



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



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OPR.63	
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SUBJECT: CIVIL DISTURBANCE RESPONSE

1.0 PURPOSE

The purpose of this policy is to develop guidelines for responses to civil disturbances and emergency situations.

2.0 POLICY

It is the policy of the Department of Public Safety ensure public’s well-being in the event of a civil disturbance or other unpredictable or potentially violent or hazardous event. The department’s mission is the protection of life and property and the restoration of law and order during a civil disturbance or other event that breaches the public peace. While this plan may cover various situations, the agency and personnel must be flexible to respond effectively to dynamic situations.

3.0 APPLICABILITY

This policy applies to all commissioned personnel of the Department of Public Safety.

4.0 REFERENCES

NONE

5.0 DEFINITIONS

- A. Breach of the Peace** – A violation of public order or decorum which disturbs the public peace and tranquility or an act of disorderly conduct which disrupts the public peace.
- B. Civil Disturbance** – A social activity which is dangerous or hurtful to the public peace, decorum, sense of morality or welfare due to misconduct or vicious actions. They may include riots, disorders, and violence arising from dissident gatherings and marches, rock concerts, political conventions and labor disputes.
- C. Mass Arrest** – A mass arrest situation is one in which the number of arrests made exceeds the capabilities of the district to handle in the usual manner.
- D. Natural Disasters** – Includes floods, hurricanes, earthquakes, explosions, and tornadoes.
- E. Order to Disperse** – An official order by the incident commander for the crowd or group of people to leave a specific area or venue.
- F. Unusual Occurrences** – Extraordinary emergency situations which generally result from natural and/or man-made disasters or civil disturbances.

6.0 PROCEDURE

Civil disturbances and emergency situations are unpredictable and potentially violent events. They occur in response to emotionally charged conflicts and are therefore difficult to contain and even more difficult to control. It is essential that the department’s response to civil disturbances and emergencies be coordinated. Commands, formations, and objectives must

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be clearly understood and practiced by members prior to any actual event. Recall procedures must be clearly delineated to deploy sufficient numbers of personnel to meet the demands of civil disturbances and other emergencies. This preparation ensures a united front through the confusion and/or violence which may occur. Advance preparation and training also aids in developing a command presence which helps to diffuse volatile situations and restore order.

A. Whenever possible, the following intelligence information should be gathered prior to initiating a response to a civil disturbance or emergency situation:

1. The purpose, object, time, location, schedule, and estimated number of attendants of the assembly/crowd.
2. The identity of the leaders, including photos if available.
3. The means of transportation to be used by the group.
4. The attitude of the community.
5. If any opposition to the gathering exists and how it will be displayed.
6. Access and escape routes from the critical area.
7. The locations of buildings and high points overlooking the area that can be either a tactical advantage or a safety concern.
8. The ideal locations where check-points or roadblocks can be established, if needed.
9. The locations possible trouble spots in the critical area, such as taverns, liquor stores, gas stations, sporting goods, and stores which may provide weapons
10. Whether local agencies are aware of the situation and what assistance they may be able to provide or need.
11. The emergency numbers for hospitals, ambulances, tow trucks, utility companies, fire companies, police agencies, courts, district attorney, and detention facilities. Refer to district Active Threat Procedures.

B. Preparation for response

1. When response to a riot incident is anticipated the incident commander should assure that the following steps are accomplished as appropriate to the situation:
 - a. Establish a secure command post with adequate communications. (telephones, bull horns, mobile, portable, and radios);
 - b. Designate a staging area in a sheltered, out of sight location for officers to gather;
 - c. Locate facilities for parking and security of authorized vehicles;
 - d. Gather special equipment such as: emergency lighting; emergency power; sound equipment; tear gas and masks; ropes and barricades; ambulances and fire trucks; helmets, batons; other special weapons; photographic and video equipment for documenting incident; and prisoner transportation vehicles;

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- e. Develop a coordinated plan for deployment of the detail including plans for an adequate ready reserve, to be kept uncommitted until necessary.
 - f. Brief officer in advance on what to expect from the participants and what types of alternative responses to anticipate.
 - g. Assign officers to units or squads, consisting of the appropriate number of officer required to accomplish the assigned task. Designate one officer as squad leader.
 - h. Arrange for temporary detention facilities in case normal facilities cannot cope with the situation. Refer to district Mass Arrest Plan.
2. Attempt to meet with possible dissident group leaders/members, neighborhood and civic organizations and minority group leaders to obtain information and to explain the agency's policies and procedures in relation to civil disturbances. By soliciting the cooperation of these individuals and groups, tensions may be reduced and the more expedient restoration of peace and order is facilitated.
3. If the needed for additional personnel is required, requests shall be made via the chain-of-command to the office of the Chief. The Office of the Chief shall coordinate with Zone and District Commanders on the number of available personnel to mobilize to the location of the incident. The following are the levels of mobilization of department personnel:

a. Level 1 Mobilization

- i. Level 1 Mobilization is the primary stage of mobilization for unusual occurrences. Level 1 is implemented whenever an incident generates response demands which exceed response capabilities of on-duty personnel, or a situation exists that inhibits or severely burdens routine police response. This response is appropriate when specialized expertise is needed rather than additional numbers of personnel. The on-duty department supervisor will assume the duties of the incident commander until relieved.

Implementation of Level 1 Mobilization may include activation of one or both of the following:

1. Mobile Command Post
 2. Specialized teams
- ii. Level 1 Mobilizations will be authorized by the incident commander. The incident commander will insure that the district and zone commanders are informed regarding the request for specialized team(s), any necessary equipment (Command Post, etc.), and/or the need for other personnel resources. The following information should be conveyed to the Special Operations Team Commander whenever a callout involves the request for specialty teams:
 1. Specialty team to be requested.

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2. Staging location.
3. Nature of callout.
4. Any other information relevant to the incident.

b. Level 2 Mobilization

- i. Level 2 Mobilization is an extension of Level 1 Mobilization. Level 2 Mobilization is intended to make available to the Incident Commander additional personnel assets, regardless of whether these personnel possess specialized skills. Level 2 Mobilization may also occur when service demands exceed the response capabilities of the New Mexico State Police uniform bureau. Level 2 mobilization may utilize the personnel and expertise of outside agencies working in conjunction with New Mexico State Police personnel. The on-duty department supervisor will assume the duties of the incident commander until relieved.

Implementation of Level 2 Mobilization may include activation of the following:

1. Off-duty commissioned personnel.
 2. The assistance of municipal, state or federal agencies.
 3. Off-duty Patrol Division personnel and/or other officers
- ii. Level 2 Mobilization will be authorized by the Incident Commander and may be initiated without having previously implemented a Level 1 Mobilization.

The order of unit activation may vary depending on the circumstances of the incident. Usually, off-duty Investigative Support Division personnel and Special Operations Division personnel are activated first. Police Reserves are called to duty next if their number and expertise can fulfill personnel demands. If more personnel are required, off-duty Patrol Bureau personnel may be called to duty.

C. Guidelines for response. The response to a riot incident can have a significant effect on the severity of the incident. The following are guidelines that have been shown to reduce tensions:

1. Maintain strict neutrality. Care must be exercised to refrain from taking, or giving an appearance of taking sides in any civil disturbance.
2. Be calm, courteous, and firm when dealing with participants and witnesses.
3. Do not discuss the situation with the public.
4. Do not use unnecessary force or violence, however, mob situations should be handled firmly. Officers should be positioned that physical contact with the crowd can be kept at a minimum unless action must be taken for the protection of persons or property.

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5. Do not attempt to bluff anyone or make unwarranted or weightless threats to the crowd/individuals.
6. Maintain communications with supervisors and commander with periodic updates.

D. Recommended response.

The following steps form the outline of a recommended response to a civil disturbance:

1. Isolate the critical area.
2. Keep unauthorized persons out. This may include individuals attempting to provide assistance to the crowd or innocent individuals in the area.
3. Let those who wish to leave do so.
4. Contain the situation in one area to avoid a running battle and the consequent fragmentation of manpower.
5. Assemble the detail, as rapidly as possible, out of sight of the crowd.
6. Maintain access routes for emergency vehicles
7. Send officers immediately to the area where the crowd is gathered and deploy personnel to cover high vantage points overlooking the crowd.
8. The incident commander will order the crowd to disperse (using amplification equipment as necessary) once determined the assembly is illegal. The dispersal orders shall include routes the crowd may use to leave and setting a definite time for compliance. See *Attachment A Dispersal Order*.

E. Dispersal of crowds.

After the order to disperse has been made and the time limit for dispersal has expired, crowds may have to be dispersed. The following guidelines are provided as suggestions:

1. Identified leaders who are present and any others who refuse to leave will be arrested.
2. Personnel should contain the crowd to allow controlled dispersal. A riotous crowd should not be dispersed into a business district or other area containing attractive looting targets. The crowd should be driven away from such targets and toward an area where the physical features tend to break it up into small parties, or into open spaces where little damage can be done.
3. Members should operate in teams and should avoid becoming separated from their team while executing these operations.
4. Teams should use formations when moving upon the crowd in order to concentrate their impact and to cause the crowd to respond in desired manner.
 - a. Frontal or skirmish position -- each member of the squad or unit is in a straight line at close intervals, used to hold or drive back entire crowd.

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- b. Wedge -- used to split the crowd or to enter crowd to effect rescue or arrest.
 - c. Diagonal -- used to force the crowd to move in a desired direction.
5. Since members should not quit the formation, additional personnel should be provided behind the formation to take custody of individuals arrested or to assist those injured.

F. Recommended special orders.

The incident commander of a riot or mob response may need to issue special orders to members. These may include, but limited to:

- 1. That no member shall leave an assigned post or duty until officially relieved.
- 2. That before going off-duty, members shall be debriefed on all actions taken and observed during the incident.
- 3. Specific procedures on dealing with by-product crimes (such as arson, looting, criminal damage, etc.).

G. Other Agency Requests for Assistance

Whenever any law enforcement agency requests the assistance of the New Mexico State Police for civil disorders, riots, etc., a request to should be made to the Office of the Chief. The following minimum information is required

- 1. Requesting department, rank and name of the caller;
- 2. Name of authorizing official and a call-back number;
- 3. Specific facts surrounding the incident;
 - a. Location;
 - b. Number of officers on-scene/enroute;
 - c. The reason or purpose for the disturbance; and
 - d. Number of people causing the disturbance and whether armed, violent, or hostile.

7.0 ATTACHMENTS

A. Dispersal Order

8.0 APPROVAL

APPROVED BY: S/ Scott Weaver DATE: August 2, 2016
DPS Cabinet Secretary