

	<p style="text-align: center;">BRIDGEPORT POLICE DEPARTMENT</p> <p style="text-align: center;">POLICY AND PROCEDURE GENERAL ORDER</p>	Distribution	General Order Number
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<p>Order Title:</p> <p><b>CROWD CONTROL AND MANAGEMENT</b></p>		Accreditation Standard: POSTC:	Section
		7	
		Section Title	
		SPECIAL OPERATIONS	
<p>Rescinds:</p>		<p><b>Armando J. Perez. Chief of Police</b></p>	

*This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.*

**I. PURPOSE:**

The purpose of this policy is to provide guidelines to the Bridgeport Police Department (“BPD” or “Department”) personnel regarding the application and operation of acceptable crowd control and management.

**II. POLICY:**

The policy of the Department regarding crowd management and crowd control is to apply the appropriate level of direction and control to protect life, property, and vital facilities while maintaining public peace and order during a demonstration. The BPT Police Department will uphold the constitutional rights of free speech and assembly while using the minimum use of physical force and authority required to address a crowd management or crowd control issue.

**III. DEFINITIONS:**

Crowd Management: Techniques used to manage lawful public assemblies before, during, and after an event for the purpose of maintaining the event's lawful status. Crowd management can be accomplished in part through coordination with event planners and group leaders, permit monitoring, and past event critiques.

Crowd Control: Techniques used to address unlawful public assemblies, including a display of formidable numbers of police officers, crowd containment, dispersal tactics, and arrest procedures.

First Amendment Activities: First Amendment activities include all forms of speech and expressive conduct used to convey ideas and/or information, express grievances, or otherwise communicate with others and include both verbal and non-verbal expression. Common First Amendment activities include, but are not limited to, speeches, demonstrations, vigils, picketing, distribution of literature, displaying banners or signs, use of puppets to convey a message, street theater, and other artistic forms of expression. All these activities involve the freedom of speech, association, and assembly and the right to petition the government, as guaranteed by the United States Constitution and the Constitution of Connecticut. The government may impose reasonable restrictions on the time, place, or manner of protected speech, provided the restrictions are justified without reference to the content of the regulated speech, that they are narrowly tailored to serve a significant governmental interest, and that they leave open ample alternative channels for communication of the information.

Demonstration: A public display of a group's or individual's feeling(s) toward a person(s), idea, cause, etc. and includes, but is not limited to, marches, protests, student walk-outs, assemblies, and sit-ins. Such events and activities usually attract a crowd of persons including participants, onlookers, observers, media, and other persons who may disagree with the point of view of the activity.

#### **IV. PROCEDURES:**

The BPD Crowd Management/Crowd Control Policy consists of the general principles identified as follows:

##### **A. Planning for Response to Demonstrations and/or Crowd Events.**

1. The Chief of Police shall be notified immediately of large or potentially disruptive demonstrations and/or crowd events.
2. The Incident Commander shall be responsible for the development of a written operations plan.
3. The Incident Command System shall be used for managing crowds and acts of civil disobedience.
4. BPD shall make every effort to follow the principle of establishing contact and communication with the event or demonstration planners.
5. Spontaneous demonstrations or crowd events, which occur without prior planning and/or without prior notice to the police, present less opportunity for BPD planning and prevention efforts. Nonetheless, the same policies and regulations concerning crowd management, crowd control, crowd dispersal, and police responses to violence

and disorder apply to a spontaneous demonstration or crowd event situation as to a planned demonstration or crowd event.

**B. Authority for Deployment of Resources to Address Crowd Containment**

1. Decisions regarding crowd dispersal, general strategies regarding crowd containment or crowd redirection, multiple simultaneous arrests, planned individual arrests, or planned use of force shall be made at the level of the Incident Commander or higher.
  - a. If such decisions are made by the Chief of Police who is not at the scene, the Incident Commander must first be consulted about the state of affairs in the field and the potential consequences of the decision.
  - b. All such decisions shall be documented in writing with regard to time, the identity of the person making the decision, and the precise decision and directions given. Such documentation shall be made at the time of the decision or as soon thereafter as possible and included in an After Action Report.
2. This directive shall not preclude individual supervisors and officers from defending themselves or others from imminent danger when the delay in requesting permission to take action would increase the risk of injury.

**C. Conducting Crowd Control and Management**

1. When large or potentially disruptive demonstrations and/or crowd events are identified, a sufficient amount of resources should be available to make multiple simultaneous arrests where such arrests are a reasonable possibility. However, this need must be balanced against the fact that a large and visible police presence may have a chilling effect on the exercise of free speech rights. Where additional resources are needed, they should be deployed to the greatest extent possible so they are not readily visible to the crowd. When possible, officers should be at their posts well in advance of arriving participants.
2. In general, BPD officers shall work together in squads or platoons when policing a demonstration.
3. Each officer shall wear a badge, nameplate, or other device on the outside of his or her uniform or on his or her helmet which bears the identification number or the name of the officer. The number or name shall be clearly visible at all times. The letters or numerals on helmets, jackets, and vests shall be clearly legible at a distance sufficient to provide a measure of safety for both officers and demonstrators/observers and, under no circumstances, shall be less than two inches in height on helmets.

4. Crowd control and crowd dispersal, as well as a show of force in crowd control situations, should be accomplished whenever possible using the assistance of the mutual aid from surrounding agencies - rather than on-duty patrol officers.
5. It is essential to recognize that all members of a crowd of demonstrators are not the same. Even when some members of a crowd engage in violence or destruction of property, other members of the crowd are not participating in those acts.
6. BPD officers shall avoid negative verbal engagement with members of the crowd. Verbal abuse against officers shall not constitute a reason for an arrest or for any use of force against such individuals.
7. BPD officers must maintain professional demeanor and remain neutral in word and deed despite unlawful or anti-social behavior on the part of crowd members. Unprofessional police behavior can inflame a tense situation and make control efforts more difficult and dangerous.
8. Strong supervision and command are essential to maintaining unified, measured, and effective police response. A response incorporating strong leadership and based upon teamwork is crucial to maintaining control and safety. Impulsive or independent actions by officers are to be avoided.
9. The Incident Commander and supervisors shall make every effort to ensure that the police mission is accomplished as efficiently and unobtrusively as possible with the highest regard for the human dignity and liberty of all persons and with minimal reliance on the use of physical force. The use of force shall be restricted to circumstances authorized by law and to the degree reasonably necessary in light of the circumstances confronting members.
10. This directive does not preclude members from taking appropriate action to direct crowd and vehicular movement; enforce ordinances and statutes; and employ the physical force necessary to maintain the safety of the crowd, the general public, law enforcement personnel, and emergency personnel.

#### **D. Responses to Crowd Situations**

1. Spontaneous Event or Incident
  - a. The shift supervisor shall respond to the scene of spontaneous events, when practical, and take command of the incident as the Incident Commander until relieved by a ranking officer.

- b. The Incident Commander shall declare over the police radio that he or she has assumed command of the incident. When practical, a command post shall be established as soon as possible.
- c. An immediate assessment of the situation is essential for effective police response. The Incident Commander must ascertain the following information at the earliest possible time:
  - (1) The location and type of event.
  - (2) Evaluate First Amendment activities to determine lawfulness of the actions by groups and individuals.
  - (3) The approximate number of specific individuals engaged in unlawful conduct.
  - (4) The likelihood that unlawful behavior will spread to other crowd participants.
  - (5) Immediate threats to the safety of the public and/or police officers.
  - (6) The number of structure(s) or vehicle(s) involved.
  - (7) The size of the involved area.
  - (8) The number of additional officers and police resources needed as well as requirements for specialized units (Traffic, Tactical Operations Team, etc.).
  - (9) The appropriate manner of response ( Emergency or Nonemergency).
  - (10) The staging area.
  - (11) The location for a media staging area.
  - (12) The ingress and egress routes.
  - (13) Additional resources needed (paramedic, fire department, outside agencies, etc.).
  - (14) Planned Event Involving Potentially Large Crowds

- d. The Incident commander will contact the Chief of Police who will request mutual aid from surrounding agencies. The Chief of Police or designee shall develop a written operations plan. The Incident Commander of planned events shall be responsible for the overall coordination of the event as well as for crowd control and management. Operations plans for large events requiring the redeployment of personnel from regular assignments shall be approved by the Chief of Police.

#### **E. Permissible Crowd Control and Crowd Dispersal Techniques**

1. In the event of a declared unlawful assembly, it is the general policy of the BPD to use multiple simultaneous arrests to deal with a non-violent demonstration that fails to disperse and voluntarily submits to arrest as a form of political protest, rather than dispersing the demonstrators by using weapons or force beyond that necessary to make the arrests.
2. The Incident Commander shall make the final decision as to what control action, if any, will be taken to address a given crowd situation. Crowd size and available Department resources will also factor into the police response. Commanders shall constantly reassess and adjust tactics, as necessary, as the crowd's actions change. The Incident Commander shall consider and take reasonable and appropriate steps to ensure the safety of bystanders.

#### **F. When an Unlawful Assembly May Be Declared**

1. The definition of an unlawful assembly has been set forth in Connecticut General Statutes § 53a-177. The police may not disperse a demonstration or crowd event before demonstrators have acted illegally or before the demonstrators pose a clear and present danger of imminent violence.
2. The mere failure to obtain a permit, such as a parade permit or sound permit, is not a sufficient basis to declare an unlawful assembly. There must be criminal activity or a reasonable belief of danger of imminent violence.
3. The fact that some of the demonstrators or organizing groups have engaged in violent or unlawful acts on prior occasions or demonstrations is not grounds for declaring an assembly unlawful.
4. Unless emergency or dangerous circumstances prevent negotiation, crowd dispersal techniques shall not be initiated until after attempts have been made through contacts with the police liaisons and demonstration or crowd event leaders to negotiate a resolution of the situation so that the unlawful activity will cease and the First Amendment activity can continue.

5. If after a crowd disperses pursuant to a declaration of unlawful assembly and subsequently participants assemble at a different geographic location where the participants are engaged in non-violent and lawful First Amendment activity, such an assembly cannot be dispersed unless it has been determined that it is an unlawful assembly and the required official declaration has been adequately given.

#### **G. Declaration of Unlawful Assembly**

1. Crowd dispersal techniques shall not be initiated until BPD officers have made repeated announcements to the crowd, asking members of the crowd to voluntarily disperse and informing them that, if they do not disperse, they will be subject to arrest.
2. These announcements must be made using adequate sound amplification equipment in a manner that will ensure that they are audible over a sufficient area. Announcements must be made from different locations when the demonstration is large and noisy. The dispersal orders should be repeated after commencement of the dispersal operation so that persons not present at the original broadcast will understand that they must leave the area. The announcements shall also specify adequate egress or escape routes. Whenever possible, a minimum of two escape/egress routes shall be identified and announced.
3. It is the responsibility of the on-scene BPD Supervisor to ensure that all such announcements are made in such a way that they are clearly audible to the crowd.
4. Unless an immediate risk to public safety exists or significant property damage is occurring, sufficient time will be allowed for a crowd to comply with police commands before action is taken.
5. Dispersal orders should be given in English and in other languages that are appropriate for the audience.
6. The Incident Commander should ensure that the name of the individual making the dispersal order and the date/time each order was given is recorded.
7. Dispersal orders should not be given until officers are in position to support/direct crowd movement.
8. Personnel shall use the following Departmental dispersal order:

*I am (rank/name), a police officer for the BPD Police Department. I hereby declare this to be an unlawful assembly and command all those assembled at (location) to immediately leave. If you do not do so, you may be arrested or subject to other police action, including the use of force which may result in*

*serious injury. The following routes of dispersal are available (routes). You have \_\_\_\_\_ minutes to leave. If you refuse to move, you will be arrested.\**

*\*If you refuse to move, chemical agents will be used. (Provide the chemical warning only if use is anticipated).*

## **H. Approved Tactics and Weapons to Disperse or Control a Non-Compliant Crowd**

1. If negotiation and verbal announcements to disperse do not result in voluntary movement of the crowd, officers may employ additional crowd dispersal tactics, but only after orders from the Incident Commander or designated supervisory officials. The use of these crowd dispersal tactics shall be consistent with the Department policy of using the minimal police intervention needed to address a crowd management or control issue. The permissible tactics to disperse or control a noncompliant crowd include all of the following (not in any specific order of use):
  - a. Display of police officers (forceful presence).
    - (1) Once this tactic is selected, officers should be assembled in formation at a location outside the view of the crowd. The formation may be moved as a unit to an area within the crowd's view. This tactic should not be used unless there are sufficient personnel to follow through with dispersal. **Do not bluff a crowd.** If a display of police officers, motorcycles, and police vehicles, combined with a dispersal order, is not effective, more forceful actions may be employed.
    - (2) Generally, officers should be assigned to squads of sufficient size to be effective.
  - b. Encirclement and Arrest
    - (1) If the crowd has failed to disperse after the required announcements, officers may encircle the crowd or a portion of the crowd for purposes of making multiple simultaneous arrests.
    - (2) Persons who make it clear (e.g., by sitting down, locking arms) that they seek to be arrested shall be arrested and not subjected to other dispersal techniques, such as the use of batons or chemical agents.
    - (3) Arrests of non-violent persons shall be accomplished by verbal commands and persuasion, handcuffing, lifting, carrying, the use of dollies and/or stretchers, and/or the use of control holds including the bent-wrist control hold and twist-lock control hold



- (4) Control holds should only be used when a Supervisor or Commander determines that control holds are necessary to accomplish the policing goal after other methods of arrest have failed or are not feasible under the circumstances and when the use of control holds would be a lawful use of force.
- (5) In the event control holds are necessary, precautions should be taken to assure that arrestees are not injured or subjected to unnecessary or excessive pain. A decision to authorize control holds, and the reasons for said decision, should be documented.

c. Police Formations and Use of Batons

- (1) If a crowd refuses to disperse after the required announcements, the police may use squad or platoon formations (skirmish line, wedge, echelons, etc.) to move the crowd along.
- (2) Batons shall not be used for crowd control, crowd containment, or crowd dispersal except as specified below.
- (3) Batons may be visibly displayed and held in a ready position during squad or platoon formations.
- (4) When reasonably necessary for protection of the officers or to disperse individuals in the crowd pursuant to the procedures of this policy, batons may be used in a pushing or jabbing motion. Baton jabs should not be used indiscriminately against a crowd or group of persons but only against individuals who are physically aggressive or actively resisting arrest. Baton jabs should not be used in a crowd control situation against an individual who is physically unable to disperse or move because of the press of the crowd or some other fixed obstacle.
- (5) Batons shall only be used as set forth in General Order 3.4, Impact Weapons, and Department Training
- (6) Officers shall not intentionally strike a person with any baton to the head, neck, throat, kidneys, spine, or groin, or jab with force to the left armpit except when the person's conduct is creating an imminent threat of serious bodily injury or death to an officer or any other person.

(7) Batons shall not be used against a person who is handcuffed.

**I. Weapons Prohibited for Crowd Control and Crowd Dispersal Purposes**

1. Lethal Force

The use of lethal force by BPD officers is governed by the Department's Use of Force Policy. Nothing about a crowd control situation eliminates or changes any of the constraints and criteria governing the use of lethal force in the Department's Use of Force Policy.

2. Canines

Canines shall not be used for crowd control, crowd containment, or crowd dispersal.

3. Fire Hoses

Fire hoses shall not be used for crowd control, crowd containment, or crowd dispersal.

4. Motorcycles

The technique referred to as the Basic Use of Motorcycle Push Technique (B.U.M.P.) is prohibited. Motorcycles and police vehicles may not be used for crowd dispersal, but may be used for purposes of observation, visible deterrence, traffic control, transportation, and area control during a crowd event.

5. Electronic Control Weapons (ECW's)

ECW's such as tasers or stun guns, shall not be used for crowd management, crowd control, or crowd dispersal during demonstrations or crowd events.

6. Aerosol Hand-held Chemical Agents

- a. Aerosol, hand-held, pressurized, containerized chemical agents that emit a stream shall not be used for crowd management, crowd control, or crowd dispersal during demonstrations or crowd events. Aerosol hand held chemical agents may not be used indiscriminately against a crowd or group of persons, but only against specific individuals who are engaged in specific acts of serious unlawful conduct or who are actively resisting arrest.
- b. Officers shall use the minimum amount of the chemical agent necessary to overcome the subject's resistance.

- c. Aerosol chemical agents shall not be used in a demonstration or crowd situation or other civil disorders without the approval of a supervisor or command officer.
- d. When possible, persons should be removed quickly from any area where hand-held chemical agents have been used. Officers shall monitor the subject and pay particular attention to the subject's ability to breathe following the application of OC. As soon as practical, Officers and employees shall obtain professional medical treatment for all persons who have had OC applied to them. Paramedics in the field may administer treatment if no other medical treatment is required. If paramedics are not available in a timely manner, subjects shall be transported to a hospital for treatment within 45 minutes of the application of OC.
- e. A subject who has been sprayed with hand-held chemical agents shall not be left lying on his/her stomach once handcuffed or restrained with any other device.

## J. Arrests

### 1. Multiple Simultaneous Arrests

- a. When a large-scale event involving possible arrests is to be conducted, BPD planners will estimate the number of potential arrestees and will configure arrest teams capable of managing multiple arrests safely.
- b. When arrests are necessary, the Incident Commander shall attempt to ensure that sufficient numbers of police officers are present to effect arrests. This tactic can be effective in dispersing the remaining crowd members wanting to avoid arrest.
- c. When multiple arrests are contemplated in advance and it is impracticable for arrestees to be cited at the scene as further discussed below, pre-arrangement of transportation shall be made.
- d. The Incident Commander shall make the decisions to engage in selective individual arrests or multiple simultaneous arrests as a crowd control technique with consideration given to the following factors:
  - (1) The likelihood that police action will improve the situation relative to taking no action.

- (2) The seriousness of the offense(s) as opposed to the potential for the arrest to escalate violence or unlawful activity by crowd members.
- (3) Whether individual or mass arrests will be more effective in ending the criminal activity at issue.
- (4) Whether clear and secure escape routes have been established for the crowd and police.
- (5) Whether communication has been established with crowd representatives.
- (6) What contingency plans are available.
- (7) What types of force can be used in effecting the arrests, if necessary.
- (8) Although dealing with passive resistance may frustrate officers, civil disobedience is usually a nonviolent means of making a political statement, and officers shall remain neutral, nonantagonistic, and professional at all times in their response.

## 2. Use of Handcuffs

- a. All persons subject to arrest during a demonstration or crowd event shall be handcuffed in accordance with department policy, orders, and Training Bulletins.
- b. Officers should be cognizant that flex-cuffs may tighten when arrestees' hands swell or move, sometimes simply in response to pain from the cuffs themselves.
- c. Each unit involved in detention and/or transportation of arrestees with flexcuffs should have a flex-cuff cutter and adequate supplies of extra flex-cuffs readily available. The officer applying flex-cuffs shall write his badge number in indelible marker on the cuffs whenever used. When arrestees complain of pain from overly tight flex cuffs, officers shall examine the cuffs to ensure proper fit.

## 3. Arrest of Juveniles

- a. Juveniles arrested in demonstrations shall be handled consistent with BPD policy on arrest, transportation, and detention of juveniles.

## **K. Documentation**

### 1. Video and Photographic Recording

- a. It is the policy of the Department to videotape and photograph in a manner that minimizes interference with people lawfully participating in First Amendment activities. Videotaping and photographing of First Amendment activities shall take place only when authorized by the Incident Commander or other supervisory officer.
- b. Individuals should not be singled out for photographing or recording simply because they appear to be leaders, organizers, or speakers.
- c. Each camcorder operator shall write a supplemental report at the end of his/her duty assignment documenting the camcorder operations.
- d. Unless they provide evidence of criminal activity, videos or photographs of demonstrations shall not be disseminated to other government agencies, including federal, state, and local law enforcement agencies. If videos or photographs are disseminated or shared with another law enforcement agency, a record should be created and maintained noting the date and recipient of the information.
- e. If there are no pending criminal prosecutions arising from the demonstration or if the video recording or photographing is not relevant to an Internal Affairs or citizen complaint investigation or proceedings or to civil litigation arising from police conduct at the demonstration, the video recording and/or photographs shall be destroyed in accordance with Department Policies and State Statute and/or regulation regarding retention/disposition of public safety and emergency services records..
- f. This directive shall not prohibit the BPD from using these videos or footage from such videos as part of training materials for BPD officers in crowd control and crowd dispersal techniques and procedures. The destruction of any such videos or photographs shall be documented in writing with regard to the date of the destruction and the identity of the person who carried it out.

## **V. REPORTING**

- A. The Incident Commander shall ensure that the Chief of Police is notified of the incident in a timely manner.

- B. BPD officers involved in demonstrations or crowd events shall prepare reports as required by Department policy.

## **VI. PUBLIC INFORMATION AND THE MEDIA**

- A. The media have a right to cover demonstrations, including the right to record the event on video, film, or in photographs.
- B. BPD officers shall accommodate the media in accordance with Department policy.
- C. The media shall be permitted to observe and shall be permitted close enough access to view the arrests. Even after a dispersal order has been given, clearly identified media shall be permitted to carry out their professional duties in any area where arrests are being made unless their presence would unduly interfere with the enforcement action.
- D. Self-identified legal observers and crowd monitors do not have the same legal status as the professional media and are, therefore, subject to all laws and orders similar to any other person or citizen. Said personnel must comply with all dispersal orders similar to any other person or citizen. A supervisor or commander may allow a person who self-identifies as a legal observer or crowd monitor to remain in an area after a dispersal order if circumstances permit and if the person's presence would not unduly interfere with the enforcement action.
- E. The media, legal observers, crowd monitors, police liaison, and/or organizers shall never be targeted for dispersal or enforcement action because of their status.

## **VII. TRAINING**

- A. All other procedures will be reviewed to ensure consistency with the new policy and Training Bulletin.
- B. All officers must receive training consistent with BPD policies and procedures.
- C. All training on crowd control shall include substantial coverage of these Department policies. No officers shall use less-lethal weapons unless they have received the training required by Department policies.