
  <input checked="" type="checkbox"/> General Order <input type="checkbox"/> Division Order <input type="checkbox"/> Bureau Order <input type="checkbox"/> Special Order  <b>Order No.: 21-115</b> ----- <input checked="" type="checkbox"/> Procedure <input type="checkbox"/> Plan <input type="checkbox"/> Rule	<b>Iowa Department of Public Safety</b>	
	<b>TITLE/SUBJECT:</b> Crowd Management	<b>IDENTIFIER:</b> 01-03.10
	<b>TO:</b> All Sworn Personnel; DPS Communications; DOI Personnel; PIO	<b>CC:</b>
	<b>RELATED DIRECTIVES/FORMS:</b> <a href="#">DOM 01-03.01</a> - Use of Force; <a href="#">DOM 01-03.03</a> - Weapons and Ammunition; <a href="#">DOM 01-03.09</a> – TASER Policy	
	<b>APPLICABLE CALEA STANDARD(S):</b>	
	<b>EFFECTIVE DATE:</b> 10-19-21	<b>REVISION #:</b> 1
	<b>INSTRUCTIONS:</b> Changes have been made in Section III – definitions of Riot and Unlawful Assembly.	
<b>APPROVED BY:</b>  <b>Nathan Ludwig, Executive Officer to the Commissioner</b>		<b>DATE:</b>  <b>October 5, 2021</b>

## I. Purpose

The purpose of this policy is to establish guidelines for managing crowds, protecting individual rights, and preserving the peace during demonstrations and civil disturbances.

## II. Policy

It is the policy of the Department of Public Safety to protect individual rights related to assembly and free speech; effectively manage crowds to prevent loss of life, injury, or property damage; and minimize disruption to persons who are not involved.

## III. Definitions

- A. *Civil Disturbance:* A gathering that constitutes a breach of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts. Such a gathering may also be referred to as a riot or unlawful assembly.
- B. *Crowd Control:* Techniques used to address civil disturbances, to include a show of force, crowd containment, dispersal equipment and tactics, and preparations for multiple arrests.
- C. *Crowd Management:* Techniques used to manage lawful assemblies before, during, and after the event for the purpose of maintaining lawful status through event planning, pre-event contact

with event organizers, issuance of permits when applicable, information gathering, personnel training, and other means.

- D. *Demonstration*: A lawful assembly of persons organized primarily to engage in free speech activity. These may be scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention. Lawful demonstrations can devolve into civil disturbances that necessitate enforcement action.
- E. *Disorderly Conduct* ([Iowa Code 723.4](#)): A person commits a simple misdemeanor when the person does any of the following: Engages in fighting or violent behavior in any public place or in or near any lawful assembly of persons, provided, that participants in athletic contests may engage in such conduct which is reasonably related to that sport. Directs abusive epithets or makes any threatening gesture which the person knows or reasonably should know is likely to provoke a violent reaction by another. Without lawful authority or color of authority, the person disturbs any lawful assembly or meeting of persons by conduct intended to disrupt the meeting or assembly. By words or action, initiates or circulates a report or warning of fire, epidemic, or other catastrophe, knowing such report to be false or such warning to be baseless. Without authority or justification, the person obstructs any street, sidewalk, highway, or other public way, with the intent to prevent or hinder its lawful use by others.
- F. *Failure to Disperse* ([Iowa Code 723.3](#)): A peace officer may order the participants in a riot or unlawful assembly or persons in the immediate vicinity of a riot or unlawful assembly to disperse. Any person within hearing distance of such command, who refuses to obey, commits a simple misdemeanor.
- G. *Impact Projectiles*: Projectiles designed and intended to deliver non-penetrating impact energy from safer than contact range. These may include direct fire or non-direct skip-fired rounds. The latter are projectiles that are discharged toward the ground in front of a target, theoretically delivering the energy to the subject following contact with the ground.
- H. *Incident Command System (ICS)*: A standardized approach to the command, control, and coordination of on-scene incident management, providing a common hierarchy within which personnel from multiple organizations can be effective. ICS is the combination of procedures, personnel, facilities, equipment, and communications operating within a common organizational structure, designed to aid in the management of on-scene resources during incidents. It is used for all kinds of incidents and is applicable to small, as well as large and complex, incidents, including planned events.
- I. *Incident Commander*: The individual responsible for on-scene incident activities, including developing incident objectives and ordering and releasing resources. The Incident Commander has overall authority for conducting incident operations.

- J. *Riot* ([see Iowa Code 723.1 changes](#)) – A riot is three or more persons assembled together in a violent and disturbing manner, and with any use of unlawful force or violence by them or any of them against another person, or causing property damage. A person who willingly joins in or remains a part of a riot, knowing or having reasonable grounds to believe that it is such, commits a class “D” felony.
- K. *Riot control agents*: (sometimes referred to as “tear gas”) are chemical compounds that temporarily make people unable to function by causing irritation to the eyes, mouth, throat, lungs, and skin.
- L. *Unified Command (UC)*: An ICS application used when more than one agency has incident jurisdiction or when incidents cross political jurisdictions.
- M. *Unlawful Assembly* ([see Iowa Code 723.2 changes](#)) – An unlawful assembly is three or more persons assembled together, with them or any of them acting in a violent manner, and with intent that they or any of them will commit a public offense. A person who willingly joins in or remains a part of an unlawful assembly, or who joined a lawful assembly but willingly remains after the assembly becomes unlawful, knowing or having reasonable grounds to believe that it is such, commits an aggravated misdemeanor.

#### IV. Procedures

##### A. Preparation and Planning

1. Reasonable effort will be made to make advance contact with known event organizers and to gather the following information about the event to ensure accurate assignment of personnel and resources, such as:
  - a) Type of event, date/time/location of event and/or assembly areas, route of event;
  - b) Number of participants anticipated and history of conduct at prior events;
  - c) Other routine, large-scale events scheduled at the same time (e.g., sporting events, concerts);
  - d) Type of permit issued, if any;
  - e) Opposition to the event and history of violence between groups;
  - f) Anticipated actions, activities, or tactics, to include use of demonstrator devices designed to thwart arrest;
  - g) Critical infrastructures in proximity to the event;
  - h) Notification to other agencies such as fire and EMS;
  - i) Cooperation of event organizers.
2. The Incident Commander (IC) or a designee, shall prepare a written plan subject to the approval of the Commissioner or their designee. The plan may address the following and be distributed to all participating agencies:
  - a) Command assignments and responsibilities;

- b) Personnel, unit structure, and deployment considerations to include the need for special response teams (i.e., tactical teams, emergency medical personnel, and plain clothes officers);
- c) Regular communication with legal advisors;
- d) Liaison with event planners, to include their legal advisors, where applicable;
- e) Liaison with outside agencies;
- f) Communications plan, to include release of information to the media;
- g) Pre-event intelligence analysis;
- h) Weather and terrain at the event location;
- i) Transportation, support, and relief of personnel;
- j) Staging points for additional resources and equipment;
- k) Traffic management, including perimeter security;
- l) First aid stations established in coordination with emergency medical service providers;
- m) Demonstrator devices, extrication teams, and equipment;
- n) Transportation of arrestees;
- o) Arrestee processing areas;
- p) Any laws, ordinances, or administrative rules specific to the event.

## B. Management and Organization Principles

1. Government may impose reasonable time, place, and manner restrictions on activities and persons engaging in speech related activities. The Department of Public Safety shall place only those limitations and restrictions on demonstrations necessary to maintain public safety and order and, to the highest degree possible, facilitate uninhibited speech, petition, commerce, and freedom of movement.
2. An incident command system (ICS) should be used in crowd management and civil disturbances to ensure control and unified command.
3. Organization of responsibilities shall be as follows:
  - a) The Commissioner or their designee shall designate an IC responsible for overall decision making for observing and potential control of a demonstration or civil disturbance.
  - b) The IC shall implement the written plan.
  - c) In the case of a widely dispersed demonstration or disturbance, or event(s) with multiple locations, multiple ICs may be assigned at the discretion of the Commissioner or their designee.
  - d) The IC shall be responsible for preparing operations plans and management details associated with planned demonstrations.
4. The primary objectives of the IC at a civil disturbance are to accomplish the following:
  - a) Protect persons, regardless of their participation in the disturbance;

- b) Disperse disorderly or threatening crowds in order to eliminate the immediate risks of continued escalation and further violence;
  - c) Arrest law violators, including those responsible for violence, property damage, or personal injury, and remove or isolate persons inciting violent behavior.
- 5. Officers shall be briefed on what to expect and appropriate responses. They shall be informed that the IC or their designee(s) shall be responsible for ordering any response deemed appropriate.

#### C. General Crowd Response

- 1. Officers may be deployed to monitor crowd activity. Sufficient resources to handle multiple unruly persons should be available, depending on the fluidity of the situations and degree of actual or likely disruption.
- 2. Uniformed personnel shall wear their badges and nameplates or other identification in a visible location on their persons at all times.
- 3. Officers shall be positioned in such a manner as to minimize contact with the assembled crowds.
- 4. Officers will refrain from reacting in response to comments from demonstrators and maintain a courteous and neutral demeanor.
- 5. Persons who reside, are employed, or have emergency business within the area marked off by a police line shall not be prevented from entering the area unless circumstances suggest that their safety would be in jeopardy or their entry would interfere with law enforcement operations.
- 6. Individuals designated by the IC will establish and maintain communication with the event organizers and relay information on crowd temperament to the IC.
- 7. Front line supervisors will maintain close contact with their assigned officers to ensure compliance with orders, monitor behavior and disposition, and ensure that they are aware of any changes in crowd behavior or intent.
- 8. Officers will make reasonable efforts to ensure that a means of egress for all individuals is present at all times.

#### D. Response to Spontaneous Civil Disturbances

- 1. The first officer to arrive on the scene of a spontaneous civil disturbance shall:

- a) Observe the situation from a safe distance to determine if the gathering is currently or potentially violent;
  - b) Notify DPS Communications of the nature and seriousness of the disturbance, particularly the availability of improvised or deadly weapons, the location and estimated number of participants, current activities (e.g., blocking traffic), direction of movement, and ingress and egress routes for emergency vehicles;
  - c) Request the assistance of a supervisor and necessary backup;
  - d) Attempt to identify crowd leaders and agitators engaged in criminal acts; and
  - e) At the first available opportunity, request the crowd to voluntarily disperse.
2. The first officer or supervisor in charge at the scene shall:
- a) Deploy officers at vantage points to report on crowd actions;
  - b) Establish a perimeter sufficient to contain the disturbance and prohibit entrance into the affected area;
  - c) Ensure that, to the degree possible, uninvolved individuals are evacuated from the immediate area of the disturbance;
  - d) Establish a temporary command post;
  - e) Provide ongoing assessment to DPS Communications;
  - f) Move and reroute pedestrian and vehicular traffic around the disorder;
  - g) Control unauthorized ingress and egress by participants; and
  - h) Prevent outside attempts to assist or reinforce participants.
3. The IC should also attempt to ensure:
- a) Adequate security is provided to fire and EMS personnel in the performance of emergency tasks;
  - b) Support and relief for personnel is available;
  - c) A secure staging area for emergency responders and equipment is designated;
  - d) Liaison and staging points for media representatives are established and available information is provided as appropriate;
  - e) An event log is maintained to document activities and actions taken during the course of the incident;
  - f) Photographic or video evidence is preserved, in accordance with applicable law and agency policy, of crowd actions and officer response;
  - g) Photographs or videos are taken of any injuries sustained by law enforcement officers or the public; and
  - h) The need for full mobilizations of sworn officers and the recall of off-duty officers is determined.

## E. Use of Force

1. Officers shall follow DPS policy on use of force.

2. Unless exigent circumstances justify immediate action, officers shall not independently make arrests or employ force without command authorization.
3. Weapons shall be carried and deployed only by trained and authorized officers. The following restrictions and limitations on the use of force shall be observed during demonstrations and civil disturbances:
  - a) Consistent with DPS policy, canine teams may respond as backup when appropriate but should not be deployed for crowd control (i.e., containment or dispersal). Canines will remain in patrol vehicles or other secure locations and, whenever reasonably possible, out of the view of the crowd. Canines may be deployed in appropriate circumstances related to bomb detection, pursuit of suspects in buildings, and related situations.
  - b) Motor vehicles may be used to contain, control, and direct persons as appropriate but shall not be intentionally brought into contact with persons unless the use of deadly force is authorized. If an officer is in a vehicle and is surrounded by a violent crowd and the officer reasonably believes their safety is in jeopardy, they may use the vehicle to escape the crowd while minimizing intentional or unintentional contact with persons in the crowd.
  - c) Bicycles may be used to control and move persons as appropriate.
  - d) Impact projectiles shall not be fired indiscriminately into crowds.
    - (1) Non-direct (skip-fired) projectiles and munitions may be used in civil disturbances where life is in immediate jeopardy or the need to use the devices outweighs the potential risks involved.
    - (2) Direct fired impact munitions, to include beanbag and related projectiles, may be used during civil disturbances against specific individuals who are engaged in conduct that poses an immediate threat of death or serious injury.
    - (3) A verbal warning will be given prior to the use of impact projectiles when reasonably possible.
  - e) Electronic control weapons (ECWs) shall be used during civil disturbances only for purposes of restraint or arrest of actively resistant individuals, consistent with DPS policy, and only when the individual can be accurately targeted. ECWs shall not be fired indiscriminately into crowds.
  - f) Aerosol restraint spray, known as oleoresin capsicum (OC), may be used against specific individuals engaged in unlawful conduct or actively resisting arrest, or as necessary in a defensive capacity when appropriate. OC spray should not be used against passively resistant individuals. High volume OC delivery systems (such as MK-9 and MK-46) are designed for and may be used in civil disturbances against groups of people engaged in unlawful acts or endangering public safety and security when approved by the IC. Whenever reasonably possible, a verbal warning will be issued prior to the use of these systems.
  - g) CS (2-chlorobenzalmalononitrile) chemical agents may be deployed defensively to prevent injury. Such munitions shall be deployed at the direction of the IC and only when avenues of egress are available to the crowd. When reasonably possible, their use

shall be announced to the crowd in advance. CN (phenacyl chloride) shall not be used in any instance.

- h) A baton or similar device can be used as a defensive weapon; as a means of overcoming resistance (e.g., used in the two-hand horizontal thrust on a police line); to stop, control, or neutralize perceived threatening resistance; as a show of force; or as a means to contain or disperse a crowd.
- i) All uses of force shall be reported and reviewed in accordance with DPS policy.

## F. Crowd Dispersal

1. Before ordering forced dispersal of a civil disturbance, the IC will determine whether lesser alternatives may be effective. These alternatives include the use of containment and dialogue, as follows:
  - a) Establish contact with event organizers or crowd leaders to assess their intentions and motivations and develop a mutually acceptable plan for de-escalation and dispersal.
  - b) When reasonable, communicate to the participants that their assembly is in violation of the law and that the agency wishes to resolve the incident peacefully, but that acts of violence will be dealt with swiftly and decisively.
  - c) Target specific violent or disruptive individuals for arrest.
2. Prior to issuing dispersal orders, the IC will ensure that all potentially necessary law enforcement, fire and EMS equipment and personnel are on hand to successfully carry out tactical operations and that logistical needs for making mass arrests are in place.
3. When the IC has made a determination that crowd dispersal is required, they shall direct designated officers, where time and circumstances permit, to issue warnings prior to taking action to disperse the crowd.
  - a) The warning shall consist of an announcement citing the offenses or violations being committed, and an order to disperse.
  - b) If practical, second and third warnings may be issued at reasonable time intervals before designated actions are taken to disperse the crowd.
  - c) The warnings shall be documented in the event log including issuing officers and time given.
  - d) The warnings should be given over voice amplified equipment, bullhorn, vehicle PA system or similar equipment, if available, to maximize its effectiveness.
4. Specific crowd dispersal tactics shall be ordered, as necessary, where the crowd does not heed warnings. These include, but are not limited to, any one or combinations of the following:
  - a) Display of forceful presence to include police lines combined with law enforcement vehicles, bicycle units and mobile field forces;
  - b) Multiple simultaneous arrests;
  - c) Use of aerosol crowd control chemical agents;



- d) Law enforcement formations and the use of batons for forcing crowd movement.

#### G. Mass Arrest

During a civil disturbance, it may be necessary to make arrests of numerous individuals over a relatively short period of time. For this process to be handled efficiently, safely, and legally, the following should be observed:

1. Mass arrests should be conducted by designated squads.
2. An adequate secure area will be designated for holding arrestees after processing and while awaiting transportation to a detention center.
3. Arrest teams will be advised of the basic offense(s) to be charged in all arrests, and all arrestees shall be advised of the general reason(s) for arrest.
4. Arrestees who are sitting or lying down but agree to walk shall be escorted to the transportation vehicle for processing. Two or more officers should carry those who refuse to walk.
5. Arrestees shall be searched incident to arrest for weapons.
6. Photographs shall be taken of the arrestees in the clothing they are wearing at the time of arrest when practical.
7. Anyone who is injured, to include arrestees, shall be provided medical attention. Photographs shall be taken of all known injuries.

#### H. Deactivation

When the disturbance has been brought under control,

1. All personnel engaged in the incident shall be accounted for and an assessment and documentation made of personal injuries.
2. Witnesses, suspects, and others may be interviewed or questioned.
3. All necessary personnel will be debriefed as required.
4. Any equipment utilized by officers shall be accounted for and replaced/replenished if needed.
5. All written reports shall be completed as soon as practical after the incident consistent with DPS policy. The Incident Commander or designee shall prepare comprehensive documentation of the event. The Comprehensive documentation shall include a description of

the incident and the Department of Public Safety's response to the incident, with a statement of impact to include the costs of equipment, personnel, and related items.

## I. Training

1. All sworn personnel shall receive initial training in the areas of crowd control and crowd management during the DPS Academy.
2. Ongoing/refresher training shall be conducted periodically as determined by the Professional Development Bureau in consultation with DPS leadership.
3. Joint training will be conducted with other law enforcement agencies as necessary