

SPECIAL OPERATIONS

WILLIAMSTOWN POLICE DEPARTMENT POLICY & PROCEDURE NO. 7.06	EFFECTIVE DATE: 04/12/2022
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 2.1.4; 46.1.2; 46.2.1; 46.2.5	REVISION DATE: 04/12/2022
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I. GENERAL CONSIDERATIONS AND GUIDELINES

This department has developed an **All-Hazards Plan** for guidance in responding to general emergencies and disasters. The purpose of this policy is to provide some level of guidance in preparing and responding to emergencies and disasters. For more detail, all employees are encouraged to read and become familiar with the **All-Hazards Plan. [46.1.2]**

II. POLICY

It is the policy of this department to respond to emergencies and disasters, obtain appropriate resources, and address the emergency at hand to preserve life, peace and property.

III. DEFINITIONS

- A. Breach of the Peace:** A violation of public order or decorum which disturbs the public peace and tranquility or an act of disorderly conduct which disrupts the public peace.
- B. Civil Disturbances:** A social activity which is dangerous or hurtful to the public peace, decorum, sense of morality or welfare due to misconduct or vicious actions. This may include riots, disorders, and violence arising from dissident gatherings and marches, rock concerts, political conventions and labor disputes.
- C. Disasters:** Includes floods, hurricanes, earthquakes, explosions, and tornadoes.

D. Unusual Occurrences: Extraordinary emergency situations which generally result from natural and/or man-made disasters or civil disturbances.

IV. PROCEDURES

A. All Hazards Plan [46.1.2]

- A.1. This department has developed an **All-Hazards Plan** for guidance in responding to general emergencies and disasters. For more detail, all employees are encouraged to read and become familiar with the **All-Hazards Plan**.
- A.2. Both the All-Hazards Plan and this policy follow standard Incident Command System (ICS) protocols which provide interoperability with other public safety and government entities which may also respond to the incident.
- A.3. Some fundamental functions of the ICS system are addressed in this policy.

B. Emergencies, Generally

- B.1. General Considerations: Unusual occurrences may arise which may tax police resources and methods for dealing with them, such as suicidal persons, barricaded suspects and searches for dangerous suspects. Police must act swiftly to isolate the incident area to prevent the suspect's escape, protect the public, and ensure the safety of responding public safety officials.
- B.2. INITIAL POLICE RESPONSE **[46.2.1(A)]**
 - B.2.a. The assessment of the first officer on the scene may play a great role in the overall success of the police response. Initial police responders shall:
 - B.2.a.1) Quickly assess the situation;
 - B.2.a.2) Report the assessment to the Shift Supervisor; and
 - B.2.a.3) Begin directing arriving units until a supervisor arrives and takes charge, keeping in mind:
 - B.2.a.3.a) A safe approach for responders;
 - B.2.a.3.b) Isolation of the scene; and
 - B.2.a.3.c) The safety of innocents.
 - B.2.b. The initial supervisor shall function as the Incident Commander until relieved and must assess the situation, considering the threat and scope of the incident.

- B.2.b.1) If the situation cannot be resolved with the existing resources, the supervisor should request additional help through mutual aid, a call out of additional off duty personnel, and other non-public safety staff.
- B.2.b.2) Contact the Chief of Police (or the on-call Supervisor in his/her absence) to initiate the department's **All-Hazards** plan.
- B.2.b.3) Set up an inner perimeter to keep the suspect or location under observation and avoid moving or enlarging the scope of the incident.
- B.2.b.4) An outer perimeter should be established to keep uninvolved personnel and spectators from entering the affected area.
- B.2.b.5) Consider an evacuation.

B.3. CALLING ADDITIONAL RESOURCES

- B.3.a. ON-SCENE RESOURCES: On scene personnel should be deployed as determined by the Incident Commander or, if staffed, the Operations Section Chief.
- B.3.b. NON-POLICE RESOURCES: The need for other resources, such as fire, medical, public health and public works assistance, should be:
- assessed and requested as needed by the Incident Commander or, if staffed, the Planning Section Chief
 - deployed as directed by the Incident Commander or, if staffed, the Operations Section Chief
 - staged as directed by the Incident Commander or, if staffed, the Staging Area Manager.
- B.3.c. ADDITIONAL POLICE RESOURCES: The need for assistance of outside resources such as mutual aid patrol response, K-9's, and air assets should be evaluated and requested if needed.

B.4. NATIONAL GUARD [2.1.4]

- B.4.a. Authorization to request assistance from the National Guard must be obtained from the Chief of Police, or the officer-in-charge, in the absence of the Chief.
- B.4.b. If the usual police provisions are inadequate to preserve order and afford protection in the event or threat of a riot or mob, a public catastrophe, or natural disaster, local officials may request the National Guard to aid the civil authority in suppressing such violations, preserving order, affording such protection and supporting the laws.ⁱ

B.4.c. Should a declared state of emergency exist or be requested, the officer in charge shall assign a liaison to the Office of the Adjutant General for the purpose of directing, coordinating, and controlling the operation.

B.5. TACTICAL TEAMS [46.2.1(B)]

B.5.a. Tactical teams may be deployed to supplement other operational components.

B.5.b. It takes time for a team to respond with equipment, assess the situation, develop and execute a plan.

B.5.b.1) Patrol forces must maintain a secure incident area until such time as they are relieved.

B.5.b.2) Gather as much intelligence information as possible for the responding team, and be prepared to brief them when they arrive. This should include:

B.5.b.2.a) Names, histories and mental status of suspects;

B.5.b.2.b) If and how they are armed;

B.5.b.2.c) The details of the incident, what happened and how it occurred;

B.5.b.2.d) The presence of uninvolved persons or hostages;

B.5.b.2.e) Maps and diagrams of the immediate location of the suspect and the surrounding area;

B.5.b.2.f) Peculiarities and concerns caused by buildings, terrain, etc.; and

B.5.b.2.g) If contact has been made with the suspect, what transpired, or if communication is available.

B.5.c. Deploying the Team

B.5.c.1) The tactical team shall be properly equipped to carry out its mission.

B.5.c.2) The decision to deploy the tactical team is the decision of the Incident Commander.

B.5.c.3) The decision of how to deploy the tactical team is a decision of the tactical team leader. Participating in a tactical team is a very high-risk activity. The responsibility for the evaluation of risk and safety of the team lies with the team commander.

B.5.c.4) The primary tactical team is the Berkshire County Special Response Team. The secondary tactical team is the Massachusetts State Police STOP Team.

B.5.d. Coordination of Team with Others: Coordination and cooperation between multiple tactical teams and other operational components is critical for safety and operational success.

[46.2.1(c)]

C. Special Events: Special events include such activities as parades, entertainment, and sporting events.

C.1. For further information on planning for special events, see the department policy **7.02 - Special Event Planning**.

C.2. For special events consisting of strikes and/or labor disputes, see the departmental policy **7.07 - Strikes and Labor Disputes**.

D. Crowds and Demonstrations [46.1.2]

(Refer to Policy 7.09 Crowd Management and Control)

D.1. GENERAL CONSIDERATIONS

D.1.a. The right of lawful assembly and freedom of speech are fundamental rights guaranteed under the First and Fourteenth Amendments to the U.S. Constitution.

D.1.b. There are, however, limitations on the exercise of these rights, and the police must enforce these limitations firmly, fairly and impartially.

D.1.C. The police have the responsibility to protect the rights of all persons to assemble peacefully and, at the same time, to preserve the basic peace of the entire community.

D.2. UNLAWFUL ASSEMBLY: The elements of the crime of unlawful assembly are:

D.2.a.1) Five or more persons, being armed with clubs or other dangerous weapons; or

D.2.a.2) Ten or more persons, whether armed or not;

D.2.a.3) Unlawfully, riotously or tumultuously assembled;

D.2.a.4) Having been commanded by police or others to disperse immediately and peaceably; and

D.2.a.5) Failing to so disperse.

D.3. RESPONSE CONSIDERATIONS

D.3.a. In responding to any disturbance, the restoration of peace should be accomplished by persuasion whenever possible, and by force only when necessary.

D.3.b. In carrying out crowd control measures, the objectives of the police are:

- D.3.b.1) To contain the disturbance to the immediate vicinity;
- D.3.b.2) To disperse the crowd as expeditiously as possible;
- D.3.b.3) To prevent their regrouping or reentry to the scene;
and
- D.3.b.4) To take action against the perpetrators of serious offenses and remove them immediately from the scene.

D.3.c. M.G.L. c. 41, §98 gives police officers the authority to suppress and prevent all disturbances and disorder, disperse any assembly of three or more persons and to enter any building to suppress a riot or breach of the peace therein.

D.4. INITIAL POLICE RESPONSE

D.4.a. The assessment of the first officer on the scene may play a great role in the overall success of the police response. Initial police responders shall quickly assess the situation and immediately inform the officer-in-charge of the following:

- D.4.a.1) The location and approximate size of the crowd;
- D.4.a.2) The type and makeup of the crowd;
- D.4.a.3) Its direction of movement, if any;
- D.4.a.4) The apparent intent of the crowd;
- D.4.a.5) Whether the crowd is armed with any kind of actual or potential weapons;
- D.4.a.6) The best direction of approach to the crowd; and
- D.4.a.7) If any leaders of the crowd have been identified and what is known about them.

D.4.b. Begin directing arriving units until a supervisor arrives and takes charge, keeping in mind:

- D.4.b.1) A safe approach for responders;
- D.4.b.2) Isolation of the scene; and
- D.4.b.3) The safety of innocents.

D.4.c. No officer shall attempt to take direct police action against an aggressive or militant crowd until sufficient police are present for effective control.

D.4.d. Sufficient assistance shall be dispatched as quickly as possible to take decisive action and to neutralize the possibility of widespread disorder.

D.5. ISOLATE THE INCIDENT SCENE

- D.5.a. Establish an outer perimeter if sufficient personnel are available.
- D.5.b. Vehicular and pedestrian traffic shall be prevented from entering the immediate area to avoid the gathering of curious spectators.
- D.5.c. Where appropriate, bystanders and occupants of residences and businesses should be evacuated from an area threatened by a volatile mob before the mob reaches the area.
- D.5.d. Whenever homes and businesses are abandoned, and if it is safe to do so, sufficient police should be stationed in the area to prevent vandalism and looting.

D.6. CROWD CONTROL PROCEDURES

- D.6.a. All officers assigned to crowd control shall:
 - D.6.a.1) Use only the amount of force necessary to obtain control, to protect themselves, other officers, or bystanders from physical injury or to make arrests in accordance with Policy **1.10 – Use of Force**;
 - D.6.a.2) Maintain strict impartiality;
 - D.6.a.3) Be courteous but firm;
 - D.6.a.4) Not use insulting language;
 - D.6.a.5) Not respond to verbal abuse;
 - D.6.a.6) Not debate the issue with the crowd;
 - D.6.a.7) Maintain a calm but determined attitude;
 - D.6.a.8) Be vigorous and decisive when action is required;
 - D.6.a.9) Act together as a coordinated unit;
 - D.6.a.10) Keep emotional and agitated persons in the crowd separated;
 - D.6.a.11) Keep counter-demonstrations from forming;
 - D.6.a.12) Avoid individual combat as far as possible;
 - D.6.a.13) Not make indiscriminate or unnecessary arrests;
 - D.6.a.14) Remove any arrested persons immediately from the scene of the disturbance;
 - D.6.a.15) Ensure that a video or photograph is taken of each arresting officer with his/her prisoner for accurate identification in later court proceedings; and

- D.6.a.16) Carefully note the specific offense committed by any person arrested for prosecution for that offense.
- D.6.b. The crowd shall be broken up from its outer edges and permitted to disperse as individuals or small groups. A sufficient number of avenues of dispersal shall be provided.
- D.6.c. No attempt shall be made to bluff an unruly crowd or to accomplish a police objective without sufficient forces.
- D.6.d. Violence or the threat of imminent violence or a violation of any criminal law on the part of individuals in an unruly or volatile crowd may require police response, including arrest. Officers should keep in mind that they possess a common law authority to make a warrantless arrest of any person as follows:
 - D.6.d.1) If any felony has been committed or the officer has probable cause to believe a felony has been, is being or will be committed; or
 - D.6.d.2) For a misdemeanor:
 - D.6.d.2.a) Committed in the officer's presence and causing or threatening to cause a breach of the peace which is continuing or only briefly interrupted; or
 - D.6.d.2.b) Not amounting to a breach of the peace committed in the officer's presence when such arrest is authorized by statute; or
 - D.6.d.2.c) For which arrest is allowed even though such misdemeanors were not committed in the officer's presence.
- D.6.e. Arrests of violent or unruly individuals in crowds or demonstrations are most commonly based on violations of such criminal statutes as disturbing the peace, disorderly conduct, criminal trespassing, malicious damage to property, assault and battery, larceny, threatening and similar offenses.

E. Search and Rescue [46.2.5]

- E.1. See the department policy **2.08 - Missing persons**.
- E.2. SCOPE OF SEARCH AND RESCUE: This department shall conduct and coordinate search and rescue operations for lost persons within the limits of its jurisdiction.
- E.3. RESOURCES
 - E.3.a. Local Resources:
 - E.3.a.1) Sworn officers;
 - E.3.a.2) Non-sworn police employees;

- E.3.a.3) Fire Department personnel; and
- E.3.a.4) Other municipal employees.
- E.3.b. Extra-jurisdictional Resources:
 - E.3.b.1) Other police agency personnel;
 - E.3.b.2) Other Fire Department personnel;
 - E.3.b.3) Massachusetts Environmental Police;
 - E.3.b.4) State Police; and
 - E.3.b.5) U.S. Coast Guard.
- E.3.c. Search Management Resources:
 - E.3.c.1) Department of Conservation and Recreation, Ranger Service; and
 - E.3.c.2) Massachusetts State Police.
- E.3.d. Search resources:
 - E.3.d.1) Canine teams;
 - E.3.d.2) State Police and other available air assets;
 - E.3.d.3) Search and rescue organizations; and
 - E.3.d.4) Civilian volunteers.
- E.3.e. Search managers must weigh this option carefully. Untrained, unscreened persons may:
 - E.3.e.1) Contaminate the search scene;
 - E.3.e.2) Contaminate a crime scene; and
 - E.3.E.3) Disturb or destroy evidence.
- E.4. CONSIDERATIONS: Certain factors may determine a search to be critical in nature in order to preserve the life of the lost person:
 - E.4.a. Weather, season of the year, temperature, exposure;
 - E.4.b. Time of day, remaining daylight;
 - E.4.c. Age of lost person;
 - E.4.d. Mental state of lost person; and
 - E.4.e. Physical condition of lost person.
- E.5. INITIAL POLICE RESPONSE
 - E.5.a. The first responding officer should make contact with the reporting party and obtain descriptive information, information regarding the circumstance under which the person became lost, and possible locations or destinations.

E.5.b. If family members are searching for the lost person, at least one person should remain at the location from which the person became lost in the event that the person returns.

E.5.c. Additional responders shall begin a search for the missing person.

E.5.c.1) If the lost person is a small child, last seen at a home, the second officer shall ask for permission to search the home, including the room where the child was last known to be located. Often the child may be overlooked.

E.5.c.2) In an urban area, officers should maintain mobile patrols interspersed with checks of likely areas and buildings on foot.

E.5.c.3) In rural areas, officers should team up with other searchers to conduct a hasty search of likely areas.

E.6. LARGE SCALE SEARCHES

E.6.a. In the event that a search becomes large in scope, managers should follow standard Incident Command System (ICS) protocols which provide interoperability with other public safety and government entities which may also respond to the incident.

E.6.b. The officer-in-charge should consider assistance from an entity that specializes in searching for lost persons.

E.7. SEARCHES FOR DECEASED PERSONS

E.7.a. Searches for deceased persons are conducted in a similar manner as searches for missing persons.

E.7.b. If foul play is suspected, managers and searchers must be aware of preserving possible crime scenes and evidence. See the department policy **6.01 - Collection and Preservation of Evidence**.

E.7.c. Civilian volunteers should be used only as a last resort. If used, civilians should be:

E.7.c.1) Positively identified and their identity and contact information recorded;

E.7.c.2) Given training on what to do if evidence or a crime scene is located; and

E.7.c.3) Assigned to a search team led by a police officer, fire fighter, or other government official.

F. Post-Incident Debriefing

F.1. After the special occurrence has ended, a debriefing session should be scheduled involving the Chief, supervisors, and all officers involved.

F.1.a. Post-incident analyses will help the department prepare for future incidents. In addition, department officials will be made aware of critical incidents which require their attention and which may become the subject of inquiry.

F.1.b. Where appropriate, non-police personnel (such as psychologists or race relations experts) should participate in the post-incident analysis.

NOTE: The incidence of post-traumatic stress disorder is usually eliminated when officers take part in a debriefing with a trained counselor within twenty-four (24) hours of a critical incident. For further information, see the department policy **2.21 - Post-Traumatic Stress Procedures**.

i

M.G.L. c. 33, §41.