



FARGO POLICE DEPARTMENT

A SAFE AND UNIFIED COMMUNITY BUILT ON TRUST, ACCOUNTABILITY AND INCLUSION

POLICE ADVISORY & OVERSIGHT BOARD

MINUTES

Meeting: Police Advisory & Oversight Board Regular Meeting

Date: 08.10.2022

Time: 5:00 p.m.

Location: City Commission Chambers

The Regular Meeting of the Police Advisory & Oversight Board of Fargo Police Department was held in the Commission Chambers at City Hall at 5:00 p.m., Wednesday, August 10, 2022.

The Police Advisory & Oversight Board members present or absent were as follows:

Present: Scott Paul, David Hogenson, Joanna Johnson, Lucruchia King, Tonya Greywind (by phone).

Absent: Todd Spellerberg, Conrad Thomas

Item 1. Welcome and Introductions

Chair Johnson welcomed Members to the meeting and introductions were made.

Item 2. Approve Order of Agenda

Member Hogenson moved the Agenda be approved as presented. Second by Vice Chair King. All Members present voted aye and the motion was declared carried.

Item 3. Approve Order of Minutes

Vice Chair King moved the minutes of the July 14, 2022 Police Advisory & Oversight Board meeting be approved as presented. Second by Member Paul. All Members present voted aye and the motion was declared carried.

Item 4. Public Comment Period

1. Christopher Coen presented a letter to the Board Members regarding what led up to the events of June 5, 2020 involving the Police Department. Mr. Coen pointed out he had trouble getting contact information for the Board and he believes Board Members should have their own email addresses for public use. Mr. Coen believes there should be an independent investigation into what happened before and after the riot.

Item 5. Police Department Updates by Sergeant Cristie Jacobsen and Chief David Zibolski

- The format for the agenda can be updated to include Sergeant Jacobsen's email address.

- Reminder about Pride events this coming weekend.
- Reminder that if email communications are occurring between Board Members or between Members and the public, Sergeant Jacobsen should be copied on those emails.
- Discussion of an after-action review of the May 30, 2020 riot. It is planned to be presented on September 8th.
- There have been three officer-involved critical incidents in Fargo since July 8th, two involving Fargo Police Department members.
- On Monday, August 8th, 22 recruits graduated from the academy. 15 have been hired by the Fargo Police Department. Recruitment for the January academy is ongoing.
- The new sergeant promotional process will involve an interview panel that will hopefully include a Board Member.
- Discussion of an article on suicide by cop that was given to Chief Zibolski by Member Hogenson, leading into a brief discussion of the ICAT training undergone by Fargo Police officers.

Item 6. Professional Accountability Unit Complaint and Incident Review by Deputy Chief Joe Anderson

1. Deputy Chief Anderson presented an overview and analysis of complaints from January 1, 2021 to June 30, 2022.
2. There have been 21 formal complaints from January 1, 2022 to June 30, 2022.
 - a. Some complaints involve multiple allegations
 - b. 18 internally generated, 3 externally generated
 - c. Of the formal complaints, 11 were sustained, 3 are pending, 3 exonerated, 2 unfounded, 3 not sustained
3. There have been 11 informal complaints from January 1, 2022 to June 30, 2022.
4. Comparing January 1st to June 30th data from 2019 to 2022, there was a spike in complaints in 2021. At this time, there were changes made to officer expectations, policies, and training.
5. There has been a 42% decrease in total complaints in the January 1st to June 30th period from 2021 to 2022.
6. Deputy Chief Anderson presented a comparison of complaint data from the January 1st to June 30th period between 2021 and 2022.

Item 7. Discussion

1. Member Hogenson commented on the FPD's Facebook page, specifically on the back-and-forth amongst the public in the comments and what can be done to keep such discussions civil.

Item 8. Adjourn

The time at adjournment was 5:58 p.m.

PROFESSIONAL ACCOUNTABILITY UNIT COMPLAINT & REVIEW COMPARISON 2021 & 2022

DC Anderson, Lt Aberle, and Sgt. Shaw

7.29.2022

COMPLAINT DEFINITIONS

- **Formal complaint** – An incident in which further action is warranted in order to determine the veracity of the allegation or due to the seriousness or complexity of the allegation, repetitive nature, or pattern of misconduct of the member. Formal complaints shall be investigated by a member higher in rank than the member accused.
- **Informal complaint** – generally includes minor, non-repetitive violations resulting in training, policy review, or oral reprimand
- **1 year Abeyance (suspension)** – similar to a deferred imposition – As long as the member receives no additional sustained complaints during the next 365 days the complaint disposition will be a written reprimand

COMPLAINT PROCESS

- Internal – filed by a member of the department
- External – filed by non-department member – shall be investigated as formal complaints
- If informal – sent to shift commander for resolution
- If formal – PAU will investigate
- Generally accepted by on-duty supervisor or shift commander of the employee in question
 - May be resolved through review of BWC or discussion
- Complaint sent to Professional Accountability Unit (PAU) – reviewed by Assistant Chief, Professional Standards Division Commander, and the Division Commander to determine formal or informal complaint

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DISCIPLINARY RECOMMENDATION PROCESS

- Once the investigations is complete – Reviewed by Professional Standards Division commander and Chief of Police to ensure the investigation is thorough
- Professional Accountability Unit (PAU) commander or designee presents the investigation to the executive staff (Assistant Chief and the three (3) Division Commanders) for disposition and disciplinary recommendation
- Recommendation forwarded to the Chief of Police for final determination
- Employee shall be afforded the opportunity to respond to the Chief prior to final determination
- Any determination with an economic sanction the employee shall be afforded a pre-disciplinary hearing

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DISCIPLINARY RECOMMENDATION PHILOSOPHY

- **Employee Motivation** – was the employee acting in the public's best interest and/or attempting to accomplish a legitimate police purpose?
- **Degree of Harm** – what was the monetary cost to the department or community; what was the extent of personal injury; impact on public confidence towards the department; seriousness of the employee's actions?
- **Employee Experience** – is the employee experienced or relatively new; have they successfully completed similar tasks?
- **Intentional and Unintentional Errors** – was the action reasonably the best decision with the information available or was it contrary to the law, training, policy or malicious in nature?
- **Employee's Past Record** – what is the employee's complaint history within the last 5 years. Is there any similar previous incidents to show a pattern of behavior?

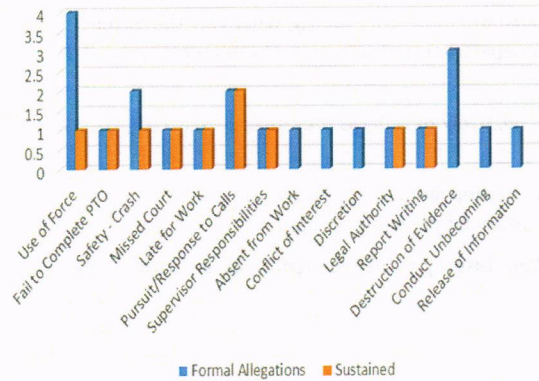
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DEPARTMENT COMPLAINT AND INCIDENT REVIEW

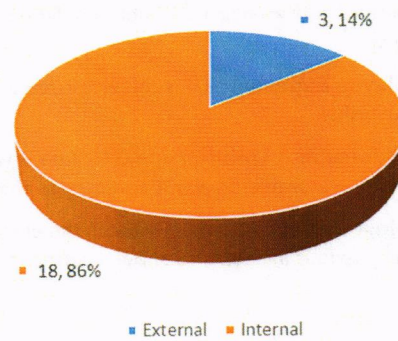
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2022 FORMAL COMPLAINTS – JAN 1-JUN 30, 2022

2022 YTD Formal Allegations



Jan 1 - Jun 30, 2022 Source of Formal Complaints



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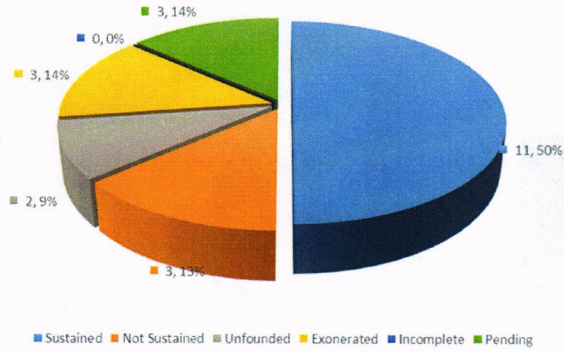
JAN 1 – JUN 30, 2022 FORMAL ALLEGATIONS

	Formal Allegations	Sustained	Exonerated	Unfounded	Not sustained	Incomplete	Pending	Internal	External
Use of Force	4	1					3	4	
Fail to Complete PTO	1	1						1	
Safety - Crash	2	2						2	
Missed Court	1	1						1	
Late for Work	1	1						1	
Pursuit/Response to Calls	2	2						2	
Supervisor Responsibilities	1	1						1	
Absent from Work	1		1					1	
Conflict of Interest	1		1					1	
Discretion	1		1						1
Legal Authority	1	1						1	
Report Writing	1	1						1	
Destruction of Evidence	3				3			3	
Conduct Unbecoming	1			1					1
Release of Information	1			1					1
Totals	22	11	3	2	3	0	3	19	3

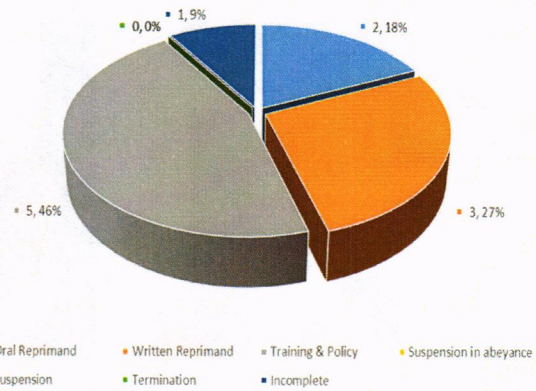
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JAN 1 – JUN 30, 2022 DISPOSITIONS & DISCIPLINE

Jan 1 - Jun 30, 2022 Formal Complaint Dispositions



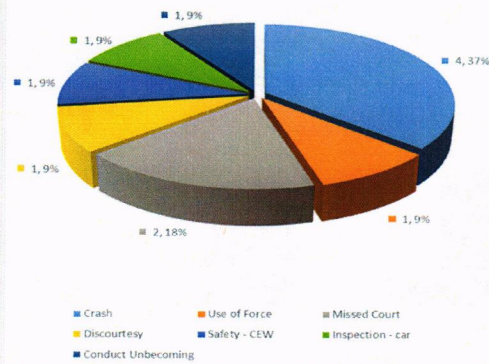
Jan 1- Jun 30, 2022 YTD Sustained Complaint Discipline



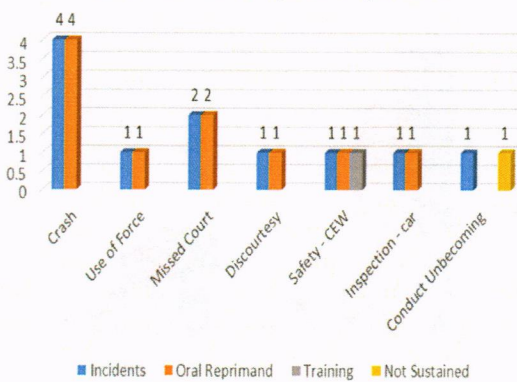
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JAN 1 – JUN 30, 2022 INFORMAL COMPLAINTS

2022 YTD Informal Complaints

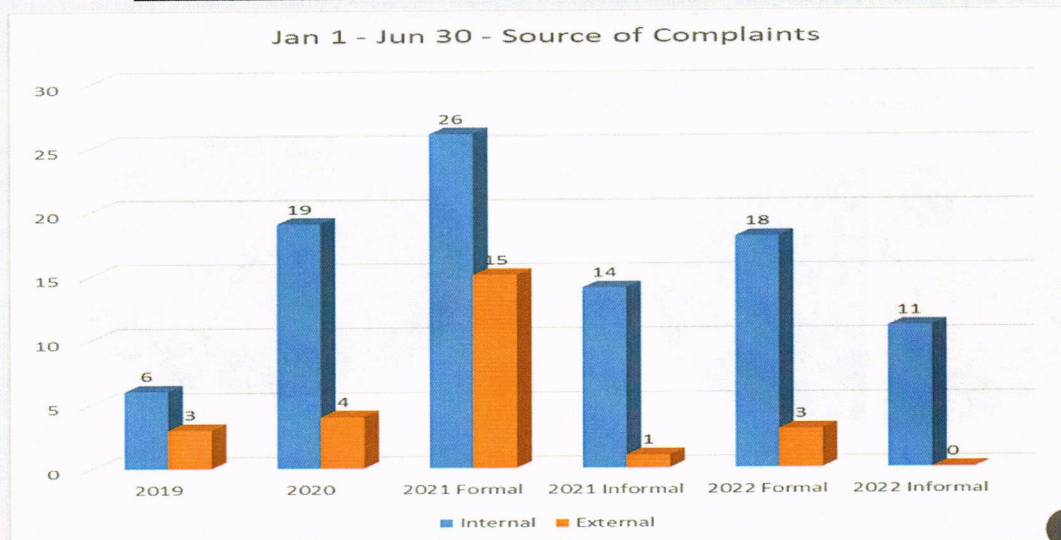


2022 Informal Complaint Dispositions

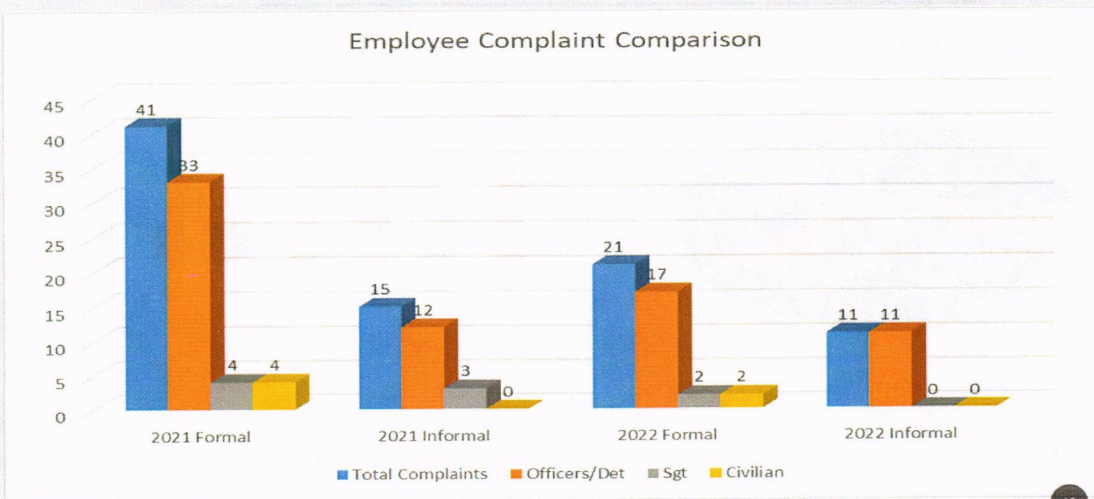


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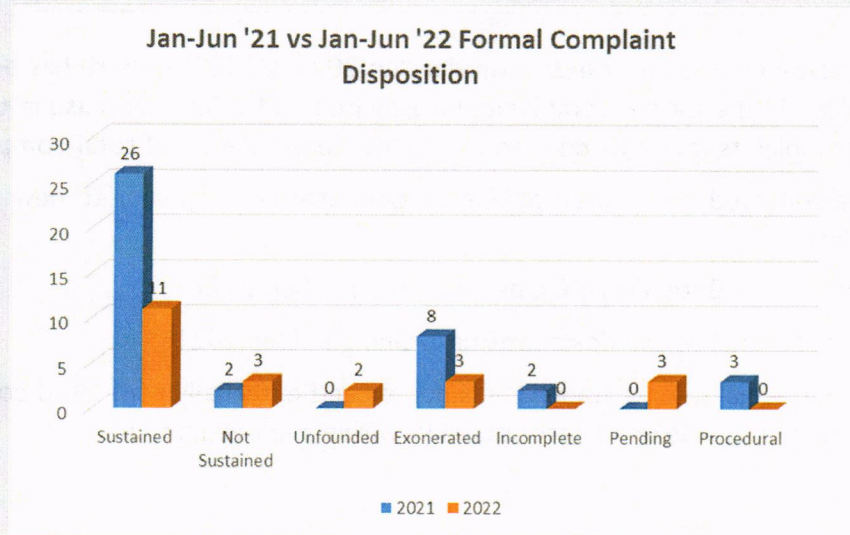
JAN 1 – JUN 30 SOURCE OF COMPLAINTS - COMPARISON 2019-2022



JAN 1-JUN 30, 2021 VS JAN 1-JUN 30, 2022 COMPARISON

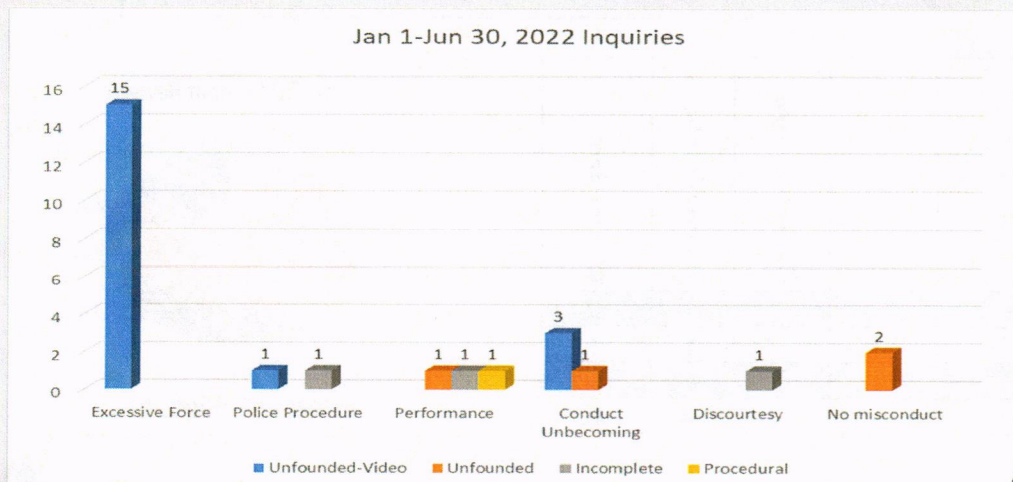


JAN 1-JUN 30, 2021 VS JAN 1-JUN 30, 2022 COMPLAINT DISPOSITION COMPARISON



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JAN 1-JUN 30, 2022 INQUIRIES



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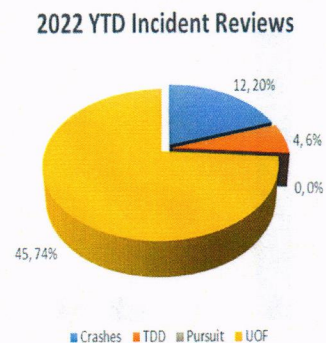
COMPLAINT ANALYSIS

- Using the same period for comparison (Jan-Jun 2021 & 2022) – there has been a 48% decrease in the formal complaints investigated and a 26% decrease in the informal complaints investigated – an overall decrease of 42% of total complaints
- Employees educated on updated policies, procedures and adjusting to new expectations
- Implementation of Body Worn Cameras (BWC) in Sep 2021
- Training – additional verbal de-escalation training in Dec 2021
- Historically internally generated complaints exceed externally generated complaints which suggests a high level of accountability within the department

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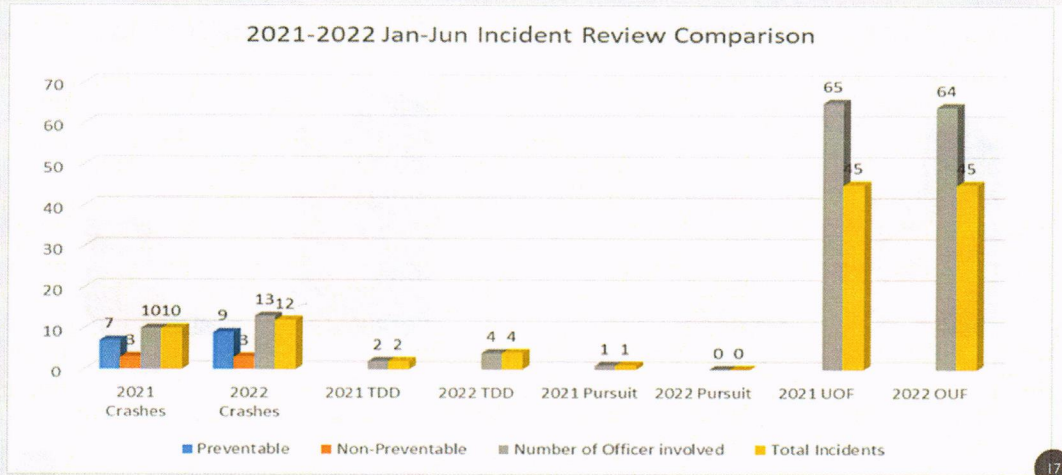
2022 INCIDENT REVIEW COMPARISON (CRASHES, PURSUITS, UOF, & TDD DEPLOYMENTS)

Incident Reviews	Preventable	Non-Preventable	Number of Officers	Total Incidents
Crashes	9	3	13	12
TDD			4	4
Pursuit	0	0	0	0
UOF			64	45



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JAN 1-JUN 30, 2021 VS JAN 1-JUN30, 2022 INCIDENT REVIEW COMPARISON



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USE OF FORCE COMPARISON

- Use of Force categories
 - Physical Force
 - Conducted Energy Weapon (CEW) –Taser 7
 - Oleoresin Capsicum (OC) Spray
 - Impact Weapon (40mm launcher or Pepperball launcher)
 - K9
 - Firearms

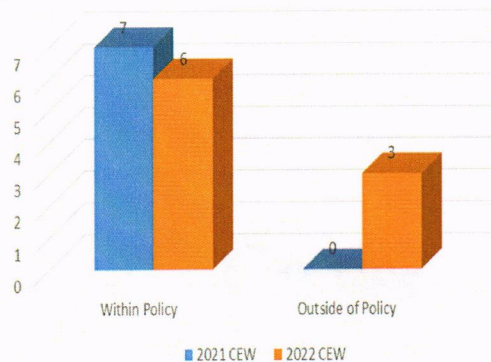
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JAN 1-JUN 30, 2021 VS JAN 1-JUN 30, 2022 USE OF FORCE COMPARISONS

2021-2022 Jan-Jun Physical Force Comparison



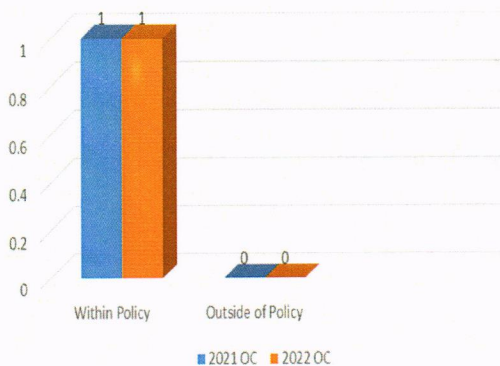
2021-2022 Jan-Jun CEW Comparison



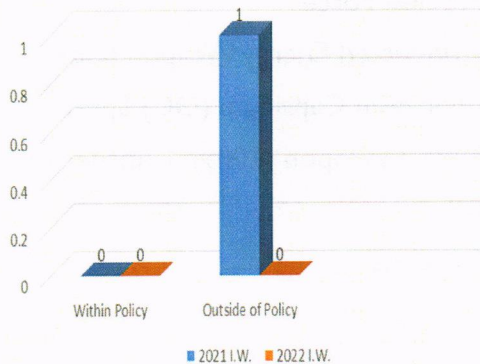
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JAN 1-JUN 30, 2021 VS JAN 1-JUN 30, 2022 USE OF FORCE COMPARISON

2021-2022 Jan-Jun OC Spray Comparison



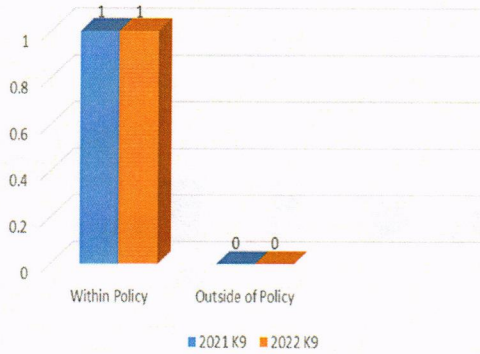
2021-2022 Jan-Jun Impact Weapon Comparison



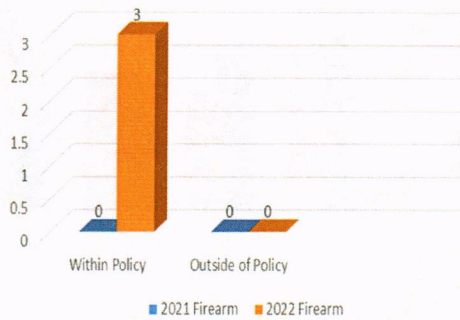
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JAN 1-JUN 30, 2021 VS JAN 1-JUN 30, 2022 USE OF FORCE COMPARISON

2021-2022 Jan-Jun K9 UOF Comparison



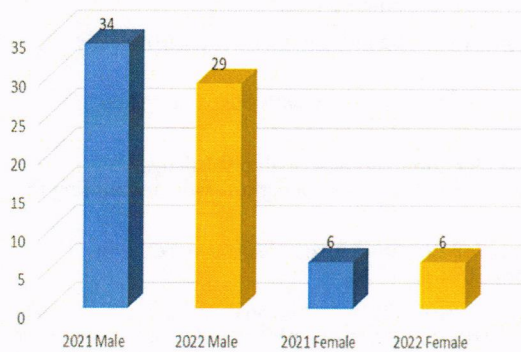
Jan- Jun 2021 & 2022 Firearms Usage Comparison (All Animals)



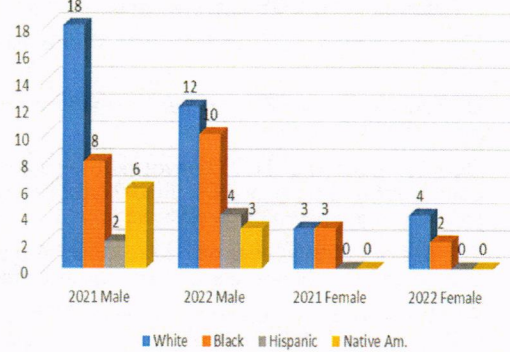
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JAN 1-JUN 30 2021 VS JAN 1-JUN 30, 2022 USE OF FORCE COMPARISON GENDER & ETHNICITY

Jan-Jun 2021 & 2022 UOF by Gender

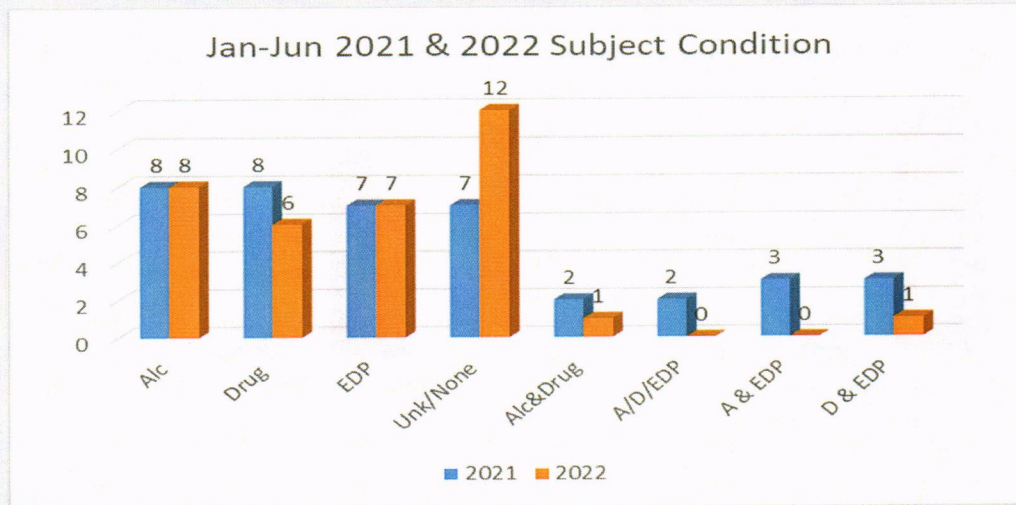


Jan-Jun 2021-2022 UOF by Gender & Ethnicity



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JAN 1-JUN 30, 2021 VS JAN 1-JUN 30, 2022 USE OF FORCE SUBJECT CONDITION (EDP-EMOTIONAL DISTURBED PERSON)



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INCIDENT REVIEW ANALYSIS

- 31% decrease in Physical Force incidents from same period in 2021 to 2022
- 20% decrease in UOF incidents with males – no change in female UOF incidents (6)
 - Female ethnicity UOF data is negligible (white female 3 to 4 and black female 3 to 2)
- 33% decrease in UOF incidents with White males and 50% decrease in UOF incidents with Native American males.
- UOF incidents with Black males increase by 2 (8 to 10) and UOF incidents with Hispanic males increased by 2 (2 to 4).
- UOF incidents in 2021, 75% involved the subject being under the influence of alcohol, drugs, combination of both, or EDP. In 2022, that number is 65%...possible data collection issue accounting for increase in unknown/none observations.
- The use of the BWC has helped to clear false accusations of excessive force – 200% increase in Unfounded Use of Force allegations against officers from 2021 to 2022.
- Additional verbal de-escalation training (ICAT) in Dec 2021 gave officers additional verbal skills to deal with emotional disturbed people (EDP) – department continues to training offices in Crisis Intervention Team (CIT).

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COMPLAINT & REVIEW CONCLUSION

- Use of BWC has increased the department's accountability
 - Easily identify great work and conversely poor work
 - BWC review have increased unfounded complaints or excessive force allegations
- Employees will continue to adjust to new expectations and policy and procedure improvements
- The department heavily invests in officer training – shared training day, Option Based Training, bringing in training courses to the region – more competent and professional officers
- Shift commanders reviewing policy with staff and Daily Training Bulletins to increase officer competencies
- PAU and Training Unit review of incidents to ensure the incidents are in accordance with department policy and procedures – quickly address any training issues
- 2021 Use of Force incidents occurred in .12% of FPD interactions with the public and 2022 Use of Force incidents occurred in .14% of FPD interactions with the public (2021- 65/53,782 CFS & 2022-64/45,145 CFS)

Christopher Coen
Fargo ND resident

August 10, 2022

Fargo Police Advisory and Oversight Board
City of Fargo

re: May-June 2020 protest march and downtown police/protesters confrontation

Dear Members of the Board:

As I stated at last month's meeting, I think the Police Advisory and Oversight Board would be the right body to look into the events of May and June 2020 involving the downtown riot which shook the city and which continues to be felt. The actions of the Fargo Police Department (FPD) and the City of Fargo have never been looked at or investigated to determine what was done right and wrong. I believe there were a number of errors we could learn from, as well as wrong-doing.

At the time of the events I read several newspaper articles which referred to "threats to Fargo." After a few weeks it dawned on me that these threats had never been defined or explained, so I decided to dig into the matter via contacting the City Commission and Mayor as well as putting in some open records requests. City Commissioner Arlette Preston helped me by contacting the FPD and asking them some of the questions I had.

As a reminder of the events of that time and the chronological order: on Saturday, May 30 there was a protest over the death of George Floyd in Minneapolis, called Fargo Marches for George Floyd, and organized by OneFargo and BLM-FM (Black Lives Matter Fargo-Moorhead). It attracted more than 2,000 participants and included an afternoon protest and march from Fargo to West Fargo and back, and culminated with a downtown Fargo evening protest. At one point during the downtown evening protest there erupted a confrontation between police and protesters, which included police use of riot gear and tear gas (some tear gas canisters shot directly at face level at protesters, which can cause blindness, brain injury and death¹). Some protesters threw rocks and water bottles which injured some officers, as well as damaged property (started dumpster fires, tagged buildings with graffiti and broke windows), and broke into one business and stole beer. For Friday, June 5 there was a planned march from Island Park to Fargo City Hall with an outdoor sit-in at City Hall, however, the FPD and city leaders talked organizers into an Island Park gathering only due to alleged "threats to Fargo." The event was called "celebration of George Floyd's life."

¹ Andrew Buck, monthly meeting of the Police Accountability and Oversight Board, July 14, 2022.

Following my inquiries regarding the alleged threats to Fargo I received the following emails from the FPD:

1) email from Sgt. Tom Shaw regarding my "Open Records Request"

Thomas Shaw <TShaw@FargoND.gov>
Fri 8/14/2020 3:57 PM
To: Christopher Coen

Mr. Coen,

I have spoken with the Mayor, City Administrators and the City Attorney's Office about your request for the information pertaining to the credible threats to the June 5 Island Park event. While there are no documents pertaining to your open records request the Fargo Police Department received verbal information from an anonymous caller via our Tip Line directing us to a website at protestjobs.com and urging that local organizers were referring people to the protestjobs.com website. That website gave specific information on the monetary amounts to be paid to protesters for damage they could cause during a protest. The information was taken directly to our command staff about the event on June 5. Taking into consideration the previous events on May 30, the information provided by the anonymous caller was concerning and in order to prevent further property damage or injury to any involved parties it was important to put a plan in place in case the event escalated.

Sgt. Tom Shaw
Fargo Police Dept.
Ph: 701-241-1416

2) email from Sgt. Tom Shaw: "Question re: 'credible threat,'" including questions by Commissioner Preston and an email response from DC (Deputy Chief) Joe Anderson

From: Thomas Shaw <TShaw@FargoND.gov>
Thu 8/27/2020 9:28 AM
To: Christopher Coen

Mr. Coen,

This information was provided to Commissioner Preston yesterday by DC Anderson. She asked that I pass it along to you in regards to your records request for information we received prior to the June 5 Island Park event.

[Sgt. Tom Shaw]

[beginning of DC Anderson's email]

From: Arlette Preston <APreston@FargoND.gov>
Sent: Friday, August 21, 2020 12:53 PM
To: Ross Renner <RRenner@FargoND.gov>
Subject: Re: Question re: "credible threat"

Sounds good. Thanks.

Sent from my iPhone

On Aug 21, 2020, at 12:03 PM, Ross Renner <RRenner@fargond.gov> wrote:

Commissioner

Intel falls under Deputy Chief Anderson, I will visit with him about this next week if that works. He is on vacation this week.

On Aug 21, 2020, at 11:57 AM, Arlette Preston <APreston@fargond.gov> wrote:

I have been having an ongoing conversation with a Chris Coen, who has been requesting documentation of the tip which led to the conclusion of a "credible threat" existing and an emergency declaration and the ND National Guard request. His questions have legitimacy, it seems to me, and that's why I'm pursuing the answer.

I was in a meeting with Sgt. Shaw and the City Attorney last week when this request was discussed. Sgt. Shaw has indicated that no documentation exists. Since that is the case, the question then becomes -- is that normal practice and should that procedure be examined?

When an anonymous tip comes in via the phone line, is it usual procedure to not record anything in writing? Can you let me know what the usual process is for investigating an anonymous tip?

In more than one instance, reference has been made to the website Protest.com. Can you tell me if the Fargo event was on that website? I can't seem to get an answer to that.

As we all well know, the atmosphere at this time was tense. This could very well have been a bogus tip to cause more disruption.

I'd appreciate any additional light you can shed on the usual procedures for handling these.

Arlette Preston, Commissioner
City of Fargo
701.715.2862
apreston@fargond.gov

[DC Anderson's response in red]

[note: Commissioner Preston's questions below made **bold** by C. Coen]

Hello,

In response to Commissioner Preston's questions, I have prepared my answers in red text since the Intel Unit is under my command. Excerpts from Commissioner Preston's original email to Interim Chief Renner dated 21 August 2020 are as follows:

Question/Comment:

"I have been having an ongoing conversation with a Chris Coen, who has been requesting documentation of the tip which led to the conclusion of a [threat] existing and an emergency declaration and the ND National Guard request. His questions have legitimacy, it seems to me, and that's why I'm pursuing the answer"... "I was in a meeting with Sgt. Shaw and the City Attorney last week when this request was discussed. Sgt. Shaw has indicated that no documentation exists. Since that is the case, the question then becomes -- is that normal practice and should that procedure be examined?"... In Sgt. Shaw's defense, he was not aware that there was an email from Det. Luckow regarding the tip relative to "burning city hall" and protestjobs.com. The email containing the tip served as the "official documentation" and was distributed through the chain of command (myself and I sent it to Chief Todd) on June 3, 2020. The purpose of the email was to notify the chain of the command of the information considering the previous attempts to burn buildings in downtown Fargo on May 30th and with the recent targeting/burning of public/private buildings throughout the US. I directed the Intel Unit to attempt to vet and determine if the information was credible. The FBI did speak to the original tipster and concluded the information could not be corroborated. Mayor Mahoney and Chief Todd indicated the information was not known to be credible at the time, and I can only conclude they made their decisions as precautionary measures to protect the city.

Our Intel Unit does have a process in place to document tips which come in and the process depends on multiple factors. One, what is the content and credibility of the information (tip) and two, can it be vetted. If the information (tip) does not support a crime meaning it is not credible, can't be vetted, and can't be determined to be criminal intelligence then the information is discarded. If the information is vetted and a crime can be established the information is entered into our criminal intelligence database. In order to enter criminal intel into our database there must be an associated "name" or an "address" to link to the intel.

We have since created a form which our Intel detectives can use in lieu of publishing an email

regarding the information that can't be stored into the database. This form will be kept on file until we need to purge the information. Our criminal intelligence is maintained and purged in accordance with 28 CFR part 23.

Question/comment:

"In more than one instance, reference has been made to the website Protest.com. Can you tell me if the Fargo event was on that website? I can't seem to get an answer to that"...The official website is www.protestjobs.com. Det. Luckow was directed to that site as a result of the tip and according to Det. Luckow there was mention of "burning Fargo City Hall for \$500". However, Det. Luckow did not capture that information immediately and when he later went back to the website the information had been removed. As far as I'm aware, Det. Luckow was the only person to have seen the information posted on the protestjobs website. In hindsight, it would have been beneficial if Det. Luckow had captured that information; however, I take Det. Luckow on his word that it was there. Below is what is currently posted on their webpage...as you can see they advertise "broken store front windows and car/dumpster fires" and they provide "custom" packages upon request.

[note: website graphic removed here by C. Coen – please see website]

If you need further explanation or clarification, please contact me.

Respectfully,

Deputy Chief Joe Anderson
Criminal Investigations Division
Fargo Police Department
105 25th St. N.
Fargo, ND 58102
Ph: (701) 476-4174
FBI NA 250th Session

Here are some key points I (Christopher Coen) would like to make regarding all of the above:

1) As to DC Anderson's claim that Sgt. Shaw (the officer responsible for open records requests) was not "aware" that there was an email from Det. Luckow regarding the tip relative to "burning city hall" and protestjobs.com, that's not an excuse that the FPD can use when requested to make records available via the open records law. The FPD cannot keep Shaw unaware of records, nor can he simply not find them by doing a weak or non-existent search for the records. He could have just called investigations or command and asked what records may exist and would have immediately been informed of the relevant email investigations had sent to command.

2) DC Anderson admits that if the information (tip) does not support a crime, meaning it is not credible, can't be vetted, and can't be determined to be criminal intelligence then the information is discarded. Yet, instead on June 3, 2020 the email containing the tip was distributed through the chain of command

and acted upon, DC Anderson having personally sent it to Chief Todd.

The tip was based on secondhand hearsay (please see the attached email in back from FPD Det. Cory Luckow dated September 8, 2020, which has a forwarded June 3, 2020 FPD Intel Unit email to the FBI). The phone tipster claimed his "friend" heard rumors. The FBI spoke to the original tipster and concluded the information could not be corroborated, which sounds as if the tipster would not identify the friend and/or the friend would not speak to police, or perhaps the "friend" didn't exist.

That the City would have the National Guard use resources to board up the Police Station and erect concrete barriers around City Hall based on an uncorroborated secondhand hearsay tip shows how easy it would be for anyone to use a ruse to divert police and the National Guard away from some real target(s). I don't think this was smart policing.

3) The fact that the allegation included the name "Antifa" — a contraction of the phrase "anti-fascist" — and claimed that Antifa were involved in some way in the plot to attack Fargo should have been an immediate giveaway that the tip and the "generalized threats" were bogus (please see the attached June 4, 2020 email in back from FPD (ret.) Chief David Todd). Antifa goes to events where neo-Nazis, white supremacists, and far-right extremists are gathering and confronts those groups. No such gathering was occurring here in Fargo-Moorhead. Instead, it was a gathering of people opposed to police brutality, particularly against communities of color. Antifa was started in Europe to counter the fascist governments of Germany, Italy and others in the 1930s. In the United States it is an anti-fascist and anti-racist political movement. It is a highly decentralized movement of anti-racists who seek to combat neo-Nazis, white supremacists, and far-right extremists. "Scott Crow, a former Antifa organizer, says, 'The idea in Antifa is that we go where they (right-wingers) go. That hate speech is not free speech. That if you are endangering people with what you say and the actions that are behind them, then you do not have the right to do that. And so we go to cause conflict, to shut them down where they are, because we don't believe that Nazis or fascists of any stripe should have a mouthpiece.'" ²

Antifa has been the subject of repeated hoaxes over the years from the political Right. The Wikipedia article on Antifa says the following: "There have been numerous efforts to discredit antifa by various right-wing groups and individuals. Some have been done via hoaxes on social media, many of them false flag operations originating from alt-right and 4chan users posing as antifa backers on Twitter; some hoaxes have been picked up and portrayed as fact by right-leaning media and politicians....During the nationwide George Floyd protests against police brutality and racism in May and June 2020, false claims of impending antifa activity circulated through social media platforms, causing alarm in at least 41 towns and cities. On May 31, 2020, @ANTIFA_US, a newly created Twitter account, attempted to incite violence relating to the protests. The next day, after determining that it was linked to the white nationalist group Identity Evropa, Twitter suspended the fake account. The FBI's Washington Field Office report stated that members of a far-right group on social media had 'called for far-right provocateurs to attack federal agents, use automatic weapons against protesters' during the D.C.-area protests over Floyd's murder on May 31, 2020....Conservative news organizations, pro-Trump

2 Jessica Suerth, "cnn.com," May 31, 2020, <https://www.cnn.com/2017/08/14/us/what-is-antifa-trnd/index.html>

individuals using social media, and impostor social media accounts propagated false rumors that antifa groups were traveling to small cities, suburbs, and rural communities to instigate unrest during the protests...”³

Did and does the FPD have a politically-slanted view of Antifa?

4) As to the claim that “Professional protesters can be hired through the website ProtestJobs.com,” a Snopes.com assessment, “Is ProtestJobs.com a Real Service for Hiring Protesters?,” gives a rating of “False.”⁴

“...Origin

Large-scale political protests are typically accompanied by claims that many of the protesters are actually persons who have no vested interest in the issue being contested, but are instead actors hired to play the part of protesters.

Although paid protesters are not a concept completely within the realm of fiction, in recent years the concept has been spoofed via multiple fake advertisements and websites established offer pretend services providing protesters (or supporters) for political events.

One such website that garnered renewed attention during the May 2020 protests over the police-custody death of George Floyd in Minneapolis was ProtestJobs.com, a service that purports to “connect our network of professional protesters with protest organizers...”

“...As is common with fake business websites, ProtestJobs.com...offered no way for putative customers to order or pay for its services (providing only a generic contact form that produced nothing but a 'Sorry, it seems that our mail server is not responding' error message).

As well, the 'Protest Package' option listings on ProtestJobs.com included multiple entries intended to be ludicrously humorous, such as 'Car/Dumpster fire upgrade option available,' 'Broken store front window included in all EZ-RIOT packages,' and 'Free National Parks tweet comparing the size of your protest to the inauguration....”

In other words, even if this website had not been an inactive satirical website, it does not purport to pay anyone to be a protester. It only seeks customers who would like to hire protesters.

5) The statement that Det. Luckow claimed that he saw mention of “burning Fargo City Hall for \$500” on protestjobs.com is not possible. Protestjobs.com has been inactive 2017. The claim that Det.

³ Wikipedia contributors. (2022, July 31). Antifa (United States). In *Wikipedia, The Free Encyclopedia*. Retrieved 18:01, August 10, 2022, from [https://en.wikipedia.org/w/index.php?title=Antifa_\(United_States\)&oldid=1101585396](https://en.wikipedia.org/w/index.php?title=Antifa_(United_States)&oldid=1101585396)

⁴ David Mikkelsen, “Snopes.com,” May 31, 2020, <https://www.snopes.com/fact-check/protestjobs-hiring-service/> (accessed August 15, 2020)

Luckow did not capture that information immediately is not believable. Any detective would recognize it as a possible crime and immediately take a screen shot to capture and preserve the evidence. Instead, the FPD claims that when Luckow came back later to check it, it had (magically) disappeared from the stated website – an inactive website. DC Anderson has no reason to take Det. Luckow on his word.

According to a June 4, 2020 BuzzFeed News article ⁵:

The myth that protesters, no matter the cause, are secretly being paid by some powerful entity has circulated for years, but it has spread with renewed vigor as anti-police brutality demonstrations have ignited across the United States. Citing debunked images and a satirical website, users on social media have suggested that people showing up in the streets are being financed by a third party.

There's no shortage of online posts or videos promoting the claim that protesters are being paid — but over the weekend, some social media users turned their attention to a very real website, ProtestJobs.com...

...According to new research conducted by the Digital Forensic Research Lab (DFRLab), an organization that tracks online disinformation, people have shared the site on Facebook Groups and pages, claiming the site, which is satire, constituted proof of staged demonstrations.

The site carries an explicit disclaimer — "Real: 100,000+ Americans are dead. Fake: This website..."

...BuzzFeed News spoke to the site's creator,... He's a US citizen who created the website in 2017 as a joke for his friends. He forgot about it until last weekend, he said. "I put it together and I thought it was funny," he said. "I shared it with a couple of friends and we got a good laugh out of it."

Then he put it out of his mind until a fact-checker recently contacted him. "I didn't expect this to happen," the website's creator said.

DFRLab found that the site was shared over 30,000 times on Facebook, which translated to nearly a million visitors, as of May 28....

"I never looked at it. I never touched it. I never had any alerts set up," the creator said. "To have it go from zero [views] to a million is quite shocking."

He said he made the website as a response to unsubstantiated claims circulating in 2017 of paid protesters, and he never expected the site would be used to denounce protests...

5. Jane Lytvynenko, "buzzfeednews.com," June 4, 2020, <https://www.buzzfeednews.com/article/janelytvynenko/paid-protester-myth> (accessed August 10, 2020)

6) The FPD and The City impinged upon the June 5, 2020 protesters' First Amendment right to protest by bottling them up in Island Park and preventing them from marching to City Hall and doing an outdoors sit-in based on nothing more than an uncorroborated secondhand hearsay tip, the details of which were demonstrably false. The website was satirical and inactive, yet the FPD claims that they just so happened to have not taken a screen shot of a supposed reference on that website to burning Fargo City Hall. That doesn't make sense and is not believable.

7) Maybe The City and the FPD will claim that everything has changed now that we have a new chief of police, but please note that he promoted several of (ret.) Chief's Todd's top command personnel, two of whom were centrally involved in the disastrous events of May 30 and June 5, 2020.

I think there should be an independent investigation of the FPD's and the City of Fargo's actions during and around the May 30 and June 5, 2020 protests.

Sincerely,
Christopher Coen (He/Him)

Thomas Shaw

From: Cory Luckow
Sent: Tuesday, September 8, 2020 11:12 AM
To: Thomas Shaw
Subject: Fwd: Criminal Intelligence - Tip

Begin forwarded message:

From: Police - Intel <fpdintelunit@FargoND.gov>
Date: June 3, 2020 at 10:32:00 CDT
To: "Eric.Hellekson@ic.fbi.gov" <Eric.Hellekson@ic.fbi.gov>
Cc: Joshua Heller <jheller@FargoND.gov>, Joseph Anderson <JAnderson@FargoND.gov>
Subject: Criminal Intelligence - Tip

Good Morning,

I called [REDACTED] because he called and said he had information to relay for the upcoming sit in/protest this Friday. He said his "friend" who he spoke to this morning around 0700 hrs said the protests are not going to be peaceful this Friday and Saturday and mentioned grumbles of lighting city hall on fire. His friend mentioned that protestors are being paid through a website called "protestsjobs.com" which is likely ran by Antifa. He also said one of the organizers of the "Fargo Marches for George Floyd" Facebook page are asking people in Fargo to go on that website to sign up to get paid for the protests. He didn't know which organizer it was but said she was African American which would be Angelina or Anywei. [REDACTED] refused to Id his friend to me but based on the time he spoke to his "friend" 0700hrs I wouldn't be surprised if it's his roommate. I will dig into this today. Eric if you have time to take a look into this that would be appreciated.

Any questions please let me know.

Thanks,

Detective Cory Luckow
Intelligence Unit
Fargo Police Dept.
105 25th ST N
Cell: 701-429-7578

Confidentiality.

This electronic transmission is strictly confidential to the sender and intended solely for the addressee. It may contain information which is covered by legal, professional or other privilege. If you are not the intended addressee, or someone authorized by the intended addressee to receive transmissions on behalf of the addressee, you must not retain, disclose in any form, copy or take any action in reliance on this transmission. If you have received this transmission in error, please notify the sender as soon as possible and destroy this message.

Thomas Shaw

From: David Todd
Sent: Thursday, June 4, 2020 4:12 PM
To: Police - All
Subject: Confidential - Message from the Chief / Tomorrow

Fargo Police Personnel,

If you're like me, you've got a knot in your stomach about tomorrow and are praying for all of this preparation for worst case scenario stuff to be unnecessary.

In the days leading up to this, our interaction with the organizers made it evident an event was going to happen somewhere whether we approved of it or not. We made the decision to invite the organizers in and establish a direct relationship with them to work with them on the event so they would clearly understand what our concerns are and why we were discouraging a march to City Hall. The dialogue with each other was beneficial and we came to some mutual agreements on how this event could be conducted to try and limit the ability for others to hijack it.

The event is not supposed to move.... It is to remain in Island Park. If someone starts to try and lead people out of the park, they are trying to hijack the event. I want us to stop that movement as soon as possible. I believe there is also the possibility for messaging to be used to pop-up groups in the downtown area after the 1 – 3 pm event is finished into the evening / night.

Our Community Engagement Team (CTOs, CLOs, SROs) along with some other officers and supervisors will be embedded with the organizers to try and help them keep this civil / calm and from running away. If things become out of control, they will exfil out and we'll have to be ready.

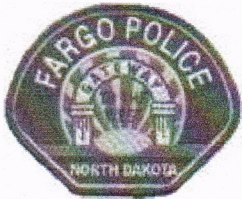
There is national chatter regarding ANTIFA / anarchists attempting to try and take advantage of large crowds and create disturbances, destruction and target people. Other than the original chatter about the goal in Fargo being to burn down city hall, threat information is generalized and not specific at this writing.

I will be down at the event for some time and then back at IC.

I pray for your safety and well-being,

Thanks,

Dave



Chief David Todd
F.B.I.N.A. 223rd
dtodd@fargond.gov
www.fargopolice.com