



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

910 - CIVIL DISTURBANCE AND CROWD MANAGEMENT

GENERAL ORDER: 2020-XX
ISSUED: XXXX, 2020

EFFECTIVE: XXXX, 2020

REVIEW/APPROVED BY:

Director Regina Howard

DATE: XXXX, 2020

ACTION: Creates SOP

WILEAG STANDARD(S): 13.1.1

910.00 PURPOSE (WILEAG 13.1.1)

The purpose of this standard operating procedure is to establish guidelines for managing crowds, protecting individual rights, and preserving the peace during demonstrations and civil disturbances.

910.05 POLICY (WILEAG 13.1.1)

It is the policy of the Milwaukee Police Department to protect individual rights related to assembly and free speech, effectively manage crowds to prevent loss of life, injury, or property damage and minimize disruptions to persons who are uninvolved.

910.10 DEFINITIONS

A. CIVIL DISOBEDIENCE

The refusal to obey laws in an effort to affect change and/or express a view point characterized by using passive resistance or other nonviolent means.

B. CIVIL DISORDER

Group acts of violence and/or disorder prejudicial to public safety, law, and good order.

C. CIVIL DISTURBANCE

An unlawful assembly that constitutes a breach of the peace or any assembly of persons where there is potential of imminent danger of collective violence, destruction of property, or other unlawful acts. These are typically, but not always, spontaneous occurrences requiring the emergency mobilization of police forces and related emergency services.

D. 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.

E. CROWD MANAGEMENT

Techniques used to manage lawful assemblies before, during, and after the event for the purpose of maintaining their lawful status through event planning, pre-event contact with event organizers, issuance of permits when applicable, information gathering, personnel training and other means.

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. FIELD OPERATIONS COMMANDER

The individual who has overall command of all field resources and is responsible for execution of the deployment plan. This individual carries out the orders and directives of the incident commander and coordinates with supervisory personnel assigned to the deployment.

H. INCIDENT COMMAND

The Incident Command System organizational element responsible for overall management of the incident and consisting of the incident commander (either single or unified command structure) and any assigned supporting staff.

I. INCIDENT COMMANDER (IC)

The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the release of resources. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site.

J. NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)

A set of principles that provides a systematic, proactive approach guiding government agencies at all levels, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location, or complexity, in order to reduce the loss of life or property and harm to the environment.

K. PEACEFUL DEMONSTRATION

A gathering of people expressing a position in a cooperative manner without violation of the law.

L. RIOT

A violent and out of control disturbance of the public peace by a statutorily defined number of people in violation of the laws of Wisconsin. Members shall refer to the *MPD Quick Reference Guide to Protect Peaceful Assembly* (form PP-3), which provides members with guidance regarding the applicable amendments to the United States Constitution and Milwaukee City Ordinances related to riots and unlawful assemblies.

910.15 PROCEDURES (WILEAG 13.1.1)

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2. The IC, or a designee, when time permits shall prepare a written action plan subject to the approval of the Chief of Police, or designee.
 - a. The IC, or a designee, shall make every effort to communicate with the following while preparing for the demonstration:
 1. Key community leaders and stakeholders;
 2. Faith based leaders; and
 3. Elected officials.
 - b. The written action plan should address the following and be distributed to all participating agencies.
 1. Command assignments and responsibilities;
 2. Personnel, unit structure, and deployment considerations to include the need for special response teams (i.e., SWAT, emergency medical personnel, and plainclothes officers);
 3. Regular communication with legal advisors;
 4. Liaison with event planners, to include their legal advisors, where applicable;
 5. Liaison with outside agencies;
 6. Communications plan, to include release of information to the media;
 7. Pre-event intelligence analysis;
 8. Weather and terrain at the event location;
 9. Transportation, support, and relief of personnel;
 10. Staging points for additional resources and equipment;
 11. Traffic management, including perimeter security;
 12. First aid stations established in coordination with emergency medical service providers;
 13. Demonstrator devices, extrication teams, and equipment;
 14. Transportation of prisoners;

15. Arrestee processing areas;
16. Any laws, ordinances, or administrative rules specific to the event;
17. Have other agencies such as fire and EMS been notified?;
18. Is there a need to request mutual aid?;
19. Has the appropriate level of properly equipped personnel been allocated to ensure safety of bystanders, officers, and demonstrators?; and
20. Will off-duty personnel be required?

B. MANAGEMENT AND ORGANIZATION PRINCIPLES

1. Government may impose reasonable restrictions on time, place, and manner in which persons assemble and engage in free speech activity. The Milwaukee Police Department shall place only those limitations and restrictions on demonstrations necessary to maintain public safety, preserve order and to the degree possible, facilitate uninhibited speech, commerce and freedom of movement.
2. An Incident Command System (ICS) shall be used in crowd management and civil disturbances to ensure control and unified command.
3. Organization of responsibilities shall be as follows:
 - a. The Chief of Police, or designee, shall designate an incident commander (IC) responsible for overall control of a demonstration or civil disturbance.
 - b. The IC shall implement the written action plan.
 - c. In the case of a widely dispersed demonstration or disturbance, or event with multiple locations, multiple ICs may be assigned at the discretion of the Chief of Police, or designee.
 - d. The IC shall be responsible for preparing operational plans and management details associated with planned demonstrations.
4. The primary objectives of the IC at a civil disturbance are to accomplish the following:
 - a. Protect persons, regardless of their participation in the disturbance;.
 - b. Disperse disorderly or threatening crowds in order to eliminate the immediate risks of continued escalation and further violence.
 - c. Arrest law violators, including those responsible for property damage, and remove or isolate persons inciting violent behavior.

5. Supervisors and officers shall be briefed on what to expect and appropriate responses. The IC, or his or her designee(s), shall be responsible for ordering any response deemed appropriate.
(WILEAG 13.1.1.1, 13.1.1.2)

C. GENERAL CROWD RESPONSE

1. 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.
2. Uniformed personnel shall wear their badges, nameplates or Major Incident Response Team (MIRT) identification numbers in a visible location on their person at all times.
3. Officers shall be positioned in such a manner as to minimize contact with the assembled crowds.
4. Officers should avoid engaging in conversations related to the demonstration with attendees, refrain from reacting in response to comments from demonstrators, and maintain a courteous and neutral demeanor.
5. Persons who reside, are employed, or have emergency business within the area marked off by a police line shall not be prevented from entering the area unless circumstances suggest that their safety would be in jeopardy or their entry would interfere with law enforcement operations.
6. The field supervisors designated by the IC should establish and maintain communication with event organizers and relay information on crowd mood to the IC.
7. 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.
8. Audio and video recording of the department crowd response should be considered for evidentiary purposes.
9. Mass arrests shall be avoided, unless necessary.
10. Officers shall ensure that a means of egress for all individuals is present at all times.
(WILEAG 13.1.1.1)

D. SPONTANEOUS EVENTS OR INCIDENTS

The department must quickly restore order, prevent incidents from escalating, protect innocent citizens and isolate the incident. The National Incident Command System (ICS) shall be followed in responding to spontaneous events.

1. The first officer to arrive on the scene of a spontaneous civil disturbance shall:
 - a. Observe the situation from a safe distance to determine if the gathering is currently or potentially violent;
 - b. Notify the Technical Communications Division of the nature and seriousness of the disturbance, particularly the availability of improvised or deadly weapons, the location and estimated number of participants, current activities (e.g., blocking traffic), direction of movement, and ingress and egress routes for emergency vehicles;
 - c. Request the assistance of a supervisor and necessary backup;
 - d. Attempt to identify crowd leaders and agitators engaged in criminal acts; and
 - e. At the first available opportunity, request the crowd to voluntarily disperse.
2. The first officer or supervisor in charge at the scene shall:
 - a. Deploy officers at vantage points to report on crowd actions;
 - b. Establish a perimeter sufficient to contain the disturbance and prohibit entrance into the affected area;
 - c. Ensure that, to the degree possible, uninvolved civilians are evacuated from the immediate area of the disturbance;
 - d. Establish a temporary command post;
 - e. Provide ongoing assessment to the Technical Communications Division.
 - f. Move and reroute pedestrian and vehicular traffic around the disorder.
 - g. Control unauthorized ingress and egress by participants.
 - h. Prevent attempts to assist or reinforce participants.
3. The IC shall also ensure that:
 - a. Adequate security is provided to fire and EMS personnel in the performance of emergency tasks;
 - b. Support and relief of personnel are available;
 - c. A secure staging area for emergency responders and equipment is designated;
 - d. Public Relations shall establish staging points for media representatives and provide available information as appropriate;

- e. The Technical Communications Division (TCD) shall make sure the event is logged in CAD for documenting activities and actions taken during the course of the incident;
- f. Photographic or video evidence is preserved, in accordance with applicable law and department policy, of crowd actions and officer response;
- g. Photographs or videos are taken of any injuries sustained by law enforcement officers; and
- h. The need for full mobilization of MIRT officers and the recall of off-duty MIRT officers is determined.
(WILEAG 13.1.1.1, 13.1.1.5, 13.1.1.6)

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F. CROWD DISPERSAL

1. Before ordering forced dispersal of a civil disturbance, the IC should determine whether lesser alternatives may be effective. These alternatives include the use of containment and dialogue, as follows:
 - a. 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.
 - b. 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.
 - c. Supervisors issuing dispersal orders shall do so in compliance with the *MPD Quick Reference Guide to Protect Peaceful Assembly* (form PP-3) as the member shall state, "I am (Rank, Name), a member of the Milwaukee Police Department, I hereby declare this assembly to be unlawful, and hereby order you to disperse. Refusal to disperse will be in violation of Milwaukee Code of Ordinances Section 105-1. If you do not disperse immediately you will be arrested."
 - d. Target specific violent or disruptive individuals for arrest.
2. Prior to issuing dispersal orders, in accordance with the *MPD Quick Reference Guide to Protect Peaceful Assembly* (form PP-3), the IC should ensure that all

potentially necessary law enforcement, fire, 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.

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G. MASS ARREST

It is the policy of the department to avoid making mass arrests of persons when arrest avoidance is reasonable in the interests of safety and security. However, in a civil disturbance it may be necessary to make arrests of numerous individuals over a relatively short period of time. For this process to be handled efficiently, safely, and legally, the following shall be observed:

1. Mass arrests shall be conducted by designated squads. REDACTED
REDACTED Members should not enter a crowd alone. If possible, limit the number of arrests to ensure that arresting members are able to recall specific facts for incident reports.

2. A mobile arrestee staging area shall be designated for holding arrestees after being arrested and while awaiting transportation.
3. District shift commanders shall ensure that adequate detention space will be made available in the district in which the incident is occurring.
4. The incident commander shall ensure that an arrest team is designated to process all arrestees and that an adequate number of vehicles are available for that purpose.
5. Arrest teams shall be advised of the basic offenses to be charged in all arrests, and all arrestees shall be advised of these charges.
6. Arrestees who are sitting or lying down but agree to walk shall be escorted to the transportation vehicle for processing. Two or more officers shall carry those who refuse to walk.
7. Arrestees shall be searched incident to arrest for weapons, evidence of the crime of arrest, and contraband.
8. Transporting officers shall not accept arrestees without a properly prepared *Arrest / Conveyance Card* (form PA-7) and shall ensure that all arrestee property is properly secured and transported with the arrestee.
9. Anyone who requests medical attention or is injured, to include arrestees, shall be provided medical attention. Photographs shall be taken of all known injuries.
(WILEAG 13.1.1.2)

H. DEACTIVATION

When the disturbance has been brought under control:

1. All personnel engaged in the incident shall be accounted for and an assessment and documentation made of personal injuries in accordance with SOP 010 Absence.
2. Witnesses, suspects, and others should be interviewed or questioned.
3. All necessary personnel shall be debriefed as required.
4. Any equipment utilized by officers should be replaced.
5. An after action report shall be completed as soon as possible after the incident. Comprehensive documentation should include the basis for the incident, the department's response to the incident, with a statement of impact to include the costs of equipment, personnel, and related items.

I. TRAINING

Officers should receive both initial and ongoing training on appropriate response to

crowd control and management. Joint training should also be conducted with all agencies who are involved in crowd management activities.

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