

# BEAVERTON POLICE DEPARTMENT

# GENERAL ORDER

NUMBER: 9.01.01  
SUBJECT: MASS ARREST  
EFFECTIVE: NOVEMBER 21, 2005  
REVIEW: NOVEMBER 2007, 2009, 2011, 2013, 2015

1. PURPOSE. The purpose of this policy to establish guidelines to effectively deal with crowds engaged in or posing a significant threat of engaging in violence, property damage or breaches of the peace.

2. POLICY. The department shall be prepared to respond to any location or incident wherein mass arrests may be necessary, and will handle such arrests in a professional manner while safeguarding the constitutional rights of all citizens. The manner in which department members deal with unruly crowds and illegal gatherings has direct bearing on their ability to control and defuse the incident and contain property damage, injury or loss of life. Officers confronting civil disturbances and mass arrest situations, and those called upon to assist in these incidents shall follow the procedures of containment, evacuation, communication, use of force, and command and control as enumerated in this policy.

### 3. DEFINITIONS

A. "Civil Disturbance": An unlawful assembly that constitutes a breach of the peace or any assembly of persons where there is imminent danger of collective violence, destruction of property or other unlawful acts.

B. "Mass Arrest" shall mean arrests in excess of five (5) persons arising out of one incident or location in a limited period of time. (Five (5) persons keep this GO consistent with the "RIOT" ORS element of " five (5) persons".)

4. PROCEDURES. The first officer to arrive on the scene of a civil disturbance should do the following:

A. Observe the situation from a safe distance to determine if the gathering is currently or potentially violent;

B. Notify the communications center of the nature and seriousness of the disturbance, particularly the availability of weapons. Request the assistance of a supervisor and any necessary backup and advise as to the present course of action;

C. If approaching the crowd would not present unnecessary risk, instruct the gathering to disperse from a safe distance;

A. Attempt to identify crowd leaders and any individuals personally engaged in criminal acts.

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2. COMMAND RESPONSIBILITY. The ranking officer at the scene shall be the officer in charge (OIC). The OIC or other higher ranking officer assuming command at the scene shall take the following steps:

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A. Assess the immediate situation for seriousness and its potential for escalation. If the disturbance is minor in nature and adequate resources are available, efforts should be made to disperse the crowd;

B. Establish the number of personnel and equipment necessary to contain and disperse the disturbance and relay this information to the communications center;

C. Where necessary, ensure that appropriate notification is made to:

1) Department command staff;

2) Department crowd control team supervisor;

3) Department public information officer, who shall decide whether to be present at or respond to the scene of a mass arrest and shall act as a liaison between the incident commander and the news media;

4) Outside agencies to include the fire department, medical agencies and rescue squads;

5) State and local law enforcement agencies;

6) Department legal advisor; and

7) The local detention center.

D. Establish a temporary command post based on proximity to the scene, availability of communications, available space and security from crowd participants;

E. Establish an outer perimeter sufficient to contain the disturbance and prohibit entrance into the affected area;

F. Ensure that, to the degree possible, uninvolved civilians are vacated from the immediate area of the disturbance;

G. Ensure that, to the degree possible, surveillance points are established to identify agitators, leaders and individuals committing crimes, and to document and report on events as they occur. Photographic and videotape evidence of criminal acts and perpetrators shall be generated, whenever possible;

H. Ensure establishment and sufficient staffing of a press area;

3. COMMAND OPTIONS. When adequate personnel and resources are in place, the OIC shall establish communications with leaders of the disturbance and discuss actions necessary to disperse the crowd. Should the crowd fail to disperse in the prescribed manner, the OIC should be prepared to implement one of the following options.

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A. CONTAINMENT AND DIALOGUE. The objective of containment and dialogue is merely to disperse the crowd. In so doing the OIC should:

- 1) Establish contact with crowd leaders to assess their intentions and motivation and develop a trust relationship; and
- 2) Communicate to the participants that:
  - a. their assembly is in violation of the law and will not be tolerated; and
  - b. the department wishes to resolve the incident peacefully and that acts of violence will be dealt with swiftly and decisively.

B. PHYSICAL ARREST. When appropriate, the OIC will order the arrest of crowd leaders, agitators or others engaged in unlawful conduct and will:

- 1) Ensure the appropriate use of tactical formations and availability of protective equipment for officers engaged in arrest procedures;
- 2) Ensure the availability of transportation for arrestees;
- 3) Establish a location or facility to accommodate prisoner processing; and
- 4) Ensure that a backup team of officers is readily available, should assistance be required.

C. NON-LETHAL FORCE. When physical arrest of identified leaders and agitators fails to disperse the crowd, the OIC may use non-lethal force to accomplish these ends. In so doing, the OIC shall ensure that:

- 1) A clear path of escape is available for those who wish to flee the area;
- 2) The use of tear gas, smoke or other non-lethal devices is coordinated and controlled; and

3) Canine teams are restricted from all enforcement actions.

D. USE OF DEADLY FORCE. The use of deadly force in the control and disbursement of civil disturbances, as in other circumstances, is governed by the department's use of force policy and state law. Specifically:

- 1) Law enforcement officers are permitted to use deadly force to protect themselves or others from what is reasonably believed to be an immediate threat of death or serious physical injury;
- 2) Particular caution should be taken when using firearms during civil disturbances— the arbitrary use of return fire in crowds is prohibited; and
- 3) Where sniper fire is encountered or hostages taken, the department's policy on hostage and barricaded subjects shall be followed.

4. MASS ARREST. During the course of civil disturbances, it may be necessary to make arrests of numerous individuals over a relatively short period of time. In order for this process to be handled efficiently, safely and legally, the OIC should ensure that:

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- A. An arrest team is designated to process all prisoners for purposes of transportation. When possible, arrests should be made by two (2) person teams equipped with gloves, cap stun, and flex cuffs. Arrestees will be placed in restraints as soon as possible;
- B. A transportation team is designated to transport prisoners to the booking facility and that an adequate number of vehicles is made available to remove the prisoners to the booking and/or detention center;
- C. A booking team is designated to process prisoners. If necessary, the OIC will ensure that an adequate secure area is designated in the field for holding prisoners prior to initial booking and/or while awaiting transportation to either the primary booking facility or the local detention center;
- D. When the legal authority exists to take a person into physical custody and such custody occurs, the arresting officer/team shall be photographed with the prisoner for field mug shot identification;
- E. Prisoners shall be searched as soon as practical and personal property and/or evidence shall be secured in a property bag and identified by a designated number, such as a case number, which may be written on the Polaroid photograph of the arrestee, if one is taken;
- F. All evidence and weapons taken from arrestees are processed in accordance with the Department's policy on the preservation and custody of evidence.

- G. All injured prisoners are provided medical attention as practical and required;
- H. All arrested juveniles are handled in accordance with the department's procedures for the arrest, transportation and detention of juveniles;
- I. The arresting officer/team shall deliver the secured arrestees, along with property and relevant evidence, accompanied by a single paragraph statement of cause for arrest, and any necessary signed booking forms, describing and citing offenses, to the designated transportation team, which will then transport the prisoner to the booking facility. When required or practical the arresting Officer(s) may also transport the prisoner(s);
- J. If the custody was the result of a citizen's arrest, appropriate, signed documentation shall accompany the arrestees;
- K. Upon completion of all duties in connection with the incident, the arresting officer(s) shall complete a detailed report on each arrest.

5. BOOKING FACILITY. The preferred booking facility shall be at the department's main precinct.

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- A. In the event an anticipated incident involving a mass arrest dictates the utilization of a booking facility or site other than the department, the location criteria shall:
  - 1. Be located out of sight of the arrest scene;
  - 2. Be large enough to accommodate the anticipated number of prisoners and all processing procedures.
  - 3. Provide shelter, warmth, toilet facilities, and adequate security pending transport to the primary booking facility or the local jail facility.
- B. In the event an unplanned incident involving a mass arrest dictates the utilization of a booking facility or site other than the department, the supervisor shall consider options, including but not limited to:
  - 1. Placing people in police vehicles, including the transport van, parked in the Beaverton Police Department parking lot, until space is available in the Department's temporary holding facility.
  - 2. Transporting individuals directly the Washington County jail.
  - 3. Transporting person(s) to a neighboring jurisdictions' temporary holding facilities, such as the Tigard Police Department and/or Washington County Sheriff's East Precinct.

6. BOOKING OFFICER/TEAM. The responsibilities during the booking of prisoners shall be in accordance with department policies to include the following:

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- A. The booking officer/team shall receive the prisoners from the transporting officer/team or from the arresting officer at the booking facility;
- B. Prisoners shall be informed of the booking procedures, and when it is determined the prisoner presents no threat to anyone by any means, restraints may be removed;
- C. A mug shot will be obtained, and a Custody Report completed;
- D. An attempt will be made to verify the prisoner's identity, to include a LEDS/NCIC query;
- E. The case number - all relevant documents, prisoner property and evidence shall be checked to verify correct association to the appropriate prisoner. Upon verification that the arrestee is not wanted, meets the court requirements for release, and after OIC approval, a completed citation in lieu of custody may be issued to the arrestee, appropriate personal property returned and the arrestee released.

7. PRISONER TRANSPORTATION/SECURITY.

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- A. Security of prisoners shall be the responsibility of members assigned to the arrest team, transportation team and booking team;
- B. All prisoners in transport shall be restrained;
- C. Transportation of prisoners from the scene of arrest shall be in secure police vehicles, a prisoner transport van, or, if required, may be arranged through the public transit system by contacting a public transit system supervisor;
- D. The department's detention facility shall be notified in advance of the number of prisoners to be received at their jail facility.

8. DEFENSE COUNSEL VISITATIONS. All prisoners will be advised of their constitutional rights by a member of the arrest or booking team; During a mass arrest incident, a detained person shall have the opportunity to consult legal counsel only after the booking process has been completed, and only if reasonable and practical.

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9. COURT AND PROSECUTORIAL LIAISON.

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- A. When a mass arrest situation is anticipated, prior to its actual inception, the city attorney's office shall be notified;

- B. When a mass arrest incident is spontaneous, without opportunity for prior planning, the city attorney's office shall be contacted for legal guidance, when practical and/or if necessary.

| 10. MEDICAL TREATMENT.

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- A. If necessary, the Department's specified emergency medical agency shall be requested to stand-by at the scene of the disturbance and at the booking facility to screen arrested individuals for the necessity of medical treatment.
- B. If an arrested person requires prescribed medication while being detained, and that person is in possession of the medication at the booking facility, the department's specified emergency medical agency shall be consulted prior to the dispensation of such medication.

| 11. MUTUAL AID AGREEMENTS. Any use of outside agency assistance, except those having immediate jurisdiction, will be consistent with current mutual aid agreements and shall be authorized by the Chief of Police or designee.

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| 12. CONTINGENCY PLANNING. It should be understood that every civil disturbance or mass arrest incident may have special requirements and that the conduct and actions of arrestees may dictate major deviation from this procedure, in which case it will be the responsibility of the Incident Commander to modify the tactics and techniques accordingly.

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| 13. DEACTIVATION. When the disturbance has been brought under control the OIC shall ensure that the following measures are taken:

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- A. All law enforcement officers engaged in the incident shall be accounted for and an assessment made of personal injuries;
- B. All necessary personnel shall be debriefed, as required;
- C. Witnesses and suspects shall be interviewed;
- D. All written reports shall be completed as soon as possible following the incident to include a comprehensive documentation of the basis for and the department's response to the incident.

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Chief of Police

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Date