



Cambridge Police Department

Effective Date: April 15, 2002

NEW POLICY # 710
Policy and Procedures

2002-3

CROWDS AND DEMONSTRATIONS

I. Purpose

This policy will:

- A.** Provide general considerations and guidelines when involved with crowds and demonstrations.
- B.** State the elements of Unlawful Assembly, M.G.L. c. 269, § 1.
- C.** Explain actions to take for the first responding police officers when dealing with crowds and demonstrations.
- D.** Provide crowd control procedures.
- E.** Describe the responsibilities of the incident commander and provide command options.
- F.** Establish procedures when making mass arrests and the process of deactivation when the demonstration has been brought under control.

II. General Considerations

- A.** The right of lawful assembly and freedom of speech are fundamental rights guaranteed under the First and Fourteenth Amendments to the U.S. Constitution. There are some limitations on the exercise of these rights and the police must enforce these limitations. The police have the responsibility to protect the rights of all persons to assemble peacefully and at the same time to preserve the basic peace of the entire community.
- B.** When responding to a disturbance, the restoration of peace should be accomplished by persuasion whenever possible and by force only when necessary. In carrying out crowd control measures, the objectives of the responding police officers are:
 - 1. Contain the disturbance to the immediate vicinity;
 - 2. Disperse the crowd as expeditiously as possible;
 - 3. Prevent their regrouping or reentry to the scene;
 - 4. Take action against the perpetrators of serious offenses and remove them immediately from the scene.

III. Unlawful Assembly

- A. Officers should be aware that the elements of the crime of unlawful assembly are:
 - 1. five or more persons, being armed with clubs or other dangerous weapons, or ten or more persons, whether armed or not,
 - 2. are unlawfully, riotously or tumultuously assembled,
 - 3. the police or other officials have commanded them in the name of the Commonwealth to disperse immediately and peaceably, and
 - 4. they do not so disperse.

IV. First Responding Police Officer

- A. The first officer on the scene will ascertain the facts. This is a primary requirement. If a dangerous situation exists, assistance will be summoned immediately.
- B. The first officer or officers on the scene should not attempt to take direct police action against an aggressive or militant crowd until sufficient police are present for effective control.
- C. The first officer or officers on the scene should quickly evaluate the situation and immediately request a supervisor and inform E.C.C. of the following:
 - 1. the location and approximate size of the crowd;
 - 2. the type and make-up of the crowd;
 - 3. its direction of movement, if any;
 - 4. the apparent intent of the crowd;
 - 5. whether armed with any kind of actual or potential weapons;
 - 6. the best direction of approach to the crowd;
 - 7. if any leaders of the crowd have been identified and what is known about them.
- D. Upon notification of the existence of an aggressive crowd, sufficient assistance should be dispatched as quickly as possible to take decisive action and to neutralize the possibility of widespread disorder. (See Emergency Mobilization Policy)

V. Crowd Control Procedures

- A. All officers assigned to crowd control will:
 - 1. Use only the amount of force necessary to obtain control to protect themselves or other officers from physical injury or to make arrests;
 - 2. When required or directed:
 - a. maintain strict impartiality, be courteous but firm and assertive;
 - b. take quick and decisive action;

- c. act together as a coordinated unit;
 - d. keep emotional and agitated persons in the crowd separated;
 - e. keep counter-demonstrations from forming;
 - f. remove arrested persons immediately from the scene of the disturbance.
3. Do not debate the issue with the crowd or make any remarks concerning the issue.
 4. Do not make indiscriminate or unnecessary arrests
 5. Carefully note the specific offense committed by a person arrested to assist with later conviction for the offense.

VI. Responsibilities of Incident Commander

- A. Announce arrival and assumption of command by radio.
- B. Assign an officer to maintain log of all responding units, assignments, events, and radio traffic.
- C. Evaluate the situation and debrief all responding personnel.
- D. The Incident Commander will request a clear channel. The Dispatcher will assign a channel for the incident and inform the Incident Commander. Officers should deactivate radios from the scan mode.
- E. Establish an inner perimeter staffed only by authorized uniformed personnel excepting negotiators, and where necessary, deploy or re-deploy personnel based on the degree of danger to officers, bystanders and hostages (if any).
- F. Ensure injured and bystanders are evacuated, where appropriate.
- G. Establish an outer and traffic perimeter and deploy perimeter-control personnel.
- H. Establish a Command Post.
- I. Establish a Staging area on or beyond the outer perimeter and ensure that all responding officers report to that location. Assign an officer to act as staging area manager.

Responsibilities of Staging Manager include:

 - a. Security for staging area
 - b. Maintain log of personnel as they arrive and depart and the assignment of each person.
 - c. Maintain log of status of resources (personnel and equipment).
- J. Request standby ambulance and fire apparatus at the assembly point, if necessary.
- K. Ensure continued containment and isolation of area.

VII. Command Options

- A.** When adequate personnel and resources are in place, the Incident Commander will establish communications with leaders of the disturbance and discuss actions necessary to disperse the crowd. Should the crowd fail to disperse in the prescribed manner, the Incident Commander should be prepared to implement one of the following options.

1. Containment and dialogue. The objective of the containment and dialogue measures is merely to disperse the crowd. In so doing, the Incident Commander should:
 - a. Establish contact with crowd leaders to assess their intentions and motivation.
 - b. Communicate to the participants that their assembly is in violation of the law and will not be permitted, that the department, wishes to resolve the incident peacefully and that acts of violence will be dealt with swiftly and decisively.
2. Physical Arrest. When appropriate, the Incident Commander will order the arrest of crowd leaders, agitators or others engaged in unlawful conduct and will:
 - a. Ensure the appropriate use of tactical formations and availability of protective equipment for officers engaged in arrest procedures,
 - b. Ensure the availability of transportation for arrestees, and
 - c. Ensure that a backup team of officers is readily available, should assistance be required.
3. Use of Force will be governed by the Department's Use of Force Policies (Policies 98-3, 98-4, 98-6, 98-15, 2000-2, 2000-6).

B. Mass Arrests

During the course of civil disturbances, it may be necessary to make arrests of numerous individuals over a relatively short period of time. In order for this process to be handled efficiently, safely and legally, the Incident Commander should ensure that:

1. a clear path of escape is available for those who wish to flee the area;
2. an arrest team is designated to process all prisoners for purposes of transportation;
3. a video or photograph is taken of each arresting officer with his/her prisoner for accurate identification in later court proceedings.
4. all injured prisoners are provided medical attention in accordance with Cambridge Police Department Policy on Medical Transport of Prisoners.
5. all arrested juveniles are handled in accordance with Cambridge Police Department's procedures for arrest, transportation and detention of juveniles;
6. all evidence and weapons taken from arrestees are processed in accordance with Cambridge Police Department policy on the preservation and custody of evidence.

VIII. Deactivation

When the disturbance has been brought under control, the Incident Commander will ensure that the following measures are taken:

- A. All law enforcement officers engaged in the incident will be accounted for and an assessment made of personal injuries.
- B. All necessary personnel will be debriefed as required.
- C. Witnesses, suspects and others will be interviewed or interrogated.
- D. All written reports will be completed as soon as possible following the incident to include a comprehensive documentation of the basis for and the department's response to the incident.
- E. Debriefing
After the incident, the Incident Commander, all commanding officers involved, and a supervisor or Chief of Operations from Emergency Communications that was involved, will meet to critique actions taken and responses to the incident for the purpose of learning, evaluating, and commendation. The minutes of this meeting will aid in the preparation of the after action report.

Police Commissioner