



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: MARCH 20, 2023	CHAPTER: 4 - Field Operations	PAGE: 1 of 8	NUMBER: 4.07.01
SUBJECT: CROWD MANAGEMENT - GENERAL			
CHIEF: <i>Dornat A. Drummond, Chief</i>			

PURPOSE: To provide guidelines for members of the Cleveland Division of Police to effectively manage crowds, protect individual rights, and preserve the peace during demonstrations and civil disturbances.

POLICY: **It is the policy of the Cleveland Division of Police** to protect constitutional rights related to assembly and free speech, effectively manage crowds to prevent loss of life, injury, or property damage and minimize disruptions to persons who are not involved.

DEFINITIONS:

Civil Disobedience - refusal to obey certain laws or government demands, typically through non-violent means, for the purpose of influencing policy or public opinion. Civil disobedience is not synonymous with civil disturbance. An act or series of acts of civil disobedience may, on occasion, rise to the level of a civil disturbance.

Civil Disturbance - planned or unplanned acts of violence, riots, insurrections, disorder, unlawful obstructions or assemblages of individuals acting collectively that violate the law and disrupt public order. Civil disturbances may be triggered by any number of events or issues (i.e., celebratory sporting or specific annual events), the airing of grievances against a government or private group, or counter-demonstrations against other groups.

Crowd Management - techniques used to manage assemblies before, during, and after the event for the purpose of maintaining the peace and protecting constitutional rights.

Demonstration - a lawful assembly of persons organized primarily to engage in free speech activity which may be scheduled events that allow for law enforcement planning or permissible unplanned events. Demonstrations include, but are not limited to, marches, protests, and other assemblies intended to attract attention. Lawful demonstrations can devolve into civil disturbances that necessitate enforcement action.

Incident Action Plan (IAP) - an oral or written plan containing general objectives reflecting the overall strategy for managing an incident or event. The plan may include the identification of operational resources and assignments, as well as plans and contingencies for the demobilization of resources at the conclusion of the operation. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods.

Incident Commander (IC) - the supervisor responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all operations at the incident site. Responsibilities of the IC can be assumed by any officer from the officer handling the original call up to the Police Chief and any additional qualified officers, depending on the officers on scene, the size, scope and complexity of the incident or event.

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PROCEDURES:

- I. General Guidelines
 - A. The government may impose reasonable restrictions on the time, place, and manner in which persons assemble and engage in free speech activity. The Division shall place only those limitations and restrictions on demonstrations necessary to maintain public safety and order while facilitating uninhibited speech, commerce, and freedom of movement.
 - B. Division objectives during demonstrations, civil disobediences, and civil disturbances.
 1. Protect persons and their legal expression of their constitutional rights, regardless of their level of participation.
 2. Protect property; primary emphasis shall be on the protection of persons.
 - C. Additional Division objectives during a civil disturbance.
 1. Isolate and contain persons inciting violent behavior.
 2. Identify individuals violating the law for immediate arrest, when safe and feasible, or identify individuals for arrest and prosecution at a later date.
 - D. All uses of force, including those involving crowd management, shall comply with the Use of Force General Police Order (GPO) [Chapter 2.01](#) and any further restrictions identified in the IAP.
 - E. Members shall place their Wearable Camera System (WCS) into Event Mode:
 1. In accordance with the Wearable Camera System GPO 4.06.04.
 2. When directed to by the IC. Immediate supervisors shall confirm that the members under their command have switched WCSs to Event Mode when directed by IC.
 3. When directed to by their immediate supervisor.
 - F. Crowd Management Events require members to act as teams and not individuals.
 - G. Members shall not take action without pre-approval by a supervisor, except in extreme situations that must be clearly articulated in subsequent reports/investigations.
 - H. During Demonstrations or Civil Disobediences, members shall:
 1. Ensure all citizens are afforded their constitutional rights, including freedom of speech, peaceable assembly, freedom from unreasonable search and seizure, and protection against the deprivation of life, liberty, or property without due process of law and equal protection thereof.

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2. Ensure that individuals and groups are guaranteed a right to organize and participate in peaceful assemblies near to the object of their protest so they may be seen and heard.
3. Safeguard the rights of all persons, protect and preserve life, preserve the public peace, prevent crime, arrest subjects who violate the law, and protect public and private property from theft or unlawful damage.
4. Make reasonable efforts to meet with event organizers/leaders in advance of the event and establish acceptable guidelines to ensure their ability to peacefully express their ideas (e.g., allowed to march on some sidewalks or streets, prohibition from blocking a highway, etc.). Interactions with organizers/leaders shall be recorded on the wearable camera system (WCS).

II. During Civil Disturbance , members shall:

- A. Make reasonable efforts to employ methods of crowd management that rely on de-escalation and voluntary compliance.
 1. If such methods prove unsuccessful, arrests may be made for violations of the law based on probable cause.
 2. Members shall be able to clearly articulate in an incident report the specific violations for any arrest or use of force.
- B. Include a dispersal route for participants to safely and peacefully depart the crowd, except in the case of containment as a prelude to mass arrests.

III. Crowd De-escalation Tactics

- A. Effective communications rely on both speaking and active listening. Members shall pay careful attention to what the crowd is collectively “saying” and what individuals within the crowd are communicating.
- B. If possible, informal communications with the group and its leaders should precede formal instructions and warnings.
 1. Verbal persuasion and warnings shall be clear and unambiguous and include specific instructions to the crowd.
 2. The entire verbal communication process shall be recorded on the WCS; written documentation shall be retained as part of any arrest files or incident reports.
- C. When considering any use of force in a crowd management event, members shall first explore opportunities to de-escalate the situation and gain voluntary compliance from crowd participants including the following de-escalation techniques:
 1. Active engagement and communication with crowd leaders and participants.

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2. Continued monitoring of events.
 3. Maintaining flexibility in terms of crowd activities.
 4. Requesting additional resources.
 5. Negotiating toward a mutually agreeable resolution.
- D. De-escalation shall not be considered a one-time activity employed at the beginning of a crowd management event, de-escalation may be effective at any stage of an event and shall be employed any time it may prove beneficial.
- E. Verbal harassment, abusive, or highly critical language directed toward the Division shall not be cause for members to engage in a verbal confrontation, make an arrest, or use force. Taking individual enforcement action can endanger members as well as the public.
- F. All actions taken in response to a Crowd Management Event shall be memorialized as they occur and shall form the basis for subsequent reporting.
1. Purpose of memorialization:
 - a. Record actions in real time.
 - b. Creates record of justifications prior to taking action.
 - c. Create timeline for future after action reports.
 - d. Evidence for future prosecution.
 2. Methods for memorialization include:
 - a. WCS.
 - b. Designated scribes.
 - c. Radio broadcasts to Communications Control Section (CCS).

IV. Crowd Dispersal Procedures.

- A. The IC shall determine when crowd dispersal is required and the tactics to be used.
- B. Before ordering a forced dispersal of a Civil Disturbance, the IC or designee shall, when feasible:
1. Determine whether lesser alternatives may be effective including the use of containment and dialogue.

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2. Attempt to establish contact with event organizers/leaders to assess their intentions and motivations, develop a mutually acceptable plan for de-escalation and dispersal.
 3. Communicate to the participants that their assembly is in violation of the law and the Division wishes to resolve the incident peacefully, but acts of violence will be dealt with swiftly and decisively.
 4. Instruct members to identify specific violent or disruptive individuals for arrest and report same to their immediate supervisor.
 5. Assess the immediate state of affairs for its seriousness and potential to escalate.
- C. Specific crowd dispersal tactics may be necessary when the crowd does not heed warnings including, but not limited to, any one or combination of the following:
1. Display of forceful presence to include police lines combined with motorcycles, law enforcement vehicles, mounted units, bicycle units, and mobile field forces.
 2. Multiple simultaneous arrests.
 3. Use of less lethal munitions.
 4. Mobile field force operations for crowd management.
- D. Prior to issuing dispersal orders, the IC or designee shall ensure that all potentially necessary law enforcement, fire, and emergency medical equipment and personnel are in place to successfully carry out tactical operations and logistical needs for mass arrests.
- E. When the IC or designee has made a determination that crowd dispersal is required, they shall direct the appropriate personnel, where time and circumstances permit, to issue warnings prior to taking action to disperse the crowd.
- F. If the demonstration or civil disobedience appears to be escalating into a civil disturbance situation, the IC or designee shall:
1. Make the necessary notifications to CCS.
 2. Immediately begin identifying routes of ingress and egress.
 3. Identify perimeters sufficient to contain any disturbance.
 4. Take steps to prohibit entrance of uninvolved persons to the area and ease the flow of vehicular and pedestrian traffic.
- G. If the need arises to order the crowd to disperse, the IC or designee shall:
1. Notify CCS and superior officers of the intent to disperse the crowd and document the reasons for the dispersal.

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2. Inform the crowd of their intentions by acoustic device.
 - a. The circumstances leading to the dispersal and the announcement shall be recorded on the WCS.
 - b. The announcement shall include the request to disperse, the direction the crowd should proceed away from the scene, and any appropriate statutes that apply.
 3. A reasonable time period shall be allowed for the crowd to move.
 - a. CCS or other source should be used to document the official times of broadcasts and actions taken.
 - b. If actions are taken prior to announced time, the justification shall be announced and memorialized prior to the action.
- H. Dispersal orders shall be in writing and read to maintain consistency. The IC or designee shall consider the possible inclusion of Limited English Proficient and Deaf (GPO 5.12.04) persons within the crowd and adjust communications, within reason.
1. Absent exigent circumstances, each specific warning shall be repeated at intervals described on the Dispersal Order Form.
 2. Additional warnings may be given as necessary as directed by the IC or designee.
 3. Dispersal orders shall include:
 - a. The name and rank of the person verbalizing the warning or order.
 - b. The specific law(s) the crowd is violating.
 - c. Conditions under which the crowd may be permitted to operate.
 - d. The directive to disperse and/or move in a particular direction.
 4. Verbal communication with the crowd shall be at a sufficient amplification that members behind and beside the crowd verify hearing it.
 - a. Verifying members shall inform the IC or designee if the communication could be heard.
 - b. Communication that is not clearly heard, shall be repeated until it is clearly audible to the verifying members.
 5. The IC or designee shall issue the warnings or orders from a stationary vantage point that is observable to the crowd.

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- I. When feasible, the Public Information Officer or designee shall broadcast all warnings, dispersal orders, time frames, and egress routes over Division social media resources and to the media.

- V. Interactions with the media and other individuals during Crowd Management Events.
 - A. Members shall:
 1. Recognize that their actions and speech are likely to be recorded or photographed by the media, participants in the crowd, and/or uninvolved persons (Refer to GPO 4.08.05 Interactions with Citizens Who are Recording Police Activity).
 2. Remain professional at all times.
 3. Not attempt to interfere with individuals who are legally attempting to record or photograph their actions in a public space.
 4. Not attempt to confiscate or destroy any recordings or photographs taken by these individuals. Those photographs and recordings can be considered evidence.
 5. Take every precaution to identify and distinguish the media and legal observers, often identifiable by official credentials or a specific article of clothing, as well as uninvolved persons, from the crowd engaged in a civil disturbance.
 6. Guard against the release of sensitive security-related activity, strategies, or information to the media or the public.
 7. Immediately notify the IC if a member of the media or legal observer is arrested.
 - B. The media has a constitutional right to report on events taking place and are subject to the same privileges and restrictions as the public. Special areas may be designated for the media to assemble and receive briefings from the Division.
 - C. The media, legal observers, or any other person are not permitted to:
 1. Unreasonably impede the justifiable actions of law enforcement.
 2. Infringe on the privacy rights of arrested persons during prisoner processing.

- VI. Crowd Management and Engagement
 - A. All uniformed members assigned to crowd management shall wear and clearly display insignia that identify them.
 1. Depending on the member's assignment and uniform, these identifiers may include badge, name plate, and/or identification numbers on helmets and vests.
 2. Members shall not intentionally attempt to hide or disguise their identifiers.

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- B. Members assigned to crowd management and who are working in close proximity to a crowd engaged in a Civil Disturbance shall:
1. Conduct themselves in a respectful and professional manner and shall not respond to or engage in any antagonistic conversations or interactions with the crowd.
 2. Be vigilant for activities, such as burning of objects, which can incite a Demonstration or Civil Disobedience to devolve into a Civil Disturbance.
 3. Not engage in unnecessary conversation or banter among themselves.
 4. Not respond to any statements, actions or movements by individuals in the crowd intended to provoke a reaction from the officer.
 5. Not make verbalizations to crowd participants, another officer, or to themselves in response to any provocation and shall refrain from taking any action or engaging in any bodily movement that can be construed to be a response to a provocation.
- C. Relief.
1. Members shall not be subjected to an unlimited amount of verbal provocations and abuse and shall be permitted relief.
 2. Any member needing to leave the line for personal relief or another justifiable reason shall communicate that request to a supervisor by a predetermined signal.
 3. Members who witness another member unnecessarily or inappropriately responding to provocation shall intervene when feasible and signal for the member to be relieved from the line.
- D. Supervisors shall:
1. Be diligent in recognizing members' signals for relief and monitor all members for indicators of high levels of fatigue and/or stress.
 2. Make every effort to mitigate members' fatigue and stress by way of either member replacement or reconfiguration of the police line.

THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.