

	MEDFIELD POLICE DEPARTMENT	POLICY NO. 7.05
CIVIL DISORDER		
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 46.2.1, 46.1.2		DATE OF ISSUE: 07/23/2023 EFFECTIVE DATE: 07/23/2023 REVISION DATE: 11/05/2025
ISSUING AUTHORITY: Michelle Guerette Chief of Police		

BACKGROUND:

The right of lawful assembly and freedom of speech are fundamental rights guaranteed under the First and Fourteenth Amendments to the U.S. Constitution. There are, however, limitations on the exercise of these rights and the police must enforce these limitations firmly, fairly, and impartially. 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.

Good judgment must be exercised in making arrests as leaders of disturbances often deliberately seek arrest to become martyrs to their cause and thereby incite their followers to violence. Mass arrests can also dilute the effectiveness of the police by requiring officers to be withdrawn from crowd-control duty for the custody and processing of prisoners. If the leaders of a disturbance are known to the police, criminal complaints can later be sought requiring their subsequent appearance in court.

In quelling a civil disturbance, every effort must be made to avoid over-reaction as the conduct and attitude of individual police officers can be the cause of escalating or expanding the original disturbance and making it much more difficult to restore order.

POLICY:

The Medfield Police Department will respond to disturbances and civil disorder in for the purpose of restoring peace and order. In order to accomplish this task officers will:

1. Contain the disturbance to the immediate vicinity;
2. Disperse unlawfully assembled crowds as expeditiously as possible;
3. Prevent their regrouping or reentry to the scene; and
4. Take action against the perpetrators of serious offenses and remove them immediately from the scene.

PROCEDURES:

Officers should also be aware of the statute which codifies the authority of police to suppress all unlawful disturbances and disorders, to make entries to suppress a riot or breach of the peace, and to arrest persons who engage in an unlawful disturbance or riot and those who aid or abet them.¹ However, this law should not be misread as authorizing police action against persons who are simply assembled and who present no clear and imminent danger to the public peace.

Officers should be aware that the elements of the crime of unlawful assembly are:

1. Five or more persons, being armed with clubs or other dangerous weapons, or ten or more persons, whether armed or not;
2. Are unlawfully, riotously or tumultuously assembled;
3. The police or other officials have commanded them to disperse immediately and peaceably; and
4. They do not so disperse.

Initial Responding Officer(s)

No officer shall attempt to take direct police action against an aggressive or militant crowd until sufficient police are present for effective control. The first officer(s) on the scene shall quickly evaluate the situation and immediately inform Dispatch and the Shift Commander of the following:

1. The location and approximate size of the crowd;
2. The type and makeup of the crowd;
3. Its direction of movement, if any;
4. The apparent intent of the crowd;
5. Weapons;

¹M.G.L. c. 41, s. 98

6. The best direction of approach to the crowd; and
7. Identity of any leaders of the crowd.

Shift Commander/OIC

The Shift Commander will assume Incident Command, as outlined in the policy on All Hazards/ICS, until relieved by a higher-ranking officer. In addition, his duties shall include:

1. Assessing the situation for seriousness and potential danger. If the situation is minor in nature, it may be handled with existing resources;
2. Notifying the Chief of Police or his designee;
3. Maintaining communications with Dispatch and providing as much information as possible;
4. Gauging the mood of the crowd;
5. Reporting destroyed property involved;
6. Arranging care for injured persons;
8. Advising Dispatch of personnel/equipment needed, to include Metro-LEC resources and other outside agencies, and establishing a staging area, and equipment to be worn if appropriate; and
9. Deploying available officers as appropriate, to include traffic control in the general area.

General Crowd Control

All officers assigned to crowd control shall:

1. Use only the amount of force necessary to obtain control, to protect themselves or other officers from physical injury or to make arrests;
2. Wear department issued protective equipment as ordered by the Incident Commander (i.e. riot helmet, ballistics vest);
3. Maintain strict impartiality;
4. Be courteous but firm;
5. Not use insulting language;
6. Not respond to verbal abuse;

7. Be vigorous and decisive when action is required;
8. Act together as a coordinated unit, avoiding individual combat as far as possible;
9. Keep emotional and agitated persons in the crowd separated;
10. Remove any arrested persons immediately from the scene of the disturbance;

Incident Management

The Incident Commander or his designee should approach the leader(s) in the crowd and establish a dialogue. Crowd leaders should be encouraged to keep lines of communication open with the Department. Every effort should be made to accommodate a group that has assembled to express its opinion, to protest, or for some other lawful or constitutional purpose. Traffic may need to be diverted to allow for large crowds to assemble.

If the Incident Commander determines that the assembly is unlawful, and once adequate personnel and resources are in place, an officer designated by the Incident Commander will:

1. Approach the crowd and inform them that the assembly is unlawful and that all persons so assembled shall immediately and peacefully disperse. If the crowd is violent, this may be accomplished by using a public-address system;
2. A time limit for dispersal should be established;
3. If the crowd fails to disperse and continues its activity the Incident Commander may:
 - Authorize the use of force. The minimum amount of force to affect an arrest or control the disturbance will be used.
 - Order the formation of police lines and move into the crowd for control and/or dispersal.
 - Such action shall be balanced between a need to control criminal behavior versus potential injury to officers and citizens.
4. The crowd should be broken up from its outer edges and permitted to disperse as individuals or small groups. A sufficient number of avenues of dispersal should be provided; and
5. Vehicular and pedestrian traffic shall be prevented from entering the immediate area. Where appropriate, bystanders and occupants of residences and businesses should be evacuated from an area threatened by a volatile crowd before the crowd reaches the area. If it is safe to do so, sufficient police personnel should be stationed in the area of abandoned homes/businesses to prevent vandalism and looting.

Mass Arrest Procedures

Arrested persons will be removed from the point of the disturbance and brought to a location where booking will take place. This may be the police station or any other location directed by the Incident Commander.

The Incident Commander may establish an arrest team to handle prisoners. Arrest team duties will include booking and detaining of arrested persons in accordance with current procedures for Processing Detainees.

The Court Officer will serve as liaison with the District Attorney's Office during any mass arrest.

Transportation

All departmental vehicles will be available for transportation of officers and equipment to the scene, and for prisoner transportation from the scene. If additional transportation is required, the surrounding agencies and/or the Norfolk County Sheriff's Office may be contacted for assistance.