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CHIEF OF POLICE

GENERAL ORDER

CIVIL DISTURBANCE RESPONSE PLAN

Implementation Date: April 8, 1988

Revokes: None

GENERAL ORDER - 22C

22C.1 INTRODUCTION

A civil disturbance can erupt out of any type of circumstance when groups of people have gathered. Athletic events, labor conflicts or a crowded mall can yield a conflict between groups or hostility directed towards the police. A police action can also be the catalyst for a civil disturbance. The Department must have a plan to respond to, control and resolve this type of occurrence quickly and with minimum disruption to the community.

It is imperative that the police response to a civil disturbance be organized and efficient. Lone or disorganized responses may cause police units to be placed in hazardous situations. The response must be quick and effective to avoid extensive property damage and possible injury or loss of life to officers and private citizens.

22C.2 DEFINITIONS

Civil Unrest and Tactical Support (CUTS) - A squad of officers trained in crowd control and monitoring techniques, and special public events, activated by a member of the rank of Captain or above, to respond to either known public events or spontaneous crowd gatherings for the purpose of maintaining order and peaceful assembly.

Unlawful Assembly - When three or more persons meet together to commit a breach of the peace or to do any other unlawful act.

Riot - When any persons unlawfully assemble, demolish, pull down or destroy, or begin to demolish, pull down or destroy any dwelling, house or other building, or any ship or vessel.

Civil Disorder/Disturbance - Any public disturbance involving acts of violence by assemblage of three or more persons, which causes an immediate danger of, or results in, damage or injury to the property or person of any other individual.

22C.3 POLICY/PROCEDURE

General Order #22A (Emergency/Disaster General Guidelines) shall be the controlling document when Unit, Component and individual responsibilities are not specifically addressed in this Order concerning civil disturbances.

22C.3.1 Emergency Powers

A. Florida State Statutes, Chapter 870 is the controlling document with regards to civil disturbances. When it is determined that a local state of emergency should be declared, procedures outlined in General Order #22A, (Emergency/Disaster General Guidelines) Section 22A.3 shall be followed.

B. Automatic Emergency Measures (FSS 870.044)

When the Chief of Police or his designee, declares a state of emergency, the following acts shall be prohibited:

1. The sale, or offer to sell, of any ammunition or firearm of any size or description, with or without consideration.
2. The intentional display of any ammunition or firearm of any description by or in any store after an emergency has been declared.

3. The intentional possession of a firearm by any person in a public place, except a duly authorized law enforcement official or person in military service acting in the official performance of his duty.

Note: Nothing contained in this order shall be construed to authorize the seizure, taking, or confiscation of firearms that are lawfully possessed, unless a person is engaged in a criminal act.

C. Discretionary Emergency Measures (FSS 870.045)

When the Chief of Police, or his designee, declares a state of emergency pursuant to FSS 870.043, he may order the following emergency measures, or a portion thereof, with any limitations or conditions that he deems appropriate.

1. The establishment of curfews, including but not limited to restrictions or prohibitions of pedestrian and vehicular movement, standing and parking (with the exception of essential services; such as police, fire, ambulance services, and emergency utility repairs and emergency calls by physicians).
2. The prohibition of the sale or distribution of any alcoholic beverages with or without consideration.
3. The prohibition of the possession by any person of portable container(s) of alcoholic beverage in a public place.
4. The closing of public assembly places, with designated exception.
5. Prohibition of the sale or transfer of gasoline or any other flammable or combustible liquid except in a tank properly affixed to an operable motor driven vehicle, bike, scooter, boat or airplane, and necessary for its propulsion, with or without consideration.
6. The prohibition of the possession of any portable container of gasoline or any other flammable or combustible liquid in a public place.
7. Any emergency actions so ordered shall be in effect during the emergency period and

in the area where the emergency has been declared.

D. Filing and Publication (FSS 870.046)

1. A state of emergency and any emergency measures will, as promptly as practical, be filed in the office of the Municipal Clerk or Clerk of Circuit Court and delivered to appropriate news media for publication, radio and television broadcast.

2. If practicable, the announcement of a declaration of emergency and all emergency measures shall be posted and announced by loudspeakers.

3. The duration of the declared emergency shall be controlled by FSS 870.047.

E. Violations (FSS 870.048)

Any violation of a provision of FSS 870.041-047 or any emergency measure shall be a misdemeanor of the first degree.

F. Additional Statutes, Laws and Ordinances

There are numerous laws that could be useful during an emergency situation. It is impractical to attempt to review each of them in this Order. Therefore, all officers should become aware of the appropriate ordinances and statutes available to them.

22C.3.2 Powers and Limitations

A. Authority to Disperse Riotous Assembly FSS 870.04

1. A Sheriff or his Deputies, the Mayor, Commissioner, City Police Officer, Florida Highway Patrol Officer, an agent of the Fish and Wildlife Conservation Commission, FDLE representative, Beverage Enforcement Agent, or any peace officer has the authority to approach any group or persons who are unlawfully or riotously assembled, and command the assembled persons to disperse immediately and peacefully.
2. If the assembled persons do not immediately and peacefully disperse, the above mentioned officer shall command the assistance of all persons in seizing, arresting

and securing the assembled persons in custody.

3. If any person refuses or neglects to help disperse the assembled group, he shall be considered part of the unlawfully assembled group and may be prosecuted and punished accordingly.

4. Proclamation (to be read to people involved in a civil disturbance, riot or unlawful assembly):

"I am (rank and name) of the Coral Springs Police Department. In the name of the State of Florida, I hereby declare this an unlawful assembly and command you to disperse. If you do not do so within _____ minutes, you will be subject to arrest. We will, if necessary, use chemical agents if you do not leave peacefully."

a. The proclamation shall be read with the aid of a voice amplification system. Depending upon the crowd size, the proclamation shall be read numerous times and from various locations so that the entire crowd can hear the announcement.

b. The proclamation shall be read only at the direction of the Chief of Police or his designee and shall be read by the highest-ranking Patrol Supervisor at the scene.

22C.3.3 Equipment

A. All civil disturbance equipment (gas masks, helmets, riot batons) issued to CUTS shall be distributed by the CUTS Commander who shall have the responsibility to:

- 1. Control distribution of equipment.
- 2. Account for the equipment distributed.
- 3. Collect equipment after the situation has ended, if applicable.

B. All civil disturbance equipment issued to officers other than those assigned to CUTS shall be distributed by the Operations Division Deputy Chief, or designee, who shall have the same responsibilities outlined in the above section A.

C. Distribution shall be:

1. Issued at the Police Department or staging area, whichever is more practical, or

2. Riot shields, shin guards, and CUTS supplies will be delivered by the CUTS logistics officer to the CUTS staging area.

D. Additional ammunition and alternate weapons (shotguns, gas and/or tactical weapons) shall be available through the CUTS Commander.

1. CUTS weapons shall only be distributed to qualified personnel.

2. CUTS weapons and/or gas shall only be issued with prior approval of the CUTS Commander or designee.

22C.3.4 Legal Considerations

During a police operation when emergency powers are evoked or mass arrests are possible, considerations must be given to the legality and constitutionality of all police actions. Therefore, prior to the possibility of, or upon the inception of these types of incidents, the Shift Supervisor shall notify the City Attorney's Office and/or the State Attorney's Office as appropriate.

22C.3.5 Juvenile Offenders

All juveniles arrested during a civil disturbance shall be handled according to the following guidelines:

A. All juveniles arrested for felony offenses shall be booked, then transported to the Juvenile Assessment Center (JAC) or released pursuant to General Order 11 (Juvenile Procedures).

B. All juveniles arrested for misdemeanor violations shall be booked, and then released pursuant to General Order #11 (Juvenile Procedures).

C. All arrested juveniles shall be transported and detained pursuant to General Order #12 (Prisoner Transport/Holding Facility).

22C.3.6 Transportation

The transportation of prisoners shall conform to the guidelines set forth in General Order #12 (Prisoner Transport/Holding Facility) unless the number of arrested persons or the event makes this impractical. In those situations, the following alternatives should be considered at the discretion of the Operations Division Deputy Chief or his designee.

- A.** The use of non-caged squad cars.
- B.** The use of Department vans or station wagons.
- C.** The use of other City Department vehicles with large seating capacities.
- D.** The use of other law enforcement agencies' vehicles (i.e., Broward Sheriff's Office mass arrest/transport vehicle). When using non-police or non-caged vehicles for transporting, all necessary precautions shall be taken to avoid injury to the officer and escape of the prisoner.

22C.3.7 Mass Arrest Procedure

Mass arrests can be the by-product of a civil disturbance or a police raid. When mass arrests occur, the following procedures shall take effect.

- A. Booking/Reporting Procedures**
 - 1.** Normal booking and reporting procedures shall be used unless the volume of prisoners and/or the incident circumstances makes the normal process impractical.
 - 2.** When the volume of arrests, or in preparation for a large volume of arrests, is too great for the use of normal procedures, the Shift Supervisor in conjunction with the CUTS Commander, at their discretion, may initiate any of the following procedures, or other procedures necessary to accomplish mass bookings:
 - a.** The use of members of the Crime Scene Investigations Unit can be requested to book prisoners brought to the police holding facility. The call out of Crime Scene Investigations Unit personnel for this function shall be coordinated through the

Crime Scene Investigations Unit Supervisor.

b. Sworn members, Crime Scene Investigations Unit or other authorized persons who assist in the mass booking process shall take photographs and book prisoners as close to the normal booking procedures outlined in General Order 10 as possible. This includes the following: obtaining photographs, fingerprints, palm prints, following evidence collection procedures, writing Probable Cause Affidavits, reports, etc.

c. If the decision is made to not use the digital Livescan Booking System due to either the overwhelming number of arrests or if processing could not be performed at the police station, the following procedures should be followed in order to obtain inked prints and digital photographs of each prisoner:

- (1)** Two sets of inked fingerprints and one set of palm print cards must be obtained. If this is performed at the police station, the use of the portable fingerprint inking station may be used (located in the booking room). If booking is at an offsite location, a crime scene unit member will provide a portable fingerprinting "station" (such as a fingerprinting binder use to take elimination prints, etc.) to obtain finger and palm prints with. If available, multiple portable fingerprinting stations and/or materials may be provided by the Crime Scene Unit to print multiple prisoners at once.
- (2)** Digital photographs of the prisoner shall be taken. This includes the front and side view. Photographs of scars, marks and tattoos can also be taken if needed.
- (3)** Photographs taken of each prisoner shall be acquired into the digital management system. The photo description should have information regarding the prisoner, which shall include the subject's name, date of birth, time & date of arrest, the location of the arrest and the arresting officer's name and ID#.

d. All incident reports shall be completed and probable cause affidavits must be attached to the fingerprint/palm print cards before being submitted in the fingerprint card tray for CSI review and submission to FDLE.

22C.3.8 Detention/Security

When mass arrests occur, the following guidelines below shall be used:

A. Loading or unloading of prisoners shall take place in the salty port area only.

B. Separate holding cells shall be provided for:

1. male adults
2. male juveniles
3. female adults
4. female juveniles

5. No more than five (5) persons shall be placed in any one holding cell at any one time for sanitation and security reasons.

C. Only one prisoner at a time shall be in the booking area.

D. Once mass arrests have begun, at least one officer shall remain in the holding facility area at all times. Additional officers shall be assigned as security needs dictate, by the Shift Supervisor.

E. When the holding facility at the Department is near or at the maximum, as outlined in this Order, steps shall be taken to obtain other holding areas. These should include, but not be limited to:

1. Contacting BSO for immediate and mass transport of current prisoners.
2. Contacting adjacent jurisdictions for use of their holding facilities.
3. Use of other City property such as tennis courts, buildings or other areas in which adequate security can be supplied.

Note: When facilities not normally used to detain prisoners are utilized or a facility's

sanitation capabilities are not sufficient, provisions for adequate sanitation needs shall be met by the use of portable sanitation units either through private companies or emergency service providers, such as the Red Cross.

F. All prisoners who are held in our facility in excess of 10 hours shall be provided with a meal. When feeding prisoners becomes necessary, all security precautions shall be taken to avoid escape and/or injury to prisoners and officers.

1. Receipts shall be kept for meals directly purchased by the Department; or

2. The Red Cross may be contacted and asked to provide services.

22C.3.9 Interagency Cooperation

General Order #7 (Mutual Aid) and Chapter 252, FSS, will be the controlling documents concerning interagency cooperation.

22C.3.10 Medical Treatment

A. Arrangements shall be made by the Operations Division Deputy Chief to have EMS on or in near proximity to the scene.

B. If a prisoner, officer, or other person becomes sick or injured at the scene or in the affected area and is in need of immediate medical attention, EMS and an ambulance shall be called to the scene via Communications. However, if the environment is hostile or treatment on the scene is a safety hazard, the sick or injured person should be moved (if at all possible) to another location prior to receiving treatment. If no immediate medical attention appears necessary for the illness or injury, EMS shall be summoned to the booking area or a secure area to provide any medical attention needed.

C. When a prisoner does require care in a medical facility, the prisoner shall be kept in sight and restrained when possible. In the event the prisoner is admitted to the hospital, a sworn officer shall guard him until he is released from police custody. The arresting officer, with supervisory approval, may issue an NTA for a misdemeanor offense to a prisoner admitted to a medical facility.

22C.3.11 Defense Counsel Visitation

A. Prisoners will be afforded their rights under the Miranda decision, including defense counsel visitation or consultation, **ONLY** if the prisoners are going to be questioned while in custody regarding their arrest or other incident.

B. When visitations or consultations are allowed, all necessary security measures shall be taken to ensure officer safety and prevent escape.

22C.3.12 Training

Response training to civil disturbances for all Department members shall be the responsibility of the CUTS Commander along with the SWAT Commander and Training Supervisors.

APPROVED



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Chief of Police