

COLCHESTER POLICE DEPARTMENT

		SUBJECT: Unusual Occurrences	
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POLICY: The Colchester Police Department shall adhere to the tenants of the National Incident Management System (NIMS) and Incident Command (IC) in response to all unusual and large scale events. This policy is intended to provide basic direction and procedures for a wide variety of unusual occurrences. Because of the rapid pace of development and multi-factorial nature of such incidents, there is no cookie-cutter approach to unusual occurrences. CPD will rely on these guidelines, current training and best practices to inform our response to such incidents.

- CONTENTS:**
- I. NIMS & Incident Command
 - II. Response to Disasters & Terrorist Acts
 - III. Civil Disturbances/Crowd Control
 - IV. Mass Arrest
 - V. Dignitaries/VIPs
 - VI. Special Events
 - VII. Response to Active Violence

I. NIMS & INCIDENT COMMAND:

- A. The Department has adopted the National Incident Management System (NIMS) to manage events in which more than four (4) officers or other resources are deployed simultaneously. All requisite department personnel shall be trained in accordance with Federal and State NIMS policies and guidelines. Incident Command and associated duties should be set up using the procedures set forth with the National Incident Management System. Command assumption for law enforcement activities associated with large scale events shall be done in accordance with Department policy.
- B. For events during which extended response or multiple resources are utilized, a Public Information Officer (PIO) should be designated as soon as possible after critical operational personnel notifications are made. The PIO will respond and implement a Public Information System in accordance with NIMS standards.
- C. Emergency Operations Plans (EOP's) for the Town of Colchester are maintained by CPD and shall be available to all personnel in dispatch and electronically.

II. RESPONSE TO DISASTERS & TERRORIST ACTS:

All responses to natural or man-made disasters or terrorist acts should be consistent with the Town's EOP and the Anti-Terrorism plan for Vermont. The following procedures are part of the EOP and re-iterated here as they are most relevant to law enforcement.

- A. **Communications** - In addition to the portable and cruiser radios in daily use at CPD, the EOP contains provisions for additional mobile units, mobile command posts and relay stations in the event of an emergency.
- B. **Situation Maps** - The map of the Town of Colchester, identical to the one located on the wall of the Communications Center shall be used as a situation map when necessary. Additionally, available digital maps may be used as well.
- C. **Field Command Posts** - Mobile command posts shall be established and maintained at the discretion of the Chief of Police in conjunction with the Office of Emergency Management.
- D. **Chain of Command** - All employees of the Department shall adhere to the chain of command, except when an assignment under NIMs dictates otherwise. The Chief of Police, or his/her designee, is directly responsible to the Director of Emergency Management during emergency operations.
- E. **Casualty Information** – Information regarding the number, identification, age, sex and address of casualties shall be made available to the public as soon as possible. Information shall be released only after all reasonable attempts to notify next of kin have been made.
- F. **Community Relations/Public Information** - The Director of Emergency Management shall appoint a Public Information Officer (PIO) when necessary.

The Public Information Officer shall be responsible for collecting information from all agencies involved in the situation and for promptly disseminating this information to the media. The media shall be granted access to incident scenes consistent with safe and efficient operation. All information regarding the emergency situation shall be disseminated through the PIO. No member of CPD shall disseminate information regarding official business via digital or social media without the express permission of the PIO or Incident Commander.
- G. **Rumor control** – Rumors from many sources of information are an integral part of any incident of this nature. It is very important to ensure that sound accurate information is provided to all. When rumors are encountered they will be assessed for accuracy and addressed through the PIO.
- H. **Additional Department Resources** – In the event of a large scale event or disaster within the Town, off-duty personnel shall be contacted to respond for duty. All personnel shall assemble at headquarters unless an alternate site is designated.
- I. **Other Agency Support** - CPD shall be responsible for coordinating all law enforcement activities within the town. Any request for mutual aid from other agencies shall be consistent with applicable agreements for mutual aid.

Personnel from responding agencies shall work under the direction and control of the supervisor of the requesting agency.

- J. **Military Support** - The Chief of Police, through the Town Manager's Office may request the Governor's Office to activate the National Guard.
- K. **Martial Law** – The Governor has the authority to declare Martial Law in Title 20 VSA 9. T 20 VSA 8 and T 20 VSA 9 describe the powers and authority of the Governor to plan, mobilize, delegate and implement a statewide response to local jurisdictions for the purpose of mitigating and controlling a large scale emergency.
- L. **Public Facility Security** - CPD shall be responsible for providing or arranging for security for key public facilities during an emergency. This may be accomplished by either posting personnel on-site or by increasing police patrols of the area.
- M. **Traffic Control** - The Police Department, with assistance from the Public Works Department, shall be responsible for traffic control.
- N. **Equipment Requirements** - Equipment requirements for the Police Department during an emergency shall be determined by the Chief of Police or his/her designee. In the event a warning is received of an impending disaster, the Chief shall ensure that all relevant department equipment is checked and prepared for use.
- O. **Transportation** – The following resources may be contacted when transportation arrangements need to be made: Chittenden County Transportation Authority, trucking or rental companies and/or the Vermont National Guard, bus companies or other appropriate resources.
- P. **De-escalation Procedures** - The Incident Commander shall continually reassess personnel and equipment needs and order the reduction of same as the situation de-escalates.
- Q. **Court and prosecutorial liaison** – CPD regularly interacts with the Chittenden County State's Attorney, the Vermont Attorney General, the United States Attorney for the District of Vermont, and their designees, for the purposes of prosecuting individuals for violations of City, State and Federal Laws. Vermont's District Courts and the Federal Court System are regular venues in which the Department is involved. These resources will continue to be available to the agency during an emergency.
- R. **Post-occurrence Duties** - The Chief of Police, or his/her designee, shall determine the extent of the department's involvement in the aftermath of an incident. All reasonable requests from the State Office of Emergency Management shall be granted.
- S. **After-action reports** - A post incident report shall be prepared by the Chief of Police or his/her designee detailing this agency's involvement and activities relative to the emergency. A copy of this report shall be forwarded to the Office of Emergency Management.

III. CIVIL DISTURBANCES/CROWD CONTROL:

Whenever a large number of people gather for a purpose, there is always potential for police involvement. No matter how innocent its origin or purpose, any crowd can become an unlawful assembly or even a riot. The Department will attempt to serve as facilitators of peaceful demonstrations and gatherings. The police have the responsibility to protect the rights of all persons to assemble peacefully and at the same time preserve the basic peace and unhindered passage of the entire community.

The right of lawful assembly and freedom of speech are fundamental rights guaranteed under the First Amendment of the United States Constitution. There are, however, limitations on the exercise of these rights and the police must enforce these limitations firmly, fairly and impartially. No matter how worthy the purpose for which any crowd has gathered, there is never any legal or moral justification for lawlessness, vandalism, looting or violence.

The primary mission of CPD in any civil disturbance is to: protect life, restore order, ensure accountability of offenders, protect property and critical locations and ensure free flow of pedestrian and vehicular traffic.

The following procedures shall provide guidance in response to any peaceful demonstration or protest.

- A. Whenever CPD becomes aware of a planned demonstration an officer will be assigned to attempt to contact the leader of the group and work collaboratively to ensure a peaceful and safe event.
- B. The assigned officer will ensure that intelligence on the group and prior events is gathered and that all relevant information is passed through the chain of command to facilitate event planning.
- C. When time permits, a written action plan will be prepared for the event, approved by the Incident Commander and reviewed with responding officers.

The following procedures shall provide guidance in response to any civil disturbance.

- A. Any member of the Department who becomes aware of a demonstration, event or gathering that may be construed as an act of civil disobedience shall notify the OIC immediately. If the OIC is a corporal or police officer, the on call sergeant shall be notified. Civil disobedience is defined as "Refusal to obey government demands or commands and nonresistance to consequent arrest and punishment." In all instances of civil disobedience, it is the Department's preference to reach a peaceful, negotiated outcome with protestors.
- B. First responding officers to the scene of a civil disturbance will observe the situation from a safe distance and notify dispatch and the OIC of the details of the situation to include size of gathering, actions or stated intentions of the group, whether any weapons are evident, direction of travel and any

indication of who the group leader is. Unless immediate action is required to prevent serious injury/death or major property damage, decisions regarding intervention should be left to the OIC.

- C. The OIC shall assume command of the incident unless relieved by a higher ranking officer. If practical, the OIC shall make contact with the leader of the demonstration in an attempt to determine the intentions of the group, duration of event, planned route of travel, etc. Whenever feasible, maintaining dialogue with the group and eliciting cooperation with respect to the actions of the group is preferred.
- D. The OIC shall:
1. Determine the need to establish a Command Post;
 2. Determine if the rights of others (private property owners or freedom of movement by others) are being impacted by the actions of the group;
 3. Determine equipment & resource needs;
 4. Request that dispatch notify the Operations LT and the Chief of Police;
 5. Arrange for documentation of the event and the Department's response using photography and videography as soon as practical;
 6. Make reasonable efforts to prevent vehicular traffic from entering the affected area;
 7. Make reasonable efforts to prevent uninvolved pedestrians from entering the area;
 8. Assign an operations section chief;
 9. Determine the need to deploy a mobile field force.
- E. A mobile field force (MFF) is defined as a group of police officers led by a supervisor to provide a rapid, organized, and disciplined response to civil disorder, crowd control, or other tactical situations. A MFF usually consists of squads of officers supplemented by specialized units such as Canine or others as appropriate. A mobile field force will be led by a supervisor and is normally deployed for the following assignments:
1. To rescue members of the public or police officers under hazardous conditions.
 2. To apprehend multiple offenders, (i.e. those engaged in active resistance, looters and others committing crimes or posing hazards to the community).
 3. To isolate areas of civil disorder or disaster by the use of large, organized perimeters.
 4. To control or disperse unruly crowds.
 5. Other assignments as required.
- F. Officers assigned to a MFF may be uniformed in a variety of ways depending on their role/assignment. Some "front line" officers may be attired in a "soft" uniform or regular duty uniform. Other officers may be attired in uniforms including protective gear such as helmets, shields, and other personal protective padding or equipment. Generally, officers attired in protective gear

should be staged out of sight of the group until the Incident Commander determines their presence is necessary.

- G. Officers assigned to a MFF shall:
1. Maintain a professional and impartial demeanor at all times;
 2. Be courteous but firm;
 3. Not engage in debate or argument with protestors;
 4. Act together as a coordinated unit under the direction of their assigned supervisor;
 5. Follow all applicable General Orders;
 6. Wear insignia indicating their Department affiliation;
 7. Provide their name or radio ID number (badge #) upon request.
- H. When reasonable evaluation indicates that a group or gathering could become confrontational or violent, Specialty Impact Munitions (SIMs) may be deployed in accordance with G.O. #15 "Use of Force" with the following modifications:
1. Use of aerosol agents or munitions with multiple projectiles designed to affect multiple persons – such as fogging canisters or multi-projectile launchers – should generally be deployed only with the approval of the Incident Commander. In the event that a life threatening or serious injury emergency exists, they may be used at the discretion of the grenadier.
 2. Use of aerosol agents designed to affect one individual or single projectile munitions may be used at the discretion of the officer in accordance with current policy and training.
- I. After order has been restored, every effort shall be made to return to normal functioning as soon as possible.
- J. All officers involved will be required to submit a written report of their actions during the course of the incident.

IV. MASS ARREST:

- A. Mass arrest shall generally be defined as taking into custody more than three persons during the same protest or civil disobedience incident.
- B. One CPD officer will be designated as the "arrest officer." This officer shall notify individuals that they are under arrest. The arrest officer will affix a tag or other identifier on the arrestee as a temporary identifier until formal identification can be done during arrest processing.
- C. Pre-designated arrest teams will remove the individual(s) from the scene. Arrestees will be searched by arrest teams prior to transport. Individuals will be transported to headquarters or other designated processing area as soon as practical. If vehicles beyond department resources are needed, appropriate resources (e.g. Department of Corrections/Sheriff's Department) will be contacted for assistance.

- D. The processing of prisoners shall be consistent with established procedures for searching arrestees, completing booking, arrest reports, fingerprinting and photographs. Booking may be delayed temporarily until additional officers are available.
- E. The OIC shall designate a "processing officer" to oversee the detention and processing of all arrestees. This officer shall be responsible to ensure the safety and security of detainees and enforcement personnel and for thorough completion of all arrest related identification processes. Whenever possible, arrestee processing shall be audio and video recorded. As soon as practical, persons arrested will be transported to the Correctional Center, court or released as appropriate.
- F. Officers must be conscious of the need to collect, seize and secure evidence of any applicable crimes consistent with established procedures. All officers must document any testimonial evidence necessary to support a given charge. This documentation must be attached with all other arrest information related to the arrestee.
- G. Generally, one officer will be assigned as the affiant to generate reports in support of probable cause for arrest. All involved officers are responsible for providing the affiant officer with supporting information and details as relevant in writing in a timely manner.
- H. All policies contained in General Orders regarding custody and sight/sound separation of juveniles and males/females shall be followed unless exigent circumstances exist.
- I. All reasonable requests for medical treatment will be granted by summoning medical personnel to evaluate the sick or injured person at the processing facility.
- J. Attorney visits are not allowed while in temporary police custody. All arrangements for attorney visits shall be arranged through the Chittenden County Community Correctional facility.

V. DIGNITARIES/VIPs:

Whenever CPD is required to provide security for a VIP, the Chief of Police shall designate a single person as supervisor and coordinator of the detail. The detail supervisor shall coordinate all activities within the department. If the detail is in conjunction with the United States Secret Service or other agency with primary responsibility for dignitary protection, the detail supervisor shall be the department's liaison and shall provide necessary assistance to the lead agency. If the detail is led by CPD, the detail supervisor shall be responsible for the following activities:

- A. Prior to the visit, determine personnel and equipment requirements such as vehicles, protective equipment, weapons and traffic control devices;

- B. Plan travel routes and alternate travel routes, considering traffic flow, volume, roadway hazards, accessibility to medical assistance and other pertinent information;
- C. Prior to the event, inspect all event sites and gather all available intelligence information;
- D. Determine the need for identification of non-uniformed officers by designation, such as lapel pins;
- E. Identify and communicate to all detail participants the location(s) of available first aid stations, ambulance services, and medical facilities;
- F. Serve as coordinator for the event both within the department and with outside agencies or contacts;
- G. Create a communications plan for use of radios and other communications equipment during the detail.

VI. SPECIAL EVENTS:

Colchester is the site of numerous recurring special events such as the 4th of July Parade and Fireworks, the Triathlon and Winter Carnival. Other events could be considered a special event when it is anticipated that it will draw an unusually high number of people to Town, create more than temporary traffic congestion problems, or will have a significant impact on the community. Whenever a special event is scheduled to occur within the Town, the Chief of Police shall designate a person to supervise and coordinate the coverage of the event. The detail supervisor shall be responsible for the following:

- A. Provide a written estimate of traffic, crowd control and crime problems expected for any given event;
- B. Prepare a contingency plan for traffic control and direction;
- C. Determine the need, if any, for use of special personnel assignments;
- D. Determine all logistical requirements and procure needed assistance;
- E. Serve as coordinator for the event both within the agency and with outside agencies;
- F. Prepare and submit to the Chief of Police an after action report detailing the event and providing appropriate suggestions for future similar events.

VII. RESPONSE TO ACTIVE VIOLENCE

There are many types of incidents that involve active violence including active shooters, workplace violence and more. These incidents are dynamic and often

unpredictable. The term active shooter applies to all situations where there is an active, ongoing deadly threat, to include those from firearms, explosives, knives, and so forth. We will respond to such incidents consistent with current training and best practices.

CPD will make reasonable efforts to ensure all sworn personnel are trained in response to active shooters and that the training is refreshed/updated periodically.

In all instances the primary objective of responders shall be to neutralize the threat and minimize casualties. Rapid intervention by individual officers or teams is normally the best option. Only after the threat has been stopped will responders render aid to the wounded.

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