



Town of Lexington

Police Department

Subject: Special Operations-
Emergencies, Disasters & Special
Events

Reference: 2.1.4; **46.2.1**; 46.2.5; 46.2.7

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By Order of: Mark J. Corr, Chief of Police

**Policy &
Procedure**

46B

The Municipal Police Institute, Inc. (MPI) is a private, nonprofit charitable affiliate of the Massachusetts Chief's of Police Association. MPI provides training and model policies and procedures for police agencies. This policy is an edited version of MPI Policy 7.03, "Special Operations."

GENERAL CONSIDERATIONS AND GUIDELINES

The Lexington Police Department has developed an **All Hazards Plan** for guidance in responding to general emergencies and disasters. The purpose of this policy is to provide guidance in preparing and responding to emergencies and disasters. For more detail, all employees are encouraged to read and become familiar with the **46A - All Hazards Plan**.

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.

PROCEDURES

A. Definitions

1. **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.
2. **Civil Disturbances:** A social activity, which is dangerous or hurtful to the public peace, decorum, and 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.

3. **Disasters:** Includes floods, hurricanes, earthquakes, explosions, and tornadoes.
4. **Incident Command System:** A National Incident Management System (NIMS)-approved management system designed to enable effective and efficient incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organized structure.
5. **Unusual Occurrences:** Extraordinary emergency situations, which generally result from natural and/or man-made disasters or civil disturbances.

B. All Hazards Plan

1. The Lexington Police 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 policy **46A-All Hazards Plan (ICS)**.
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.
3. Some fundamental functions of the ICS system are addressed in this policy.

C. Emergencies, Generally

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.
2. **Initial Police Response [46.2.1(a)]**
 - 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:
 - i. Quickly assess the situation;
 - ii. Report the assessment to the supervisor; and

- iii. Begin directing arriving units until a supervisor arrives and takes charge, keeping in mind:
 - A safe approach for responders;
 - Isolation of the scene; and
 - The safety of innocents.
 - b. The initial supervisor on scene shall take command (serving as Operations Section Chief) until relieved and must assess the situation, considering the threat and scope of the incident.
 - i. 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 additional non-public safety personnel if necessary (Health Department, Social Services, Public Works, etc.)
 - ii. If appropriate, contact the Chief or his designee to initiate the Department's **All Hazards** plan.
 - iii. Set up an inner perimeter to keep the suspect or location under observation and avoid moving or enlarging the scope of the incident.
 - iv. Establish an outer perimeter to keep uninvolved personnel and spectators from entering the affected area.
 - v. Consider an evacuation.
3. Calling Additional Resources
- a. On-Scene Resources: On scene personnel should be deployed as determined by the designated Operations Chief.
 - 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, deployed as directed by the Operations Chief or staged as directed by the Logistics Chief.
 - 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.
4. National Guard [2.1.4]
- a. Authorization to request assistance from the National Guard must be obtained from the Chief of Police. If the Chief of Police is unavailable, consultation shall be made with the Town Manager or Deputy Town Manager on requesting National

Guard Assistance. The Captain in charge or, in his absence, the commanding officer will make this notification.

- 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.¹
 - c. Should a declared state of emergency exist or be requested, the Chief of Police (or person acting on his behalf) shall assign a liaison to the Office of the Massachusetts National Guard Adjutant General for the purpose of directing, coordinating, and controlling the operation.
5. Tactical Teams **[46.2.1(b)]**
- a. Tactical teams may be deployed to supplement other operational components.
 - b. It takes time for a team to respond with equipment, assess the situation, develop and execute a plan.
 - i. Patrol forces must maintain a secure incident area until such time as they are relieved.
 - ii. Gather as much intelligence information as possible for the responding team, and be prepared to brief them when they arrive. This should include:
 - Names, histories and mental status of suspects;
 - If and how they are armed;
 - The details of the incident, what happened and how it occurred;
 - The presence of uninvolved persons or hostages;
 - Maps and diagrams of the immediate location of the suspect and the surrounding area;
 - Peculiarities and concerns caused by buildings, terrain, etc.; and
 - If contact has been made with the suspect, what transpired, or if communication is available.
 - c. Deploying the Team
 - i. Lexington has the expertise to manage many events that require a tactical team. Should the decision be made to deploy a tactical team from Lexington, the Incident

Commander shall insure that the team is properly equipped to carry out its mission.

- ii. The decision to deploy the tactical team is the decision of the Incident Commander.
- iii. 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.
- iv. Lexington will use, as needed, tactical or SWAT units that are available from the Northeast Municipal Law Enforcement Council (NEMLEC) or the Massachusetts State Police.

- d. **Coordination of Team with Others:** Coordination and cooperation between multiple tactical teams and other operational components is critical for safety and operational success. The Incident Commander will insure that any Lexington units directly communicate **[46.2.1(c)]**

D. Special Events: Special events include such activities as parades, entertainment, and sporting events. **[46.2.7]**

- 1. Special events include such activities as parades (April 19th), conventions, entertainment, and sporting events.
- 2. When a special event is anticipated, the Sergeant whose duties include event planning shall take responsibility for the event. Otherwise, the Captain of Operations shall designate an officer to be the Special Event officer-in-charge who shall then formalize a plan for the event.
- 3. The event planner shall attempt to obtain an estimate of traffic, crowd control and crime problems for the event and put it in writing.
- 3. All access and egress routes will be determined and coordinated with other public service officials and transportation agencies (MBTA and LexPress), including those businesses to be affected, so as to provide an opportunity for adjustment.
- 4. The perimeter streets of the special event should be used to maximum advantage by eliminating or increasing parking space, making temporary one-way streets, and assigning officers to key intersections for traffic control.
- 5. Adequate emergency service access will be provided to the scene of the event for other law enforcement agencies, fire, ambulance, and tow personnel.
- 6. The size and scope of the event will guide the total number of officers to be deployed.

7. Crowd control barriers may be used as needed.
8. The event planner shall notify the Public Information Officer so the media can be properly informed.
9. The officer-in-charge shall prepare a report after the event. It should include things that went well and improvements needed for future events.
10. For special events consisting of strikes and/or labor disputes, see the departmental policy **46D-Strikes and Labor Disputes**.

E. Crowds and Demonstrations

1. General Considerations
 - 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.
 - b. There are, however, limitations on the exercise of these rights, and the police must enforce these limitations firmly, fairly and impartially.
 - 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.
2. MGL Chapter 269 §1, Unlawful Assembly: The elements of the crime of unlawful assembly are:
 - a. Five or more persons, being armed with clubs or other dangerous weapons; or
 - b. Ten or more persons, whether armed or not;
 - c. Unlawfully, riotously or tumultuously assembled;
 - d. Having been commanded by police or others to disperse immediately and peaceably; and
 - e. Failure to so disperse.
3. Response Considerations
 - a. In responding to any disturbance, the restoration of peace should be accomplished by persuasion whenever possible, and by force only when necessary.
 - b. In carrying out crowd control measures, the objectives of the police are:

- i. To contain the disturbance to the immediate vicinity;
 - ii. To disperse the crowd as expeditiously as possible;
 - iii. To prevent their regrouping or reentry to the scene; and
 - iv. To take action against the perpetrators of serious offenses and remove them immediately from the scene.
 - c. M.G.L. c. 41, §98 gives police officers the authority to suppress and prevent all disturbances and disorder.
4. Initial Police Response
 - 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:
 - The location and approximate size of the crowd;
 - The type and makeup of the crowd;
 - Its direction of movement, if any;
 - The apparent intent of the crowd;
 - Whether the crowd is armed with any kind of actual or potential weapons;
 - The best direction of approach to the crowd; and
 - If any leaders of the crowd have been identified and what is known about them.
 - b. Begin directing arriving units until a supervisor arrives and takes charge, keeping in mind:
 - A safe approach for responders;
 - Isolation of the scene; and
 - The safety of innocents.
 - 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. Sufficient assistance shall be dispatched as quickly as possible to take decisive action and to neutralize the possibility of widespread disorder.
5. Isolate the Incident Scene
 - a. Establish a perimeter if sufficient personnel are available.
 - b. Vehicular and pedestrian traffic shall be prevented from entering the immediate area to avoid the gathering of curious spectators.

- 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. 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.
6. Crowd Control Procedures
- a. All officers assigned to crowd control shall:
 - i. Use only the amount of force necessary to obtain control, to protect themselves, other officers, or bystanders from physical injury or to make arrests;
 - ii. Maintain strict impartiality;
 - iii. Be courteous but firm;
 - iv. Not use insulting language;
 - v. Not respond to verbal abuse;
 - vi. Not debate the issue with the crowd;
 - vii. Maintain a calm but determined attitude;
 - viii. Be vigorous and decisive when action is required;
 - ix. Act together as a coordinated unit;
 - x. Keep emotional and agitated persons in the crowd separated;
 - xi. Keep counter-demonstrations from forming;
 - xii. Avoid individual combat as far as possible;
 - xiii. Not make indiscriminate or unnecessary arrests;
 - xiv. Remove any arrested persons immediately from the scene of the disturbance;
 - xv. Ensure that a video or photograph is taken of each arresting officer with his/her prisoner for accurate identification in later court proceedings; and
 - xvi. Carefully note the specific offense committed by any person arrested for prosecution for that offense.
 - 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.
 - c. No attempt shall be made to bluff an unruly crowd or to accomplish a police objective without sufficient forces.
 - 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:

- i. 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
 - ii. For a misdemeanor:
 - 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
 - Not amounting to a breach of the peace committed in the officer's presence when such arrest is authorized by statute; or
 - For which arrest is allowed even though such misdemeanors were not committed in the officer's presence.
 - 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.
- F. Search & Rescue [46.2.5]
 1. Scope of Search and Rescue: This Department shall conduct and coordinate search and rescue operations for lost persons within its jurisdiction.
 2. Resources
 - a. Local Resources:
 - Sworn officers;
 - Non-sworn police employees;
 - Fire Department personnel;
 - Health Department & Social Services.
 - b. Extra-jurisdictional Resources:
 - Other police agency personnel;
 - NEMLEC, including RRT and SWAT;
 - Regional Fire Department personnel;
 - Massachusetts Environmental Police;
 - State Police; and
 - U.S. Park Service.
 - Hanscom Air Force Base Security Forces

- c. Search Management Resources:
 - Department of Conservation and Recreation (DCR), Park Service; and
 - Massachusetts State Police.
 - d. Search resources:
 - Regional K-9 teams;
 - State Police air wing;
 - Search and rescue organizations; and
 - Civilian volunteers.
 - e. Search managers must weigh this option carefully. Untrained, unscreened persons may:
 - Contaminate the search scene;
 - Contaminate a crime scene; and
 - Disturb or destroy evidence.
3. Considerations: Certain factors may determine a search to be critical in nature in order to preserve the life of the lost person:
- a. Weather, season of the year, temperature, exposure;
 - b. Time of day, remaining daylight;
 - c. Age of lost person;
 - d. Mental state of lost person; and
 - e. Physical condition of lost person.
4. Initial Police Response
- 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.
 - 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.
 - c. Additional responders shall begin a search for the missing person.
 - i. 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.**

- ii. In an urban area, officers should maintain mobile patrols interspersed with checks of likely areas and buildings on foot.
- iii. In rural areas, officers should team up with other searchers to conduct a hasty search of likely areas.

5. Large Scale Searches

- 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 that may also respond to the incident.
- b. The officer-in-charge should consider assistance from an entity that specializes in searching for lost persons.

6. Searches for Deceased Persons

- a. Searches for deceased persons are conducted in a similar manner as searches for missing persons.
- b. If foul play is suspected, managers and searchers must be aware of preserving possible crime scenes and evidence. See the Department policy **83A-Collection and Preservation of Evidence**.
- c. Civilian volunteers should be used only as a last resort. If used, civilians should be:
 - i. Positively identified and their identity and contact information recorded;
 - ii. Given training on what to do if evidence or a crime scene is located; and
 - iii. Assigned to a search team led by a police officer, fire fighter, or other government official.

G. Post-Incident Debriefing

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

- 1. 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.

2. 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.

ⁱ M.G.L. c. 33, §41.