

Louisville Metro Police Department

Standard Operating Procedures	SOP Number: 12.6
	Effective Date: 12/14/06
	Prv. Rev. Date: 06/05/22
	Revised Date: 12/19/22
Chapter: Special Response	Accreditation Standards: KACP: 17.4, 19.2, 19.5
Subject: Civil Disturbances/Disorderly Crowds	

12.6.2 DEFINITIONS (CONTINUED)

where there is imminent danger of collective violence, destruction of property, or other unlawful acts (refer to Kentucky Revised Statute (KRS) 525.050).

Crowd Control: Techniques used to address unlawful public assemblies, to include a show of force, crowd containment and dispersal equipment/strategies, and preparations for multiple arrests.

Crowd Control Devices: Devices and equipment utilized to mitigate disorderly crowds. These devices may include, but are not limited to, chemical agents (e.g. tear gas, pepper balls), acoustic devices (e.g. Long-Range Acoustic Device (LRAD), and flashbang devices (e.g. scat rounds, aerial bangs).

Crowd Management: Techniques used to manage an assembly before, during, and after the event for the purpose of maintaining the assembly's lawful status. This is accomplished through event planning, pre-event contact with group leaders, communication with participants, the issuance of permits, intelligence gathering, personnel training, and other means.

Disorderly Crowd: A large group of individuals who are not engaging in a lawful demonstration by exhibiting unruly, violent, intimidating, or uncooperative behavior.

Hot Spot: Locations where crowds are, or potentially, known to gather. Hot spots are largely identified by past crowd movements and behaviors. Hot spots may include, but are not limited to, parks, intersections, bus stops, or businesses.

Lawful Demonstration: A lawful assembly of persons organized primarily to express their views. Typically, these events are scheduled and permitted, allowing for prior police planning. Demonstrations include marches, protests, and other assemblies that are largely designed to attract the attention of onlookers, the media, and others. Lawful demonstrations have the potential to evolve into civil disturbances requiring law enforcement action.

Riot: A public disturbance involving an assemblage of five (5) or more persons which, by tumultuous and violent conduct, creates grave danger of damage or injury to property or persons or substantially obstructs law enforcement or other government function (refer to KRS 525.010).

Unlawful Assembly: An assembly of five (5) or more persons for the purpose of engaging, or preparing to engage, in a riot (refer to KRS 525.050).

12.6.3 INTELLIGENCE SOURCES

While not all civil disturbances/disorderly crowds are pre-planned, officers should be aware of sources of information that are used to plan, or may assist in responding to, incidents that could potentially become violent. Social media communication may be used to synchronize the planning and execution of these incidents. Once these events begin, the rapid broadcasting of the event through social media can quickly increase the scope and magnitude of the event, potentially overwhelming the ability of law enforcement to respond, contain, and end the disturbance. The use of social media and electronic devices (e.g. cell phones, tablets, etc.) provide instigators with a larger audience, a real-time communication medium, and a global reach. Social media

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12.6.3 INTELLIGENCE SOURCES (CONTINUED)

communications (e.g. Twitter, Facebook, and text messaging) are often used to organize these incidents. Officers should be aware of any potential social media postings that may reveal any potentially dangerous incidents. Every effort should be made to identify groups with histories of criminal activity and an online presence in order to distinguish credible information from rumors.

12.6.4 PROCEDURES (KACP 19.2a-b)

Any officer who encounters, or receives a report of, a civil disturbance/disorderly crowd will observe the situation from a safe distance in order to determine if the gathering is currently, or may potentially become, violent. The officer will attempt to identify crowd leaders and individuals who are engaged in criminal acts. If the officer believes the crowd cannot be dispersed with the resources immediately available, he/she will notify MetroSafe of the nature and seriousness of the disturbance, particularly noting the availability of weapons, and request that MetroSafe contact the on-duty commanding officer of the division(s) where the incident(s) is occurring (KACP 19.2h). The commanding officer will then be briefed by the initial responding officer, and the commanding officer will decide if additional resources are necessary.

The commanding officer will respond to the scene of the civil disturbance/disorderly crowd (KACP 17.4). Acting sergeants who are responding to the scene of a civil disturbance/disorderly crowd should request an on-duty sergeant or lieutenant from an adjoining division to respond. Once the responding sergeant or lieutenant arrives and is briefed, he/she will assume the role of Incident Commander (IC).

The initial responding officer will brief the commanding officer on the following:

- An estimate of the number of crowd participants.
- The nature of the crowd's behavior.
- The age(s) of participants.
- The nature of the area (e.g. park, business area, school, residential neighborhood, etc.) where the incident is occurring.
- A possible determination of the crowd's origination and probable direction/destination (i.e. hot spots).

This initial briefing will be captured on the officer's Body-Worn Camera (BWC) and/or via radio.

All available units in the division where the incident is occurring may be dispatched to the location. Units from adjoining divisions may be dispatched to assist, if needed. This may include up to half of the department's on-duty personnel. Other additional units, if available, should also be dispatched to hot spots in the area of the incident.

After the commanding officer's arrival at the scene, the commanding officer will assess the immediate situation and weigh the effects of law enforcement action by considering:

- **The impact of an unlawful assembly declaration on persons who are not directly engaged in, or furthering, riotous action.**
- The likelihood of community disorder/potential for escalation.
- The safety of citizens and departmental personnel.

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12.6.4 PROCEDURES (CONTINUED)

- The severity of law violation(s).
- The availability of resources.
- Available routes of egress for persons who are in compliance with dispersal orders.

The commanding officer is responsible for determining and coordinating the enforcement action to respond to the incident. The commanding officer will continually assess and reassess the situation for the necessity of intervention or opportunities to disengage. Commanding officers may utilize enforcement options, including, but not limited to, the following:

- The issuance of formal orders to disperse, utilizing public address equipment in order for the notification to be heard by all crowd leaders and members (refer to SOP 12.29).
- The use of tactical maneuvers and other crowd management formations to promote a dispersal of those who are acting in violation of the law.
- When necessary, making arrests based on probable cause (KACP 19.2x).
- The use of chemical agents, in a manner consistent with SOP 9.1.
- The use of Special Impact Munitions Systems (SIMS), in a manner consistent with SOP 9.1.

The commanding officer will determine the number of personnel and equipment necessary to contain the disturbance and report this information to MetroSafe (KACP 19.2h, r). Crowd management techniques should be utilized first, circumstances allowing; however, in situations where there is an imminent threat to public safety, control strategies will be developed (KACP 19.2e).

Officers will attempt to disperse the crowd with a dispersal order if the incident is minor and resources permit (refer to SOP 12.29).

Whenever possible, officers should follow roving, disorderly crowds in their vehicles for the purposes of observation and communication.

Alternative forms of patrol (e.g. foot patrols, all-terrain vehicle (ATV) patrols, bicycle patrols, the Air Unit, Mounted Patrol, etc.) should be considered to increase the mobility and presence of officers who are responding to disorderly crowds (KACP 19.2j). Video recording should be utilized, if available, in order to identify and record crowd participants and their behavior(s). The commanding officer will attempt to anticipate/identify the crowd's direction and movement in order to prevent other areas of the division from being affected. Being proactive by anticipating the movement of the crowd, maintaining a strong visible presence, and being familiar with the geographic area are some of the best measures to achieve a successful outcome.

Specialized officers may be requested to the scene to assist in dispersing the crowd with non-lethal/less-lethal weapons or chemical agents, if necessary. Specialized officers include members of the Crisis Intervention Team (CIT) and chemical agent-trained officers from the Special Response Team (SRT) (KACP 19.2j). SOP 9.1 will be adhered to for all use of force incidents. If the incident is severe and the crowd cannot be immediately dispersed, the commanding officer will contact MetroSafe and have them contact the division commander to respond to the scene (KACP 19.2h).

The commanding officer may request and notify support units, including, but not limited to, the following (KACP 19.2j, n):

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12.6.5 USE OF CROWD CONTROL DEVICES

In a disorderly or unlawful crowd situation, commanders must evaluate the need to utilize crowd control devices. Crowd control devices may only be utilized on disorderly or unlawful crowds to prevent injury, death, or property damage.

The use of chemical agents for crowd control may only be authorized by the Chief of Police, or his/her designee. Officers will consider lower levels of force prior to deploying chemical agents. Chemical agents include Orthochlorobenzal-Malononitrile (CS) and Hexachloroethane (HC) smoke. Chemical agents may be either hand-tossed or deployed from a 40mm launcher. Chemical agents may only be authorized under the following safety circumstances:

- To protect human life;
- When an individual or group of individuals is acting with the intent to cause injury to police officers or other persons (e.g. physical assault/throwing bottles, rocks, bricks, chemicals, liquids, fireworks/explosives, or other items);
- When an individual or group of individuals is acting with the intent to cause serious property damage (e.g. mass vandalism/looting/destruction of structures or vehicles);
- To prevent arson; or
- When there is the presence of gunfire within the crowd.

Chemical agents will not be used to move or control a lawful crowd or for disorderly or unlawful crowds that are merely refusing to disperse, but do not present a specific danger as outlined above.

The only exception to this mandate will be emergency situations where immediate action is required, and it is impractical for the ground commander to wait for permission. Examples include active gunfire erupting from within a crowd or when officers or other persons are actively being physically assaulted, and the immediate use of chemical agents is required to protect the officers and others. Commanders who are ordering chemical agent deployment under these circumstances will be held strictly accountable for any action taken pursuant to this policy.

Pepper ball munitions may be utilized to move disorderly or unlawful crowds by directing the munitions at the ground or above the crowd. Officers should not aim pepper ball munitions at the body of an individual unless the individual is presenting a safety threat to the officer or another person, or is engaged in arson or serious property damage. The head, neck, and face should be avoided.

Special Impact Munitions Systems (SIMS) must be used in accordance with SOP 9.1.11. SIMS may not be used in a crowd dispersal capacity. They should only be used to target individuals who are displaying active aggression.

Long-Range Acoustic Devices (LRADs) will only be used to give directions and make announcements to the crowd, unless the commanding officer can articulate why it needs to be used in lieu of a different type of force. The manufacturer's recommendations for safe deployment and specialty unit guidelines should be followed for the usage of LRADs, in order to minimize the risk of injury.

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12.6.6 RESOURCES (KACP 19.2t)

The Transit Authority of River City (TARC) can be contacted at (502) 561-5169 or (502) 561-5170, 24 hours a day, seven (7) days a week, to request more buses to respond to the incident in order to remove participants from the scene.

Officers who are in patrol vehicles may be requested to monitor TARC bus routes that are being used to transport crowd participants away from the affected area in order to prevent further incidents from occurring.

12.6.7 INCIDENT COMMAND SYSTEM (KACP 19.2b)

In addition to the procedures outlined above, the commanding officer will implement the Incident Command System (ICS). The commanding officer will serve as the IC, until relieved by a higher authority. The higher authority will then assume the role of IC and its accompanying responsibilities (KACP 19.2d). MetroSafe will be notified of all changes in command, including the name of the commanding officer who is serving as the IC.

Responsibilities of the IC should include, but are not limited to, the following under the ICS (KACP 19.2c, e):

- Develop an Incident Action Plan (IAP), including strategies, goals, and tactics.
- Establish rules of conduct, including use of force options.
- Define unlawful activity and priorities of enforcement.
- Determine if a Unified Command (UC) of first responder agencies and the Emergency Management Agency (EMA) is necessary to effectively coordinate the response and control the incident.
- Designate a safety officer (SO). The SO reports directly to the IC. The SO is responsible for verifying the safety of all responders and reports unsafe situations or response tactics to the IC. The SO may exercise emergency authority to stop, or prevent, unsafe acts when immediate action is required.
- Determine the number of personnel and equipment necessary to contain the disturbance and report this information to MetroSafe (KACP 19.2h, r).
- Rapidly deploy sufficient numbers of law enforcement and other public safety personnel to immediately control and/or respond to anticipated events.
- Establish an Incident Command Post (ICP) based on the proximity to the disturbance, availability of communication resources, availability of space, security from crowd participants, and wind direction (KACP 19.2k, m).
- Establish an inner and outer perimeter sufficient to contain the disturbance and prevent entrance into the affected area. This includes blocking the streets of the affected area. An emergency route should be designated and maintained (KACP 19.2g).
- Provide an egress route for the crowd so as not to hinder the response plan or cause the disturbance to affect a greater area.
- Request that MetroSafe assign a detail channel and advise all responding personnel of the assigned channel (KACP 19.2h).
- Notify the Media and Public Relations Office, who will be the only personnel responsible for coordinating and releasing appropriate information to the media and the public, at the direction of the IC (KACP 19.2o).
- Establish and sufficiently staff a press area and a booking area.
- Designate a staging area to which responding officers will report (KACP 19.2k).

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12.6.11 DE-ESCALATION (CONTINUED)

The prospect of a favorable outcome is often enhanced when supervisors become involved in the management of an overall response to potential violent encounters by coordinating resources and officers' tactical actions.

Supervisors should possess a good knowledge of tactics and verify that officers under their supervision perform to training standards. As a good practice, supervisors will acknowledge and respond to incidents in a timely manner where law enforcement use of force is probable.

During the de-escalation of the incident, the commanding officer/IC, along with the division commander, should consider implementing plans to address the following:

- Providing vehicular and foot patrol security to residents and businesses in order to prevent further property damage/loss.
- Developing a means of identifying people who have a legitimate reason for being in the area.
- Providing media access and interviews through the Media and Public Relations Office.
- Dealing with unusual security problems.
- Assessing personnel and equipment needs until normal operations resume (KACP 19.2r).

If the command post is no longer needed, but a return to normal operations has not yet resumed, the division facility, if available, will become the staging area for personnel who are assigned to the detail (KACP 19.2k).

12.6.12 POST-INCIDENT OCCURRENCE (KACP 19.2bb)

After the crowd has been disbanded, commanding officers will order that routine patrols are conducted in the area of the disturbance and any area hot spots that may be affected. Any subsequent reports of disturbances will be reported to the commanding officer and MetroSafe.

Immediately following the incident, the commanding officer will:

- Determine the number of officers who are needed to maintain order in the area.
- Determine assignments and shifts.
- Return unnecessary personnel to their normal duties.
- Resume normal operations, when appropriate.

When the disturbance has been brought under control, the commanding officer will address the following:

- **Ensure that** officers who are engaged in the incident are accounted for and an assessment of personal injuries is made.
- All officers and supervisors will be debriefed by their supervisors in accordance with the Basic Incident Plan (refer to the ERP Incident Levels chapter).
- Witnesses, suspects, and others should be interviewed.
- An After-Action Report (LMPD #08-0005) will be completed as soon as possible, to include a comprehensive documentation of the basis for, and the department's response to, the incident (refer to SOP 12.6.13).

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12.6.12 POST-INCIDENT OCCURRENCE (CONTINUED)

- Any damage to federal, state, or local governmental property should be handled in accordance with SOP 7.8.

An AIR will be completed, via the BlueTeam link, located on the LMPD Intranet, for each incident involving use(s) of force required by SOP 3.1, including:

- Any declaration of an unlawful assembly under KRS 525.050, to include specific facts considered in making the declaration; and
- Incidents involving the deployment of chemical agents or less-lethal munitions.

For the purposes of AIR completion as described in this SOP (12.6.12), an "incident" is considered all uses of force occurring during the span of one (1) continuous engagement. If officers disengage and subsequently re-engage, a separate AIR will be completed for this additional incident.

12.6.13 AFTER-ACTION REPORT (KACP 19.2bb, cc)

Following the incident, the personnel who are listed below are responsible for making written evaluations of all policies, procedures, plans, personnel, and specialized units involved:

- Commanding officer/IC
- Division commander
- Any involved specialty unit commander(s)

The evaluations should focus on operational concerns, specifically problem areas, and the efficiency and effectiveness of the **entire response**. The evaluations should also recommend methods for improving departmental operations, policies, plans, and procedures in order to prepare for future incidents. The evaluations will be compiled into an After-Action Report (LMPD #08-0005) by the commanding officers and forwarded, through the chain of command, to the appropriate Bureau Commander. All After-Action Reports are to be kept in the Chief's Office.

12.6.14 CORRECTIONAL FACILITIES (KACP 19.5)

Upon the request of a correctional or detention facility chief executive officer (CEO), or his/her designee, LMPD officers will respond and provide support, in the event of a riot or other disorder, within the facility. A commanding officer will immediately respond to the scene and consult with the highest-ranking facility supervisor to determine the appropriate level of support (KACP 17.4).

The LMPD will not enter any secured area of the correctional facility without the approval of the facility CEO, or his/her designee.