with their parent unit. The resulting loss of control by senior commanders may well explain an at least partial loss of control by the junior officers on the scene; and use of their rifles by the individual guardsmen, who thought themselves, and were, in definite peril of their lives. Mass implies not only a sufficient force on the spot, but available mobile reserves, as well as abundant supplies of the proper weapons and equipment. None of these were available in this case. Especially not to the surrounded unit.

Student demonstrations and violence on the nation's campuses are right now the predominant forms of civil unrest. Most of these could be called ideological or political confrontations, with some of racial origin mixed in. Some, in the form of demonstrations, marches, sit-ins, and take-overs of campus facilities, are well planned and even led by professional agitators; others are of a more spontaneous nature, but acquire planning and direction as they go. The general intelligence level of college students makes confrontation management on our campuses especially difficult.

The outbreaks at the University of Illinois in Champaign-Urbana in
February and March 1970, can well demonstrate the difficulties of these control operations, and the need for appropriate techniques.

The location of the university, typical for many others, split law enforcement at the police level into several small segments: Campus police, the police departments of Champaign and of Urbana, Sheriff's officers, State troopers, and, finally, Illinois National Guard forces commanded by the EOH. Considerable legal and jurisdictional problems and difficulties arose.

Until the arrival of Illinois National Guard units under command of BG. Richard T. Dunn, the various police departments tried to cooperate by committee style decision making, but did not achieve unified actions. As a proposal to let General Dunn assume overall control was accepted by all other agencies, coordinated and combined operations became possible, the thus attained unity of Command resulted in improvements in the application of the principles of Mass, and Economy of Force.

Special problems arose from the lack of compatible radio facilities, and some interception and even jamming of available channels by dissidents. Their leaders also had radio equipment to direct activities and disrupt law enforcement communications.

A recommendation favoring the use of scrambler devices and channels not subject to monitoring equipment in the hands of the dissidents was therefore included in the III. ARNG. EOH. After Action Report.¹

Ball Ammunition was not issued to troops during this operation, but was held in Battalion ASP ready for issue. This fact was considered classified and was not released to news media at the scene.

The coordination of Illinois National Guard troops and the several police departments as soon as implemented, quickly restored order and permitted recall of Guard units and resumption of normal operations by local law enforcement agencies.

Confrontation management, evidenced by a show of force at selected points, application of force only as absolutely necessary, and, a factor not mentioned above, intelligent communication with dissident leaders, helped in the solution of the problems in this case. Student leaders were advised of their rights, but also of the limitations imposed upon their actions by the requirement to safeguard the rights of non-participating students and innocent citizens. They were told where to stop, and what to expect if they didn't, and generally accepted the rules so laid down and backed up by unmistakable intent to use the forces at hand to insure compliance.

The official response to the changing character of civil disorders has also changed by the experiences gathered in occurrences such as the foregoing. Orders can be explicit, if weapons, equipment, materiel and manpower are available to stop the displays of violence without the use of deadly force, and without risking the lives of police officers and military personnel.

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unnecessarily.

Recommendations appearing in After Action Reports of the Detroit riots and other disturbances that advocate extreme measures neither need, nor should, be followed. This pertains to such requests as permission to shoot looters on sight, at least during the first six hours of disorders, to serve as a deterrent; to counter sniper fire with a preponderance of automatic fire (a sure way to injure or kill innocent bystanders with ricocheting or misdirected bullets); extinguishing or shooting out of street lights and other illumination to deny targets to snipers; firing of warning shots into the air or over the heads of advancing crowds (these rounds do come down somewhere and can, and have, injured people not directly involved.)

Such suggestions do not lend themselves to today's thinking and interpretation of law. Training of police forces, National Guard and Reserve units, and active Army troops designated for use in civil disturbance operations must be conducted to reflect the consciousness of the rights of dissenters, while at the same time protecting the lives and property of other citizens and restoring law and order in the interest of all.

Commanders must be trained to understand the basic principles of Mass, Economy of Force, and Unity of Command. Police officers, normally operating alone or in pairs, must become used to act as teams and units, of squad, platoon and company size. Supervisors must learn to dispose their men so as to allow escape routes to members of mobs and to canalize crowds into areas and directions desired, without causing violent reactions born of panic from being
trapped. Maneuver, surprise and security must be considered. Tactical operations should be held simple to execute.

The Tactical Operations Handbook\(^1\) of the Chicago Police Department, written by Lieutenant John MacDonald and Sergeant James Fanning, (both also Majors in the Illinois National Guard,) provides an excellent basis for police training in tactical operations required for control of riots and disorders. This could be adapted to, and used by, most larger city police forces.

Training of police supervisors must include an insight into the set-up and procedures of National Guard units. Liaison personnel, preferably police officers with National Guard status, should be designated and trained prior to actual requirement. Officers that are members of Guard units should switch to Guard status if their units are called to duty for local employment and thus provide a valuable asset of police-trained guardsmen, with experience in arrest procedures and other legal requirements of street operations.

National Guard training for civil disorder control has already been considerably expanded. This should be continued, with special emphasis on the newest confrontation management techniques as required for control of campus disorders. Practice operations with police departments in the form of command post exercises should be conducted where possible to point up areas of needed improvements.

Training of Army Reserve units designated for use in civil disturbance

\(^1\)Chicago Police Department, Tactical Operations Handbook, 1969.
control should follow the same lines as for Guard units, but may require more actual time, since this mission is relatively new to the Army Reserve. Active Army units are faced with similar problems, but operate from a different base. Their training must emphasize the distinction between operations against a foreign enemy and those directed against dissenting or rioting citizens, requiring a much lesser degree of force, and a different psychological outlook.

The requirement for application of minimum and preferably non-lethal force calls for a whole array of both defensive equipment, and new and different offensive weapons and materiel. The funds recently requested by the Secretary of Defense Melvin R. Laird, twenty million Dollars, should go a long way toward providing both training and equipment for National Guard and Reserve units for civil disorder use.

Such defensive equipment as face shields and body armor, not necessarily designed to stop bullets, but rather to minimize the effects of thrown missiles and attacks with sticks and clubs or other crude weapons, and improved chemical agents (and/or expanded supply of existing ones) must be made available. Non-lethal firearms and their ammunition should be provided, as well as research and development in this direction. Rubber and wooden bullets, such as used by British troops in the recent Irish disturbances; the "Stun- gun-Stun bag" or other controlled response devices should be investigated.

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perfected and put to use. Even the long-standing protector of rural watermelon patches, rocksalt, fired from shotguns, can be applied to advantage. Expert riflemen must be equipped with anti-sniper weapons for selective fire.

Recent experiences have clearly shown the requirement for protective equipment for troops to prevent overreaction to aggressive acts by militant dissenters simply from fear of bodily harm. Limited response weapons and chemical agents designed to incapacitate temporarily but not to kill, will facilitate operations within the mandates of minimum force with maximum results; and without excessive danger to uninvolved citizens or indiscriminate destruction of property.

"Effective command and control are essential to accomplishment of the mission."1 Commanders must be personally present on the scene to exercise command and control. Critical situations must be evaluated, and coordination with police effected. Communication and negotiation with leaders of the dissidents may be required, and prompt decisions will have to be made. Executive Officers should run headquarters and staff sections as much as possible, but commanders must also maintain fast reliable communications with their staff sections and all troop elements.

Command and control efforts not only require a high degree of leadership at all echelons, but are greatly enhanced by use of pre-planned operations at

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1 Brig. Gen. Richard T. Dunn, Control of Civil Disturbances, notes prepared for and used at U.S.A.I.S. Fort Benning, Georgia, presented to all National Guard Separate Brigade Staffs, (Ill., ARNG. EO H., 17 April 1970), p. 5.
all levels and in all locations. Considerable pre-planning can and must be
done. This should include coordination with various authorities, such as
campus security forces, city and sheriff's police departments, and mayors of
possibly affected localities. Facilities required for use by troops should be
inspected, communication means arranged for, and target areas carefully
studied. Headquarters must be able to accommodate civil and military liaison
parties, and an influx of officials and observers in case federal intervention
becomes necessary. Communication interchange facilities for the agencies
involved will be required. Space for news media people must be provided, as
well as telephones for their use.

Control of street operations also requires a high degree of leadership and
command responsibility at all levels, but particularly from junior officers and
NCO's. These men control the actual force applied on the scene, and must be
chosen with care. Mere issuance of ammunition must not be construed as per-
mission for its use. Definite instructions and orders must be given to all echel-
lons regarding the loading and firing of weapons. For riot control, ammunition
should be carried by every man. For demonstrations and confrontations, cam-
pus or other, ammunition should be held under unit control. Chemicals must
be available under all conditions, but again, their use will depend on con-
ditions. Individual weapons may be loaded and fired only per Department of
the Army Special Orders: In self-defense, on order of an officer, or under
previously arranged conditions.

Arrests by guardsmen or soldiers are to be made only when absolutely
necessary. Offenders should be detained for formal arrest by attending police officers, or taken to police control points for processing and formal arrest procedures. Much later legal difficulty can be avoided by adherence to these basic instructions.

Brigade or Task Force commanders must insist on clear and broad mission statements, in written form, originated by responsible authorities. The manner of accomplishment should be left to the military commander, to preserve maximum flexibility of operation. Geographical boundaries will assist to define the job to be done. Boundaries to coincide with police districts of responsibility will help to coordinate efforts with local law enforcement bodies.

Military personnel should operate as such, and should not be permitted to lose their effectiveness by assignment to police, or commitment as individuals, nor should they be parcelled out to other agencies. Minimum unit size of one squad should be adhered to for all street operations, with platoons or larger units immediately available. Sound military tactics can also be applied successfully to civil disorder operations. The at least initially defensive posture of police forces should be replaced with well executed offensive actions as soon as military forces are committed. However, the principles of Mass, Economy of Force, and Unity of Command should always prevail.

National Guard transition from state to federal active duty, difficult and time consuming in the past, was eased by changed to AR 135-300, dated October 1969. These changes now distinguish between an "order" to active duty, as for a war type mobilization, and a "call" to federal active duty for
civil disorder and riot control. This eliminated most of the previously required complicated procedures and paperwork; as well as lengthy logistical delays.

To date, insufficient tests of these changes are available to evaluate these new provisions, or to recommend further revisions to this regulation.

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