San Francisco Police Department Crowd Control Manual

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FIRST AMENDMENT AND ROLE OF THE POLICE

Freedom of Speech rights are a part of the California and United States Constitutions.

The First Amendment of the United States Constitution states:

"Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people to assemble, and to petition the government for a redress of grievances."

"(a) Every person may freely speak, write and publish his or her statements on all subjects, being responsible for the abuse of this right. A law may not restrain or abridge liberty of speech or press."

Article I, Section 3 of the California Constitution states:

"The people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good."

Freedom of speech is protected by the First Amendment against infringement by Congress and by the Fourteenth Amendment against infringement by the state legislatures. The First Amendment does not prohibit communications but rather, guarantees that right. (NLRB v. Montgomery Ward & Co., 157 2d 486)

These guarantees apply to all forms of informational and demonstration activities, e.g., rallies, marches, picketing, leafleting, and etc. Expressive conducts used to communicate ideas, such as pantomime, skits or dance, is also protected by the right of free speech. The government cannot prohibit these activities or regulate them in a way that will prevent meaningful and effective communication. The government may impose reasonable restrictions on the time, place and manner of the conducting of these activities.

The closer the activity is to "pure speech," the less the government may interfere and/or regulate. The scope of restriction increases as the activity grows to speech "plus" something else. For example, if the activity includes conduct that trespasses on private property, interferes with traffic, blocks free passage on sidewalks, or restrains persons who are attempting to enter or leave an area, then reasonable regulation is permitted. Less restriction could be placed on leafleting than on a parade on a public street.

The right of the people to speak freely any viewpoint, however unpopular, cannot be allowed to yield to speculative apprehension of police and municipal authorities that some unpleasantness or even damage to property and injury to persons might possibly occur, it is the duty of the municipality and police to prevent such occurrences and to protect the expression of viewpoints. (U.S. Servicemen's Fund v. Shands, 440 F.2d 44).

Criminal statutes cannot be applied to demonstrators in the manner that could interfere directly or indirectly with the exercise of legitimate communication or free speech activities. A demonstration may not be deemed "an unlawful assembly" or "disturbing the peace" unless it poses a "clear and present danger of imminent violence" or is for the purpose of committing a criminal act.

It is not a crime for leafleters or picketers to engage pedestrians in conversation. Protesters cannot be charged with obstruction unless they willfully and maliciously obstruct the free movement of particular pedestrians. (See General Order J-5., "Obstruction of Streets and Sidewalks Policy.")

The First Amendment gives freedom to speak but that carries with it the responsibility to take the consequences of one's unlawful acts. On the other hand, free speech must be protected by the police so that all sides of an issue have expression as long as there is an advocate for that position.

EVENT MANAGEMENT Spontaneous and Planned Events

This section discusses the steps employed by a commanding officer to plan the police response to "Scheduled Special Events" and "Spontaneous Events or Incidents," as defined below. The steps described in this section are not appropriate for events that do not fall into one of these categories, (such as small non-violent, lawful First Amendment activities).

The procedural steps for both types of events are similar. However, spontaneously occurring events usually require procedural steps which are put into effect more quickly than for a pre-planned event, and in a different order.

I. DEFINITIONS

- A. <u>Spontaneous Events or Incidents</u> those events which may create threats to the public health and safety of citizens. Such events may include crowd disorders, First Amendment Rights' activities, school incidents, transportation accidents, explosions, bombings, major fires and strikes.
 - Events and First Amendment Activities, such as peaceful sidewalk marches or pickets that do not
 create threats to public health and safety, do not constitute spontaneous events or incidents. The
 steps outlined below for spontaneous events or incidents would not be appropriate for events that
 do not pose such threats.
 - 2. The commanding officer should carefully assess the event and avoid implementing the steps outlined below unless required by the nature of the event.
- B. <u>Scheduled Special Events</u> those activities for which permits are required and large numbers of persons may gather or participate. Such events include parades, cultural programs, musical rock concerts, religious gatherings, block parties, community activities, sporting events, and First Amendment activities.
 - Events and First Amendment activities that require permits for park use or sound amplification, for example, but which would not attract large numbers of persons, do not constitute scheduled special events. The steps outlined below for scheduled special events would not be appropriate for such small events and activities which require permits.
 - 2. The commanding officer should carefully assess the event and should avoid implementing the steps outlined below unless required by the size and nature of the event.

II. SPONTANEOUS EVENTS OR INCIDENTS

A. The senior ranking officer in the district should go to the scene and take command of events that pose a serious threat to public safety.

Usually, it will be a district platoon commander who will first implement the procedures contained here. A district platoon commander is responsible for conditions in that district, including overall supervision of members of specialized units assigned to the same spontaneously occurring event, until specifically relieved by higher authority.

The next in order of precedence of command is the district commander. Commanding officers in the Field Operations Bureau, above the rank of a district commander, may assume responsibility for command of an operation. For the purpose of this manual, the police officer in charge of a specific event, regardless of rank will be referred to as an Event Commander.

If a spontaneous event is of a magnitude to require command intervention above the district level, superior commanding officers are responsible to ensure that district commands are established according to those procedures, and that the appropriate configuration of command posts, up to and including the activation of the Department Emergency Operations Center, is established.

It may be impractical for an overall Event Commander, even though in charge, to personally go to the scene of a given event. But there must be no mistake about what level of authority is in command of the operation, and the command authority must be apparent to all and immediately available to make necessary decisions. Officers of succeeding levels of authority who assume command shall announce that fact explicitly.

- B. The primary responsibilities of the first responding Event Commander are the following:
 - 1. To establish an on-scene command.
 - 2. To make and broadcast a situation estimate.
 - 3. To set up a Command Post.
 - 4. To initiate notifications.
 - To request needed personnel and equipment.
 - 6. To establish a Staging Area.
- C. Take this manual with you.

You can use the checklists as a reminder of tasks to be performed. Also, as the event grows you can give it to your assistant in charge of the command post to assist him/her in performing the necessary duties.

- D. Make an estimate of the situation, including:
 - 1. The type of event.
 - 2. The location of the event.
 - 3. Type of structure or vehicle(s) involved.
 - 4. Size of area involved.
 - 5. Number of additional officers needed.
 - 6. Location for a Command Post.
 - 7. Location for a Staging Area.
 - 8. Access routes.
 - 9. Additional assistance required (ambulance, fire, etc.).
- E. Establish a Command Post.
 - 1. Appoint a Personnel/Staging Officer.
 - Appoint a Radio Operator/Journal Officer.
 - 3. Open a phone (and keep it open) to your headquarters.
 - Designate one or more radio channels to be used for the event.
 - 5. If the event increases in size, appoint an executive officer to manage the Command Post and the following functions:
 - a. Operations Officer
 - b. Communications Officer
 - c. Situation Report Officer
 - d. Personnel/Staging Officer
 - e. Logistics Officer
 - f. Public Information Officer
 - g. Intelligence Officer (only if permitted under department policy on intelligence gathering).
 - 6. Prepare graphic illustrations of the area.
- F. Isolate the area of involvement.
 - Establish a perimeter to control access to and departure from the event. If possible, use civilian
 Parking and Traffic Control Officers to conserve police officers for the event, if this can be done
 with safety to the members.

- a. In some instances (e.g., barricaded subjects and hostages), establish an inner perimeter to contain the event, and an outer perimeter, at a distance, to keep the general public from entering a danger area.
 - (1) The inner perimeter is a zone of control established around the objective in order to restrict entry into the area of the objective by unauthorized individuals, to aid in the physical arrest of suspected criminals attempting to leave the objective, and to provide information relative to the activity occurring within or near the objective. Deployment of personnel to inner perimeter positions is based upon the characteristics of the terrain. Both lateral and vertical control must be considered. Inner perimeter positions almost always must be covered positions (i.e., secure from gunfire assaults from the objective). The size of the perimeter depends upon the ability to establish the necessary control.
- The outer perimeter is a zone of control which is established around the objective and inner perimeter in order to restrict vehicular and pedestrian traffic which could come into conflict with the police activity at or near the objective, or set up the outer limits of an evacuation area established to protect citizens from weapons fire at or near the objective.
 Deployment of personnel to outer perimeter positions is based upon the terrain and the situation at the objective. The size of the perimeter is also dependent upon these variables.

G. Make the necessary notifications.

- Department General Order R-2, "Notification of Command Staff Regarding Serious Incidents,"
 sets forth the required notifications to be made to command staff in serious incidents. In fast
 breaking incidents, the field commander may not be able to make the notifications personally. In
 such cases, he/she may direct the Operations Center to make the notifications, but the field
 commander must obtain confirmation that notifications have been made.
- 2. In incidents requiring the establishment of a command post, however, the field commander must personally notify the superior officer next in command above him/her either directly or through the Operations Center.
- 3. The commander must notify the OCC as soon as possible and describe the location of the event, estimate of the number of participants, a summary of enforcement actions, number of police personnel on scene or expected, and location of command post.

H. Establish contact with participants in the event.

In crowd situations establish and maintain contact with the formal or informal leaders of the group either by personal contact or by electrical amplification.

I. Acquire further information

- 1. Place plainclothes officers in area (only if permitted under General Orders and Department policies on plainclothes officers and intelligence gathering).
- 2. Obtain information from contacts with participants.
- 3. Establish observation posts where needed.
- J. Prepare a written plan of operation (Refer to Operations Plan Section).
 - 1. Prepare written orders even when spontaneous events occur. In emergency situations these orders will be very brief but will encourage consideration of essential planning elements (see Operations

Plan section J., 2., below). This is where delegation of tasks in a Command Post comes into play. By relieving a commander of routine details with the appointment of a Radio Officer and Personnel/Staging Officer in smaller events, the commander is freed to think and write the plan. In larger scale events, the Operations Officer in a Command Post writes the order.

- 2. For consistency, the plan should have the following five basic sections in a format to be followed at all levels of the operation.
 - a. Situation.
 - b. Mission.
 - c. Execution.
 - d. Administration/Equipment.
 - e. Command/Control.
- K. The Commander must make decisions about the control means to be employed, depending on the degree of violence and the type of event. Before taking enforcement action, consider the following factors:
 - 1. Will the situation grow worse by action or inaction?
 - 2. If only scattered individuals are violent, it is better to arrest those individuals rather than to disperse the entire crowd.
 - 3. Consider available resources.
 - 4. Establish safe and clear escape routes.
 - Assemble arrest teams.
 - 6. Have loudspeaker capability.
 - 7. If proper, warn of an unlawful assembly.
 - 8. Accomplish dispersal and/or arrests.
- L. When time permits, consider potential scenarios which might develop and "pre-think" your response to them. Decide in <u>advance</u> what you are going to do if such events occur. Consider the resources needed and the method of implementing an operation plan.

III. SCHEDULED SPECIAL EVENTS

In preparing for planned events the same essential tasks as are performed in spontaneous events or incidents must be accomplished. However, because of the luxury of time available they can be performed more deliberately and in greater detail, and occasionally the sequence is changed.

- A. Evaluate the situation to be policed, maintaining consistentency with Department policies on intelligence gathering.
 - 1. What type of event is it?
 - a. Parade, demonstration, sports event, rock concert.
 - b. Consider who the sponsors are. Have their past events been peaceful or violent? (Be specific.)
 - c. Consider persons in opposition to the sponsoring group. What is their track record?
 - d. Where is the event to take place? What are the peculiarities of the location? How many people can it hold? What about access to and from? What are the control points in establishing a perimeter?
 - e. Have past events of this type conducted at this place by these persons been peaceful or not? Do we know? Line up the known variables and compare them.
 - f. Consider a location for a Command Post (one or more).
 - g. Consider a location for a Staging Area.
 - h. Decide whether the Department Emergency Operations Center (EOC) should be activated.

B. Meet with sponsors.

- Prior meetings between organizers and Department personnel are not required for activities
 protected by the First Amendment. Permits may also be obtained from the applicable City
 agencies without prior meetings with the Event Commander. However, cooperation with the
 event sponsors should be encouraged and the Event Commander or a designated representative
 should endeavor to meet with sponsors before the event.
- 2. If a meeting is arranged, the Event Commander or designated representative should discuss needed permits, applicable laws, and enforcement policies. Public documents and policies relating to crowd control should be available for distribution to sponsors. The Commander or representative should discuss ways to maintain communication with sponsors throughout the event and should consider establishing checkpoints and schedules for future contacts.
- 3. If a prior meeting is not possible, then information relating to the size and nature of the event should be collected. Leaflets, public announcements and media reports should be examined. Collecting information on events, however, must comply with Department rules on the use of plainclothes officers and the gathering of intelligence.

C. Plan Command Post(s).

- 1. Appoint a CP executive.
- 2. Configure needed radio nets.
- 3. Decide on the number of CP's needed.
 - a. If the EOC is to be activated, specify explicitly if it is to be used as the operational Command Post or as a support facility. Delineate duties between CP's clearly.

D. Plan for perimeter management.

- 1. Facilitate access to and from the area of involvement.
- 2. Determine need for more than one perimeter.
- E. Determine the number of officers needed to police the event.
- F. Obtain information.
 - 1. From sponsors.
 - 2. From any other legitimate source (to the extent permitted, if at all, under Department policies on intelligence gathering).
- G. Write a plan (see section on Operation Orders).
- H. Formulate an enforcement policy and communicate it to the affected Department units.
- I. Consider possible scenarios which may occur and pre-think your responses and actions if they do occur.
- J. As time permits, conduct drills and exercises to test the operational plan, particularly its complex aspects, (e.g., conduct Command Post drills and mock mobilizations).

CROWD MANAGEMENT METHODS

This section describes those methods used to manage assemblages of persons behaving lawfully. When the methods described in this bulletin fail, or for other reasons assemblages become, or promise to become, an unlawful assembly, crowd control measures must be imposed. While it is the Department's preference that management practices be used at all stages of the development of an implementation of plans for public assemblages, control plans will be developed along with management plans, for immediate activation, should the need arise.

I. DEFINITIONS

A. Crowd Management

The techniques used by officers of all ranks to manage lawful public assemblages before and during the events for the purpose of keeping them from becoming unlawful, including conferences with event planners, management of permit issuance, monitoring events, interaction with group leaders, and preparation of critiques to develop a Department event history. (The appropriate contents and scope of these critiques and the event history may be limited by Department intelligence policies.)

B. Crowd Control

1. The techniques used by officers during public assemblages which promise to be or are unlawful, including shows of force, crowd containment, dispersal tactics, and encirclement and arrest.

C. Event Coordinator

1. A member specifically designated and specially trained to perform crowd management tasks.

II. ORGANIZATION OF THE CROWD MANAGEMENT FUNCTION AND DUTIES OF EVENT COORDINATOR

- A. An Event Coordinator can be appointed by the Event Commander. The Coordinator or the Commander performs the following duties:
 - 1. Gathers and analyzes information about forthcoming public assemblages (when consistent with Department intelligence polices).
 - Receives and summarizes information regarding coming events from district stations and other sources of information consistent with Department policies on intelligence gathering.
 - 2. Coordinates with the Permit Section, Community Services, Traffic Division, and other city departments on matters pertaining to public assemblages.
 - 3. Meets in advance with event sponsors to arrange for legal permits and (subject to the limitations of Department intelligence policies) gathers information about proposed assemblages.
 - 4. Prepares regular staff reports about forthcoming assemblages for submission to the Commander, who will distribute summaries to other command officers.
 - 5. Drafts written operations plans for events requiring crowd management or control involving more than one division of the Department.

- 6. If present at the scene of crowds, reads (evaluates) the mood of the crowd and reports to the commanding officer at the scene with a recommended course of action.
 - a. The Event Coordinator will have no authority in determining the course of action to be followed. His position is advisory; responsibility for command decisions rests with command officers at the scene.
 - b. When appropriate, and if possible, the Event Commander will attempt to defuse violent behavior in crowds consistent with Department General Orders and policies.
- 7. Schedules critiques on crowd management events involving more than one company of the Division.
 - a. May prepare a written report for the Deputy Chief of the Field Operations Bureau of the findings, both positive and negative, produced at the critiques.
 - b. Receives critique reports from districts stations and other divisions regarding single district events.
- 8. Maintains a Division history of previous findings regarding event management issues. The appropriate contents and scope of this history may be limited by Department policies on intelligence gathering.
- 9. May make written recommendations regarding needed improvement in event management procedures.
- Disseminates information about the subject area of his expertise to crowd control trainers in district stations.
- 11. Participates in regular training seminars with station personnel.

III. CROWD CONTROL MANAGEMENT (GENERAL PRINCIPLES)

- A. Crowd management procedures start not with a specific event but with events in the past and those occurring elsewhere. Only by looking at what has gone before and what is going on elsewhere, can an event coordinator obtain the best information on how to manage events in San Francisco. By recording how the Department responds to events, the Event Coordinator creates a Department "memory" of how events are best policed so that continuity of the "best" way to manage events is retained even after experienced. Department members leave office. The appropriate scope and content of any such records may be limited by Department policies on intelligence gathering.
- B. Police officers must interact with a wide variety of people under an endless number of differing circumstances so no single means of dealing with crowds will apply to all types of situations. But one essential technique applies to every situation: ESTABLISH CONTACT WITH THE CROWD. In the case of planned events, identify and meet with event sponsors, the earlier the better. The more often the Event Coordinator meets with the sponsor, no matter what his original posture, the more they will come to know each other and come to understand each other's position and the greater chance there will be of a successful event. Even with spontaneous events, the appearance of a uniformed officer, attempting to establish contact, may provide an opportunity for a successful dialogue. In some cases, it will be necessary to break off conciliatory practices and go immediately to control procedures, but an attempt at contact should be made, if possible.
- C. An important aspect of the management of groups by the police is the management of officers by their supervisors. An otherwise peaceful group can be enraged by inappropriate police conduct, such as individual officers engaging in verbal disputes with individual members of the crowd, or by showing visible contempt for the crowd or its beliefs. First of all, what is needed is an adequate ratio of officers of different

ranks all the way up the supervisory ladder. In extremely volatile circumstances it may be necessary to assign one sergeant to each four officers and one lieutenant to each four sergeants, etc. Next, all supervisors must be thoroughly briefed on the specifics of their mission and must provide their own subordinates with a complete briefing of what is to be done. (It is not sufficient to say that such a supervisor is in charge and that appropriate action is to be taken. Specific instructions must be given.)

- D. Inappropriate or overly aggressive tactics, such as a display of officers when other means might be appropriate, can also inflame a crowd. If possible, it is preferable for a crowd to remain focused on the event itself rather than on the police tactics used at the event.
- E. 1. It is much easier to hold a group in a given area than it is to move its members once they are already established. If time permits for pre-planned events, work out in advance with the event sponsors the areas where the event is to take place (e.g., the location of police lines or where picket lines are to be established). There should be an articulable lawful reason consistent with General Order F-5, "Crowd Control," made known to the demonstrators for establishing these lines. In events which occur without a great deal of notice, officers should attempt to get on the ground as soon as possible, preferably before the group does, and establish police lines.
 - 2. The guiding principle for officers in this type of situation is that hostile factions should be kept safely apart, consistent with various groups exercising their legal rights to picket or demonstrate. If practicable, use Department barriers to delineate separate areas.
- F. Information which has been evaluated and found to be valid is of utmost importance to the management of groups. The most obvious place to obtain information on what is to occur is from the group itself. Establish contact with group members before an event and maintain the contact throughout to find out what their plans are. Such information may be incomplete or inaccurate, but experience has shown in the past that it is better to listen to groups than to ignore them. The Event Coordinator will make every effort to schedule meetings with event sponsors or organizers and other units and agencies.
- G. Even while it is useful and prudent to develop control plans to be ready alongside management plans, it is also useful to consider crowd type and the way different type of crowds act during both management and control phases of an event.
 - Crowds are differentiated by their composition and by their degree of cohesion and type of
 purpose. All are subject to different dynamics which must be understood in order to be managed
 successfully. It is extremely useful to police officers to understand as much as possible the wide
 variety of crowds they may come in contact with, and also to learn proven techniques to apply
 (and not to apply) in a wide variety of circumstances. For that reason training in the dynamics of
 different types of crowds is provided.

IV. PRE-EVENT PLANNING

- A The procedures which follow pertain to events involving more than one division of the Department and thus the participation of the Field Operations Bureau Headquarters in event planning. In lesser events the same procedures (scaled down) should be performed by units charged with event management responsibilities.
- B. In advance of an event involving the potential deployment of officers for crowd management of control purposes, any member coming into possession of information through means permitted under Department policies regarding intelligence gathering pertaining to the event, should route the information through channels to the Field Operations Bureau. Such information may only be used in a manner consistent with Department intelligence policies.
- C. If event sponsors do not come forward to obtain needed permits or otherwise, the Event Coordinator will, if needed, attempt to locate them and set up meetings.
 - Record dates and time of attempts.

- D. The Event Coordinator should confer with members of the Permit Section about the need for permits and with the Community Relations Division as necessary in order to ascertain past behavior of the specific group involved, to the extent permitted by Department intelligence policies.
- E. The Event Commander should then draft an operations plan according to the approved Department format which includes all pertinent information needed to manage the event successfully.
 - a. Before the event occurs, a written copy of the operations order should be forwarded to the next level of authority in the Department in sufficient time for review and approval at that level,

V. EVENT MANAGEMENT

- A. During the event, the Event Coordinator will act as staff to the Event Commander.
 - 1. The Event Coordinator will keep the Event Commander necessarily informed with details essential to conducting the operation according to the plan.
 - 2. When directed by the Event Commander, the Event Coordinator will apply his specialized skills in crowd management in an attempt to defuse potentially inflammatory situations.
- B. The Event Commander will ensure that adequate loudspeaker capability is available to address the crowd.

VI. POST-EVENT MANAGEMENT

- A. After an event, the Event Commander may schedule a formal critique meeting with members of all appropriate public and civilian entities involved in the event.
 - 1. At lesser events, district or division commanders may conduct critiques and send written reports to the Field Operations Bureau Headquarters.
- B. The critique meeting should consider both negative and positive aspects of the way the event was handled.
- C. The Event Commander should consider ways to disseminate findings through appropriate channels to enhance future positive training techniques.

CROWD CONTROL MEASURES

This section describes crowd control measures approved for use by the San Francisco Police Department and when the various techniques should be employed. All crowd control measures and techniques must be carried out in a manner that is consistent with the policy provisions and restrictions in General Order F-5.

I. CROWD CONTROL MEASURES

- A. If possible, crowd management techniques should be used first, but in all situations where there is a potential for violence, control measures should be developed parallel to the development of management procedures.
- B. The following techniques are approved for use by San Francisco Police Officers as circumstances dictate. The order of implementation will usually follow the order in which they are described. (The order may be altered or even reversed if there are shifts in the level of control required).
 - Isolate the crowd.
 - 2. Display of police officers.
 - 3. Selective arrests.
 - 4. Multiple arrests.
 - 5. Order to disperse and dispersal.

II. CROWD CONTROL PROCEDURES

- A. Whenever possible police officers should be on the grounds first to set physical limits for an event or, if an event is spontaneous, officers should define its limits with barricades and/or the placement of officers as soon as possible.
 - 1. At large events, as more command personnel are (or become) available, the crowd area should be divided into quadrants under the command of supervisory or command officer.
- B. As a general rule, officers should be kept together in squads or platoons as much as is reasonable to police an event. (Resources should not be diluted by trying to encircle a large crowd.)
- C. Display of Police Officers
 - 1. The tension of a crowd can sometimes be reduced by the knowledge that a substantial police presence is nearby. It is not always necessary actually to display the officers.
 - 2. To make an effective display of police officers, assemble the group of officers out of view of the crowd and bring it into the crowd's presence in a body.
 - a. Do not use a display of police officers to deter a crowd unless it is of sufficient size to accomplish a dispersal. Do not bluff.
 - 3. If a display of police officers is accompanied by a dispersal order (see Section F., below) does not result in a voluntary dispersal, more forceful actions may be employed.

D. Arrests

1. If there is a sufficient ratio of officers to the crowd, and the crowd, although unlawful, is not openly violent, it is sometimes an effective technique to make multiple and/or individual arrests.

- a. Before this technique is used, the group should be given an opportunity to disperse voluntarily if the only violation is participation in an unlawful assembly. (See Section F. below.)
- b. To effect a multiple arrest, activate Multiple Arrest Procedures.

E. Loudspeaker

1. Always have sufficient loudspeaker capability to address all parts of the crowd.

F. Orders to Disperse

- When other measures fail to control or disperse an unlawful crowd, the crowd should be ordered to disperse according to the terms of Penal Code Section 726 PC, and then, if they refuse, be dispersed.
- 2. Announcements to a crowd to disperse or to move to another location must be based on reasonable and articulable factors justifying the order and must be made in accordance with State Law.
- 3. Go as close to the crowd as possible and command them in the name of the people of the State of California to disperse immediately, as articulated in Section F., 3., a., below.
 - a. "I am (<u>name and rank</u>) a Police Officer for the City of San Francisco. I hereby declare this to be an unlawful assembly and, in the name of the people of the State of California, order all those assembled at (<u>give specific location</u>) to disperse immediately. If you do not disperse you will be subject to arrest."
 - b. Use a loudspeaker system to assure that all have an opportunity to hear the order.
 - (1) If possible, send an officer to the far side of the crowd to tape record the order.
 - (2) If circumstances permit (absence of serious violence) the order shall be made repeatedly over a period of time and, if necessary, from a variety of locations.
 - (3) Provide the crowd with an adequate period of time and a clear and safe route to disperse.
 - c. If possible, the announcements should designate where demonstrators can relocate.

III. DISPERSAL TECHNIQUES

- A. Before dispersing a crowd, announce the fact and the direction of movement over all radio channels so that officers positioned there will not come into contact with the crowd.
- B. If the given order has been disobeyed, disperse the crowd. However, the event commander must consider whether such action will endanger the public or the participants in the crowd.
 - 1. If there is no actual physical resistance to a dispersal, the best method of dispersal is by using Department-approved squad or platoon formations (batons held port arms).
 - A squad or platoon sweep is preferable when the crowd will give way to the sweep.
 - b. Leave safe and clear avenues of escape.
 - c. The amount of force employed shall be only in proportion to violence or resistance encountered and limited to the degree minimally necessary to accomplish the dispersal.

- d. The sooner disciplined action is directed against the crowd, the more effective such action is.
- e. Place mobile forces along escape route to prevent malicious mischief.
- f. If possible, direct the crowd away from residential and commercial property.
- g. Disperse the crowd into successively smaller groups, regrouping the squads as necessary to retain unit integrity.
- h. Stay in formation and keep both hands on the baton as much as possible.
- 2. If circumstances permit, arrest teams should accompany sweeps to make arrests when possible for specific crimes committed and for violation of the order to disperse.
- 3. In some circumstances (as when the crowd is so large or unruly that officers cannot afford to dilute the integrity of their formations to make arrests) sweeps will be made for the purpose of breaking up the group(s) without arrests.
- 4. Techniques which may be used in specific situations:
 - a. When vehicular traffic is particularly slow-moving or when crowds congregate to observe slow-moving traffic, close those streets to all vehicular traffic.
 - b. When intersections are congested by pedestrians to the point that they conflict with the flow of vehicular traffic, close the intersection(s) to pedestrian traffic.
 - c. When the presence of police officers and police barricades tends to prolong the crowd presence, remove the officers and barricades as quickly as conditions permit.

5. Prohibited Techniques

The San Francisco Police Department does not employ the following methods of crowd control:

- a. Horses shall not be used as a means of moving or dispersing passive individuals who are sitting or lying down.
- b. Motor bikes or motorcycles shall not be driven into the crowd, or be used to make physical contact with persons in the crowd.
- c. Canine Units.
- d. Firehoses.
- e. Weapons fire (when fired upon in crowd control situations, officers will fall back, regroup and deal with the problem as in anti-sniper control situations).

MULTIPLE ARREST PROCEDURES

The purpose of this section is to establish procedures to process multiple arrests in an orderly manner.

I. THE CONCEPT

- A. The basic concept of the Multiple Arrest Procedures is that a specialized group of officers working together during large-scale arrests at major public events will be responsible for all aspects of the arrest process from the point of arrest to the delivery of prisoners to the Sheriff's Department. In that way, the chain of identification is not broken, and officers managing the event will not be taken from "the line," weakening it.
- B. Timely notice shall be given to all involved agencies of impending major public events where the possibility of multiple arrests exists. The Chief Deputy Sheriff in charge of Hall of Justice jails shall be notified in all cases as soon as possible in order to coordinate the Sheriff's Department responsibilities. The on-duty Jail Watch Commander shall be contacted in the Chief Deputy Sheriff's absence.
- C. The responsibility for maintaining the equipment and training status of arrests groups is given to the Field Operations Bureau. It is their responsibility to maintain arrest kits, consisting of arrest forms and Polaroid cameras, so that they can be pressed into service at a moment's notice. It is also their responsibility to maintain a cadre of trained officers who, by acquiring wagons, the Sheriff's bus or municipal railway buses as specified below, will be immediately available to manage the entire arrest transportation process, leaving primary line officers free to manage events.

II. COMMAND RESPONSIBILITY

- A. It is the ongoing responsibility of the Commander to:
 - 1. Maintain arrest team packets.
 - 2. Maintain a trained cadre of arrest teams.
 - 3. Implement the procedures set forth in this order in their entirety when ordered to do so.

III. ARREST GROUPS

- A. Arrest groups consist of the following personnel:
 - 1. Arrest group leader.
 - 2. Two (or more) officer arrest teams.
 - 3. Two photographers.
 - 4. A booking recordation officer.
 - 5. One or more two-officer transportation teams.
 - 6. One or more receiving officers at the County Jail #1 or other designated booking area.
- B. Arrest groups shall have the following equipment:
 - 1. Two Polaroid cameras.
 - 2. One or more wagons as described below.
 - 3. A Field Arrest Packet (refer to V., E., 3., below).
- C. Arrest groups may be expanded in size or increased in number according to the below criteria, depending on the number of arrests to be made and whether the arrests are to be peaceable or not. The essential determinant is the ability of the photographer, booking recordation officer, arrest teams, and transportation teams to absorb the flow of arrestees promptly.

IV. PLANNING PROCEDURES

- A. When a large-scale event involving possible arrests is to be conducted, the Event Commander will make an estimate of the number of potential arrestees and whether they will be peaceful or violent. Based on that estimate, he/she will configure arrest teams of a capable of managing multiple arrests safely.
 - 1. The Event Commander will pre-arrange the acquisition from units of a sufficient number of patrol wagons and assign them to arrest groups.
 - 2. If numerous arrests are expected, he/she will pre-arrange for the acquisition of the Sheriff's van with a driver.
 - If still more arrest transport is needed, he/she will pre-arrange with the Municipal Railway for buses with drivers.

V. FIELD ARREST/BOOKING PROCEDURES

- A. At the scene of a multiple arrest situation, Field Arrest Group Leader(s) shall establish a secure Field Pre-Booking Facility.
 - The facility should be near enough to the scene of arrests that arresting officers do not have to walk or carry arrestees a long distance.
 - a. This portion of the procedures assumes that arrestees are non-violent. In instances in which there are violent or potentially violent arrestees the booking facility should be out of sight or ready access from the crowd.
 - 2. The facility should be so situated that vehicular transport can arrive at the rear of the facility and depart from there out of the view (if possible) of the main body of demonstrators.
- B. If possible, once the Event Commander has ordered that arrests be made, they should be made by Arrest Team members so that officers managing the event are not taken from their primary duties.
 - In cases of crimes requiring immediate arrests (violent, felonies, etc.) officers managing the event
 will make arrests as necessary, but thereafter they should follow the procedures set forth here for
 the Arrest Team Officer, keeping in mind concern for public and officer safety.
- C. Arrest Teams will make arrests for specific violations of the law.
- D. Multiple Arrests
 - When an Event Commander makes a determination that a multiple arrest is to be made:
 - a. He/she shall request the assistance of specially equipped officers.
 - b. He/she shall request the dispatch of a sufficient number of vehicles to transport prospective arrestees, stating:
 - (1) The number to be transported.
 - (2) The location of the arrest and the best access route.
 - (3) The name of the group (if any) upon which the arrests are to be made.
 - (4) The location at which transport vehicles should meet with the arrest teams.

- c. Those to be arrested shall be physically isolated from sympathizers and other demonstrators, using squads of officers and terrain features so that the arrest process can proceed deliberately and without danger to officers.
- d. If necessary, a perimeter should be made around transportation vehicles until they leave with the prisoners.
 - (1) The Photographic Section of the Criminalistics Division shall provide sufficient personnel at the scene of multiple arrests to promptly provide two Polaroid photographs and video recording.

2. Juvenile Arrests

a. If a large number of juvenile arrests are expected, the Event Commander will insure that the Juvenile Division Liaison Officer is notified at 553-1321 between 0800--1000 hours and at 731-5740, ext. 321 between 1000-1500 hours. The Juvenile Division Liaison Officer will then notify Youth Guidance Center of the large number of juveniles present. If the Juvenile Division Liaison Officer in not on duty, the Event Commander will notify the Operations Center, through which the on-call Juvenile Division Liaison Officer can be contacted.

3. Arrest Procedures

- a. After the demonstrators have been isolated and contained, the designated arrest squad will physically arrest individuals and physically control and move them through the photographic process and give them into the custody of transportation officers for transport from the scene.
- b. The number of individual officers needed to handle each arrestee will be determined by the following factors:
 - (1) The number of arrestees.
 - (2) Whether or not they cooperate.
- 4. The Arrest Team will then have its photograph taken with the arrestee and attach it to the original arrest form.
 - a. Following procedure as outlined immediately below, each Arrest Team squad team shall ensure that the Photo Team photographs each person arrested or detained by a member, with the member and the Field Arrest Photographic Sheet clearly visible in the photograph.
 - (1) Arrestees wearing make-up which would prohibit identification at a later time will have their right thumb print placed on the front of the photo.
 - b. Each arrestee or detainee will be the subject of two Polaroid photos.
 - (1) In order for the Sheriff to properly book the arrestee and for the officer to provide accurate information for the District Attorney's office, the arresting officer must sign his/her name and star number on the back of the Polaroid photograph if using a regular pen, or on the bottom of the photograph if using a laundry marking pen.
 - One photograph will be given to the transporting unit and it will accompany the prisoner to the processing center.

- (3) The other photograph will be given by the arresting officer to the officer designated to make the police incident report.
- (4) The photograph will be used to retrieve identification data on the arrestee to prepare the Incident Report describing the mass arrest.
- (5) The photograph will be turned over to the District Attorney, along with a copy of the Incident Report, as soon as possible after the arrest is completed.
- c. The arrestee will then be presented to the transporting officer. The arresting officers will remain with the arrestee until he/she is placed on the transporting vehicle. After a pat search by the transporting officers, and after a Polaroid photograph is presented, the transporting officers will accept the arrestee, who then becomes his/her responsibility.
 - (1) The photograph must allow for identification of the arrestee, and unless the information on the Field Arrest Photograph Form and on the photograph is visible and legible, the transporting officers shall not accept custody.
 - (2) If it is impossible to take a photograph of the arrestee, the arresting officers will give the transporting officers the control card and write the necessary information on the back of the card, i.e., date, time of arrest, charges, location of arrest, case number, arresting officers's name, star, and call sign.
 - (3) If arrestees appear violent or have demonstrated a propensity for violence, they shall be handcuffed behind their backs with Flexcuffs, except when in the judgement of the senior officer present, and at his explicit direction, such a course is deemed not to be necessary, e.g., advanced age or obvious physical infirmities of protestors being arrested.
 - (4) Large items, such as knapsacks or backpacks, shall be searched for contraband and returned to the arrestee if the contents are found to be safe. The property will then be booked during the booking process.
 - (5) Juveniles who are arrested will be transported in the same manner as adults.
 - (6) Children between the ages of 12 and 17 who are <u>not</u> to be arrested and who are accompanied by an adult or parent who is arrested shall, if they cannot be released to a responsible adult at the scene, be assigned a Control Code and transported to the Children's Home Society by the designated Police Department wagon. The Juvenile Division Liaison Officers shall notify the Children's Home Society of an impending mass arrest situation.
 - (7) Juveniles under the age of 12 who are <u>not</u> to be arrested and who are accompanied by an adult or parent who is arrested, as above, shall be taken to the Children's Home Society for shelter.

5. Transportation Booking Procedures

- a. The transportation officers will transport all arrestees to a processing facility at the Hall of Justice or such other location as determined by the Event Commander. Up to 100 arrestees can be held in the Garage Holding Facility. When 100 or more arrestees are anticipated, a larger holding facility may have to be selected in advance, or the arrestees held on buses until booking/citing can be conducted.
- b. Booking or citations will then be performed by personnel designated by the Event Commander or by Sheriff's deputies, if possible, and coordinated in advance.

(1) Police Department processing personnel will be provided in advance to these locations by the Commanding Officer of the Records Division.

c. Citations

- (1) If under 500 persons are cited per day, the persons shall be cited to appear 30 days hence, in groups of 50. For example, if the arrest is made on July 15, 50 people will be cited to appear on August 14, 50 on August 15, 50 on August 16, etc.
- (2) If more than 500 persons are cited per day, as many as 100 persons may be cited for a specific court date as in Section (1) immediately above.
- (3) Citations may be issued for any day of the week Monday through Thursday.
- (4) The defendant shall be cited to appear in Department 12 at 1400 hours. It will be necessary for the arresting officer or the Sheriff to write this information on the citation since there is no box location on the form.
- (5) Juveniles shall be cited to appear at Youth Guidance Center between 1330-1430 hours seven to 14 days from the time of arrest.
- (6) The commanding Officer of the Identification Section shall be contacted if there are questions about citations.

d. Juveniles

- (1) Upon notification to the Juvenile Liaison Officer about the prospect of a large number of juvenile arrests, he/she shall dispatch teams of Juvenile Probation Officers and Juvenile Hall staff to the booking area.
- (2) A separate holding area apart from adult arrestees at the processing point will be provided for juveniles.
- (3) Processing will be completed in the same manner as for adults.
- (4) Once processed, juvenile arrestees will be transported by a member of the Juvenile Division to the Youth Guidance Center for final booking. If in large numbers, the Event Commander shall assign a patrol officer to assist in the booking process.

e. Dependent Children

 Upon notification of the involvement of dependent children, the Juvenile Court liaison officer will contact the Department of Social Services to alert the Children's Home Society (3000 California Street) of impending arrivals.

E. Administration

- 1. The Sheriff's Department can be contacted in advance to transport persons subject to multiple arrests. The Sheriff's Department has three 36-passenger buses and seven 12-15-passenger vans.
- 2. The Commanding Officer of the Criminal Information Division shall be notified promptly so that sufficient fingerprint technicians are available.

Field Arrest Packets

- a. The Field Operations Bureau Commander shall be responsible for the assembly, maintenance, and distribution of Field Arrest Packets.
- b. Each Field Arrest Packet will contain the following items:
 - (1) 10 Field Arrest Photography sheets.
 - (2) 100 Arrest Control cards.
 - (3) 1 black felt tip marker.
 - (4) 25 blank 3x5 cards.
 - (5) 1 ink pad.
 - (6) 1 manila folder.
 - (7) 10 paper clips and rubber bands.
 - (8) 1 large manila envelope.
 - (9) Citizen Arrest pad.
- c. Distribution

Each Field Command Post shall have two Field Arrest Packets.

- 4. Field Arrest Photography Form (See example on Page 44)
 - a. This form is designed to expedite the Field Arrest process, and at the same time allow any persons taken into custody to be tracked through the arrest or detention process and identified at a later time.
 - b. Completion of the Field Arrest Photography Form.
 - Only one form need be completed per location of arrest, since Arrest Control
 Code Cards and charges may be rotated and changed by attaching a 3 x 5 card to
 the sheet with the appropriate information for the individual arrestee.
 - (2) The form will be filled out with a black felt tip marker so that is easy to read.
 - (3) Arrest Control Box (Box #1 in the upper left-hand corner of the form).
 - (a) The 3 x 5 Arrest Control Code will be paper clipped to the Field Arrest Form.
 - (b) Each Control Code is unique and will consist of two, three, or four letters.
 - (c) Each individual who is given into the custody of the Sheriff shall have an individual arrest code assigned. This includes detainees and children who are with adults who are arrested.
 - (4) Date and Time of Arrest (Box #2 in the self explanatory example).
 - (5) Charges (Box #3 in example).
 - (a) In a mass arrest, the charges for which the majority of people are booked are usually the same. This is the charge which would be placed in this box.

- (b) Individuals who have other charges in addition to those for which the mass arrest is being made, may have all their charges written on a 3 x 5 card in black felt tip pen, and this card placed over the charge box at the time of photographing.
- (c) The additional charges are to be the subject of a supplementary Incident Report in which their origin is described.
- (6) Case Number (Box #4 in example).
 - (a) The case number placed here will be obtained by the officer designated to write the Incident Report describing the mass arrest.
 - (b) Whenever possible, the same case number will be used by all arrest teams at the same location so that identifying information may be more readily obtained in preparing the Incident Report at a later time.
- (7) Location of Arrest (Box #5 in example).
 - (a) The location where the mass arrest is made.
- (8) Squad Leader or Lieutenant (Box #6 in example).
 - (a) The name of the squad or platoon leader of Arrest Teams making the physical arrest, or individual officer who informed demonstrators they were under arrest.
- (9) Star Number.
 - (a) The star number of the squad leader (see example).
- (10) Call Sign.
 - (a) The radio call sign of the squad leader is placed here.
- Police Incident Report.
 - A Police Incident Report shall be prepared detailing the incident which required the mass arrest.
 - b. The report shall be prepared by the officer designated by the Event Commander.
- 6. Identification of Arrestees.
 - a. The Sheriff's Department will enter the arrest information on all jailed arrestees in the CABLE/CMS SYSTEM. Field citations will be entered by the Identification Section.
 - The Arrest Control Code will also be entered in the system in the "Title Field" following an Arrestee's name, as per the following example:
 NAME: Jones/John/W TTILE ABCD
 - c. Recalling Arrest Identification Information
 - (1) Use format: RF/SJOB. Enter name of report, e.g., SJOB/REPORT MULTIPLE ROUTE (printer identification).

- (a) The printer will generate a list of the last eight hours of bookings, sorted first by case number, then by the defendant's last name, further displaying the Arrest Code, COURTNO, Custody Status, Arrest date/time, ACTIONO and charge(s). If a different time span than the one covered in the report is required, SJOB provides fields for FROMDATE 050685/& TODATE 050885/.
- (2) Utilizing the above COURTNO will give the user with further details for the Incident Report by using the format QCA/COURTNO 713212.
 - (a) This will provide a duplicate of the Arrest Card to include all information necessary to complete the arrest information of the Incident Report.
- d. When all the Booking Card information is gathered for all arrests assigned to a case number, they may be marked B-1 through however many bookings were made. Attach the booking card to the Incident Report form. In the arrest information box, write "See attached for pages for arrest information on B-1 through B-#," etc. This procedure will save considerable time in preparing the report.
- e. If the computer system is down for a lengthy period, and identifying information cannot be obtained, then arrangements can be made by the Sheriff's Office to obtain photocopies, obtainable from the Identification Section, of all Arrest Cards and Citations in order to prepare the Incident Report.
- f. Information to be placed on Polaroid photographs given to the District Attorney:
 - (1) The name and star number of the officer who appears in the photograph shall be written on the back of the photograph.
 - (2) The name of the arrestee appearing in the photograph shall be written on the back of the photo.
- 6. Identification Duties of the Sheriff's Office at County Jail #1.
 - a. At the time that a suspect is brought to County Jail #1 for booking, the following procedures must be followed to ensure positive identification:
 - (1) The Control Code letters from the Polaroid photograph must appear on the Booking Card.
 - (2) The suspect's name must be written on the photograph.
 - (3) The photograph must be kept with the Booking Card.
 - (4) In the event of failure to identify, John/Jane Doe #1, #2, #3, etc. must be written on both the Booking Card and the photograph.
 - (5) Once a John/Jane Doe is identified, a copy of the citation must be attached to the photograph and Booking Card, and set aside for the reporting officer.
 - (6) If a John/Jane Doe does not identify himself/herself by the time the Incident Report is to be written, a copy of the Booking Card and photograph are to be given to the reporting officer.

G-10 IGOC CONTROL NUMBER 831212346 FEI.ONY CHARGES

ARRESTING OFFICER

STAR #

CALL SIGN

t. Hall 842

EVENT MANAGEMENT CHECKLIST

The purpose of the Event Management Checklist is to provide event planners with a means to ensure that all planning areas have been covered, and to provide commanding officers with a method of ascertaining if required tasks have been performed.

It is not necessary to use each item for every event, but all items should be considered for each event and may be rejected if determined to be inapplicable in a given situation.

- 1. Is Command Post provided for? (Refer also to Command Post Section, Event Management Section, Section B., 5.)
 - a. Who is in charge?
 - b. Are all essential functions assigned to someone?
 - c. Where is it?
 - d. Is CLEMAR (California Law Enforcement Mutual Aid Radio) channel available?
- 2. What is the command structure?
 - a. Who will be in charge at the scene of the event and what is the person's rank?
- 3. Has an Operations Order been prepared?
 - Provide a copy before the event.
- 4. What is the overall mission statement?
- 5. Have demonstration areas been designated in advance?
 - a. Will there be Department barriers on the scene?
 - b. Are perimeters established?
- 6. Have provisions been made for officers to be on the scene before the demonstration?
- 7. Is a staging area provided for responding officers, and appropriately staffed with a secure vehicle pound? (Refer also to Mobilization Section.)
 - a. Who is in charge of staging area?
 - b. Is there a means to keep track of forces deployed?
 - c. Are reserve officers designated?
- 8. Complete the Event Management Worksheet and make all required notifications.
- 9. How have similar events turned out?
 - a. Find out using only those methods consistent with the Department policies on intelligence gathering.

CROWD MANAGEMENT CHECKLIST

1.	PASSING CALLS ONLY
2.	DETAIL ON-SCENE OBSERVERS
3.	SET UP COMMAND POST
	Notify Communications
4.	MAKE ESTIMATE OF SITUATION
	Size of crowd
	Purpose of gathering
	Lawful or unlawful
	Identify contact persons to communicate
	with participants
	Number of officers needed to manage situation
	Number of officers needed for
	traffic control
	Special equipment needed
5.	NOTIFY FIELD OPERATIONS BUREAU/OPERATIONS CENTER
	Request outside units
	Request Video and Photo teams
	•
6.	PLAN OF ACTION
	Monitor only
	Control the crowd
	Disperse the crowd
	Arrest

INCIDENT REPORT CHECKLIST

- 1. Names, addresses, and telephone numbers of all witnesses, including observers. An attempt should be made to interview such persons.
- 2. Names and station affiliations of press observers. Such information is particularly significant in guiding the issuance of subpoenas for film or photographs.
- 3. Was the scene videotaped or photographed by the police? Who was the photographer or cameraperson?
- 4. Who was the officer in charge?
- 5. Who is the case liaison officer?
- 6. Complete descriptions of booked evidence. If signs or banners are seized, a description of their message only if relevant for identification purposes. If the evidence was used as a weapon or tool, a complete description of its size and/or other relevant characteristics.
- 7. A complete description of damage to property as well as photographs and the name of the owner and person in control of the premises at the time of incident, if different from the owner. Statements should be obtained from all witnesses and victims and repair estimates promptly collected.
- 8. Any photographs of arrested or cited persons and the name(s) of the person(s) who saw the conduct for which the arrest or citation was issued.
- 9. Information if any arrested or cited person was previously arrested or cited for similar conduct.
- 10. Use of a control number for every arrested or cited person which also appears on all police photographs, the police report(s) and police citation or arrest card. This will be invaluable in identifying persons who give false or multiple names or refuse to identify themselves to police in the field or at the booking office.
- 11. If there are buildings or offices invaded by demonstrators, the report must contain the specific conduct, the particular area invaded (inner office, elevator, desks in an office) the witnesses (not just the officer or building owner or manager), and if the persons were unable to perform their functions, were dispossessed, or if their telephones or other equipment was used. Statements should be taken promptly from each witness.
- 12. The reports and other evidence needed to be conveyed to the District Attorney's Office within two days of the incident, unless there are unusual circumstances.

CROWD CONTROL MEASURES

If possible, crowd management techniques should be used.

Isolate the demonstrators:

Barricades Squads

Show of Police Officers:

Assemble squads out of view. March to demonstration. Platoon formation.

Selective Arrests:

Uniform officers - Squad/Platoon wedge.

Multiple Arrests:

Announce to demonstrators the intent to arrest. Have loud speaker capabilities. Have sufficient transportation - wagons, etc. Have sufficient manpower. Have sufficient equipment, e.g., flex cuffs.

Orders to disperse:

Utilize loud hailer/bullhorn.
Use Section 726 of the Penal Code (See Crowd Control Measures, Section II., G.).
Tape broadcast/video if possible.
Repeat broadcast (one to three minutes).
Provide crowd an avenue of escape.

Dispersal Techniques:

Squad or Platoon formations.

Leave avenues of escapes.

Approach crowd swiftly and confidently.

Retain Squad/Platoon integrity.

If Arrest Teams accompany sweep - locate behind main skirmish line.

(Refer to Crowd Control Measures, Section III.).

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SAN FRANCISCO POLICE DEPARTMENT

DEPARTMENT GENERAL ORDER CONTROL CODE (85-09) Wang/04960 ORDER NO. F-4 12/18/85

Index as: Use of Force

Force, use of Baton Usage Mace

USE OF FORCE

The purpose of this order is to set forth the circumstances under which an officer may resort to the use of force.

I. POLICY

- A. Police officers are frequently confronted with situations where control must be exercised to effect arrests and to protect the public safety. Control may be achieved through advice, warnings, and persuasion, or by the use of physical force. while the use of reasonable physical force may be necessary in situations which cannot be otherwise controlled, force may not be resorted to unless other reasonable alternatives have been exhausted or would clearly be ineffective under the particular circumstances.
- B. It is the policy of the San Francisco Policed Department to accomplish the police mission as efficiently as possible with the highest regard for the human dignity of all persons and with minimal reliance upon the use of physical force. The use of physical force shall be restricted to circumstances authorized by law and to the degree minimally necessary to accomplish a lawful police task.
- C. Officers are permitted to use whatever force that is reasonable and necessary to protect others or themselves from bodily harm, but no more. The purpose of this policy is not to restrict officers from using sufficient force to protect themselves, but to provide general guidelines under which force may be used. If exceptional circumstances occur which are not contemplated by this order, officers should use any such force as is necessary to protect themselves or others. Thereafter however, they must be able to articulate the reasons for such use of force.

III. CATEGORIES OF FORCE TO EMPLOY (IN ASCENDING ORDER OF GRAVITY)

- A. When the use of force is necessary and appropriate, members shall, to the extent possible, utilize an escalating scale of options and will not employ a more forceful measure unless it is determined that a lower level of force would not be adequate, or such a level of force is attempted and actually found to be inadequate. The scale of options, in order of increasing severity, is set forth below:
 - 1. Verbal persuasion
 - 2. Physical control (i.e., passive resister, bent writ control, excluding the carotid restraint)
 - 3. Liquid chemical agent (Mace)
 - Carotid restraint

- 5. Department issued baton
- Firearm
- B. It is not the intent of the order to direct officers that they must try each of the options before escalating to the next. Clearly, good judgement and each situation will dictate at which level an officer will start. Officers using any type of force are accountable for its use.

III. REASONABLE FORCE

- A. Police officers must frequently employ the use of force to effect arrests and ensure the public safety. It is not intended that any suspect should ever be allowed to be the first to exercise force thus gaining an advantage in a physical confrontation. Nothing in this order should be interpreted to mean that an officer is required to engage in prolonged hand to hand combat (with all its risks) before resorting to the use of force that will more quickly, humanely and safely bring an arrestee under physical control.
- B. Penal Code Section 835a provides that, "Any peace officer who has reasonable cause to believe that the person to e arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance. A peace office who make or attempts to make an arrest need not retreat or desist from his efforts by reason of resistance or threatened resistance of the person being arrested; nor shall such officer be deemed the aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest, or to prevent escape, or to overcome resistance."

IV. USE OF FORCE

....

- A. Members of the Department may use force in the performance of their duties in the following circumstances:
 - 1. To prevent the commission of a public offense.
 - 2. To prevent a person from injuring himself/herself.
 - To effect the lawful arrest/detention of persons resisting or attempting to evade that arrest/ detention.
 - 4. In self-defense or in the defense of another person.
- B. Before using force the officer should consider these questions:
 - 1 What actions on the part of the suspect justify the use of Force.
 - 2. What crime is being or has been committed?
 - 3. Does the situation require the immediate use of force?

V. VERBAL PERSUASION AS A MEANS OF EFFECTING CUSTODY

- A. The practice of courtesy in <u>all</u> public contact encourages understanding and cooperation; lack of courtesy arouses resentment and often physical resistance.
- B. Simple directions which are complied with while you merely accompany the subject are by far the most desirable method of dealing with an arrest situation. Control may be achieved through advice, persuasion and warnings before resorting to actual physical force.

C. The above should NOT be construed to suggest that you should ever relax and lose control of a situation,m thus endangering your personal safety or the safety of others. Officers are permitted to use that force which is reasonable and necessary to protect themselves from bodily harm.

VI USE OF PHYSICAL FORCE TO ACCOMPLISH CUSTODY

- A. Frequently, subjects are reluctant to be taken into custody and offer some degree of physical resistance. Normally all that is required to overcome the resistance is physical strength and skill in defensive tactics (passive resister, bent wrist control).
- B. Defensive tactics are those physical techniques intended for use when weapons are not available or their use inadvisable or unreasonable under the circumstances. You must ensure that you are capable of utilizing physical skills to subdue a person. On the other hand, good judgement is extremely important in deciding which tactics to use and how much force to apply. The force used must be necessary.
- C. When confronted with a situation which may necessitate the use of physical force, consideration should be given to calling for additional cover officers prior to the contact.
- D. In encountering physical resistance and/or assault, an officer's primary goal is to control the situation. The level of force encountered determines what form of defensense should be exercised.
- E. When conditions permit, the best means of controlling a subject is by the imposition of manual restraint according to methods taught in department training courses.
 - 1. Choking by means of pressure on the subject's trachea is a prohibited practice.
 - 2. Rendering a subject unconscious by applying pressure to the carotid artery is approved for use only when lessor types of restraint would be ineffective.

VII. USE OF LIQUID CHEMICAL AGENT TO ACCOMPLISH CUSTODY

- A. Liquid chemical agent is a non-lethal device designed to subdue a person by projecting specially formulated liquid onto the face.
- B. Liquid chemical agent is not designed to replace the police revolver or baton. It is a defensive weapon intended for use when you are attempting to subdue an unarmed attacker or to overcome resistance likely to result in injury to either the suspect or the officer.
- C. In most instances, liquid chemical agent will reduce or eliminate the necessity for great physical force to effect an arrest. Every officer should be equipped with liquid chemical agent and, when practical to do so, should use liquid chemical agent rather than the baton or carotid restraint.
- D. It is the arresting officer's responsibility to see that proper first aid is administered whenever physical force is applied to a person in custody. After liquid chemical agent has been used, proper first aid is to wash the person's face with clear, cold water within thirty (30) minutes. No other medication is to be used.

VIII. USE OF THE BATON TO ACCOMPLISH CUSTODY

- A. The baton, in the hands of a police officer trained tin its use, is a very formidable weapon.
- B. If we are to obtain effective results, avoid unnecessary injury to suspects and minimize criticism of the Department, the baton must be used properly and judiciously.

- 1. The baton must be carried properly in the officer's baton ring. A baton left in the car is of no use to an officer in a confrontation.
- 2. Officers ar not to slap the baton with the palm of the hand or poke the baton at people as an intimidation technique.
- 3. The baton, when properly used, is capable of delivering extremely powerful blows to stun and incapacitate an aggressive opponent. It is also capable of delivering lethal or permanently disabling blows. Blows to the head, throat, side of the neck, or armpit must be avoided whenever possible.
- 4. To properly control and therefore maximize its effectiveness, the baton should normally never be raised above the head to strike a blow.
- 5. The use of the baton as a club is generally prohibited.
- 6. Striking a handcuffed prisoner with a baton is expressly prohibited (except as allowed for in Section I,C of this order).
- 7. Officers will carry only batons issued by the Department.

IX. USE OF CAROTID RESTRAINT TO ACCOMPLISH CUSTODY

- A. The carotid restraint, when properly applied, is a very effective means of subduing a violent subject.

 However, caution must be used in its application. The officer applying the hold must attempt to ensure the hold does not slip into a bar arm trachea choke.
- B. The carotid restraint is an acceptable use of force in the following situations:
 - 1. The officer is physically attacked.
 - 2. To stop a physical attack on another person.
 - The officer has attempted a lesser level of force and found it to be inadequate.
 - 4. In the officer's best judgment, having evaluated the particular circumstances, a lesser level of force would be inadequate.
- C. Officers finding it necessary to apply the carotid restraint must monitor the subject's vital signs closely. If the subject shows signs of difficulty breathing or does not immediately regain consciousness, the arresting officer will call paramedics to the scene and the person will be transported to the closest emergency medical facility for evaluation.

X. USE OF A FIREARM TO ACCOMPLISH CUSTODY

- A. An officer shall use a firearm to accomplish custody only:
 - 1. To protect themselves from death or serious bodily injury.
 - 2. To protect another officer or any other person from death or serious bodily injury.
 - 3. To apprehend a fleeing felon, reasonably know to be armed with a deadly weapon, for a felony involving great bodily injury or the threat of great bodily injury.

For complete firearms policy, refer to Department General Order, F-1.

XI. UNNECESSARY FORCE DEFINED

- A. Unnecessary force occurs when physical abuse of a person being arrested or detained is exacted or when it is apparent that the type or degree of force employed was neither necessary nor appropriate. When any degree of force is utilized as summary punishment or for vengeance, it is clearly improper and unlawful.
- B. Penal Code Section 149 provides that, "Every public officer who under the color of authority, without lawful necessity, assaults or beats any person, "is guilty of a felony.
- Malicious assaults and batteries committed by officers constitute gross and unlawful misconduct.
- D. When the use of force is applied indiscriminately, the officer will face civil and criminal liability and Departmental disciplinary action.
- E. Justification for the use of force is limited to what is reasonably known or perceived by you at the time. Facts discovered after the event, no matter how compelling, cannot be considered in later determining whether the force was justified.

XII. REPORTING THE USE OF FORCE

- A. Officers must report the use of the following types of force.
 - 1. Physical strength when injury to the suspect results.
 - 2. Liquid chemical agent (Mace).
 - 3. The Department issued baton when the suspect is struck.
 - 4. When the officer finds it necessary to strike a suspect with a first, flashlight or any other item.
 - Carotid restraint.
- B. In all cases in which any of the above types of force are used, an incident report will be prepared. The officer using the force will include the following elements in the text of the report.
 - 1. The type of force used (e.g. mace, struck with fist).
 - 2. A brief statement of the reason for the use of force (e.g. subject resisted arrest).

C. Recording Procedures

- Each unit of the department whose officers normally perform street duty (e.g. at the platoon level in a district station and each section of the Vice Crimes Division) shall maintain copies of the Use of Force Log, SFPD 128 form.
- On each occasion that an officer reports the use of force in an incident report, the supervisor
 approving that report shall extract the necessary information and place it on the unit's copy of the
 Use of Force Log.
- 3. On the 1st and 15th of each month, unit commanding officers shall sign the form and send it to their bureau commander who will review it and route it to the Management Control Division.
- 4. The Commanding Officer of the Management Control Division will maintain controls which assure that all unit logs are in fact received.

- a. He shall review completed forms in an attempt to ascertain if any officers appear to be having problems with the use of force.
- b. If so he shall notify appropriate command personnel.

By order of:

CORNELIUS P. MURPHY Chief of Police

SAN FRANCISCO POLICE DEPARTMENT

DEPARTMENT GENERAL ORDER CONTROL CODE (89-04) W/07110/00400 ORDER NO. F-5 06/05/89

Index as: Crowd Control

CROWD CONTROL

I. PURPOSE

The purpose of this order is to communicate to the members of the Department and the public the policy of the Police Commission as it pertains to crowd control. Other policy directives, manuals and training materials include detailed crowd control procedures issued by this Commission or the Chief of Police.

II. POLICY

It is the policy of the San Francisco Police Department to ensure that rights guaranteed by the constitutions of the State of California and the United States are protected for all individuals.

Pursuant to this policy, a primary mission of police action at events that involve free speech activity shall be to protect and respect First Amendment rights to freedom of expression and assembly.

III. PHYSICAL LOCATION

Limitation of size, location, time, or activities of any demonstration, march, protest, or picket must be justified by specific and articulable facts or circumstances causing reasonable concern for public safety, public health, or safe access/egress from the area of concern.

IV. PERSONAL OPINIONS

The Department shall not seek to control the content of opinions being expressed.

Crowd control tactics shall not be affected by the content of the opinions alone being expressed or by the race, sex, sexual orientation, physical disabilities, appearance or affiliations of the participants. Members shall not let their personal, political or religious viewpoints affect their actions.

V. ARRESTS

A proper response to criminal conduct during a free speech activity is to cite or book those individuals engaged in criminal conduct.

VI. ANNOUNCEMENTS

Announcements to a crowd to disperse or to move to another location must be based on reasonable and articulable factors justifying the order and must be made in accordance with state law. To ensure that those affected can hear and understand these announcements, they shall be made with equipment appropriate to the size and noise of the crowd repeatedly over a period of time and, if necessary, from a variety of locations.

VII. DISPERSAL

- A. Before the order to disperse or move a crowd is made, the event commander must consider whether such action endangers the safety of the public and/or participants in the crowd.
- B. When the event commander directs a crowd to be moved or dispersed by any means, including use of force, adequate notice, time to disperse, and a safe and clear route for individuals to disperse must

VIII. USE OF FORCE

When use of force is justified, the minimum degree of force necessary to accomplish dispersal shall be employed. Unnecessary force occurs when a person being arrested or detained is physically abused, or when it is apparent that the degree of force employed was neither necessary nor appropriate. Officers are permitted to use whatever force that is reasonable and necessary to protect others or themselves from bodily harm, but no more.

IX. USE OF HORSES AND MOTORCYCLES

The police department may use horses, motor bikes, and motorcycles for crowd control with the following restrictions:

- Horses shall not be used as a means of moving or dispersing passive individuals who are sitting or lying down.
- 2. Motor bikes or motorcycles shall not be driven into crowds, or be used to make physical contact with persons in the crowd.

X. DISCIPLINARY MEASURES

The Police Commission and Chief of Police will not tolerate violation(s) of this policy. Any such violation will subject offending members to disciplinary action which may include suspension or termination.

By order of:

FRANK M. JORDAN Chief of Police

SAN FRANCISCO POLICE DEPARTMENT

DEPARTMENT GENERAL ORDER CONTROL CODE (90-03) W/07330 ORDER NO. J-5 03/30/90

Index as:

Obstruction of Streets and Sidewalks Policy

OBSTRUCTION OF STREETS AND SIDEWALKS POLICY

I. PURPOSE

The purpose of this order is to communicate to the members of the Department and the public the policy of the Police Commission as it pertains to the enforcement of Penal Code Section 647c and Municipal Code Section 22.

II. POLICY

- A. Members must be able to articulate the specific factual basis that supports each and every element of the offense charged, and must include this information on an incident report to be prepared for each arrest or citation. If a member cannot articulate a factual basis supporting each element, no enforcement action may be taken.
- B. Penal Code Section 647c and Municipal Police Code Section 22 are not intended to be used to scoop up or "Sweep the streets" of persons engaged in offensive conduct.
 - 1. Section 647c is intended to be used only when the normal access to public places is willfully and maliciously obstructed.
 - 2. Section 22 is intended to be used when an individual or individuals persist in wilfully and substantially obstructing a public place after warning by an officer.
 - 3. In enforcing both laws, the issue is the obstruction, not the drunkenness, streetwalking, or other suspicious or illegal activity involved.
 - 4. Both laws have been narrowly defined and must be narrowly enforced.

III. LAWS

- A. Penal Code Section 647c
 - 1. "Every person who willfully and maliciously obstructs the free movement of any person on any street, sidewalk, or other public place or in any place open to the public...is guilty of a misdemeanor."
- B. Municipal Police Code Section 22
 - 1. Section (a) "No person shall wilfully and substantially obstruct the free passage of any person or persons on any street, sidewalk, passageway or other public place.

- 2. Section (b); "Violation of Section (a) constitutes an infraction.
- 3. Section (c): "Exceptions --
 - (a) It is not intended that this Section shall apply where its application would result in an
 interference with or inhibition of any exercise of the constitutionally protected right of
 freedom of speech of assembly; and
 - b. (2) Nothing contained herein shall be deemed to prohibit persons from sitting on public benches or other public facilities provided for such purpose."
- 4. Before enforcing Municipal Police Code Section 22, officers shall warn individual(s) not to obstruct the public place. If the individual(s) persist in substantially obstructing the public place after the warning, officers may enforce Section 22.

IV. REQUIRED ELEMENTS (for enforcement of Penal Code Section 647c and Municipal Police Code Section 22)

A. Willfully obstruct

- 1. "Willful" means a willingness to commit the act. It does not require any intent to violate the law.
- 2. It does not include mistakes, accidents, or confused and unintentional action.
- B. Maliciously obstruct (required element for violation of 647c PC only)
 - 1. "Malice" means a wish to vex, annoy, or harass the person being obstructed.
 - 2. It is <u>not</u> sufficient for the member to feel annoyed or harassed. It must be the victim of the obstruction who feels harassed or annoyed. The victim should be able both
 - a. To articulate a personal feeling of vexation, annoyance or harassment, and
 - b. To articulate objective facts or circumstances supporting that feeling.
 - 3. Examples of evidence of "malice" include the following:
 - a. Failure to honor repeated requests from the victim to cease the obstructing activity.
 - b. Unauthorized touching or tugging at the sleeve or clothing of the victim.
 - c. Intentionally placing or interposing one's body in the normal path of the victim's approach.
- C. Obstruction of "free movement" or "passage"
 - These laws prohibit actual obstruction of "free movement, "not obstruction of the sidewalk or street itself.
 - The mere presence of a person on a sidewalk does not constitute illegal obstruction.
 - 3. Because a pedestrian must slightly deviate from his or her intended path does <u>not</u> necessarily constitute illegal obstruction of "free movement."

- D. Obstruction of a "person"
 - 1. There <u>must</u> be a victim who was, in fact,, individually and personally obstructed for each and every person who is cited or arrested.
 - 2. Members must identify the victim(s) in an incident report.
- E. Obstruction of any "street," "sidewalk," or "public place."
- F. "Substantially" means materially as opposed to a petry annoyance or a slight inconvenience. (Required element for 22 MPC only.)
- IV. The provisions of General order I-3, "Citation Release Policy and Procedures," must be followed when considering to issue citations or to make custodial arrests.

By order of:

FRANK M. JORDAN Chief of Police

SAN FRANCISCO POLICE DEPARTMENT

DEPARTMENT GENERAL ORDER CONTROL CODE (89-01) W/00340 ORDER NO. R-2 03/27/81 Rev. 01/23/89

Index as:

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Notification of Command Staff Regarding Serious Incidents

General Procedure for All Serious Incidents

Emergency Incident Procedure

Sniper Situation

Police Officer Involved in a Shooting Where Someone

Else in Injured

Riot, Insurrection, Potentially Violent Demonstration,

Prison Break

Bombing

Police Officer Arrested On or Off Duty

Major Fire - Five Alarm or More

Police Officer Shot in Line of Duty

Police Officer Critically Injured in the Line of Duty

Other Than by Shooting

NOTIFICATION OF COMMAND STAFF REGARDING SERIOUS INCIDENTS

This order establishes procedures for the notification of command staff regarding certain serious incidents. It is intended in part to limit the number of members responding to such incidents.

I. SERIOUS INCIDENTS IDENTIFIED

- A. For the purposes of this order, the following constitute "serious incidents:"
 - 1. Hostage situation
 - 2. Sniper situation
 - 3. Police officer involved in a shooting where someone else is injured
 - 4. Riot, insurrection, or potentially violent demonstration
 - 5. Prison break
 - 6. Airplane crash
 - 7. Bombing
 - 8. Police Officer arrested on or off duty
 - 9. Major fire (five alarms or greater)
 - 10. Police Officer shot in the line of duty
 - 11. Police Officer critically injured in the line of duty other than by shooting.

II. GENERAL PROCEDURE FOR ALL SERIOUS INCIDENTS

- A. Should a serious incident occur, a prompt evaluation shall be made by:
 - 1. The district captain, or
 - 2. If the district captain is not immediately available, the Night Supervising Captain, or
 - 3. If neither of the above is immediately available, the Platoon Commander.
- B. The person evaluating the situation as outlined above shall notify the Operations Center.
 - 1. When the Operations Center is closed between 0800-1600 hours Monday through Friday, the command staff shall be notified.

III. RESPONSIBILITIES OF THE OPERATIONS CENTER

A. The Operations Center shall be responsible for making all notifications as required and for dispatching additional units as required in all the situations described in Section I., A., above.

By order of:

FRANK M. JORDAN Chief of Police

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