

LAW ENFORCEMENT MANAGEMENT INSTITUTE

A GUIDE TO MANAGING
CIVIL DISTURBANCES

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Introduction

Within the United States, our right to "Freedom of Expression" is a Constitutional, First Amendment right which, when exercised within the spirit of the law, allows individuals or groups the opportunity to openly express their support, opposition, and opinions without fear of reprisal from prospective opponents, police, or the government.¹ History is replete with examples of many controversial, economic, moral, political and social issues aired through the forum of mass public demonstrations.

It is interesting to note that much latitude exists in the interpretation of this first amendment right, with respect to what may be expressed. Persons or groups have the right to publicly speak out or demonstrate against the leadership or policies of this country. Furthermore, even foreign nationals, have the right to openly oppose their own country, as well as the United States.

Due in part to our open society, some public demonstrations involving the exercise of freedom of speech have resulted in lawfully oriented groups becoming unlawful, and/or escalating into violent confrontations. It is at this juncture law enforcement is required to intervene and carefully impose fair and impartial enforcement to return order to the community. This so called enforcement must provide for equal protection, considering the rights of all parties involved, regardless of persons, groups or issues.

The recent riots in Los Angeles, Seattle, and Las Vegas coupled with the disturbances in Chicago and Atlanta have caused

major police departments in the United States to examine their state of readiness to handle civil disturbances. It is the intent of this paper to discuss law enforcement's response to public demonstrations. Unfortunately, it is not possible to address all facets of this comprehensive subject. Therefore, discussion will focus on the following topics:

1. Crowd behavior
2. Sporting and entertainment events
3. Economic and labor action situations
4. Riots
5. Passive demonstrations
6. Crowd control management
7. Incident containment
8. Decision to arrest demonstrators
9. Use of force
10. Use of chemical agents
11. Tactics

Crowd Behavior

Generally, a crowd can best be described as the most common form of collective behavior involving a number of persons temporarily congregated in an area. Collected behavior in this case refers to the actions of the group or individuals involved in the crowd, mob, riot or cause oriented, passive demonstration. Behavior of the group is often influenced by peer group leadership.²

When appropriate law enforcement attention is devoted to analyzing group behavior, crowd actions are predictable and, therefore, can often be controlled. It is highly recommended that study be devoted to a group's previous operations so that probable future behavior can be determined. Obviously, understanding potential adversaries philosophies and prior actions can provide a sound basis for preplanning, training, appropriate response, and

the avoidance of mistakes.³

Crowds often form as the result of spontaneous actions or, in some cases, preplanned events. Under normal circumstances, when a crowd is orderly and not involved in unlawful activity, the situation does not require police intervention. However, peaceful crowds can suddenly escalate into unruly mobs if skillful agitators influence crowd behavior to become unlawful and/or escalate into violence. Therefore, the police must be prepared to respond to such events. Under the circumstances, police intervention must include a disciplined, vigorous enforcement of appropriate statutes with the objective to keep the peace and reestablish calm in the area as quickly as possible.

Sporting and Entertainment Events

The concept of crowd control not only applies to incidents involving freedom of expression, but also sporting and entertainment events. These incidents, when allowed to go unchecked, can rapidly escalate into violent confrontational frenzies, presenting law enforcement with significant community safety concerns. Recent European soccer matches, championship playoffs, visiting celebrities, parades, etc. are but a few examples.

Some of the factors affecting collective behavior in this setting include weather, indoor versus outdoor activity, group, player, or entertainer charisma, type of event, crowd control, and consumption of narcotics and alcoholic beverages.⁴ In controlling such events, consideration should be given to the preplanned

example, keeping the peace is the primary objective. Individual officers must avoid directing or encouraging persons through the lines. For example, appropriate actions of personnel might include parting lines in order to allow vehicles or persons to pass. Additionally, while deployed at labor action sites, individual officer's conversation should not fall victim to expressing opinions regarding the circumstances of the dispute itself. This becomes especially difficult after working relationships among police, management and picketers have been established.⁶

Riots and Passive Style Demonstrations

In review of many events, it appears society is encountering acts of civil disorder reminiscent of the late 1960's and early 1970's. As a result, two areas which require significant law enforcement study are riots and so-called passive types of demonstrations.

Riots

Crowds which display violent behavior, deploy their own internal emotional contagion, and, therefore, are best categorized as riotous groups. This contagion is perhaps best described as the transfer of excitement from one person to another. In riots, it not only affects the mob or group, but can affect control forces as well. During those instances where the emotional contagion is high, it is essential that police discipline and supervision prevail.⁷ Strong leadership and control must be emphasized while directing the activities of the control force. Individual officer actions must not be tolerated. Use of force must be controlled, directed,

deployment of sufficient police personnel to maintain a high profile in terms of visibility, the deployment of a response force for contingencies, and constant evaluation of the event itself. Unruly activity at large scale events has often been prevented by establishing screening points for spectator entry, with security and police oversight.⁵

Something else to be considered in this area is that event promoters often provide private security to assist with control of the crowd. These individuals can be most helpful in controlling or removing inebriated and unruly fans. Having readily identifiable private security helps and/or reduces the appearance of a repressive police presence and attempts to place the responsibility for event control on the security element.

Economic and Labor Action Situations

Labor disputes involving management versus disgruntled employees often require police intervention. Action oriented, picket style demonstrations require careful monitoring and the utmost in diplomacy. Inappropriate police response at a labor dispute can place law enforcement in the untenable position of siding with either management or labor. Therefore, it is incumbent upon police managers to provide appropriate guidance to its officers and supervisors concerning policy and their actions involving labor oriented incidents.

It is critical in these instances that law enforcement monitor and maintain a neutral position. When required to take some police action involving nonunion employees crossing picket lines, for

and minimal when necessary.³

A general supervisory precept is that personnel will perform appropriately during periods of high emotional stress when exposed to strong leadership. Certainly riots provide the impetus for a highly emotional situation.

Passive Demonstrations

Crowds which gather peacefully to protest an event, person, or issue may lawfully assemble to emphasize their point and/or air their grievances. Some groups will preplan public demonstrations, announce their anticipated participation at an event, or perhaps seek a parade permit. Such activity may require police deployment in order to expedite group movement in concert with proper traffic management.

One of many issues which often surfaces involving so called passive groups is the legality of intelligence gathering or monitoring. Strategic intelligence gathering, designed to identify group membership and activities over a long period of time, may not be permissible or acceptable under some policy. On the other hand, operational on scene intelligence, designed to gather and monitor crowd behavior, size or purpose, is absolutely essential if a situation is to remain peaceful and controlled.⁹

In reference to preplanned events involving controversial groups where conflict may be anticipated, it is reasonable for police to monitor the situation. For example, a pro-Nazi demonstration, where ethnic or emigre groups plan to counter-demonstrate.

There are also those groups who gather to demonstrate with lawful intentions, yet utilize unlawful means to achieve their goals. One such example includes religious and morally oriented groups who commit trespass, e.g., block public access or commit malicious mischief in an endeavor to prevent expectant mothers from having abortions. These types of groups, in some ways, are more difficult for law enforcement to cope with because of community support for the issues involved as well as their ability to manipulate police actions. When such demonstrations occur, opposing factions will expect aggressive police response to support their individual positions.¹⁰ When not exercised, law enforcement suddenly becomes the focus of criticism from each side. When law enforcement does react, excessive force is alleged. It can be a no win situation. Perhaps the best measure of success to apply in these situations is that after the event is over, both sides are equally upset with law enforcement, then we have done our job well.

There are also groups in this category who attempt to negotiate with police when confronted with mass arrest in order to achieve lesser criminal charges. For example, one such morally issue oriented group attempts to strike a bargain with law enforcement by promising not to become resistive or go limp if police slow down their arrest and booking process as well as communicate with designated group leaders.

In criminal hostage situations, it is believed law enforcement should negotiate during life and death circumstances. However, in unlawful public demonstrations, once the situation has deteriorated

to the point where arrests are to be made, negotiating terms of surrender is not acceptable in returning the community to some semblance of order. It should be pointed out that often the group's negotiating is a stalling tactic designed to slow and confound the police process. Once the situation is determined to be unlawful and police intervention necessary, then police should dictate the appropriate response, not the potential arrestees.

As has been mentioned previously, in all cases police must exercise strong leadership and supervision during both riots and passive style demonstrations. Where morally oriented issues are involved, the expression of personal opinions by police must be avoided.

In response to controlling passive types of demonstrations, the following suggestions have been helpful:

- * As the event is unfolding, assemble necessary personnel resources, assess the situation, contain the situation, and begin videotaping and photographing police actions, crowd behavior, arrests, and leadership.

- * Determine appropriateness, advantages and disadvantages of arrest and use of force policy.

- * When necessary, give several dispersal orders, warnings of the intention to arrest, then allow persons to leave.

- * Separate opposing factions with police officers where violence is evident.

- * If arrest is the solution to the problem, designate arrest, custodial and identification teams. Maintain a good custodial and

arrest process, since it will be heavily scrutinized in future criminal and civil actions.

- * If arrests are not practical, remove demonstrators, open an access to an entrance, identify and remove leadership.

- * Have a clear and distinct operational plan with contingencies described.¹¹

Crowd Control Management

Proper response to any crowd control situation depends upon the law enforcement manager and supervisor knowing their job. In that regard, it is unreasonable to expect all managers and supervisors to know everything there is to know about crowd control tactics.

Crowd control operations require a sound knowledge of specialized tactics. These tactics must be based upon experience. When at all possible, it is recommended that the selection of critical incident managers or tactical supervisors be based upon ability and requisite experience involving unusual occurrence and crowd control operations. There are several basic tenets involving decision making, which through experience, are submitted for consideration:

- * Supervisors and managers must know the law, policy, how it is to be applied, and the specific mission to be accomplished.

- * Leaders must have confidence in the abilities of subordinates to do their job.

- * Leaders must know and utilize available assets.

- * In riotous situations, react quickly when appropriate, and

seize the window of opportunity to resolve the problem.

- * Supervisors should listen to the recommendations of tenured subordinates.

- * Leaders must be decisive and give clear directions. Tell subordinates what is expected and their objective.

- * Display calm in the face of confusion and uncertainty.

- * Always be available for decision making and assume your responsibility.

- * Delegate responsibility to the lowest level possible, and get the job done.

- * Keep superiors and subordinates informed.

- * At the conclusion of the incident, review your actions, determine training needs, and thank those involved.¹²

Incident Containment

Depending upon the scope and magnitude of a riotous situation, law enforcement must be prepared to secure, not only a specific location, but perhaps a city block, or even several square miles if necessary. Initial direction towards control begins by assessing and controlling the size of the affected area. This requires the Field Commander early on to determine personnel needs, as well as mutual aid requirements. A general rule of thumb regarding containment perimeters is to always make them larger than needed. This same rule applies to personnel, request more than needed, the excess can be returned to regular duty assignments.¹³

Situations involving large perimeters may require internal response forces to be highly mobile. It may be necessary for squads

and platoons to deploy in vehicles in order to have the ability to rapidly respond to affected areas spread over several blocks. Maintaining control over a large area must include tracking deployment of operational forces. Sectoring a large area into smaller, more manageable areas is a means of holding deployed assets accountable. Another benefit of such deployment is that rioter activity can be continuously monitored and personnel redeployment made when necessary.¹⁴

Once control has been reestablished, another phase of response may include some form of support line tactics. This approach includes coordinated deployment of perimeter personnel, internal control forces, intelligence teams, and on the ground, mobile contact elements.

Intelligence teams are those two person elements which deploy within an interior of the perimeter and position themselves in strategic locations to observe hostile activity. Contact elements remain mobile and respond to identified threats or riotous activity based upon intelligence team observations and supervisory direction. This phase of the operation generally, should occur early on and remain in effect well after an incident is resolved to ensure a deescalation of violence.

Decision to Arrest Demonstrators

Interior as well as exterior perimeters may be utilized to provide police with a method of controlling a large exterior crowd while also controlling a large interior group of demonstrators. It may be necessary at times to utilize an exterior perimeter to

define an area to which members of a crowd may move in order to not be arrested. Interior perimeters, used in conjunction with the exterior perimeter, may then control the group of demonstrators in an isolated area.

The decision to make arrests, regardless of type of demonstration, is determined by the situation, unlawful activity, departmental policies and available assets. During a riot, committing forces to mass arrest is not the solution to stopping violence, dispersal of the crowd is. During such incidents, it is recommended that selected arrests of individuals be made where group leadership is identified. Removal of agitators and leaders is a deterrent to further crowd violence. Additionally, violent individuals might be surgically extracted from the crowd and arrested when appropriate.

This technique of making selected arrests is best accomplished by designating a group or squad of officers, when necessary, to penetrate the crowd, contact arrestees, and remove them from the group. The arrestee is then removed behind police lines where custody is maintained until the squads mission is accomplished.¹⁵

During passive types of demonstrations, the decision to arrest should be determined by policy, necessity, and available manpower. Mass arrest situations are always personnel intensive and require extensive support from not only departmental entities, but other resources as well.¹⁶ In contemplating the decision to arrest passive oriented demonstrators, it is recommended that the following factors be considered:

* If the demonstration is unlawful, what crime is being committed by the group? Is there a complaining party? Does the unlawful activity significantly impact the community?

* Does the unlawful activity necessitate arrest in order to prevent recurrence or escalation of events? Will unlawful activity cease to continue if police gain access to a structure blocked by demonstrators?

* If it is determined that arrests are to be made, is the agency equipped to process the number of arrests anticipated, pay police officers overtime, and suffer personnel losses due to injuries and court time? Should additional personnel and/or agencies be requested to assist?

Once these issues have been resolved and a decision to arrest made, the process must be well organized and identify all arrests, locations, arresting officers, and appropriate booking sections. The booking process itself should be staffed by experienced personnel, including both male and female officers. Depending upon use of force situations, supervisors, as well as medical personnel, should be involved in the pre-booking process. Video and still photography cannot be overemphasized in maintaining continuity of arrests, locations and officers.

Recent experience involving several mass arrest situations has revealed success in utilizing just one arresting officer for several arrests. Obviously, this can only be accomplished where numerous people are taken into custody for the same offense.

Use of Force

The amount of force utilized to quell any civil disturbance must be reasonable, minimum, and commensurate with the actions of individuals, policy, the crowd and threat.¹⁷ For example, a riot might require officers to use the baton in a striking or thrusting motion, while passive demonstrators may require the use of compliance control holds. Regardless of the demonstration, the amount of force utilized on an individual must be reasonable, necessary, lawful, and applied only long enough to overcome the adversaries resistance.

The use of deadly force must not be ruled out in riotous situations. There have been instances where officers have been exposed to immediate life threatening situations. Some of these have included throwing incendiary devices and large projectiles capable of causing serious bodily injury. These cases might provide the exception to the rule involving individual response where a police officer is confronted with an imminent threat to his own life or someone else's. The officer might have to respond with deadly force in order to stop the aggressor. The use of deadly force under these circumstances must conform to the law and departmental policy. There is no exception to the use of deadly force just because a riot exists. Every police officer is always to be held accountable for his actions.

What is unique to a major civil disturbance type situation is the size and crowd background presented to the officer trying to decide on the appropriate type and amount of force to be employed.

The officer may use deadly force to protect himself, but also must exercise care and caution in doing so because of the populated background. This is a decision which can only be made by the officer at the time of the threat.

Specialized weapons and/or control devices should only be authorized when the situation warrants such tools. Specialized control devices require training in order to maintain proficiency. Therefore, they should only be deployed after appropriate training. Departments opting to use such equipment must provide adequate training to all personnel in advance, and be prepared to articulate who, what, when, where and how the officers were trained.

Use of Chemical Agents

The use of chemical agents during riotous situations has been the subject of much controversy among law enforcement tacticians. Under exceptional circumstances, supplementing tactics with deployment of chemical agents in order to disperse a riotous crowd may be appropriate. Where violence, property damage, crowd size and officer safety issues are present, the use of chemical agents might be considered.

Under most circumstances, crowd control situations involving passive demonstrators do not require the use of chemical agents. It may seem like a good idea at the time, but one must be cognizant of the perception of its use. The use of chemical agents on persons involved in passive demonstrations to induce dispersal could provoke severe scrutiny by the community to include excessive use of force. However, in situations where a crowd escalates from

passive, unlawful activity into a riot, the use of chemical agents may be appropriate.¹⁸ A general rule of thumb might be to consider the use of chemical agents as a means of access denial to a building or other location.

If chemical agents are utilized improperly, they may cause crowds to become confused, panic, and intensify their violence, rather than dispersing. With this in mind, avenues of dispersal must always be considered prior to use.

Another factor involving the use of chemical agents is that they affect individuals in a variety of different ways. Evidence suggests individuals under the influence of alcohol or narcotics, or emotionally disturbed persons may not respond to chemical agents as expected.¹⁹ Unpredictability of effect on crowd behavior are factors to be considered as well as wind direction and terrain.

Individual control force and police officer logistics must also be considered when contemplating chemical agents. Every police officer must have a protective mask and be familiar with the effects of a chemical environment.

Crowd Control Tactics

Obviously, an integral portion of controlling any civil disturbance depends upon the appropriate use of tactics. Some of the more general strategies have already been discussed. Specific tactics will depend upon the type of incident, number of demonstrators, terrain, weather, time of day, and available manpower. In riotous situations, tactics should include police personnel being organized into 8-to-12 member squads with a

designated leader and assistant. Depending upon the number of available personnel, squads can be organized into platoons consisting of three or more squads.

Logistics should include individual safety equipment (helmets, face shields, soft body armor, and batons). Basic communications should include hand held radios, closed ear communications, hand signals, and portable address systems.

Basic riot control tactics should include a variety or combination of any of the following strategies:

- * Skirmish lines formation
- * Wedge formation
- * Echelon formation
- * Diamond formation
- * General support
- * Lateral support
- * Close support

The application or type of formation depends upon crowd composition and the objective to be accomplished. Basic formations are executed from a squad size column. Squads organized into platoons supplement existing formations and are used in integrated, larger operations.

Integrated operations include utilizing a platoon consisting of three or more squads. Two squads form the formation while the remaining squads are held in reserve as support.

Formations, when properly employed and executed against a crowd of limited size, are one of the most practical methods of

crowd control. Crowd control formations may be employed to disperse, contain, or block a crowd.²⁰

Experience has shown that for the formations to be effective, officers must be familiar with the basic formation movements. Civil disturbance training must ensure that the officers understand the need to stay in formation. Officers are much more vulnerable to attack when individual officers break ranks and chase after crowd members. The individual officers place themselves in danger, and the entire formation may be threatened if it begins to break down.

The skirmish line formation is the most often used because of its offensive and defensive applications. As an offensive formation, the line is used to push or drive crowds straight back, across an open area, or up a city street. As a defensive formation, the line is used to hold the crowd or to deny access to restricted streets or areas.²¹

The wedge formation is an offensive formation that is utilized to penetrate and split crowds. This formation can also be used during arrest situations.²²

The echelon is an offensive formation used to turn or divert groups in either open or built-up areas and to move crowds away from building, fences, and walls.²³

The diamond formation can be used as both an offensive as well as a defensive formation. It can be used as an offensive formation to penetrate crowds during arrest type situations or to rescue injured or trapped personnel. As a defensive formation, it is used to surround a specific group or individual for protection.²⁴

While on the subject of tactics, it is important to remember that next to personnel, physical fitness is a critical ingredient required for successful riot and crowd control. It is absolutely essential that members of the control force be physically capable of enduring long hours of strenuous physical activity, to include running, and still be able to apply appropriate force when necessary.²⁵ This issue is a matter of individual agency concern, and should be addressed well in advance of an incident.

Another tactic to be considered is the utilization of equestrian with mounted officers. Control of major events require a significant number of law enforcement personnel. Having highly trained equestrians with mounted officers can not only move and control large crowds, but can provide a professional law enforcement image and reduce the necessity for physical force.

Conclusion

There is no precise formula which can be expected to guarantee the successful resolution of any riot or civil disturbance situation. Each incident requires careful study, strong, decisive leadership, and appropriate response based upon the circumstances of the event or crowd behavior. What is important to remember is that crowd or mob behavior is predictable. The tactical commander must be in a position to directly monitor the group by being on-scene. The tactical commander, being in a position to read the crowd first hand, provides not only the ability to deploy forces in anticipation of an event, but knowledge of what necessary counter force measures may be required.²⁶

Hopefully, in the future, society will attempt to vent their frustrations in a lawful rather than an unlawful manner. However, history tends to repeat itself. In order to remain prepared, based on current trends, it is recommended that law enforcement dust off and update old crowd control procedures and begin to train accordingly. Unfortunately, the phenomenon of civil disorder is a sign of the times, and is not going to disappear.

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