

10 QUESTIONS TO ASK DURING A CROWD MANAGEMENT CASE

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The following are some key questions that need to be examined during a sport or music industry crowd management case. The questions can be asked of witnesses, parties, and/or expert witnesses. There is no one correct way to manage a crowd and every crowd will be different. The crowd at a concert will be different than a crowd at a sporting event. The crowd at a daytime football game will include significantly more alcohol related concerns compared to a night game or a baseball game.

Numerous experts try to establish an industry standard using the National Fire Protection Association's (NFPA) Life Safety Code. It should be specifically noted that the Life Safety Code has not been adopted as law and in fact is not an industry standard since most stadium, arenas, and concert venues do not follow the purported standards.

One of the keys to handling a crowd related case is to know the difference between crowd management and crowd control. Crowd management refers to the proactive steps that can be taken to prevent potential problems at a facility. Crowd control refers to what happens after a crowd has gone wild and police or others are needed to try and prevent further harm or danger.

It should be noted that most crowd management front line staff members are part-time employees. They often are very dedicated and passionate about their work. They often focus on the patrons in their section, and not on the game or concert. Nonetheless, there sometimes are conditions that they could have or should have identified as possible concerns. Like any organization, there might be some employees who fail to follow protocol or were not well trained. When a large facility (such as a stadium) is expecting a sell out they might have to contact 1,200 part-time staff members, with 700 agreeing to show-up for the event, and having only 500 actually arrive. All these employees often will need uniforms, pre-event briefings (possibly written post orders), proper equipment, appropriate leadership, and appropriate training.



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Appropriate training is a key concern. Crowd management training cannot be learned from a book. You can never document all the various issues that might be seen in a crowd. The key to proper training is real world experiential learning. The best crowd managers I have ever seen have a strong foundation in actually working events, monitoring crowds (proper visual scanning), talking with fans and colleagues, and have taken the time to learn from other experienced crowd managers.

Some states mandate that crowd managers need a “guard card” issued by a legislative body, but these training programs that last several hours often only minimally cover crowd related issues. I personally would take a crowd manager with several years experience without a card over a rookie card holder who has never worked with a crowd (even if this resulted in a technical violation of the law as the guest would be in much safer hands with the experienced crowd manager).

Some facilities utilize unionized staffers and there might be some unique issues such as deployment ability, training, ability to reprimand/punish, etc... All facilities utilize a layering approach where they have front line workers, supervisors, managers, and others who can help supervise and monitor safety issues. Similarly, there are police, sheriffs, fire marshals, and others who work together and staff a command room/booth where they monitor radio calls, CCTVs, phones, and more recently text messaging from fans reporting misbehaving.

It should also be noted that many facilities do not have their own staff, and hire third party personnel providers who provide ushers, ticket takers, and front line security personnel. Some companies in the industry include Contemporary Service Corporation (CSC), Staff Pro, Securitas, Alpha & Omega Services, Argus Event Staffing, Elite Show Services, Tenable Protective Services, Landmark Event Staffing, Per Mar Security Services, National Event Services, and Reliance Security Group (England)

Furthermore, crowd management is not conducted in a vacuum. As I testified in the Aramark/Meadowlands drunk driving case for the concessionaire and license holder Aramark (produced the largest dram shop verdict in US history (\$120 million) later overturned on appeal), crowd management is not conducted in a vacuum. It is not just the ushers or bouncers who need to be vigilant. Everyone at a facility needs to be involved from concessionaires not selling visibly intoxicated patrons, to security monitoring the crowd with CCTV, and ushers physically walking their area whenever possible (without interfering with fan enjoyment).

Most facilities work with a team, band, or event to develop proper deployment strategies and an event script that will highlight what is going on before, during, and after an event. When everyone works together an event can be great and if there is a break in the communication there could be a disaster. Documentation is a very important component of tracking what happened at an event. However, during the mad rush of an event it is often hard to document what occurs and often hard to find witnesses that can highlight what happened.

The following are the questions I would like to know and have answered when handling a crowd management case and were developed after reading over 100 depositions from different crowd managers.



Training

- What specific crowd management training have they received? (i.e. International Association of Assembly Managers (IAAM) or other government (FEMA or NSA) or non-profit (ARC (American red Cross), CAP (Civil Air Patrol), and or similar disaster assistance groups)
- Was training provided by industry professionals (Training Assembly Managers, and Employees (TAME)) is one such provider but there are others.
- Did the security company ever train with and prepare with local police or other authorities
- Are the police and other authorities present at an event have any specific crowd management training
- Were employees trained in alcohol management? The two most frequently cited training groups are TIPS or TEAM. If they have been trained they should have a certificate of completion and they need to be recertified ever several years.
- Have they conducted any drills? (Have them explain what type of drills- whether table top exercise or live drills). If yes, what was the purpose of the drills, what activities did they engage in, and did they develop a report afterwards (what is the resort called, and where can a copy be found)?
- Did they receive any training manuals?
- Who wrote the training manual?
- Did they actually read the manual?
- Were they tested on the contents of the manual?
- Do they know where their manual is currently located?
- When was the last time they reviewed the manual?
- Was the manual custom written for their facility/event?
- Has the manuals ever been updated?
- Who instructed them (managers or police officers)?
- How long did the training last?
- What was involved in the training? Did they just focus on pat downs or alcohol liability versus how to monitor a crowd?
- Were they taught key industry terms and how did they define them (i.e. crowd rush, crowd movement, moshing, crowd migration, etc...)
- What do they remember from their training?
- Were they trained in how to defuse disputes?
- Were they trained in how to spot problems? (Explain what they do to find problems)
- Were they trained on how to call/communicate with others?
- Were they trained in how to use non-verbal communication to resolve disputes?
- Were they trained on how to document disputes and their resolution?



- Have they been trained on how to visually scan a crowd?
- Are they licensed as a security guard? If yes, what requirements does their state have and are they keeping current with their certification (most state training rules are very weak involving just several hours of training and a background check)

Equipment

- Do they have proper equipment?
- Are there uniforms given to employees? Some typical equipment include: flashlights for those working in dark concert venues (security communicates using flashlights to ID problems or summon help since no one can hear a phone/walkie talkie over the noise)
- What communication device are used such as phones, Nextel, walkie-talkie?
- Who is assigned such equipment? A follow-up question is what policies and procedures are in place regulating equipment use?
- Do employees know how to use the equipment they are given?
- What crowd management equipment do they use? (i.e. do they utilize barricades and if they are placed in the correct area and in the right style as appropriate for the event)
- Does the facility have a texting or phone system where patrons can instantly communicate inappropriate conduct by other fans?

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Resources

Do they utilize any of the following resources from being members of an association to reading industry publications in order to know the latest trends or possible industry standards?

Organizations- are they members, do they attend conferences, have they purchased any training materials, utilize any resources from any of the following organizations?

- International Association of Assembly Managers (IAAM)
- Venue Managers Association (VMA)
- Stadium Managers Association (SMA)
- National Collegiate Athletic Association (NCAA)
- National Association of Collegiate Directors of Athletic (NACDA)
- International Facility Managers Association (IFMA)
- National Fire Protection Association (NFPA)
- National Association of Concessionaires (NAC)
- European Stadium Managers Association (ESMA)
- Venue Managers Association (VMA) Australia and Pacific
- Building Owners and Managers Association (BOMA)



Publications

Do managers/employees at a facility/event read key publications, do they save any articles, do they share articles with colleagues, do they keep key articles in a folder (whether online or hard copy), and do they regularly revisit articles to update what they do and how they do their job? Also does the facility staff share articles with low level employees to make sure they are kept up to date? Key publications found in the facility management industry include:

- Venues Today
- Facility Manager
- NCAA News
- Athletic Business
- Athletic Management
- Recreation Management
- Stadium Managers Newsletter
- Street and Smith's SportsBusinessJournal
- Pollstar
- Stadia
- Stadium and Arena Management Magazine
- Venue Safety & Security – it used to be hard copy, but now is an electronic publication by the IAAM.

Conferences- Do employees/managers attend any major conferences such as:

- International Crowd Management Conference (ICMC) annual
- International Association of Assembly Managers (IAAM) annual plus specialized learning tracks such as the Academy for Venue Safety and Security (AVSS)
- Sport Recreation and Law Association (SRLA annual conference)
- Sport lawyers Association (SLA) annual conference
- Stadium Managers Association (SMA) annual conference
- European Stadium Managers Association (ESMA) annual conference

Internet Resources- There are numerous resources available online. Not every source is reputable and sometimes there are web pages that have agendas or are trying to sell products/services. I am just listing some of the sites that will be useful in tracking down information or helping in the research process.



<http://www.iaam.org/CVMS/CVMSsafety.htm>- The IAAM's web page for their Center for Venue Management Security
<http://www.crowdsafetymanagement.co.uk/> This site is for the only university based program (at Bucks New University in England) studying and researching crowd management issues.

<http://www.ukcma.com/> United Kingdom Crowd Management Association. There is no similar association in the United States.

<http://www.etbooks.co.uk/> ET Now Books sells several very informative texts highlighting European rock concerts studies.

http://www.mojobarriers.com/?page_id=75 Mojo Barriers (and similar All Access barricades are utilized extensively for crowd management in festival seating environments) has a nice link to various websites.

<http://www.crowdsafe.com/> The following site has some useful information, but the author regularly serves as an expert witness for plaintiffs in crowd cases and has a potential bias.

<http://www.safeconcerts.com/crowdsafety/> A web site primarily from European music fans highlighting safety issues

<http://www.crowd-management.com/> The International Crowd Management & Security Group is a large security company based in Europe.

<http://www.ispub.com/ostia/index.php?xmlFilePath=journals/ijlhc/vol4n2/sport.xml> This article looks at baseball and hockey injuries and was undertaken by physicians.

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Risk Management Protocols

The following questions focus on risk management strategies before or during an event. It should be noted that there are no concrete industry standards since every event, facility, event, and crowd will be different. However, through taking basic steps to understand and minimize risk the event/facility can help reduce the likelihood of crowd incidents. The key is to understand that it is impossible to control everyone in a crowd and one bad apple can help cause a stampede, fight, etc...

- What uniform(s) do they use so they know how to sport each other?
- If there are multiple parties involved such as police, fire, EMTs, and outsourced service providers are they involved in planning for the event?
- Do they conduct a pre-event meeting?
- What is discussed at the pre-event meeting (normally discuss deployment and re-deployment after the entry gates are closed)?
- Who attended the pre-event meeting?
- Do they document any notes or decisions from such meetings?
- What actions were taken as a result of the pre-event meeting?
- Do they do a pre-event facility inspection?
- Do they document any problems identified in the inspection?
- Are staff members trained in how to identify risks?
- Are staff members trained in how to correct or communicate risks to others?



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- Do they post warning signs for patrons warning about potential risks?
- Are potential risks communicated through flyers, PA announcements, video screens, scoreboards, or similar strategies?
- Do crowd managers speak with patrons and try to discuss potential concerns?
- Do employees know how to respond to a risk? (ask them to go through specific detail as to what they were trained to do and what they actually did)
- Are employees equipped with necessary tools to help if there is a situation/incident (such as water for those stuck by a barricade)?
- Do they complete a pre-event risk management checklist?
- What happens with the checklists when they are completed?

Alcohol Management

One of the key concerns with any crowd is alcohol. Individuals who may be intoxicated can cause disturbances, fights, and impede in the evacuation of patrons. Some of the key questions that need to be asked for any witness associated with the alcohol management side of crowds include:

- Are all servers trained in alcohol management (whether TIPs, TEAM, etc...)?
- Are any certifications monitored and updated on a regular basis?
- Are servers provided additional site specific training to address issues specific to their facility?
- Are servers encouraged by management to deny patrons who show any signs of impairment?
- Are the facility's alcohol policies and procedures clearly posted?
- Are all personnel educated about alcohol related issues as servers are not the only personnel responsible for monitoring alcohol related behavior?
- Are there levels of monitoring such as undercover police, secret shoppers, concession supervisors, etc... who monitor alcohol servers and make sure there is compliance with all policies and procedures?
- Are major incidents documented- it would be impossible to document every instance where someone was denied a drink or not served due to a bad ID- but there can be some documentation which can help show what personnel are doing?
- Are ushers and security personnel monitoring crowds to identify inappropriate conduct that might be linked to alcohol?



- Are security personnel trained to identify patrons who are drinking from unauthorized containers (whether in person or via video cameras)?
- Does the facility have a program to reduce alcohol related issues whether a designated driver program, free coffee, or allowing people to leave their car in the parking lot and return the next day without any penalty?
- Is security present in the parking lot before and after the game to monitor tailgating and individuals having problems/issues in the parking lots?

Documentation

Not every event documents every meeting or any meetings for some events. Some events develop a deployment chart (Dot Map) but they might not have any other information. This does not mean that with documentation an injury would have been avoided. Documentation just provides the proof needed to highlight what actions were taken, by whom, and when.

- Do they have any command posts or job descriptions given to employees?
- Do they complete incident reports?
- Under what circumstances do they complete such a report?
- Who completes the reports?
- Who do they give the report to when completed?
- Are they taught how to complete the report?
- Do they take pictures? (easier to do with cell phones now and a strong recommendation to document maybe what has occurred)
- Do they follow-up to evaluate reports and change practices in the future based on past incidents?

The following represents a sample line of questioning I used in one crowd management case where the training protocol was not well defined and ushers were required to run to a radio when facing a potential incident.

- What is the content of the crowd management (CM) educational unit? Do they have a written curriculum for CM? What videos do they use to teach CM?
- Did they test employees on specific CM concerns?
- If employee had wrong answers would they re-teach them material to make sure they understand the material?
- Was there a formal mechanism in place to educate/re-educate employees who might not know what to do or how to respond?
- Have they had any complaints about the quality of the ushering service?
- Is there a mechanism for fans to complain about ushering and/or concession services?



- Should ushers have cell phones to call in case of an emergency?
- Can a situation get worse by having an usher leave the scene of a potential confrontation?
- Does he/she know about any other incidents at the facility where the situation became worse due to an usher leaving a conflict to get help?
- Is there a mechanism to evaluate ushers who are not watching their assigned area, but watching an event?
- Does the facility run live drills to see how ushers and others respond to an emergency?
- Would that be advisable (running drills)?
- Do they have an emergency action plan?
- How can they tell if such a plan works if they do not do live tests?
- What should be the response time to respond to an emergency?
- How can they make sure any critical staff will respond in a timely manner?
- Do they track emergency calls made over the security/first aid radio?
- Would it be advisable to track such information to make sure they are providing the highest quality service?
- If an usher does not listen to their supervisor what should be their punishment?
- In this case when the usher failed to listen to her supervisor (went to the wrong location when she was told to go to the catwalk), should she have been punished and was she punished?

I hope the questions highlighted above give you a perspective on the thought process used in analyzing those involved in crowd management cases. Crowd management cases can often become he said/she said issues so it is important to focus on the key identifiable issues such as training, deployment, communication, meetings, and similar facts that might be able to show problems or highlight that everything possible was done to try and prevent an incident.

Gil Fried is an expert in facility risk management and has worked as an attorney and expert witness handling several dozen crowd management related cases ranging from concert crowd conditions to injured sport fans. He has worked on cases both on the plaintiff and defense side including cases from multiple patron injuries to death and paralysis matters over the past 18 years.

