

SALEM POLICE

DEPARTMENT MANUAL	
CHAPTER 63.0	
DATE OF ISSUE 03/01/05	EFFECTIVE DATE 10/18/2017
ISSUING AUTHORITY Approved by Chief Mary Butler	
<input type="checkbox"/> NEW	<input checked="" type="checkbox"/> AMENDS
<input type="checkbox"/> RESCINDS	
REDACTED VERSION – AUGUST, 2020	

SUBJECT:
CIVIL DISTURBANCE OPERATIONS PLAN

REFERENCE (S): CALEA STANDARDS: 46.1.2
46.1.3 46.1.4 46.1.5 46.1.6 46.1.7

PAGE
1 of 7

63.1 GENERAL CONSIDERATIONS AND GUIDELINES

The potential for large-scale civil disturbances exists in almost every community. Major political, economic, or moral issues are generally the basis for these disturbances. It is necessary to have clear-cut operational plans should these events occur. (46.1.2)

As articulated in the United States Constitution, one of the freedoms guaranteed by the First Amendment is the right of persons and groups to assemble peacefully. Whether demonstrating, counter protesting, or showing support for a cause, individuals and groups have the right to peacefully gather. Law enforcement, in turn, has the responsibility to ensure public safety while protecting the privacy, civil liberties and Constitutional rights of individuals.

MGL C269-53 S1 through S8 relates to the suppression of unlawful assemblies. MGL C269-S1 states that an "order to disperse" must be given to persons unlawfully assembled before any action can be taken against them. Prior to this order being given, the Department should be fully mobilized in accordance with the Civil Disturbance Plan. This is imperative in order to reduce the amount of confusion that will generally occur during this type of operation, and to ensure the safety of officers on duty at the time. (46.1.3a)

THEREFORE, NO ACTION WILL BE TAKEN UNTIL THE SUPERIOR OFFICER IN CHARGE OF THE CIVIL DISTURBANCE PLAN GIVES AN ORDER.

Also, all superior officers involved in the Plan shall participate in a briefing session so that responsibilities will be clearly understood.

- The Chief of Police is naturally in overall command of all activity. However, the Operations Commander/Watch Commander shall be responsible for overall planning, and will have operational command over the situation. (46.1.5a) It is his/her responsibility to see that the Chief is kept fully abreast of all developments, to exercise his/her discretion in making decisions which affect field operations, to coordinate and control these operations, to conduct a post-operative debriefing session with all Commanders, and to file a full written report to the Chief which explains and/or critiques all activity which occurred during the incident.

It will be the responsibility of the Chief of Police to inform the Mayor of the progress of the situation throughout. He/she shall also have the responsibility of making any decisions regarding requesting outside law enforcement or military support.

The Public Information Officer shall be responsible for preparing public information statements and for conducting media briefings. All public information regarding the disturbance shall come from the office of the Chief of Police.

Each superior officer shall be assigned specific duties and responsibilities as part of the Plan. Each superior shall adhere to all rules of Command Protocol.

The following is a comprehensive plan, which outlines all the areas of responsibility required to gain and maintain effective control over a civil disturbance situation. All members of the Department should review these guidelines so that they will be familiar with the procedures should the Plan be activated.

63.2 PROCEDURES**63.2.1 RESPONSE TO PEACEFUL PUBLIC ASSEMBLIES:**

It is the duty of all Officers to uphold the United States Constitution. As such, they have the responsibility to protect persons engaged in their First Amendment right to peaceably assemble. Public safety is the primary mission of officers assigned to these events. As part of this mission Officers will protect the civil liberties and Constitutional rights of all persons. Officers shall use the following guidelines when encountering or responding to a peaceful public assembly.

Officers will:

1. Protect life and property.
2. Ensure that all privacy, civil rights, and civil liberties protections are upheld.
3. Practice fair and impartial enforcement of laws, statutes, and ordinances.

Officers will not:

1. Engage in unauthorized enforcement activities, including unauthorized information collection.
2. Document information on persons solely on the basis of:
 - a. Ethnicity, national origin, or race.
 - b. Religious, political, or social beliefs or associations.
 - c. Sexual orientation.
 - d. Support for controversial causes.
3. Conduct investigative activity unless criminal activity is identified by the officer.
4. Allow personal beliefs and opinions to interfere with their duties as a law enforcement officer.
5. Express personal, political, or religious views during the assembly while on duty.
6. Infringe on any person's right to peaceably assemble and associate with others.

63.2.2 PERSONNEL AND COMMAND: All members of the Department shall be called back to duty should a large-scale civil disturbance occur. If the situation is of a spontaneous nature, the Watch Commander on duty at the time of the incident shall make the decision whether to notify the Chief and the Operations Commander.

Generally, however, there will be sufficient warning or notice of a pending incident to make it feasible to arrange for available personnel to be on duty. All superior officers shall be assigned to a specific command responsibility for the duration, with overall command being assumed by the Chief of Police, and direct command being assumed by the Operations Commander. One (1) Watch Commander shall be assigned as an Aide to the Operations Commander. Officers will be assigned to specific field and/or support positions. All members shall perform their assigned responsibilities until officially relieved by order of the Operations Commander. (46.1.3c)

63.2.3 COMMUNICATIONS:

Redacted in accordance with Exemption (n) of the Massachusetts Public Records Law (MGL Ch. 66 § 10).

(46.1.6a)

63.2.4 FIELD COMMAND AND ACTIVITY:

Redacted in accordance with Exemption (n) of the Massachusetts Public Records Law (MGL Ch. 66 § 10).

(46.1.3b) (46.1.3d)

63.2.5 STATION COMMAND AND ACTIVITY: All activity involving processing of arrestees and other Police Station activity shall be under the direct command of the Watch Commander who shall be the minimum rank of Lieutenant. Whenever possible arrangements may be made with the Essex County District Attorney's Office to have at least one (1) Assistant District Attorney assigned to the Station in order give legal opinions, and to liaison with the Prosecutor regarding court and prosecutorial matters. (46.1.4f)

Juvenile arrestees shall be handled in accordance with Mass. Law and existing Department policy. Prior arrangements shall be made to have a Juvenile Probation Officer from the Salem District Court Probation Department available at the Station for consultation regarding juvenile arrests.

Since the Public Information Officer is responsible for disseminating all media information, it shall be his/her responsibility to attempt to control or dispel any rumor activity. (46.1.3f)

63.2.6 CONDENSED LIST OF COMMAND RESPONSIBILITIES:

The following is a list of responsibilities assigned to each member of the Department Command Staff during a Civil Disturbance:

CHIEF OF POLICE: Overall command; apprising Mayor and public officials; requesting all outside assistance.

PUBLIC RELATIONS OFFICER: Media relations; rumor control; public information. (46.1.3f)

OPERATIONS COMMANDER: Direct command of ALL operational activity.

SPECIAL OPERATIONS COMMANDER: Traffic control and public protection commander; provides personnel for any post-incident investigation to gather and disseminate information and intelligence. (46.1.5b)

ADMINISTRATION AND AUXILIARY SERVICES COMMANDER: Traffic control and public facility protection Commander.

WATCH COMMANDER/OFFICER IN CHARGE: Station Commander.

PATROL DIVISION SERGEANTS:

1. Aide to Patrol/Area Commander -- One (1);
2. Field Squad Commanders -- Two (2)
3. Assistant Commander of Staging Area -- One (1)
4. Emergency Medical Services Commander - One (1)

63.2.7 DE-ESCALATION OF ACTIVITY: *Redacted in accordance with Exemption (n) of the Massachusetts Public Records Law (MGL Ch. 66 § 10).* (46.1.5c)

63.2.8 POST DISTURBANCE DUTIES: Immediately after all operational activity has been suspended, the Chief of Police shall conduct a de-briefing session with all members of the Command Staff. This session shall include discussions of problems encountered during the incident, and other pertinent material. In addition, all commanders shall within 24 hours after the occurrence, file a complete written report with the Operations Commander. This report shall fully cover the following;

- A. All operational activity performed under their direction during the disturbance; (46.1.3h)
- B. All personnel time; (46.1.7a)
- C. Any expenses incurred; (46.1.7c)
- D. Any additional resources procured; (46.1.7b)

It shall be the responsibility of the Area/Patrol commander to review these reports, to compile the information and to file a complete report with the Chief of Police based on his/her own activity and the activity of the other commanders.

(46.1.4f)

10/18/2017 Add procedures for peaceful demonstrations
8/25/2020 Redacted version for public website