

University of Chicago Police Department

GENERAL ORDER

<i>Effective Date:</i> July 31, 2019		<i>Number:</i> GO 404
<i>Subject:</i> Response to Protests and Demonstrations		
<i>References:</i>		
<i>Reevaluation Date:</i> Annually		<i>No. Pages:</i> 8
<i>Amends:</i> 12 OCT 2015 version 18 JUN 2013 version (O.D.P.)		<i>Rescinds:</i>
<i>Approved By:</i> Kenton W. Rainey, Chief of Police	Signature: Original signed document on file in Accreditation Office.	

404.1 PURPOSE

The purpose of this directive is to establish the University of Chicago Police Department policy and procedures for responding to protests and demonstrations.

404.2 DEFINITIONS

Civil disturbance: Event such as organized riot, disrupting demonstration, or spontaneous disturbance arising from an event such as a concert, large party, or athletic event.

Demonstration: A public display of group opinion, as by a rally or march. It normally consists of walking in a mass march formation and either beginning with or meeting at a designated endpoint, or rally, to hear speakers.

Plainclothes: Sworn personnel wearing identification and clothes other than one's uniform, while on duty.

Protest: A protest is an expression of objection, by words or by actions, to particular events, policies or situations. Protests can take many different forms, from individual statements to mass demonstrations.

404.3 PROTESTS AND DEMONSTRATIONS

- A. The University of Chicago, as a community of scholars, affirms, supports and cherishes the concepts of freedom of thought, inquiry, speech, and lawful assembly.
- B. **Planned Events**
University Campus and Student Life should take the lead in planning for a University response to a protest or demonstration, due to the likelihood that students are or will be involved. If UCPD is notified of a planned event, Campus and Student Life will be notified on a timely basis. Campus and Student Life will then advise UCPD of

the role, if any, that they wish UCPD to take. UCPD can then formulate an operations plan which will fulfill this role. If Campus and Student Life chooses not to take the lead and requests that UCPD do so, the Department should appoint a liaison officer who should do the following:

- a. Identify, make contact and attempt to develop a rapport with the organizers of the proposed event.
- b. Determine intentions and motivations of the group, organizers, and identified leadership.
- c. Facilitate meetings with the organizers/leadership and stakeholders to discuss time, place, and manner issues.
- d. Clearly state what activities are and are not permitted.
- e. Notify the Dean on Call, as appropriate, to be present at the event.
- f. Encourage the group to utilize a method of “self-monitoring”.
- g. Identify the actual contact person for the group during the event and identify back up contacts.

Operations planning for the protest or demonstration should include, but not be limited to:

- a. When there is reason to believe that there will be civil disobedience, contact the State’s Attorney’s Office to notify them of the potential for civil disobedience and identify appropriate criminal charges and what is needed for successful prosecution.
- b. Preview the scene of the event, if known, to consider such things as access routes, staging areas, communication issues, possible weapons and containment issues.
- c. Arrange for resources, including support personnel, equipment and logistics. This includes resources such as off-duty or specialty unit personnel, Chicago Fire Department, and local law enforcement. Identify equipment needs such as barricades, vehicles, bullhorns, video, bolt cutters, fire extinguishers to be available, as appropriate, for the event.
- d. Notify/liaison with Chicago PD regarding possible effects in their jurisdiction and coordination.
- e. When the event involves possible disruption of a University meeting consider posting entrances and having the speaker announce that behavior that

disrupts the event or prevents the speakers from being heard or being able to continue is prohibited. This notice may also be included in the program or on/with the tickets.

- f. Brief the command staff on all obtained information.
- g. The command structure for the day of the event should be identified.
 - 1. The Overall Commander shall be responsible for having an operations plan and arranging for the appropriate staffing for the event, given the information known at the time.
 - 2. The Overall Commander should conduct a briefing with (minimally) the supervisors, but also, when appropriate and when possible, with all personnel involved in the operation. The briefing should be a review of the Operations Plan and should cover expectations of the supervisors and individual officers.
- C. Spontaneous Events or Events UCPD is Not Notified of.
 - 1. When information is received by UCPD that a protest or demonstration is in progress or may potentially occur, the ECC and Field Services Deputy Chief shall be notified immediately. In the absence of the Field Services Deputy Chief, a Field Services Commander or patrol supervisor shall be notified.
 - 2. No fewer than two officers will initially be dispatched. Dispatched response should be proportional to the size and character of the crowd.
 - 3. For all protests or demonstrations where students may potentially be involved, the Dean-on-Call shall be notified.
 - 4. If practical, an Evidence Technician or member of the Investigations Section should be dispatched to video record the demonstration or protest for potential evidentiary purposes, as well as provide an objective record of officers' actions.
 - 5. Initial responding officers should restrict their actions to those necessary to preserve life and property, until a supervisor is on scene.
- D. Laminated warning cards issued to officers, covering Trespass and Disorderly Conduct, may be utilized to provide warnings to the demonstrators, if necessary.
- E. Plainclothes personnel may be utilized to assist, however they shall not act in an undercover capacity.
- F. Passive resisters and use of Oleoresin Capsicum (OC).

OC may be deployed for unresponsive or non-compliant groups or crowds (e.g., demonstrators, sports championship celebrations, New Year's Eve, etc.), **only** after obtaining authorization from an on-scene supervisor of the rank of Commander or above. **Prior to use, multiple warnings shall be given and documented, if possible through video recording. Targeting individuals to attempt to gain group compliance is preferred over mass deployment of OC.**

404.4 CIVIL DISTURBANCES

A. INITIAL ACTION: FIRST OFFICER ON SCENE

1. The first officer arriving at the scene of a civil disturbance will immediately notify the ECC of the following:
 - a. The nature of the disturbance
 - b. The exact location
 - c. The approximate number of people effected/involved
 - d. The extent of damage or potential damage
 - e. The immediate assistance required
 - f. Request a supervisor and additional personnel as needed,
 - g. The reason purpose and intentions of the crowd
 - h. Immediate notifications to be made
2. A Patrol supervisor will be requested to respond to the scene.
3. Request that the Dean on Call be notified.
4. No further action should be initiated by police except to prevent injury to bystanders or major property damage.
5. Officers will monitor the actions of the crowd and will await arrival of supervisory staff and University administrators.

B. SUPERVISORY ACTION

1. The ranking supervisor on scene will cause the following notification to be made, advising the following of the officers' initial assessment:
 - a. Associate Vice President of Safety, Security and Civic Affairs

- b. Chief of Police
 - c. Executive Director of Campus Safety
 - d. Other appropriate Department and University administrators
 - e. Chicago Police Department, if current situation warrants immediate additional personnel to control the situation,
 - f. Verify that the Dean on Call has been notified.
- 2. The Chief of Police, supervisors on the scene, and key university administrators will make a determination as to resolving the situation internally, or requesting assistance from the Chicago Police Department.
 - 3. The Chief of Police, and supervisors on scene will determine the necessity for personnel call-back.
- C. Crowd Dispersal
- Whenever a crowd must be dispersed, clear, safe avenues of exit will be planned and provided.
- 1. **University Property (or other private property)**
After receiving notice from the owner (or lawful representative) to depart, failure to depart constitutes Criminal Trespass to Real Property, 720 ILCS 5/21-3(a)(3). A violation of this section is a Class B misdemeanor.
 - 2. **Public Property**
On public property, dispersal may be addressed using 430 ILCS 70/ et. seq. and/or 625 ILCS 5/11-203 (on public roadways). However, Chicago PD should be involved with any such enforcement or action.
 - 3. **Mob Action**
Knowing assembly, using force or violence (including recklessly), or intending to commit a felony or misdemeanor, is Mob Action, 720 ILCS 5/25-1. A participant in Mob Action who does not withdraw when commanded by a peace officer commits a Class A misdemeanor (in addition to the underlying Mob Action charge).
- D. Staging of Medical Assistance
- EMS should be requested to stage nearby to assist with any injuries resulting from the civil disturbance or lawful measures taken to bring the civil disturbance under control, if injuries are likely.

404.5 UNIVERSITY PROTESTS & DEMONSTRATIONS POLICY

While the University respects the freedoms and rights of every individual, there remains an expectation for all who interact on Campus that their behavior be guided by the principles outlined in the University Student Manual policy, ‘Civil Behavior in a University Setting’:

At the University of Chicago, freedom of expression is vital to our shared goal of the pursuit of knowledge, as is the right of all members of the community to explore new ideas and learn from one another. To preserve an environment of spirited and open debate, we should all have the opportunity to contribute to intellectual exchanges and participate fully in the life of the University.

The ideas of different members of the University community will frequently conflict, and we do not attempt to shield people from ideas that they may find unwelcome, disagreeable, or even offensive. Nor, as a general rule, does the University intervene to enforce social standards of civility. There are, however, some circumstances in which behavior so violates our community's standards that formal University intervention may be appropriate. Acts of violence, explicit threats of violence directed at a particular individual that compromise that individual's safety or ability to function within the University setting, or other criminal acts are direct affronts to the University's values and warrant intervention by University officials. Abusive conduct directed at a particular individual that compromises that individual's ability to function within the University setting and/or that persists after the individual has asked that it stop may also warrant such intervention. Even if formal intervention is not appropriate in a particular situation, abusive or offensive behavior can nonetheless be inconsistent with the aspirations of the University community, and various forms of informal assistance and counseling are available.

The primary function of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function, a free interchange of ideas is necessary not only within the university but also with the larger society. At the University of Chicago, freedom of expression is vital to our shared goal of the pursuit of knowledge. Such freedom comes with a responsibility to welcome and promote this freedom for all, even in disagreement or opposition.

The right of freedom of expression at the University includes peaceful protests and orderly demonstrations. At the same time, the University has long recognized that the right to protest and demonstrate does not include the right to engage in conduct that disrupts the University's operations or endangers the safety of others. University Statute 21 states:

"Disruptive Conduct. Conduct of members of the University disruptive of the operations of the University, including interference with instruction, research, administrative operations, freedom of association, and meetings, is prohibited and is subject to disciplinary action".

The Dean-on-Call will work actively to preserve an environment of spirited and open discourse and debate, allowing for the opportunity to have all participants contribute to intellectual exchanges and full participation in the event.

Noise Level.

To minimize the disruption of academic and administrative activities, music or other amplified sound is permitted generally only between noon and 1:00 p.m. and after 5:00 p.m. on weekdays and all day on weekends. Even during approved hours, all noise should be kept at a reasonable level and University officials may inform event organizers to change the volume to a specific lower level. Amplified sound after 10pm requires a permit from the City of Chicago. Student organizations should make timely and appropriate arrangements with their ORCSA advisor. Protestors and demonstrators however, may not use amplified sound indoors. Their organizers may also need to obtain a permit from the City of Chicago and should consult the Office of the Reynolds Club and Student Activities. Banners and/or signs are to be erected only by University Departments or RSOs and the schedule of their display must be approved by the Director of ORCSA or his or her designee.

For a protest or demonstration attention must be paid to the occupancy limits and general safety of the University community in the space used. To maintain a safe environment for all members of the University community, the number of people participating in a protest or demonstration must be considered and adhere to the occupancy limits of the protest or demonstration area. Walkways and entrances to and in buildings must remain open to allow others safe access and egress as well as a clearly designated pathway through the area.

Placards, banners, and signs generally are allowed but may not be dangerous for others or impede the participation of others in the life of the University. If the use of placards, banners, and signs are deemed to be dangerous or impede the participation of others, University officials will require the protesters carrying the placards, banners, or signs to move to a different location or remove their materials. Adherence to building closures is expected of people participating in a protest or demonstration within a University building and University officials will require that protestors or demonstrators leave at the time of building closure.

Advance Arrangements.

To further the effectiveness of their event, student groups and other groups of students organizing a protest or demonstration must make the appropriate arrangements with the staff of the Office of the Reynolds Club and Student Activities (ORCSA) and/or their appropriate Student Organization Adviser. The protest is only approved to occur in the location approved in advance by ORCSA, and intended movements to other areas of campus or into buildings/offices must be expressed in the initial protest request and explicitly approved in advance. Like all other events or activities at the University, a request to hold a protest or demonstration should be submitted no later than 48 hours before the start of the event and must be approved by ORCSA and/or their appropriate Student Organization Adviser. Student Organization Advisers together with the Dean-on-Call will be engaged with student protestors and demonstrators during the event to help assure that the event is effective, participants' safety, and does not disrupt the normal functioning of the University. Students are also asked to make appropriate arrangements to acquire city permits for events occurring on city sidewalks and streets adjacent to the University, and must adhere to city ordinances and applicable state and federal law.

Protest and Demonstration Duration.

Protests and demonstrations normally are permitted until or unless University officials determine that University operations have been compromised and/or the rights of others have been significantly infringed. Interference with instruction and research are viewed as particularly destructive to the University.

Policy Application.

Application of this policy does not preclude the application of other University policies or regulations as may be warranted by a given situation, e.g., Authority to Direct, University ID policy, use of the Dean-on-Call program, and University Disciplinary Systems. Furthermore, a protest or demonstration that significantly disrupts the operations of the University or fails to adhere to building closures may lead to arrest and prosecution for violations of City of Chicago ordinances or State or Federal statutes.

Counter-protests.

A protest, demonstration, or event on campus may invite another form of protest. When these occasions arise, the expression of all parties is important. Please note that a separate protest area may be designated by the Office of Campus and Student Life for those persons with views that differ from the views held by the event organizers. In order to ensure the safety of all participants, the University Police Department may require the attendance of one or more officers.

All people participating in protests and demonstrations are expected to provide a form of University issued or government issued identification upon request from a University official.