

<b>YORK-POQUOSON SHERIFF'S OFFICE</b>	<b>GENERAL ORDERS</b>
<b>SUBJECT: Civil Disturbances</b>	<b>NUMBER: GO 2-26</b>
<b>EFFECTIVE DATE: February 11, 2019</b>	<b>REVIEW DATE: January 8, 2019</b>
<b>AMENDS/SUPERSEDES: GO 2-26, January 1, 2003</b>	<b>APPROVED:</b>  Sheriff
<b>VLEPSC: OPR.05.01</b>	

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16    **POLICY**

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18    Civil disturbances may take many forms and vary in size and degree of danger to the public. Civil

19    disturbances include riots, disorders, and violence arising from dissident gatherings,

20    demonstrations, concerts, political conventions, or labor disputes. Defusing the situation and

21    restoring order are the primary objectives during all civil disturbances. Deputies must be able to

22    respond to any civil disturbance, isolate it from the remainder of the community, protect life and

23    property, and maintain control.

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25    **PURPOSE**

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27    The purpose of this order is to establish procedures for the York-Poquoson Sheriff's Office

28    response to and handling of civil disturbances. This General Order is the York-Poquoson Sheriff's

29    Office Civil Disturbance Operations Plan.

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31    **DEFINITIONS**

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- 33     • Civil disturbance
    - 34       ○ An unlawful assembly that constitutes a breach of the peace or any assembly of persons
    - 35        where there is imminent danger of collective violence, destruction of property or other
    - 36        unlawful acts

- 38 • York-Poquoson Sheriff's Office Civil Disturbance Operations Plan
- 39 ○ A planning and operational tool designed to guide Sheriff's Office personnel to be able
- 40 to respond to a civil disturbance, isolate it from the remainder of the community, protect
- 41 life and property, and maintain control by defusing the situation and restoring order.
- 42 ○ This plan can also be used for emergency situations at correctional or other institutions.
- 43 See [GO 2-37, Court Security](#).

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## 45 **PROCEDURES**

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- 47 • Authority for obtaining additional resources
- 48 ○ The on-duty supervisor is authorized to immediately call-up off-duty personnel,
- 49 specialized teams, or area mutual aid to maintain order and to protect lives and property.
- 50 ○ The on-duty supervisor shall notify the Sheriff, Chief Deputy, and Patrol Commander as
- 51 soon as practical. See [GO 2-22, Unusual Occurrences](#).
- 52 ○ The Sheriff or his designee shall notify the County Administrator as soon as practical of
- 53 the disturbance and shall keep him advised of any changes. See [RR 1-17, Jurisdiction-](#)
- 54 [Mutual Aid](#).
- 55 ○ The on-duty supervisor shall be responsible for directing operations until relieved by
- 56 higher authority.
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- 58 • Sheriff's Office resources
- 59 ○ The on-duty supervisor shall determine what, if any, additional resources are required.
- 60 ○ Additional off-duty personnel may be called back per [GO 2-22, Unusual Occurrences](#).
- 61 ○ Protective shields, shin guards and riot helmets shall be picked-up from storage and
- 62 brought to the scene as soon as possible.
- 63 ○ No Deputy Sheriff will be deployed into a riot situation without proper protective
- 64 equipment.
- 65 ○ Riot protective equipment shall be inspected at least semi-annually for operational
- 66 readiness.
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- 68 • Duties of first deputy(s) on the scene
- 69 ○ The duties of the first deputy(s) arriving at the scene of a disturbance include the
- 70 following steps:
- 71     ▪ Observe the situation from a safe distance and determine if the crowd is peaceful or
- 72     potentially violent.
- 73     ▪ Notify the dispatcher of the seriousness of the situation and request the on-duty
- 74     supervisor and additional back-up to respond.
- 75     ▪ Through observation, try to identify the leaders of the group and any persons
- 76     engaged in criminal acts.
- 77 • Duties of the on-scene supervisor
- 78 ○ Upon arrival at the scene, the on-duty supervisor shall assume command until relieved
- 79 by higher authority. He shall perform the following actions:
- 80     ▪ Assess the situation for seriousness and danger and evaluate what resources are
- 81     needed to meet the problem.

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- Maintain communications with the dispatcher by relaying the following information:
    - ❖ Estimating the crowd's size and area involved.
    - ❖ Gauging the crowd's mood.
    - ❖ Noting any weapons.
    - ❖ Noting any destroyed property.
  
  - Establish a command post.
  - Decide the number of personnel and type of equipment needed.
  - If a call-back has begun, the supervisor shall determine the assembly point and equipment to be worn.
  - Instruct dispatch to make proper notifications to include:
    - ❖ Fire Department.
    - ❖ Emergency medical services.
    - ❖ Hospital emergency rooms.
    - ❖ Neighboring jurisdictions.
    - ❖ State Police.
    - ❖ Sheriff's Office PIO for news media press releases to provide public information.
  
  - Establish an outer perimeter sufficient to contain the disturbance and prohibit entry into the immediate area of the disturbance.
  - Instruct deputies about traffic control through and around the perimeter.
  
  - Until adequate manpower resources are obtained, supervisors may determine that the best course of action is containment only.
  - When using containment, all resources should be utilized to prevent the area of unrest from growing.
  - During the containment period, all physical arrests should be discouraged.
    - Arresting protestors during this stage can diminish personnel resources and subject arresting deputies to an unnecessary risk of injury.
  - Deputies should not be placed into unnecessary danger until appropriate manpower resources are assembled.
  
  - Duties and responsibilities of dispatchers
    - When a civil disturbance arises, dispatchers shall perform the following tasks:
      - Make appropriate notifications requested by the on-scene supervisor.
      - Deputies who have been called to duty shall be told when and where to report and what personal equipment will be needed.
      - Refer news media inquiries to the Sheriff's Office PIO.
  
  - Operations - general
    - Once appropriate and adequate personnel are in place, the supervisor shall perform the following tasks:

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- Communicate to the leaders and crowd that the assembly is unlawful and that they have to disperse, using the public address system.
  - Section [18.2-406](#), Code of Virginia, defines an unlawful assembly and its criminal penalty.
  - Section [18.2-407](#), Code of Virginia, addresses remaining at a place of riot or unlawful assembly after a warning to disperse has been given.
  - Set a time limit for dispersal and make clear that no extensions will be allowed.
  - If the crowd fails to disperse and continues its unlawful acts, after consultation with the Sheriff, Chief Deputy or Patrol Commander, the supervisor may:
    - ❖ Authorize the use of force, including chemical agents.
    - ❖ Order the formation of police lines and move into the crowd to gain control.
- Operational options
    - If the crowd does not disperse after the supervisor has followed the procedures above, one of two options may be pursued:
      - Containment and dialog
        - ❖ The objective of this option is to disperse the crowd by developing a dialog with crowd leaders to assess their intentions and communicating that a violation of the law has occurred and the crowd must disperse.
      - Physical arrest
        - ❖ The objective of this option is to arrest the crowd leaders.
        - ❖ To achieve this objective, supervisors must employ tactical riot formations, ensure that deputies are properly equipped and protected, that back-up deputies are available, and transportation is immediately available to remove arrestees from the scene.
        - ❖ See Sheriff's Office policies [GO 2-4, Arrests](#) and [GO 2-6, Use of Force](#).
- Transportation
    - All Sheriff's Office vehicles shall be available for transportation of deputies and equipment to the scene, and for prisoner transport from the scene.
    - If additional transportation is required, the regional jail shall be contacted for extra vehicles.
- Public facility security
    - The on-scene supervisor shall detail deputies to provide security to all public facilities threatened by a crowd or in close proximity.
- Public information
    - News Media
      - Public demonstrations are typically covered by local, regional and possibly national news media.
      - Demonstrators will often times utilize their personnel cell phone or similar devices to provide live feeds of demonstrations across various social media outlets. These

- 171 persons should be treated the same as other media outlets unless they are actively  
172 participating in violent or illegal acts.
- 173     ▪ Unless a dispersal order is given, news media cannot be denied access to areas  
174     where public demonstrations are taking place.
  - 175     ▪ Reasonable efforts should be made to warn media personnel if they are attempting  
176     to enter an area where they are placing themselves in danger.
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- 178     ○ Press Releases
    - 179         ▪ The Sheriff shall be the primary spokesperson regarding any public demonstrations  
180         and shall approve any press releases.
    - 181         ▪ The Sheriff may direct the Sheriff's Office PIO to issue, public information notices  
182         about areas the public should avoid and traffic issues.
    - 183         ▪ In the event the demonstration involves the response of multiple law enforcement  
184         agencies a Joint Information Center (JIC) may be established.
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- 186     ● De-escalation procedures
    - 187         ○ Once the disturbance has been brought under control and the situation has returned to  
188         normal, the supervisor shall begin de-escalation procedures to include the following  
189         steps:
      - 190             ▪ Disengage deputies/mutual aid officers as appropriate.
        - 191                 ❖ Every law enforcement officer who participated in the incident shall be  
192                 accounted for.
        - 193                 ❖ A debriefing may be arranged if needed.
      - 194             ▪ On-duty deputies shall return to normal patrol operation.
      - 195             ▪ Called-back deputies shall return issued equipment to the place of issue.
      - 196             ▪ Assign deputies to remain in the area of the disturbance to guard against a  
197             recurrence of trouble.
      - 198             ▪ Discontinue the command post.
      - 199             ▪ Ensure that all Sheriff's Office equipment is accounted for and collected.
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  - 202     ● Post-occurrence duties/after-action reports
    - 203         ○ When the disturbance has ended, the supervisor shall perform the following duties:
      - 204             ▪ Prepare a detailed report, providing all factual information about the incident to the  
205             Sheriff, along with any appropriate recommendations.
      - 206             ▪ Arrange for evidence collection at the scene.
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- 208     ● Mass arrest procedures
    - 209         ○ Mass arrests must be handled quickly and efficiently in providing transportation to jail  
210         or release on summons with a consistent observance of arrestees' rights.
    - 211         ○ Arrested persons shall be removed from the point of disturbance and brought to where  
212         the mass booking area has been established.
    - 213         ○ The incident commander shall establish an arrest team to handle prisoners.
    - 214         ○ Arrest team duties shall include the following steps:
      - 215             ▪ Photograph the arrested person, if person is to be released on a summons.

- 216           ▪ Arrest/identification information shall be recorded using available resources.
- 217           ▪ Arrestees not released on a summons shall then be transported to the regional jail
- 218           where formal charging/booking shall take place.
- 219           ▪ Arrange for medical treatment for any injured arrestees prior to transporting to the
- 220           jail.
- 221           ▪ A thorough search, subsequent to the street search, will be made of the arrestee by
- 222           the arresting deputy, prior to the arrival of those deputies responsible for prisoner
- 223           transport.
- 224           ▪ Deputies shall secure any evidence and/or prisoner property, and the recovered
- 225           property page of the Sheriff's Office offense report will be completed as
- 226           necessary.
- 227           ▪ A second thorough search will be made by the transporting deputies, consistent
- 228           with current policy.
- 229           ▪ The arresting deputy shall complete a criminal complaint.
- 230           ▪ The incident and arrest report shall be completed as soon as possible in
- 231           accordance with [GO 2-50, Field Reporting](#).
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- 233           ○ Juveniles involved in arrests shall be treated according to procedures set forth in [GO 2-](#)
- 234           [29, Juvenile Procedures](#).
- 235           ○ The commonwealth's attorney or his/her assistant shall provide legal advice to the on-
- 236           scene supervisor as appropriate.
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- 238       ● Evidence Collection
- 239           ○ Deputies on the scene will secure the scene for the possibility of evidence collection.
- 240           ○ When practical evidence collection will be completed by an investigator trained to
- 241           collect, identify, and preserve evidence and assigned to the scene for the purpose of
- 242           evidence collection.
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- 244       ● Use of force
- 245           ○ Deputies shall use the minimum amount of force necessary to effect an arrest or control
- 246           the disturbance in accordance with [GO 2-6, Use of Force](#).
- 247           ○ If the arrest of crowd leaders or agitators does not disperse an unlawful assembly, the
- 248           supervisor, in consultation with the Sheriff or his designee, may order the use of non-
- 249           lethal force to achieve this end.
- 250           ○ If non-lethal force is used against a crowd, the supervisor shall ensure the following:
- 251           ▪ A clear path of escape is available for those who wish to leave the area.
- 252           ▪ The use of tear gas, smoke, or other non-lethal tools is controlled and coordinated.
- 253           ▪ Canine units shall not participate in these enforcement actions.
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- 255           ○ The use of deadly force shall be governed by [GO 2-6, Use of Force](#), but particular
- 256           caution must be exercised when shooting near a crowd.
- 257           ○ Deputies shall not return fire into crowds.
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259 **SPECIAL CIRCUMSTANCES**

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- Demonstrations
    - The objective of Sheriff’s Office personnel in responding to demonstrations is to preserve the peace by fair and equitable dealings with all parties and to protect the safety and property of all concerned.
  
  - Supervisor's responsibilities
    - The supervisor shall communicate with demonstrators, both sides if applicable, to:
      - Advise them of Sheriff’s Office policy in protecting lives and property.
      - Emphasize the importance of a peaceful demonstration and that their rights to legally assemble and protest will not be interfered with as long as they obey all applicable laws.
      - Emphasize the need to maintain communication at all times between law enforcement personnel and demonstrators.
  
  - Guidelines for deputies assigned to demonstrations
    - The deputy’s objective at any demonstration is to protect life, property, and ensure the safety of all concerned, to protect the civil rights of all parties, and to maintain the peace.
    - Deputies shall not fraternize or engage in unnecessary conversation with demonstrators or participants.
    - Deputies shall avoid arrests for minor misdemeanors if at all possible, and instead enlist organization leaders and representatives to control their own people.
    - If the deputy determines that an arrest must be made, the best course is to identify the offender and arrest later.
    - Verbal abuse shall not constitute the sole reason for arresting a demonstrator.
    - Language that incites violence, however, may be cause for removing and arresting the offending person.
    - Any decision to arrest shall consider the availability of properly equipped back-up deputies/mutual aid officers and the magnitude of the offense relative to the effect the arrest may have as an incitement to others to commit violent acts.
    - To facilitate the free traffic of passers-by or persons with legitimate business, deputies may have to open breaches in a picket line and personally escort traffic, whether pedestrian or vehicular.
  
  - Use of State Police
    - Only the Sheriff or his designee may authorize the request for State Police Tactical Field Force assistance.
    - The Virginia State Police maintains a trained Tactical Field Force within each division.
    - These personnel are fully trained and equipped to handle civil disturbance situations.
    - Multiple Tactical Field Forces can be requested from different state police divisions.
    - Requests for Tactical Field Force responses should follow the procedures outlined in [RR 1-17, Jurisdiction-Mutual Aid](#).