


<p>RABUN COUNTY SHERIFF'S OFFICE</p>  <p>General Order Number: 4.12</p>	<p>Date of Issue</p> <p>2/23/2016</p>	<p>Effective Date</p> <p>2/23/2016</p>	<p>Revision Date</p>
<p>Subject: CIVIL DISTURBANCE / MASS ARRESTS</p>	<p>Amends:</p>	<p>Rescinds:</p>	
<p>Index as:</p> <ul style="list-style-type: none"> Civil Disturbance Criminal Procedure/Process Mass Arrests 	<p>State Certification Standards: 5.17, 5.34</p>		
<p>Special Instructions:</p>			

PURPOSE

The purpose of this General Order is to prescribe the policies and procedures of the Rabun County Sheriff's Office regarding the department's response to civil disturbances or mass arrest situations.

STATEMENT OF POLICY

It shall be the policy of the Rabun County Sheriff's Office to effectively respond to all incidents that may involve a civil disturbance or a mass arrest situation while protecting the rights of all individuals involved in the incident.

DISCUSSION

A civil disturbance or mass arrest situation can take place at any time or any location and may involve a limited or complete response by the Rabun County Sheriff's Office. These incidents can occur in a residential setting or at a location like the Rabun County Detention Center.

It is very important that any deputy involved in controlling or confronting one of these incidents be trained to effectively act and maintain personal control. Departmental personnel shall use all reasonable measures to control and defuse unruly crowds or illegal gatherings in order to contain property damage, injury, and loss of life.

DEFINITIONS

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.

O.C.G.A. — Official Code of Georgia Annotated.

SPECIAL EVENT — An occurrence of a spontaneous or preplanned nature that is legally authorized and which creates large concentrations of people and/or heavy traffic situations.

I. LEGAL AUTHORITY

The Official Code of Georgia Annotated (O.C.G.A.) prescribes the legal authority upon which law enforcement action can be taken in a civil disturbance situation, to include:

A. Situations Outside The Rabun County Detention Center:

1. Inciting to Riot (O.C.G.A. 16-11-31);
2. Unlawful Assembly (O.C.G.A. 16-11-33);
3. Disturbance of Meeting/Gathering (O.C.G.A. 16-11-34);
4. Obstructing Highways (O.C.G.A. 16-11-43);
5. Throwing Object at Conveyance (O.C.G.A. 16-11-37);
6. Refusal to Disperse (O.C.G.A. 16-10-30); and
7. Criminal Trespass (O.C.G.A. 16-7-21).

B. Situations Inside The Rabun County Detention Center:

1. Riot in a Penal Institution (O.C.G.A. 16-10-56);
2. Escape (O.C.G.A. 16-10-52);
3. Aiding to Escape (O.C.G.A. 16-10-53);
4. Resisting Officer (O.C.G.A. 16-10-54); and
5. Persuading/Aiding to Mutiny (O.C.G.A. 16-10-55).

II. PRELIMINARY ON-SCENE PROCEDURES

- A. Deputies confronting a civil disturbance situation shall not initiate tactical actions other than those necessary to protect the lives and safety of themselves or others as prescribed by the department's

Use of Force Policy. The principle focus should be to stabilize the situation, to reduce group tensions, and to contain the disturbance.

- B. All reasonable attempts will be made to avoid direct confrontation with any of the participants involved in the disturbance and to take necessary precautions not to become "over-committed," which may lead to out-numbered response personnel having to resort to the premature use of force for self-protection.
 - 1. The dynamics of a particular situation and the actual behavior of those involved must be taken into account when responding to a civil disturbance incident. The approach to an unruly or riotous crowd will be different from the approach to a passive demonstration that has not degraded to vandalism or violence. The following are measures that may govern the department's initial response:
 - 2. Use non-uniformed personnel when establishing visible contact with leaders of a demonstration because they may be considered less inflammatory to a crowd than uniformed officers;
 - 3. If possible, facilitate demonstrations or marches to defuse the potential for serious disruption. On-scene personnel should keep watch for disruptive persons who need to be addressed immediately to maintain order;
 - 4. The use of a canine team often creates a negative reaction and should be used only in extreme situations when the life or safety of another is directly threatened;
 - 5. Assemble responding deputies close to the incident, but at a safe location; and
 - 6. Establish a perimeter and limit access to areas where a disturbance is occurring.
- C. If an incident develops and a crowd begins to threaten lawlessness or commits acts of violence, departmental personnel must act promptly and with a sufficient display of force to make clear their intent and capacity to suppress disorder and ensure the public safety. **If arrests must be made in the presence of a crowd, two requirements must be fulfilled:**
 - 1. Have sufficient manpower on hand to affect the arrest; and
 - 2. Ensure that immediate transportation for the arrestees is available.
- D. The first deputy to arrive on the scene of a civil disturbance should do the following:
 - 1. Observe the situation from a safe distance to determine if the gathering is currently or potentially violent;
 - 2. Notify the Rabun County Central Communications Center of the nature and seriousness of the disturbance, particularly the availability of weapons;
 - 3. Request the assistance of the Watch Commander and other necessary back-up support;
 - 4. If approaching the crowd would not present unnecessary risk, instruct the gathering to disperse; and
 - 5. Attempt to identify crowd leaders and any individuals personally engaged in criminal acts.

III. RESPONSIBILITIES

- A. The Watch Commander will assume duties as the Incident Commander and will:
 - 1. Assess the immediate situation for seriousness and its potential for escalation;
 - 2. If the incident is minor in nature and adequate personnel are available, take action to disperse the crowd or determine the number of personnel necessary to contain and disperse the gathering, declare a "10-33" and relay the necessary response instructions to in-service personnel;
 - 3. Request outside assistance as necessary, such as EMS and fire services support;
 - 4. Establish a Command Post at a relatively safe area that is known to all response personnel and that is outside the affected area, not in the line of sight of those in the disturbance, from where follow-up activities can be coordinated;
 - 5. Establish an outer perimeter sufficient to contain the disturbance and prohibit entrance of supporters, on-lookers, or innocent civilians into the affected area;
 - 6. Evacuate innocent parties from the immediate area;
 - 7. Designate surveillance points to identify agitators, leaders, and individuals committing crimes; to document and report on events as they occur; and to photograph evidence of criminal acts and perpetrators;
 - 8. Request Rabun County Central Communications Center notify the Sheriff and Command Staff; and
 - 9. Maintain control of the scene until relieved by a higher-ranking officer.
- B. Criminal Investigations Division personnel (if called out) will report to the Incident Commander and:
 - 1. Initiate intelligence gathering activities;
 - 2. When directed by the Incident Commander, make contact with demonstration leaders;
 - 3. Obtain and operate surveillance and video recording equipment;
 - 4. Assist in prisoner processing and security; and
 - 5. Assume investigative responsibilities of the incident once the situation is resolved.
- C. The Public Information Officer will report to the on-scene Incident Commander and will:
 - 1. Serve as the central point of contact for the release of information to the public and members of the media; and
 - 2. Coordinate all media related activities, to include on-site newsgathering, scheduling of interviews, and press conferences, and the positioning of equipment.

- D. The Rabun County Central Communications Center shall provide support as directed by the Incident Commander, to include:
 - 1. Strictly managing radio communications by restricting air-time to only emergency situations; broadcasting a "10-3" (stop transmitting) and "10-33" (emergency) upon declaration of an situation by the Watch Commander;
 - 2. Maintaining communications with other Rabun County and outside agencies and request support as required; and
 - 3. Contacting the Sheriff and the Command Staff when requested.
- E. In the event that a Special Response Team (SRT) is needed to assist in maintaining control of the civil disturbance, then the Sheriff or the Chief Deputy may contact the Georgia State Patrol (770-535-6941) or Hall County SWAT (678-780-9063: Sheriff Couch) for further assistance.

IV. CHAIN OF COMMAND

- A. In order to successfully manage a civil disturbance situation, centralized control of all response forces under the command of a single individual is essential.
- B. The first deputy on the scene shall be in command until relieved by the Watch Commander or other ranking officer.
- C. The Watch Commander will respond to all civil disturbance situations and, for incidents occurring outside the Rabun County Jail, assume duties as the Incident Commander until properly relieved.
- D. Should the Watch Commander be unable to assume command, another supervisor closest to the situation will take charge of the incident.
- E. Any in-service Commander or higher-ranking departmental member has the authority to assume command of the situation as required.
- F. If the incident occurs in the Rabun County Detention Center, the Uniform Patrol Division Watch Commander will provide necessary support to the RCDC Watch Commander. The Rabun County Detention Center Watch Commander will respond to, and assume duties as the Incident Commander of, all emergency situations occurring in the Rabun County Jail until properly relieved.
- G. The Incident Commander will command all departmental and non-departmental response forces deployed to the civil disturbance situation; will provide direction and control by issuing orders and instructions to personnel as they arrive at the incident; and will make coordination, as necessary, with other commanders for additional personnel and equipment resources.

V. ON-SCENE COMMAND POST

- A. The Command Post should be initially positioned at a relatively safe area that is known to all response personnel and that is not in the line of sight of those involved in the disturbance.

- B. The Incident Commander shall remain at the Command Post so that she/he can provide appropriate direction and supervision of response personnel until relieved by senior ranking personnel.
- C. The duties of the Command Post Personnel are as follows:
 - 1. Monitor on-going activities;
 - 2. Direct deployment of response personnel;
 - 3. Coordinate with the Rabun County Central Communications Center for additional assistance;
 - 4. Maintain accountability of response personnel; and
 - 5. Insure an Incident Report is initiated and appropriate follow-up investigation activities are performed upon termination of the incident.
- D. In order to exercise effective control of all response forces, the Incident Commander must assign functional areas of responsibility to specific individuals, who in turn will supervise other individuals as assigned.
- E. With regard to personnel from other outside agencies, the Incident Commander will exercise command through the ranking on-scene representative from the agency.
- F. As the situation develops over time, the Incident Commander should organize deployed forces into the following areas:
 - 1. Perimeter security forces;
 - 2. Media relations;
 - 3. Medical support;
 - 4. Fire services;
 - 5. Arrest teams; and
 - 6. Any others as needed.
- G. The Commander, Uniform Patrol Division or his designee is responsible for assuming command or designating the on-scene Incident Commander for all civil disturbance situations.
- H. The Commander of the Rabun County Detention Center or his/her designee is responsible for assuming command or designating the on-scene Incident Commander for all disturbance situations at the Rabun County Detention Center.
- I. The Commander of Court Services Division or his designee is responsible for assuming command or designating the on-scene Incident Commander for all disturbance situations at the Rabun County Courthouse Complex.
- J. Based on the severity of the incident, other divisional personnel may be used as need.

VI. TACTICAL OPERATIONS

A. When adequate personnel and resources are in place, the Incident Commander or designee shall establish communications with the leader(s) of the disturbance and discuss actions necessary to disperse the crowd. Should the crowd fail to disperse in the prescribed manner, the Incident Commander should be prepared to implement one of the following options.

B. Containment & Dialogue:

The objective of containment and dialogue measures is merely to disperse the crowd by:

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

C. Physical Arrest:

1. When appropriate, the Incident Commander will order the arrest of crowd leaders, agitators, or others engaged in unlawful conduct and will:
 - a. Ensure the appropriate use of tactical formations and availability of protective equipment for deputies engaged in arrest procedures;
 - b. Obtain transportation for arrestees;
 - c. Ensure that a back-up team of deputies is readily available, should assistance be required; and
 - d. Special consideration needs to be given to those situations involving large numbers of arrestees and to ensure that appropriate book-in and transportation resources are on-site before arrests are initiated.
2. Incidents involving passive, non-violent demonstrators who "go limp" when confronted by law enforcement personnel and who may also refuse to provide any identification or otherwise cooperate during arrest procedures, may have to be carried to the field book-in facility and to the transport vehicles.

VII. USE OF FORCE

A. Non Lethal Force

When physical arrest of identified leaders or agitators is inappropriate or fails to disperse the crowd, the Incident Commander may direct the use of non-lethal force to accomplish these ends after having first received authorization from an individual in the grade of captain or above. The type of non-lethal force to be considered is pepper spray, water, or tear gas. When used, the Incident Commander shall ensure that:

1. A clear path of escape is available for those wishing to flee the area; and
 2. Sufficient on-scene medical support is available before non-lethal force is used.
- B. Use Of Deadly Force

The use of deadly force is governed by the Department's Use of Force Policy in that:

1. Deputies are only permitted to use deadly force to protect themselves or others from what is reasonably believed to be an immediate threat of death or serious bodily injury;
2. The arbitrary return of fire is prohibited unless there is a clear target; and
3. When sniper fire is encountered or hostages taken, the department's procedures outlined in the Hostage Rescue/Barricaded Incident Plan will be followed.

VIII. INCIDENT SUPPORT OPERATIONS

A. Public Information

1. It must be remembered that a media representative's responsibility is to report the news by obtaining information and photographs of individuals or events. This activity often may lead the media representative to a hostage or barricaded situation. Rabun County Sheriff's Office personnel will not obstruct authorized media representatives in the lawful performance of their duties.
2. Members of the media are not exempt from the normal investigative requirements associated with keeping the general public outside the perimeter of crime scenes being processed or from being kept away from potentially dangerous situations associated with a hostage or barricaded incident.
3. Rabun County Sheriff's Office personnel may not interfere with media activities as long as their performance remains within the confines of the law. Under no circumstances will media notes or tape/video recordings be confiscated.

B. Responsibility For The Release Of Information

1. The individual with primary responsibility to approve the release of information concerning the activities of the Rabun County Sheriff's Office is the Sheriff. The Sheriff will exercise this responsibility through the Public Information Officer (PIO).
2. The ranking officer at the scene of an incident is responsible for providing reasonable assistance to media personnel until the arrival of the Sheriff, PIO, or other members of the Command Staff. This officer will:
 - a. Insure media representatives are treated with courtesy;
 - b. Advise media representatives of the estimated time of arrival of the PIO, Sheriff, and/or other members of the Command Staff;

- c. Insure media personnel are kept outside the outer perimeter of the incident scene and are kept away from potentially dangerous situations; and
- d. Take appropriate action against media personnel who illegally interfere with law enforcement operations. Such action will normally consist of first advising the representative of any violation, requesting that they cease the inappropriate activity, and directing them to move to a location where the general public can legally be. If such measures fail, then reasonable force may be used and other appropriate action taken based upon the circumstances.

IX. COURT / PROSECUTORIAL LIAISON

- A. In the event a civil disturbance situation occurs within or near the Rabun County Courthouse Complex, appropriate liaison will be established with all court officials so that necessary security arrangements may be initiated.
- B. Whenever possible, contact should be made with the Solicitor's and/or District Attorney's Office whenever a civil disturbance situation is confronted. When time permits, coordination shall be made before any type of force is used against demonstrators or before mass arrest procedures are initiated.

X. LAW ENFORCEMENT SUPPORT

- A. All requests for agency support will be handled in accordance with the Rabun County Sheriff's Office Policy and Procedures for Agency Jurisdiction and Mutual Aid.
- B. As soon as practical, security of the public Buildings in the area should be coordinated with the appropriate local law enforcement agency.
- C. The perimeter of the disturbance area must be secured and traffic routed around the scene, as directed by the Incident Commander:
 - 1. Uniformed personnel should be used for all traffic control operations. If sufficient departmental personnel are not available, additional resources can be requested under the provision of Mutual Aid; and
 - 2. It shall be the responsibility of traffic control posts to ensure that only authorized and necessary persons are permitted access to the scene. Unnecessary personnel contribute to confusion and interfere with control operations.
- D. Equipment Requirements:
 - 1. Deputies shall report in uniform with normal items of personal equipment;
 - 2. The Incident Commander shall evaluate the equipment needs of the situation and request any equipment in addition to normally issued items, such as riot helmets and masks, be distributed.
 - 3. Stretchers or soft canvass (flexible) lifters with handle grips for the removal of passive demonstrators; and
 - 4. Obtain "flex cuffs" if mass arrests are anticipated.

XI. MASS ARRESTS

- A. Whenever possible, mass arrests should be avoided and only those who are identified as leaders, agitators, or specific law violators are to be taken into custody. However, it may become necessary to resort to the arrest of all participants in a civil disorder to facilitate the restoration of order.
- B. Persons arrested will be removed as soon as possible from the scene to a nearby holding area for initial processing and to await transportation to the Rabun County Detention or, in the case of juveniles, the Regional Youth facility.
- C. A temporary holding area will be designated near the incident scene. School buses or other transport vehicles will be obtained and will serve as both the initial holding area and the means to transport arrestees to the Rabun County Detention Center for book-in.
- D. Upon arrival at the holding area, each person arrested will be searched, identified, if possible, and photographed. The following information will be placed on a form affixed to each photograph:
 - 1. Date and time of arrest;
 - 2. Defendant's name, date of birth, and social security number;
 - 3. Location of arrest;
 - 4. Charge(s);
 - 5. Incident Report Number; and
 - 6. Arresting deputy's name.
- E. All photographs will be sent along with the prisoners when they are transported for book-in at the Rabun County Detention Center.
- F. Any item of property or contraband seized will be accounted for in accordance with the department's property and evidence handling procedures.
- G. If available, normal items of personal identification will be used to identify persons taken into custody. In addition to taking the photograph of each arrestee, those who refuse to identify themselves will be initially labeled by using plastic wristbands.

XII. JUVENILES

- A. Whenever possible, juvenile offenders will be processed and released to their parents or other responsible adult, rather than incarcerated. Only in exceptional circumstances, or for serious violations, will juveniles be taken into custody.
- B. When juveniles are detained, an attempt will be made to locate a responsible adult who can assume custody with parental permission.

- C. When all else fails, juveniles will be placed in a separate vehicle from adult violators, and brought to the Law Enforcement Center or other suitable location, where necessary arrangements can be made with the In-Take Officer.

XIII. TRANSPORTATION

- A. Whenever possible, departmental vehicles will be used to transport those taken in custody.
- B. Should additional transport vehicles be required, the Rabun County Board of Education or the Rabun County Detention Center will be contacted for bus support.
- C. In addition to the driver, another officer will be assigned to transport prisoners to the Rabun County Detention Center or other designated facility.
- D. EMS personnel will be used to transport those injured or in need of medical assistance to the closest treatment facility.

XIV. TEMPORARY DETENTION FACILITIES

- A. Adult prisoners shall be transported to the Rabun County Detention Center for book-in.
- B. Should these facilities become filled to capacity, prisoners will be brought to the Habersham County Detention Center Complex.
- C. A Rabun County Detention Center officer or officers shall be assigned as the book-in officer at any temporary facility to complete the required processing of each prisoner. Upon completion of the book-in process, the prisoners may be released on bond, taken for court appearance, or confined in the Rabun County Detention Center.
- D. Security of all detention facilities will be provided by Rabun County Sheriff's Office personnel or by other outside agency personnel when requested under Mutual Aid Agreements.
- E. Each of the department's temporary holding facilities and the Rabun County Detention Center will satisfy the water and sanitation requirement of those arrested.
- F. Food service requests beyond the capability of the Rabun County Detention Center will be forwarded to the Rabun County Director of Emergency Management in accordance with the procedures established in the county's Emergency Operations Plan.

XV. EVIDENCE COLLECTION

- A. The department shall maintain the responsibility for evidence collection, preservation, and storage during a civil disturbance where arrests are made.
- B. All evidence collection, preservation, and accountability will be performed in accordance with departmental procedures.

XVI. POST-OCCURRENCE DUTIES

- A. Once the civil disturbance is either terminated or the situation is brought under control, the following tasks must be performed as the department transitions to normal operations:

1. Assist in the return of evacuees;
 2. Support damage assessment operations;
 3. Release mutual aid and support forces;
 4. Prepare news releases;
 5. Prepare employee work schedules;
 6. Perform follow-up criminal investigations, as required;
 7. Maintain records of expenditures/resources;
 8. Repair or replace damaged equipment; and
 9. Conduct personnel de-briefings.
- B. The purpose of the de-briefing is to identify major lessons learned from those individuals actually involved in handling the unusual occurrence situation. The de-briefings should occur as soon as is possible following the conclusion of the operations while personal observations, impressions, facts, and recommendations are fresh and can be recalled in sufficient detail by all concerned.
- C. The department's Civil Disturbance General Orders should be reviewed during the de-briefing so that problem areas and recommendations for improvement can be identified.
- D. The Incident Commander will conduct a de-briefing of all assigned departmental personnel to critique the operation as soon as possible following the conclusion of the incident. The de-briefing will also include personnel from supporting agencies.
- E. Supervisors will insure that all personnel are accounted for, that if injured, the required Workman's Compensation forms are completed, and that all departmental property is returned, inventoried, and its operational status/serviceability evaluated.
- F. An After Action Report shall be prepared by each Incident Commander and submitted to the Senior Commander having command jurisdiction over the unusual occurrence situation as specified below. The Senior Commander shall review After Action Reports for completeness and prepare a consolidated report for the Sheriff no later than 30 days following the operation. Each After Action Report shall address the following areas:
1. General overview of the operation: Identify the type operation; time/date(s) of occurrence; location; and mission and activities performed;
 2. Unique or special problems encountered to include describing the major lessons learned from the operation, to include: notification procedures; training deficiencies; equipment requirements; use of outside resources/support, if any; communications; involvement of other Rabun County agencies;
 3. Provide a complete list of the names and duties of all agency employees involved in the operation and identify all non agency organizations involved and the nature of their responsibilities;

4. Provide an itemized list of all expenses associated with the operation, to include employee overtime, special purchases, repair of equipment, damages to private property caused by departmental personnel, etc.;
5. If appropriate, identify employees or other non-departmental individuals whose involvement in the operation deserves special recognition; and
6. Identify specific actions that should be taken to improve the agency's performance should similar situations occur in the future **and** specific actions that should be initiated to correct the problems identified during the operation.

Note: Defense counsel visits will be conducted in accordance with Rabun County Detention Center Policy



By Order of the Sheriff: **Chad K. Nichols**
Sheriff, Rabun County