

## PARKER POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL

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| 3.22  | EFFECTIVE: August 3, 2012  | James Tsurapas, Chief of Police |
|   | REVISED: February 15, 2021 |                                 |
| SUBJECT: CIVIL DISTURBANCES                           |                            |                                 |
| CALEA: 12.1.2; 46.1.1; 46.1.2; 46.1.3; 46.1.4; 46.1.6 |                            | PAGE: 1 of 5                    |

### 3.22.1 PURPOSE

The purpose of this policy is to establish procedures for the Department's response to and handling of civil disturbances.

### 3.22.2 POLICY

Civil disturbances may take many forms and vary in size and degree of danger to the public. Civil disturbances include riots, disorders and violence arising from dissident gatherings, rock concerts, political conventions and labor disputes, among others. Of primary importance in any civil disturbance is defusing the situation and restoring order. Commissioned officers need to be able to respond to any civil disturbance, isolate it from the remainder of the community, protect life and property and maintain control. <46.1.2>

### 3.22.3 DEFINITIONS

*Civil Disturbance* - an unlawful assembly that constitutes a breach of the peace or any assembly of persons where there is imminent danger of collective violence, destruction of property or other unlawful acts. This does not include a peaceful protest.

*Kinetic Energy Impact Projectiles* - flexible or nonflexible projectiles, which are intended to incapacitate a subject with a reduced potential for causing death or serious physical injury, when compared to conventional projectiles.

### 3.22.4 PROCEDURE

#### A. Authority for Plan Implementation <12.1.2 c.> <46.1.1> <46.1.2>

1. If an event begins to overwhelm normal resources and requires the assistance of the Town emergency manager to coordinate resources, the on-duty supervisor may implement the EOP. The on-duty supervisor shall notify the Chief of Police, Deputy Chief or authorized designee as soon as practical.
2. The on-duty supervisor should be responsible for implementing the plan until relieved by a person of higher authority.

#### B. Department Resources

The supervisor implementing this plan should determine what, if any, additional departmental resources are required. <46.1.3 c.>

1. Additional Department members may be called back to work.

2. Each commissioned officer should have a vest and issued equipment readily available.

C. Duties of the First Commissioned Officers on Scene

The duties of the first commissioned officers arriving at the scene of a civil disturbance should include the following steps:

1. Observe the situation from a safe distance and determine whether the crowd is peaceful or potentially violent.
2. If the crowd is peaceful, commissioned officers may not intervene.
3. Notify the Communications Section, the on-duty commissioned supervisor and request back up.
4. Through remote observation, try to identify the leaders of the group and any persons engaged in criminal acts.
5. Assess the safety of the crowd and/or on-lookers or noninvolved citizens.

D. Duties of the On-Scene Supervisor

Upon arrival at the scene, the on-duty supervisor shall assume command until relieved by higher authority and shall perform the following actions:

1. Assess the situation for seriousness and danger and evaluate what resources are needed to meet the problem.
2. The on-duty shift supervisor(s) should make the determination if the crowd is peaceful, and if so, the commissioned officers may not intervene.
3. Maintain communications with the Communications Section by relaying the following information: <46.1.6 a.>
  - a. estimating the crowd's size and area involved;
  - b. gauging the crowd's mood;
  - c. noting any weapons; and
  - d. noting any destroyed property.
4. Establish a command post from his or her vehicle. <46.1.3 b.>
5. Decide the number of Department members/equipment needed. The supervisor shall determine the assembly point and equipment to be worn.
6. Instruct the Communications Section to make proper notifications to include: <46.1.6 a.>
  - a. Fire Authority;

- b. hospital emergency rooms; and <46.1.6 c.>
- c. neighboring jurisdictions (request assistance if necessary). <46.1.3 d.>
- 7. Construct an outer perimeter sufficient to contain the disturbance and prohibit entry into the immediate area of the disturbance. Instruct commissioned officers about traffic control through and around the perimeter. <46.1.4 a.,e.>
- 8. The on-scene supervisor will consult with the Town Attorney's office, if necessary and possible, to discuss prosecutorial, court and/or other legal considerations. If a large civil disturbance occurs, the town attorney should be notified, as soon as reasonably possible.

E. Crowd Dispersal <46.1.2>

Once appropriate and adequate commissioned officers are in place, if circumstances allow, the supervisor shall perform the following tasks:

- 1. Approach the crowd and inform the leader or leaders that the assembly is unlawful and that they must disperse. Use orders such as "Everyone is ordered to leave this area and disperse immediately. Please exit in an orderly and peaceful manner". Use the public address system in police vehicles or bull horn if necessary.
- 2. Prior to deploying any chemical agents or irritants, commissioned officers must issue an order to disperse, ensuring that the order can be heard and, if needed, repeated, and allowing time and space for compliance. a
- 3. Commissioned officers shall not discharge kinetic impact projectiles indiscriminately into a crowd.
- 4. Commissioned officers shall not discharge kinetic impact projectiles and other non-lethal or less-lethal projectiles in a manner that targets head, pelvis or back.
- 5. Set a time limit for dispersal and make clear that no extensions will be allowed.
- 6. If the crowd fails to disperse and continues its unlawful acts, the supervisor may:
  - a. authorize the use of chemical agents, (see section above on chemical agents) pursuant to the policy on Use of Physical Force contained in the PD Manual; and
  - b. order the formation of commissioned-officer lines and move into the crowd to gain control.

F. Operations

If the crowd does not disperse after the supervisor has followed the procedures under Crowd Dispersal, one of two options may be pursued:

- 1. Containment and dialog: The objective of this option is to disperse the crowd by developing a dialog with crowd leaders to assess their intentions and communicating that a violation of the law has occurred, and the crowd must disperse.

2. Physical arrest: Arrests should be determined based on persons who are specifically violating any law. Persons cannot be arrested merely for being present and failing to disperse. To achieve this objective, supervisors must employ tactical riot formations, ensure that commissioned officers are properly equipped and protected, that back-up commissioned officers are available, and transportation is immediately available to convey arrestees from the scene.

G. Public Facilities

The on-scene supervisor shall detail commissioned officers to provide security to all public facilities threatened by a crowd to include:

1. the Town's water facilities;
2. fire/rescue/hospital buildings and access to them;
3. Town Hall; and
4. schools.

H. The Public Information Officer

The PIO should respond to appropriate news media requests in order to keep the public informed and dispel rumors. <46.1.3 f.>

I. Mass Arrest

Those persons who are engaged in unlawful activity, beyond just being present, and appear to be most violent will be arrested first. Commissioned officers shall adhere to the policy on Mass Arrest contained in the PD Manual.

J. De-Escalation Procedures

Once the disturbance has been brought under control and the situation has essentially returned to normal, the supervisor should begin de-escalation procedures to include the following steps:

1. Disengage commissioned officers as appropriate. Every commissioned officer who participated in the incident shall be accounted for. A debriefing should be arranged if possible. On-duty commissioned officers shall return to normal patrol operation and return issued equipment to the command post;
2. Assign commissioned officers to remain in the area of the disturbance to guard against a recurrence of trouble;
3. Discontinue the use of the command post;
4. Ensure that departmental equipment is collected; and
5. Report any missing or damaged equipment.

K. Post-Occurrence Duties/After-Action Reports <46.1.3 h.>

When the disturbance has ended, the supervisor shall perform the following duties:

1. prepare a detailed After-Action Report to the Chief of Police, Deputy Chief or authorized designee providing all factual information about the incident, along with any appropriate recommendations; <46.1.1>
2. provide factual information to the PIO; and <46.1.3 f.>
3. arrange for evidence collection at the scene.

L. Use of Force

Commissioned officers should apply nonviolent means, when possible, before resorting to the use of physical force and shall use only the reasonable amount of force necessary, if nonviolent means would be ineffective, in effecting an arrest, preventing an escape, or preventing an imminent threat of serious bodily injury or death to the commissioned officer or another person. Commissioned officers shall adhere to the policy on "Use of Physical Force contained in the PD Manual."