

## DEKALB POLICE DEPARTMENT

Subject: **Civil Disturbances / Crowd Control**

Policy #: **407.3**

Effective Since: 8-21-03

Revision Effective: 1-1-19

FTO Training Tasks: #37

Reference Material: IACP "Civil Disturbances" Research Paper; ILCS

IELAP Standards Covered: OPR.04.01(c)]

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**PURPOSE:** The purpose of this policy is to establish guidelines to effectively deal with crowds engaged in or posing a significant threat of engaging in violence, property damage or breaches of the peace.

**POLICY:** The manner in which law enforcement officers deal with unruly crowds and illegal gatherings has direct bearing on their ability to control and defuse the incident and contain property damage, injury or loss of life. Officers confronting civil disturbances and those called upon to assist in these incidents shall follow the procedures of containment, evacuation, communication, use of force, and command and control as enumerated in this policy.

### **DEFINITIONS:**

**Civil Disturbance:** An unlawful assembly that constitutes a breach of the peace or any assembly of persons where there is imminent danger of collective violence, destruction of property, or other unlawful acts.

720 ILCS 5/25-1, Mob Action: Mob action consists of any of the following:

- (1) the use of force or violence disturbing the public peace by 2 or more persons acting together and without authority of law. (Class 4 felony)
- (2) the assembly of 2 or more persons to do an unlawful act. (Class C misdemeanor)
- (3) the assembly of 2 or more persons, without authority of law, for the purpose of doing violence to the person or property of anyone supposed to have been guilty of a violation of the law, or for the purpose of exercising correctional powers or regulative powers over any person by violence. (Class C misdemeanor)

Any participant in a mob action which shall by violence inflict injury to the person or property of another commits a Class 4 felony. Any participant in a mob action who does not withdraw on being commanded to do so by any peace officer commits a Class A misdemeanor.

**Also see 430 ILCS 70, Ill inois Public Demonstrations Law, which prohibits gathering in the roadways as to obstruct pedestrian or vehicular traffic in an unreasonable manner.**

### **PROCEDURES:**

- A. **The first officer to arrive on the scene of a civil disturbance or unruly crowd should do the following :**
  1. Observe the situation from a safe distance to determine if the gathering is currently or potentially violent.
  2. Notify the communications center of the nature and seriousness of the disturbance, particularly the availability of weapons. Request the assistance of a supervisor and any necessary backup and advise as to the present course of action.
  3. If approaching the crowd would not present unnecessary risk, order the gathering to disperse.
  4. Attempt to identify crowd leaders and any individuals personally engaged in criminal acts.
- B. The ranking officer at the scene shall be the patrol shift supervisor until relieved by a Commander. **The supervisor assuming command at the scene should take the following steps :**
  1. Assess the immediate situation for seriousness and its potential for escalation. If the disturbance is minor in nature and adequate resources are available, efforts should be made to disperse the crowd.

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2. Establish the number of personnel and equipment necessary to contain and disperse the disturbance and relay this information to the communications center.
3. Where necessary, ensure that appropriate notification is made to outside agencies to include the fire department, ambulances, local law enforcement agencies (NIU Police, Dekalb County Sheriff's Department), and the State Police.
4. Establish an outer perimeter sufficient to contain the disturbance and prohibit entrance into the affected area.
5. Ensure that, to the degree possible, innocent civilians are evacuated from the immediate area of the disturbance.
6. Identify surveillance points to identify agitators, leaders, and individuals committing crimes, and to document and report on events as they happen. Photographic and videotape evidence of criminal acts and perpetrators shall be generated whenever possible.
7. In major events, notify the Patrol Commander, who may in turn notify the Chief of Police.
8. Command staff shall establish the following, as necessary:
  - a. Command post
  - b. Acquisition of necessary supplies
  - c. Coordination with other agencies for additional personnel needs
  - d. Requests for tactical response teams, and/or an ILEAS Field Force Unit
  - e. Establishment and staffing of a media information area

C. **Command Options** : When adequate personnel and resources are in place, the commanding officer shall establish communications with leaders or primary participants of the disturbance and articulate an order to disperse the crowd. Should the crowd fail to disperse in the prescribed manner, the commanding officer should be prepared to implement one of the following options:

1. Containment and dialogue. The objective of containment and dialogue measures is merely to disperse the crowd. In so doing the commanding officer should:
  - a. establish contact with crowd leaders to assess their intentions and motivation and define the department's authority and intentions to enforce the law; and
  - b. communicate to the participants that their assembly is in violation of the law and will not be tolerated, that the department wishes to resolve the incident peacefully, and that acts of violence will be dealt with swiftly and decisively.
2. Physical arrest. When probable cause exists, the commanding officer will order the arrest of crowd leaders, agitators, or others engaged in unlawful conduct and will
  - a. coordinate the appropriate use of tactical formations and availability of protective equipment for officers engaged in arrest procedures,
  - b. coordinate the availability of transportation for arrestees, and
  - c. coordinate a backup team of officers, should assistance be required.
3. Non-lethal force. When physical arrest of identified leaders and agitators fails to disperse the crowd, the commanding officer may use non-lethal force to accomplish these ends. In so doing, the OIC shall ensure that
  - a. a clear path of escape is available for those who wish to flee the area;

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- b. the use of approved non-lethal devices (i.e., OC spray, tear gas, etc.) is coordinated and controlled.
    - c. See Policy 406.6, Canine Policy, regarding police canine team use in crowd control situations.
  4. Use of deadly force. The use of deadly force in the control and dispersing of civil disturbances as in other circumstances is governed by this department's use of force policy (Policy 103.3). Specifically, law enforcement officers are permitted to use deadly force to protect themselves or others from what is reasonably believed to be an immediate threat of death or serious bodily injury.
- D. **Mass Arrest**: During the course of civil disturbances, it may be necessary to make arrests of numerous individuals over a relatively short period of time. In order for this process to be handled efficiently, safely, and legally, the OIC should ensure that, as needed:
  1. An arrest team is designated to process all prisoners for purposes of transportation;
  2. An adequate number of vehicles is made available to remove the prisoners to the detention center,
  3. An adequate secure area is designated in the field for holding prisoners after initial arrest and while awaiting transportation;
  4. All arrested individuals are searched prior to transportation to the detention center for formal booking;
  5. In-field booking may be instituted by the Operations Commander;
  6. All injured prisoners are provided medical attention as needed;
  7. All arrested juveniles are handled in accordance with this department's procedures for the arrest, transportation and detention of juveniles; and
  8. All evidence and weapons taken from the scene and/or arrestees are processed in accordance with this department's policy on the preservation and custody of evidence.
- E. **Deactivation**: When the disturbance has been brought under control the OIC shall ensure that the following measures are taken:
  1. All law enforcement officers engaged in the incident shall be accounted for and an assessment made of personal injuries.
  2. All necessary personnel shall be debriefed as necessary.
  3. Witnesses, suspects and others shall be interviewed or interrogated.
  4. All written reports shall be completed as soon as possible following the incident. Each officer actively involved in the event shall provide the appropriate reports.

[ILEAP OPR.04.01(c)]

**Policy originally issued 8-21-03; this revision becomes effective on 1-1-19 by authority of the Chief of Police.**

NOTE: This policy and procedure summarizes the department's position on this specific matter. This policy is for general direction and guidance primarily designed for use by the department's members. This policy is for internal use only and does not create or enlarge an officer's liability in any way. This policy shall not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of an internal departmental complaint and then only in a non-judicial administrative setting.