

BALTIMORE POLICE DEPARTMENT – EDUCATION AND TRAINING SECTION	
LESSON PLAN	
COURSE TITLE: Public Order Forces Training	
LESSON TITLE: Module 6 – Unlawful Assemblies and Dispersal Orders	
New or Revised Course	<input checked="" type="checkbox"/> New <input type="checkbox"/> Revised
Prepared By:	Date: 02/05/2022
Academic Director Approval:	Date:
PARAMETERS	Lesson hours: 1 hour Class size: 40 Space needs: Classroom, Audio/Visual gear
	<input type="checkbox"/> Entry-level <input checked="" type="checkbox"/> Continuing Education <input type="checkbox"/> Other
STUDENT/COURSE PREREQUISITES/QUALIFICATIONS (if any) Mobile Field Force Operator	
LESSON HISTORY: Standardization of Mobile Field Force operations, deployment and policies	
PERFORMANCE OBJECTIVES: <ol style="list-style-type: none"> 1. Given a listing activity, case study, and facilitated discussion, students will explain what makes a demonstration unlawful to the satisfaction of the facilitator. 2. Through facilitated discussion and lecture, students will name the less-lethal munitions used to disperse a crowd and articulate when they can be used during a demonstration to the satisfaction of the facilitator. 	ASSESSMENT TECHNIQUES <ol style="list-style-type: none"> 1. Listing Activity, Case Study, and Facilitated Discussion 2. Facilitated Discussion and Lecture

<ol style="list-style-type: none"> 3. Given a case study and facilitated discussion, students will identify and explain the de-escalation techniques that can be used to avoid the dispersal of a demonstration to the satisfaction of the facilitator. 4. Students will take a 10-question exam on the concepts presented throughout this course. 	<ol style="list-style-type: none"> 3. Case Study and Facilitated Discussion 4. Final Exam
<p>MPCTC/COMMISSION OBJECTIVES (if applicable)</p> <p>None</p>	
<p>INSTRUCTOR MATERIALS</p> <ol style="list-style-type: none"> 1. Power Point 2. Lesson Plan 3. Standard Operating Procedure manual 4. Appendix A – Final Exam Questions with Answers 	
<p>TECHNOLOGY/EQUIPMENT/SUPPLIES NEEDED</p> <ol style="list-style-type: none"> 1. Computer 2. T.V./SmartScreen 3. Projector 4. Whiteboard 5. Chart Paper 6. Markers 7. Post-It Notes 	
<p>STUDENT HANDOUTS</p> <ol style="list-style-type: none"> 1. B.P.D. S.O.P. hand-out 	
<p>METHODS/TECHNIQUES</p> <ol style="list-style-type: none"> 1. Power point 2. Lecture 3. Brainstorming collaborative group activity 4. Facilitated Discussion 5. Case Study 6. Turn and Talk 	

REFERENCES

1. S.O.P. Manual
2. Department Policies
3. Case Study: Fox9 Minneapolis-St-Paul News. Dispersal order given at protest outside Brooklyn Center Police Department. April 13, 2021. <https://youtu.be/vq3Fpv7FvF4>. Retrieved, March 8, 2022.
4. Case Study #2. Fox9 Minneapolis-St.-Paul News. Dispersal order issued after protestors breach fence on 6th night of protests. April 16, 2021. <https://youtu.be/PIZymYV01I>. Retrieved, March 8, 2022.

GENERAL COMMENTS

The facilitator should ensure the case studies linked in the PPT play and that the Kahoot is accessible (SEE APPENDIX A and B)

Lesson Plan Checklist (Part 1)

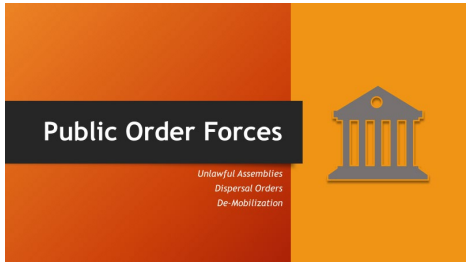
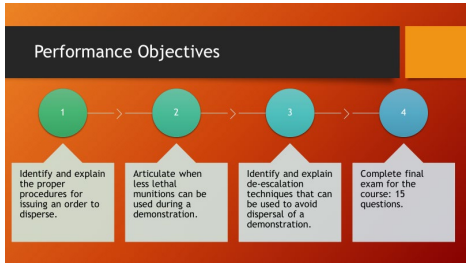
Format	Yes	No	N/A
1. All sections and boxes are completed.	X		
2. Performance objectives are properly worded and included in content.	X		
3. Assessment techniques are aligned with performance objectives.	X		
4. Copies of handouts and other instructional aids (if any) are included.			X
5. References are appropriate and up-to-date.	X		
6. Instructions to facilitators are in the right-hand column.	X		
7. Content is in the left-hand column.	X		
8. Timing of instructional content and activities is specified.	X		
9. Instructional content and PowerPoint slides are consistent & properly aligned.	X		
10. Student engagement/adult learning techniques are included.	X		
a. Instructional content is not primarily lecture-based.	X		
b. Questions are posed regularly to engage students and ensure material is understood.	X		
c. Case studies, role-playing scenarios, and small group discussions are included where appropriate.	X		
11. Videos are incorporated.	X		
a. Video introductions set forth the basis for showing the video and key points are highlighted in advance for students.	X		
b. Videos underscore relevant training concepts.	X		
c. Videos do not contain crude or offensive language or actions that are gratuitous or unnecessary.	X		
d. Videos portray individuals of diverse demographics in a positive light.	X		
12. Meaningful review/closure is included.	X		
a. Important points are summarized at the end of lesson plan.	X		
b. Assessments are provided to test knowledge of concepts.	X		

Lesson Plan Checklist (Part 2)

Integration	Yes	No	N/A
13. Does the lesson incorporate BPD technology?	X		
14. Does the lesson plan integrate BPD policies?	X		
15. Does the lesson reinforce BPD mission, vision, and values?	X		
16. Does the lesson reinforce the Critical Decision Making Model?	X		
17. Does the lesson reinforce peer intervention (EPIC)?			X
18. Does the lesson incorporate community policing principles?	X		
19. Does the lesson incorporate problem solving practices?	X		
20. Does the lesson incorporate procedural justice principles?			X
21. Does the lesson incorporate fair & impartial policing principles?	X		
22. Does the lesson reinforce de-escalation?	X		
23. Does the lesson reinforce using most effective, least intrusive options?	X		
24. Does the lesson have external partners involved in the development of training?		X	
25. Does the lesson have external partners in the delivery of training?		X	
Subject Matter Expert: Officer James Wynne	Date: 3/5/2022		
Curriculum Specialist: Danalee Potter	Date: 3/8/2022 3-21-2022 7-04-2022 8-30-2022 9-1-2022		
Reviewing Supervisor: Lt. Chris O'Ree	Date:		
Reviewing Commander: Major Derek Loeffler	Date:		

COURSE TITLE: Public Order Forces Training

LESSON TITLE: Module 6 – Unlawful Assemblies and Dispersal Orders

PRESENTATION GUIDE	TRAINER NOTES
<p>I. ANTICIPATORY SET/INTRODUCTION</p> <p>SAY: Good afternoon, my name is _____. I have been with the Baltimore Police Department for ___ years. I have been assigned to (list assignments) and currently am assigned at _____</p> <p>This final module will cover how to initiate and enforce a dispersal order, how and when less-lethal munitions should be employed, and some de-escalation techniques to consider before carrying out a mass arrest order.</p>	<p>Time: 5 minutes</p> <p>Slide 1</p>  <p><i>The facilitator should introduce themselves and explain their experience and how long they have been with the BPD.</i></p>
<p>PERFORMANCE OBJECTIVES</p> <p>SAY: With that being said, let's take a look at today's objectives.</p> <p>The performance objectives for this final module are:</p> <ol style="list-style-type: none"> 1. Identify and explain the proper procedures for issuing/enforcing an order to disperse. 2. Articulate the parameters surrounding the use of less lethal munitions. 3. Identify and explain de-escalation techniques that can be used prior to executing a mass arrest. 4. Complete final exam for the course: 10 questions. 	<p>Slide 2</p> 

II. INSTRUCTIONAL INPUT/CONTENT

SAY: Not every assembly stays peaceful. Civil disobedience involves unlawful conduct, but nothing violent or destructive happens.

A Civil Disturbance on the other hand, also known as a riot, is incredibly violent and destructive. In this instance, the assembly could be declared unlawful.

This declaration is rare and must meet strict criteria to be issued. **Only the IC may declare an assembly unlawful. In extremely rare and exigent circumstances, a district or shift commander may make the declaration, but this is to be avoided at all costs.**

SAY: If the IC determines that an assembly is unlawful and an order to disperse must be issued, the leaders of the demonstration need to be informed.

That information will ultimately come from squad members like yourselves. The IC, for their part, will record this determination on Form 214, Activity Log.

SAY: Once the decision to issue a dispersal order has been made and attempts to communicate with demonstration leaders have failed, police aviation will broadcast a “standardized warning” to the crowd.

If tactically feasible, a cohort of officers can stand at the rear of the demonstration to better communicate with the crowd, so that all demonstrators can hear the message.

A radio message will be broadcasted to all platoon commanders explaining that they will need to inform the crowd that the assembly has become unlawful, and that a dispersal order is imminent. This is done via bullhorn/loudspeaker in addition to police aviation.

Time: 45 minutes

Slide 3

What Happens When a Peaceful Protest Goes Sideways?

When the assembly goes from peaceful, to civil disobedience, to civil disturbance (also known as a riot) the assembly can be declared unlawful.

This declaration is rare, and requires clear justification and extensive documentation.

Normally declared by the Incident Commander

The slide features a photograph of a protest with some individuals in the foreground and a large, bright light source in the background, possibly a flare or a fire. The text is overlaid on a dark background with white and yellow boxes.

Slide 4

Decision: Unlawful Assembly

If the IC determines that the assembly is unlawful, they shall record the determination on the activity log and . . .

Attempt to communicate with demonstration leadership to inform them of the determination.

UNLAWFUL

The slide shows a hand placing a block with the letter 'U' into a row of blocks spelling 'UNLAWFUL'. A document titled 'Form 214' is visible in the top right corner. The background is a gradient of orange and red.

Slide 5

Communication Fails, Order to Disperse Issued

If attempts to communicate fail and the order to disperse ultimately needs to be issued . . .

Inform aviation to broadcast a standardized warning to the crowd.

If tactically feasible, delegate a cohort of officers to stand near the rear of the demonstration to better communicate the warning to the crowd.

Disseminate a radio message to all platoon commanders; use the bullhorn/loudspeaker to give the warning.

The slide features a photograph of a police officer using a megaphone to address a crowd. The text is overlaid on a dark background with white and yellow boxes.

SAY: Any order to disperse following such a declaration will come from the IC, but only lieutenants or above may formally communicate the order.

Case Study #1:

SAY: The following case study shows law enforcement officers from Minneapolis issuing a dispersal order after protesters breached the fence outside of the Brooklyn Center Police Department, on the sixth night of protests following the Daunte Wright shooting.

As you view the case study, listen to how the dispersal order is communicated and any reactions from the crowd.

ASK: How many times did you hear the dispersal order being given?

SAY: Correct. In this clip, they only communicate the order once. But at BPD, we do so at least three times, sometimes more. One thing they did do right in this clip is specify an amount of time for protestors to leave the area. This is an integral part of dispersal orders given by BPD. Remember: ample time to vacate the area.

SAY: When the dispersal order is given, a squad leader or squad member is designated to record the announcement.

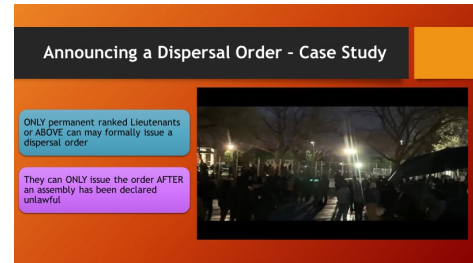
ASK: What is the easiest way to record the announcement?

SAY: That's correct. We already wear cameras so our BWC is the easiest way to record the dispersal order being given.

ASK: What is the benefit of capturing the dispersal order on our BWCs?

Slide 6

A case study is linked to the image on the screen.

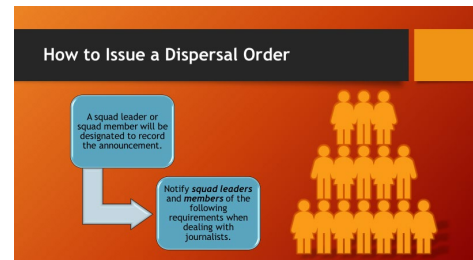


To play the case study, click on the image on the screen and a YouTube video will begin playing.

<https://youtu.be/vq3Fpv7FvF4>

Desired Response: Once.

Slide 7



Desired Response:

- On BWC.

Possible Responses:

- The order will be time-stamped.
- We can record how the crowd reacts once the order is given.

SAY: The body-worn camera will capture video, audio, and include a time stamp of exactly when the order was issued. It will also capture the reaction of the crowd, and the time between repetitions of the order.

Remember, the dispersal order must be communicated several times.

SAY: If an event gets to the point where it becomes unlawful, there will usually be several members of the press already at the scene.

When dealing with journalists (as with all members of the public), it is important to remember that they are not to be harassed, intimidated, discouraged from filming, or hurried to leave the area.

ASK: What should you do if a journalist is in danger of being harmed or refuses to leave the area undergoing dispersal?

SAY: This is correct. We cannot infringe on their right to record the events, but if their personal safety could be compromised, they should be asked to move to a safe location. They shall be allowed to continue filming and observing, but help them do it from a safe location.

If a journalist is not committing any crime except that of refusing to disperse, they shall be given every opportunity to film and observe until the last possible moment.

SAY: Now, how do we define a “journalist?” It’s a bit of a hazy concept, right? In today’s age of YouTube, TikTok, Instagram, and live streamers, it can be difficult to establish who is a “journalist” and able to continue filming a dispersal, and who needs to leave the area.

ASK: Regardless of the definition, there is always one basic thing that we must ask people when we notice that they are filming but refusing to leave the area. What is

- There is an audiovisual record of the dispersal order being given.

Slide 8

Desired Response:

- Ask them to relocate to a safer position, and help them get there. Do not discourage them from filming.

Slide 9

Desired Response:

that?

SAY: Correct. If they can show you a press badge or other form of affiliation with an organization that is dedicated to reporting news, then they have established being a member of the press.

ASK: What happens when they don't have credentials and are filming from their cell phone on a curb, away from the true protest activity and dispersing crowd? Do they have a right to remain and continue filming?

SAY: That is correct. You see, times have changed and major media outlets no longer have the monopoly on information-gathering. The means by which we obtain breaking news these days may not always be CNN or CNBC. It is often the more "informal" reporters, including live streamers, who are first on the scene and provide a more accurate perspective. In many cases, the public may even trust information from these sources more than that of the mainstream media. It is our duty to protect that right to information-gathering and expression.

SAY: Anyone who exhibits traits (indicia) of being a journalist is considered a "member of the media," especially if they are standing off to the side, at a distance from the main events, filming things like a crowd dispersal.

ASK: What are these journalistic "traits?" I'll let you have a guess.

- Ask to see their press credentials.

Desired response:

- Yes.

Fill in any of the responses which the students miss from the list below.

Desired responses:

- Using photo/videographic equipment, especially larger, professional cameras or devices which improve lighting (think: live streamers on Twitch).
- Wearing branded t-shirts, hats, or other garments

which identify the person as a representative of a blog, YouTube/TikTok/Instagram channel, or other content creation platform.

- Wearing clothing which displays the word, “Press” in some way. For instance, on the plate carriers and helmets which have become increasingly common.
- Standing at a distance from the protest, not intermingling with participants, and generally presenting as an uninvolved party in the demonstration.

SAY: To ensure that everyone receives the same message, we have a form with a standardized warning on it. Form 15/15 contains a generic warning. If foreign language support is available, repeat the message in any relevant language(s). Repeat the message as necessary and record the date and time of each warning issued.

Slide 10

Back To Dispersal

Complete Form 15/15 "Standardized Warning" and read it over a loudspeaker
 • If foreign language support is available, repeat the message in any relevant foreign language(s)

Record the exact date(s), time(s), and location(s) of each warning

Repeat the warning as necessary and ensure each instance is recorded

SAY: As we mentioned earlier, aviation can assist with issuing orders. Only a lieutenant or above can order the aircrew to issue a dispersal order. The lieutenant will verify their name and rank over the radio and provide the aircrew with the appropriate message to issue.

Slide 11

Dispersal By Aviation Crew

Orders to disperse may be issued by helicopter PA system.

Only a Lieutenant or above can order the crew to do so.

The Lieutenant needs to verify their rank and authority via radio.

SAY: Remember, when enforcing a dispersal order, journalists are allowed to film and be in the area until the last possible moment (personal safety permitting). They should never be exposed to any form of harassment or intimidation.

Slide 12

Enforcing The Order

When participating in the enforcement of a dispersal order must observe the following policy

When approaching journalists, avoid all forms of harassment, intimidation, and reiterate that they are allowed to film the egress of the crowd.

They are also allowed to film any coinciding activities to include mass arrests.

SAY: Before making any arrest or issuing any citation for refusing to disperse, the member must request

Slide 13

permission through a supervisor. The supervisor must be present to authorize the arrest BEFORE the arrestee is transported.

Once the order to disperse is given, individuals must have ample time to vacate the area before arrests are made or citations are issued.

Dispersal Order

Before issuing citations or making arrests for refusing to disperse

- Call a supervisor to approve the citation/arrest
- The supervisor must also be present to approve the arrest prior to the arrestee's transport to a holding facility
- Allow a reasonable amount of time for individuals to comply and exit the area

Case Study #2

SAY: Let's go back to the protest in Minneapolis. We're about to see another case study which shows what happened moments after a dispersal order was announced. Police issued a dispersal order after protestors attempted to breach the fence surrounding the Brooklyn Center Police Department, on the sixth night of the protest following the shooting of Daunte Wright. Once the order was announced, police began deploying less-lethal munitions (LLMs) and chemical agents.

SAY: As you view this case study, pay close attention to the LLMs and chemical agents used.

ASK: Which munitions and agents were used?

ASK: The police broadcasted the dispersal order a second time. How did they broadcast it?

SAY: As you saw, there are times when people in a crowd won't want to leave despite an order to disperse.

SAY: In the case study, the officers from Minneapolis used LLMs and chemical agents to dissuade the crowd from tackling the fence, but let's have a look at how LLMs and chemical agents functions according to BPD policy.

Slide 14

Case Study #2

To play the case study, click on the link shown on the slide and a YouTube will begin playing:

Video link:

<https://www.youtube.com/watch?v=yoCovY-cJQg>

Desired Response:

- OC spray.
- Handheld tear gas.
- 30mm balls/paintballs.

Desired Response:

- Via loudspeaker/bull horn.

Slide 15

NOTE: Content on this slide is hidden with animation. DO NOT reveal the content until after the question is answered.

The IC must authorize the use of LLMs and/or chemical agents to disperse a crowd in Baltimore, and once that authority has been given, officers deploying LLMs and/or chemical agents must comply with certain practices.

ASK: In your opinion, what are some of the practices that officers need to follow when using LLM and/or chemical agents?

SAY: That is correct. If possible, officers using LLMs and/or chemical agents must issue a verbal warning prior to discharge. They must also give directions to a route of egress from the area. These directions need to be clear and concise.

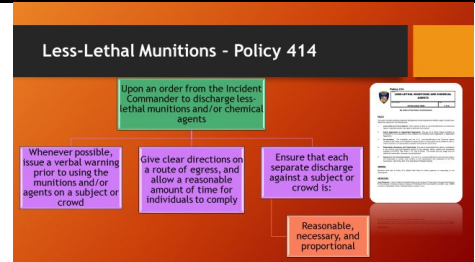
Finally, officers must give the protestors time to exit the area and—as with all uses of force—each separate discharge needs to be reasonable, necessary, and proportional.

SAY: Every discharge of chemical agents or less-lethal munitions needs to be justified.

These systems are not to be used against individuals or groups **passively resisting**, and definitely not against compliant groups or individuals. These systems should also never be used in a way which escalates the situation.

Once a crowd has dispersed or is no longer posing a threat, use of the munitions and/or chemical agents shall cease. Much like when a resisting subject stops resisting, the force being exerted needs to stop as well. These systems are never to be used as retaliation against groups or individuals.

SAY: Let's analyze the video you just saw and the way in which police deployed their LLM and chemical agents. I want you to point out what they did right and

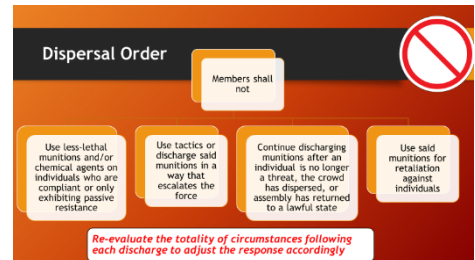


Desired Responses:

- Verbal warning, if possible.
- Directions for route of egress.
- Time provided for people to leave the area.
- Discharge of LLM and/or chemical agent needs to be reasonable, necessary, and proportional.

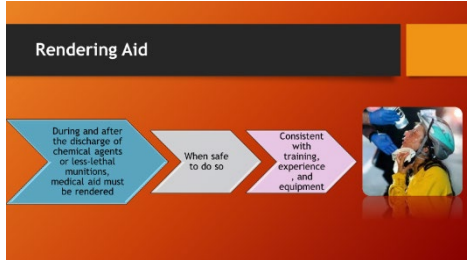
Click to reveal the content.

Slide 16



Play the video from the previous slide again. It is only one minute long:

<https://www.youtube.com/watch?v>

<p>what they may have done wrong.</p> <p>ASK: What did they do right/wrong?</p>	<p>=yoCovY-cJQg</p> <p>Desired responses</p> <p>RIGHT</p> <ul style="list-style-type: none"> • Deployed them after a dispersal order was given (prior to the video; police later announced the order a second time). • Discharged them from a safe location (behind the fence). <p>WRONG:</p> <ul style="list-style-type: none"> • No route of egress specified for protestors. • No warning to protestors before discharge of LLM and/or chemical agents. • Choice of certain LLM (30mm ball/paintballs) may not have been the most <i>reasonable</i> due to it being a wide crowd. Using this LLM may give the impression that certain individuals have been singled out.
<p>ASK: When we have to utilize LLM, chemical agents, or any type of force, what is our duty to the public afterwards?</p> <p>SAY: As with other instances of exercising force, we have a duty to render aid. The aid rendered should be consistent with training, experience, and equipment. Aid should only be rendered when it is safe to do so.</p>	<p>Slide 17</p>  <p>Desired Response:</p> <ul style="list-style-type: none"> • To render aid.
	<p>Slide 18</p>

ASK: What should you do if someone complains of continued side effects after aid is rendered, or they tell you that they have a pre-existing condition?

SAY: You are correct. If the individual complains of continued side effects after being treated and/or an individual indicates they have a pre-existing condition which may be aggravated by chemical agent, members shall arrange for transport to a hospital immediately.

SAY: A mass arrest is exactly as it sounds. People are arrested en masse, meaning *all together*, for failing to disperse in a reasonable amount of time after a dispersal order has been announced.

Mass arrests should be very rare—a last resort to suppress a civil disturbance. Mass arrests run a serious risk of violating the requirement of having individualized probable cause before arresting someone.

SAY: For this reason, even on the infrequent occasions when mass arrests have been used in places like Washington, DC, they have triggered expensive lawsuits by people claiming to be arrested when they weren't breaking the law.

SAY: The legality behind a dispersal order is that when one is given, there is a clear and imminent threat to public safety during that moment of time.

Anyone who remains is in violation of City Code Article 19 Section 25-1(b)(2) (*failure to leave after a dispersal order*) and also Common Law PS-402(a) (*hindering*)

Rendering Aid

Arrange for immediate transport to a hospital if:



An individual complains or exhibits continued side effects after the affected area having been flushed

When an individual indicates they have a pre-existing condition which may be aggravated by chemical agents

Desired Response:

Arrange transport to a hospital.

Slide 19

What If They Don't Leave?



Mass Arrests

- Multiple arrests conducted at the same time for failing to disperse after the order is given during a civil disturbance
- Last resort for gaining compliance

Slide 20

Mass Arrest



Proclamation of a dispersal order establishes

- At that moment there is a clear, imminent threat to public safety
- Anyone persisting within the Zone where the order was issued is in violation of:
 - City Code Article 19 Section 25-1(b)(2) Failure to leave after a dispersal order
 - Common Law PS-402(a) obstructing and/or hindering law enforcement personnel

Slide 21

However,

No such arrest can be made without the express order of the Incident Commander

All members must continue to use de-escalation techniques to persuade demonstrators to exit the area

Important

ASK: From whom do you need to have an expressed order before a mass arrest can be carried out?

SAY: Remember, no such arrest can be made without the expressed order of the IC.

Finally, even in a mass arrest scenario, de-escalation techniques should be used to persuade demonstrators to leave the area and avoid being arrested.

ASK: Which de-escalation techniques can be used to disperse a crowd even after a mass arrest has been authorized? For instance, what if a demonstrator simply stands in the way of an advancing police line, refusing to move yet offering no resistance?

Desired Response:

The Incident Commander.

Desired Response:

- Calmly and courteously explain that police will begin making arrests or citing those who remain in the area.
- If a police line is advancing and a demonstrator refuses to move, use the “envelopment technique” to safely allow the demonstrator to pass into the rear of the formation for citation/arrest.

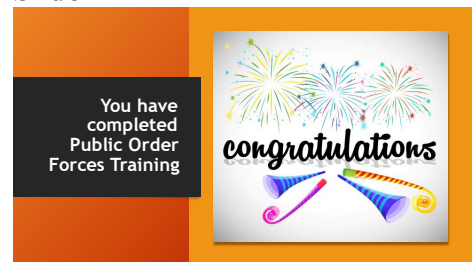
III. EVALUATION/CLOSURE

SAY: Everyone, we’ve reached the end of our training on the Public Order Forces standard operating procedure. We hope that through these modules, you have gained a better understanding of the functions of these forces and how they operate in the field.

We will now proceed to take the final exam for the course. You will have 15 minutes.

Time: 10 minutes

Slide 22



Pass out the final exam or have the students complete it digitally. Students will have 15 minutes to answer 15 questions.

APPENDIX A

Final Exam – Public Order Forces Training

1. According to Policy 804, *First Amendment Protected Activities*, which of the following is NOT a protected public act?
2. Based on the content in this training, which of the following best exemplifies a Civil Disturbance?
3. A bicycle activist group of about 40 people has assembled at a roundabout with their bikes and is obstructing traffic. Drivers in the area are beginning to get out of their vehicles and yell back at the protestors. Thus far, there are no signs of damage to property or physical confrontation.

As the Incident Commander, which contingent would you deploy first based on these facts?

4. Who has ultimate responsibility for engaging demonstration leaders to discuss the intent of a crowd during a demonstration?
5. Does the designation of a “Civil Disturbance” automatically mean that the Incident Commander must issue an order for mass arrest?
6. Which of the following factors does an Incident Commander take into account when deciding whether an assembly is unlawful?
7. Which of the following is a True Threat?
8. Your platoon line is advancing after an order to disperse has been issued. You still have some distance to go before closing the area. Along the way, you notice an individual on the curb filming with a large camera, and he is unable to produce media credentials. He refuses to leave. What should you do?
9. Who decides whether a dispersal order will be issued?
10. What indications should you give to a crowd prior to discharging less-lethal munitions or chemical agents? (Choose all that apply).

