





POLICIES AND PROCEDURES MANUAL

	CROWD MANAGEMENT	
	POLICY NUMBER: 46-3	ISSUING AUTHORITY 
	EFFECTIVE DATE: January 1, 2025	Christine A. Elow Police Commissioner

I. GENERAL CONSIDERATIONS AND GUIDELINES

All persons in the United States have the right to march, demonstrate, protest, or undertake similar activities protected under the First Amendment of the U.S. Constitution. Freedom of speech, association, assembly, and the right to petition the government are subject only to reasonable restrictions on the time, place, and manner of their expression. The content of the speech or message does not provide the basis for imposing limitations on these rights, which incorporate a wide variety of both verbal and non-verbal communication. These protected activities include vigils, distribution of literature, displaying banners and signs, street theatre, and other forms of expression, as long as they are conducted legally.

Assemblies in the City of Cambridge may range from small gatherings that require no police support, to permitted celebratory and/or protest marches, to large-scale, unpermitted demonstrations where activities outside of First Amendment protections, including significant traffic disruption, property destruction, and/or threats of violence, may require a greater police presence.

This policy is intended to provide clear guidance to officers, supervisors, and commanders in employing appropriate crowd management, intervention, and control strategies to facilitate, to the extent safe and feasible, the right to free expression and peaceable assembly; and to provide guidance by which officers and supervisors may objectively determine at what juncture a demonstration or assembly leaves the realm of legal protest and becomes an abridgement on the life, safety, and property rights of others. At all times, the department's response will be based upon the conduct of those assembled, not on the content of their speech or affiliation.

The department recognizes that the visible appearance and/or actions of law enforcement may affect the demeanor and behavior of a crowd. It is the department's mission to de-escalate volatile situations whenever possible.

The department also recognizes that the unlawful acts of some members of a crowd do not automatically turn an assembly from peaceful to unpeaceful. It is the department's commitment to provide officers and supervisors with crowd management and intervention strategies that allow for the peaceful expression of federal and state rights while removing individuals whose illegal behavior jeopardizes the safety of lawful activity by all others.

II. POLICY

It is the policy of the Cambridge Police Department to:

- A. protect individual rights of assembly and free speech;
- B. prevent injury and property damage during those assemblies;
- C. provide for the safety of persons involved as well as those not involved in demonstrations and protests;
- D. minimize disruption to the regular daily activities and businesses of the City;
- E. stay neutral to the content of opinions being expressed; and to be unbiased, fair, and impartial toward all persons exercising their lawful First Amendment rights;
- F. establish plans to avoid and/or de-escalate potential or actual conflict between officers and demonstration participants whenever possible; and
- G. prohibit the use of tear gas and/or patrol dogs during any crowd management event.

III. DEFINITIONS

- A. *Chemical Agents or Irritants*: Chemical compounds in any form that cause irritation to the eyes, mouth, throat, lungs, or skin, including but not limited to, tear gas, pepper spray, mace, inert smoke, pepper pellets, and pepper balls.
- B. *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.
- C. *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.
- D. *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, training, and other means.
- E. *De-escalation*: Strategies and tactics used by officers and commanders, when safe and feasible without compromising law enforcement priorities, which seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of gaining voluntary compliance from a subject or a crowd.
- F. *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.

- G. *Kettling*: Confinement by police of a group of demonstrators or protesters in a small area as a method of crowd control.
- H. *Kinetic Impact Projectiles*: Projectiles designed and intended to deliver non-penetrating impact energy from safer than contact range. These may be fired from a gun or launcher to disorient and/or incapacitate without penetrating the skin, including, but not limited to, rubber bullets, sponge grenades, stun grenades, concussion grenades, flash grenades or flash-bangs, beanbag rounds, super-sock rounds, wax bullets, and plastic bullets.
- I. *Protest*: A public expression of objection, disapproval, or dissent toward an idea or action typically political or social.

IV. PROCEDURES

A. 46.1.1 (M) Crowd Control Response and Training

1. Training

- a. Each sworn officer of the department shall receive training regarding public demonstrations and crowd management/control techniques according to the following guidelines and procedures.
- b. Periodically, the Training and Certification Unit will provide training to affected personnel regarding demonstration and crowd management philosophies, strategies, and department values.
- c. The Command Staff will consider past experience, relevant social and political trends, and community needs in developing those philosophies and strategies.

2. Command and Supervision Responsibilities

- a. Supervisors shall attempt to establish and maintain communication with demonstration leaders and relay information on crowd mood and intent to the incident commander.
- b. Supervisors shall 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.

3. Officer Responsibilities

- a. Officers shall be deployed to monitor crowd activity. Sufficient resources to handle multiple unruly persons shall be available, depending on the fluidity of the situation and degree of actual or likely disruption.
- b. Officers shall at all times wear their badges in a visible location on their person; outer garments should clearly identify officers as members of the Cambridge Police Department.
- c. Officers shall be positioned in such a manner as to minimize contact with the assembly.

- d. Officers shall not engage in conversations or be prompted to act in response to comments from demonstrators. Officers shall maintain a courteous and neutral demeanor.
- 4. Dispatch Responsibilities
 - a. Dispatchers should:
 - (1) provide an electronic record of events as they occur by opening a CAD entry;
 - (2) dispatch department personnel as required by the incident commander;
 - (3) dispatch other resources, such as the Cambridge Fire Department and EMS as required by the incident commander; and
 - (4) update the CAD entry as needed.
- 5. Authorization to Assemble
 - a. If a demonstration or other assembly will disrupt traffic and when sound amplification is used, event organizers should follow City guidelines and permitting processes.
 - b. Supervisors will prepare ahead of time as much as possible to anticipate and plan for various contingencies. The following checklist can be used as a guide to assist in providing communication with event organizers and planning for de-escalation if needed.
 - (1) What type of event is involved?
 - (2) When is the event scheduled to take place?
 - (3) Will the event coincide with other routine, large-scale events, such as sporting events?
 - (4) Is opposition to the event expected?
 - (5) How many participants are expected?
 - (6) What are the assembly areas and movement routes?
 - (7) What actions, activities, or tactics are anticipated, such as the use of devices by demonstrators designed to thwart arrest?
 - (8) What critical infrastructures are in the proximity of the event?
 - (9) Have permits been issued?
 - (10) Have other agencies such as the Cambridge Fire Department and EMS been notified?
 - (11) Is there a need to request mutual aid?
 - (12) Has the appropriate level of properly equipped personnel been allocated to ensure the safety of bystanders, officers, and demonstrators?
 - (13) Will off-duty personnel be required?
 - (14) What is the history of conduct at such events?

- (15) Are event organizers cooperative?
- (16) Who are the potential counter-protest groups?
- (17) Is there a history of violence between the group demonstrating and potential counter-protest groups?
- c. Lawful Assembly/Unlawful Assembly: MGL c. 269, § 1
 - (1) The elements of the crime of unlawful assembly are:
 - (i) five or more persons, being armed with clubs or other dangerous weapons, or ten or more persons, whether armed or not,
 - (ii) are unlawfully, riotously, or tumultuously assembled,
 - (iii) the police or other officials have commanded them in the name of the Commonwealth to disperse immediately and peaceably, and
 - (iv) they do not so disperse.
- d. Isolated Unlawful Behavior
 - (1) In the case of an individual who is attempting to cause violence or disruption, a supervisor or officer in charge should attempt to separate the person from the larger group and de-escalate through verbal communication and persuasion. If such tactics fail, other means may be used to control the person up to and including arrest.
- e. Spontaneous Civil Disturbances
 - (1) The first officer or supervisor in charge at the scene should perform the following.
 - (i) Establish a perimeter sufficient to provide for and maintain public safety.
 - (ii) Establish a temporary command post.
 - (iii) Provide ongoing assessment to ECD.
 - (iv) Move and reroute pedestrian and vehicular traffic around the disorder.
 - (2) The incident commander should conduct the following tasks.
 - (i) Determine the need for full mobilization of sworn officers and the recall of off-duty officers.
 - (ii) Provide for adequate security to Cambridge Fire and EMS personnel in the performance of emergency tasks.
 - (iii) Arrange for support and relief for personnel.
 - (iv) Designate a secure staging area for emergency responders and equipment.
 - (v) Establish a liaison and staging points for media representatives and make information available to the media as appropriate.

- (vi) Assign officers to take photographs or videos of any injuries sustained by law enforcement officers or the public. Officers are reminded to protect the privacy and confidentiality of all persons.

6. Media

- a. It is the department's goal to provide the media with as much access as is safely possible to assist them in their duties and responsibilities except for spontaneously occurring events.
- b. When practicable, the incident commander will consider identifying an area outside of the anticipated impacted area, but within viewing distance and audible range of the event, for members of the media to assemble.
- c. Nothing in this policy restricts any member of the media from accessing identified areas; officers shall not take enforcement action solely because members of the media do not remain within the identified area.
- d. Officers will not arrest members of the media for failure to disperse unless they are physically obstructing lawful efforts to disperse the crowd. Members of the media must comply with lawful commands of the police.

7. Dispersal

- a. Before ordering forced dispersal of a civil disturbance, the incident commander should determine whether lesser alternatives may be effective. These alternatives include the use of communication and dialogue as follows.
 - (1) 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.
 - (2) Communicate to the participants that their assembly is in violation of the law and that the department wishes to resolve the incident peacefully, but that acts of violence will be dealt with swiftly and decisively.
 - (3) Target specific violent or disruptive individuals for arrest.
 - (4) Prior to issuing dispersal orders, the incident commander should ensure that all potentially necessary law enforcement, fire department, 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.
- b. When the incident commander has decided that crowd dispersal is required, he or she shall direct unit commanders, where time and circumstances permit, to issue warnings prior to taking action to disperse the crowd.

8. Mass Arrests

- a. The following procedures for handling multiple arrests over a short period of time will provide for efficient, safe, and legal processing of the detainees. The incident commander should provide for the following, when possible.
 - (1) A clear path of escape for those persons who are lawfully assembled and wish to flee the area.
 - (2) An arrest team is designated to process all prisoners for purposes of transportation.
 - (3) All injured prisoners are provided medical attention.
 - (4) All juveniles are handled in accordance with department policy regarding juveniles.
 - (5) All evidence and weapons taken from arrestees are processed in accordance with department policy on the collection, preservation, and custody of evidence.

9. Use of Force

- a. Any use of force shall be in accordance with department policy and documented in an incident report as well as a Use of Force Report.
- b. Unless exigent circumstances justify immediate action, officers shall not independently make arrests without command authorization.
- c. According to 6.08 CMR (Municipal Police Training Committee):

A law enforcement officer shall not discharge or order the discharge of tear gas or any other chemical weapon, discharge or order the discharge of a kinetic impact device or rubber pellets from a propulsion device or order the release of a dog to control or influence a person's behavior unless:

- (1) de-escalation tactics have been attempted and failed or are not feasible based on the totality of the circumstances; and
 - (2) the measures used are necessary to prevent imminent harm and the foreseeable harm inflicted by the tear gas or the chemical weapon, kinetic impact device, rubber pellets or dog is proportionate to the threat of imminent harm;
 - (3) if a law enforcement officer utilizes or orders the use of kinetic impact devices, rubber bullets, CEDs, CWs, ECWs, or a dog against a crowd, the law enforcement officer's appointing agency shall file a report with the POST Commission detailing all of the measures that were taken in advance of the event to reduce the probability of disorder and all de-escalation tactics and other measures that were taken at the time of the event to de-escalate tensions and avoid the necessity of using said weapons, including a detailed justification of why use of said weapons was objectively reasonable.
- d. The use of kettling techniques is prohibited.

10. Deactivation

- a. When the demonstration or assembly has concluded, the incident commander shall provide for the following measures.
 - (1) All personnel engaged in the incident shall be accounted for and an assessment and documentation made of personal injuries.
 - (2) Personnel may debrief individually with a supervisor and request counseling, if needed.
 - (3) All written reports shall be completed as soon as possible after the incident. Comprehensive documentation of the basis for the incident, the department's response to the incident, with a statement of impact to include the cost, equipment, personnel, and related items shall be completed.
 - (4) The incident commander may conduct a debrief to review actions taken. However, the debrief shall not be recorded or documented to allow for officers to speak freely.