

2008 REPUBLICAN NATIONAL CONVENTION

RNC CIVIL DISTURBANCE SUBCOMMITTEE
August 14, 2008

Civil Disturbance Management Plan



OPSEC// LAW ENFORCEMENT SENSITIVE

Ex. 1-15

TABLE OF CONTENTS

I.	MISSION STATEMENT.....	3
II.	NATIONAL SPECIAL SECURITY EVENT.....	3
III.	OVERVIEW.....	3
IV.	SCOPE.....	3
V.	RIGHTS OF OTHERS.....	3
VI.	LEAD LOCAL AGENCY.....	4
VII.	MULTI-AGENCY COMMUNICATION CENTER (MACC).....	4
VIII.	AREA COMMAND.....	4
IX.	COMMAND AND CONTROL.....	4
X.	COMMAND POSTS (CP).....	5
XI.	UNLAWFUL CONDUCT.....	5
XII.	USE OF FORCE.....	5
XIII.	UNIFORM OF THE DAY.....	8
XIV.	REPORTING FIT FOR DUTY.....	8
XV.	ON-DUTY INJURIES/TACTICAL MEDICS.....	8
XVI.	MOBILE FIELD FORCE (MFF).....	9
XVII.	ARREST TEAMS.....	12
XVIII.	BOOKING AND TRANSPORT TEAMS.....	12
XIX.	PROPERTY.....	13
XX.	CHEMICAL AGENT RESPONSE TEAM (CART).....	13
XXI.	SPECIAL EQUIPMENT RESPONSE TEAM (SERT).....	13
XXII.	NEIGHBORHOOD RESPONSE TEAMS (NRTs).....	13
XXII.	APPENDICES:	
	A. Area Map	
	B. Statute Guidelines	
	C. Authority to Detain Forms	
	D. Pending Arrest Warning (Dispersal Order)	
	E. CART Special Operations Guidelines	
	F. RCSO Booking Guidelines	
	G. HCSO Booking Guidelines	

CONFIDENTIAL LAW ENFORCEMENT INFORMATION

Mission Statement

To provide a safe environment that protects life, property and free speech through a tolerant approach by well-trained, disciplined Minnesota peace officers relating to the lawful activities conducted by those who wish to exercise their First Amendment rights in the Minneapolis/St. Paul metropolitan area.

NATIONAL SPECIAL SECURITY EVENT (NSSE)

By Authority of Homeland Security Presidential designation 15 (HSPD-15) the Secretary of Homeland Security declared the 2008 RNC as a NSSE on March 5, 2007. This NSSE designates the United States Secret Service as the lead agency for the design and implementation of the operational security plan. The Secret Service has developed a core strategy to carry out its security operations, which relies heavily on its established partnerships with law enforcement and public safety officials at the local, state and federal levels.

HSPD-15 also requires the FBI be the lead federal agency for crisis management and that FEMA be the lead agency for consequence management in all NSSE declared events.

OVERVIEW

The 2008 Republican National Convention (RNC) will be held in the Twin Cities on September 1 through 4, 2008 which is designated the "convention period". The "operational period" for the RNC is designated from July 1 through September 15, 2008. With the RNC will be a number of official events designated at numerous sites throughout the St. Paul Minneapolis metropolitan area all of which will be of significance to public safety.

The Saint Paul Police Department (SPPD) and partnering agencies are dedicated to providing a safe and secure 2008 RNC. Safety is paramount for our officers, citizens, and convention participants.

SCOPE

This policy is directed to all local, county and state public safety partners who are working together for the 2008 RNC and are participants in the St. Paul Joint Powers Agreement (JPA). This includes licensed and non-licensed peace officers, and EMS providers.

RIGHTS OF OTHERS

As professionals, Peace Officers recognize the importance of respecting the basic rights of all individuals, including those who have differing viewpoints and those who choose to express themselves in ways that may be disturbing to others. We anticipate RNC protests and we will strive to provide a safe environment for all RNC event participants.

The Saint Paul Police Department and all agencies working through mutual aid or a joint powers agreement acknowledge the right to free speech and will actively protect people in the exercise of this right. It is the policy of the Saint Paul Police Department during parades, demonstrations, protests or rallies, whether they are planned or unplanned and/or possess a permit or lack such permits, to preserve the peace while protecting the rights of all those assembled and protecting the property of all.

LEAD LOCAL AGENCY

By city services agreement and JPA, the SPPD is tasked as the lead local agency and sole fiscal agent.

MULTI-AGENCY COMMUNICATION CENTER (MACC)

The MACC will be the primary communications center for operational security; it is not a command center. The USSS will designate which agencies shall have a representative in the MACC to coordinate communications, information sharing, and situational awareness. Agency representatives should be command level supervisors who have a thorough knowledge and understanding of their agency's operational plans and status of resources. Agency representatives should have the authority to make informed decisions and must be able to continually liaison between the MACC and their home agency. Each agency will maintain their respective command and control.

AREA COMMAND

The Minneapolis/St. Paul metropolitan area will consist of three areas (appendix A):

East (St. Paul Area)

West (Minneapolis Area)

South (Bloomington Area)

Each zone will assign an Area Commander who will be in command of all MFF divisions in their respective zone.

COMMAND AND CONTROL

The RNC will be coordinated through the MACC with representation of all participating agencies. Command for this event will be through a unified command system as established through the National Incident Management System (NIMS). Each community experiencing an RNC-related emergency/disturbance will direct public safety responses based on the needs of their community through the MACC and maintain control of their specific community.

Participating agencies that provide a Mobile Field Force (MFF) or other specialized team(s) will maintain command of their personnel and accept direction from the MACC. All personnel and teams must conduct themselves in a manner that is consistent with the directives provided during RNC-related training curriculum.

Each Area Commander will be in charge of any MFF which responds to an event in that Area Commander's jurisdiction. Partnering agencies will provide assistance as established through the JPA.

COMMAND POSTS (CP)

RNC events will be grouped into one of three Area Commands: EAST Area Command Personnel (St. Paul/Ramsey County/State Patrol), WEST Area Command Personnel (Minneapolis/Hennepin County) and SOUTH Area Command Personnel (Bloomington/HCSO/). Each CP will be planned and established prior to the RNC and each will be capable of handling field command, staging and logistics for public safety resources. Each of the three area CPs will be responsible for providing public safety response for events occurring within their respective area.

Each agency that is assisting a specific community with a civil disturbance will assign a command staff representative to the designated incident CP during operational times. This command staff is part of the unified command that will direct all related incidents. This includes but not limited to:

- Following the response plans and implementing changes if the situation requires.
- Maintain on-going planning of the operation(s).
- Directing all public safety response; law enforcement, fire/rescue, emergency medical services, public works, transportation and all operations support.
- Directing field command at protest sites.
- Immediate consultation with the MACC and local officials if chemical and/or less-lethal munitions are needed, or other use of force must be deployed.
- Accountability of assigned personnel.
- Maintaining contact with the MACC, providing activity updates and initiating requests for additional resources. The CP, MACC and RNC Intel Center shall serve as advisors to each other.

UNLAWFUL CONDUCT

Whenever it becomes necessary to control the actions of a crowd of persons who are engaging in unlawful conduct, a MFF shall do so with optimal efficiency, minimal impact upon the community and by using only such force that is reasonably necessary under the particular circumstances. All MFF enforcement actions must receive prior approval from an Area Commander in consultation with the MACC unless exigent circumstances exist.

In such situations where crowds are engaged in unlawful conduct, the MFF will make reasonable efforts to employ “non-arrest” methods of crowd management as the primary means of restoring order. Such methods can be, but are not limited to, establishing contact with the crowd and obtaining voluntary compliance with police directives to minimize enforcement actions. Should such methods prove unsuccessful, arrests may be made for violations of the law in order to restore and maintain order, protect life, property, and vital facilities and infrastructure.

USE OF FORCE

The use of force continuum for crowd control and civil disturbances described herein, shall apply to this NSSE. Tactics may change as directed by the unlawful actions of such persons. All officers will remain professional and follow the accepted use of force continuum.

Types of Crowd Control Situations:

Organized Parades and Demonstrations (orderly crowd) Defined as a parade or demonstration that takes place where the participants do NOT: damage property, injure persons, or materially interfere with civil or property rights of others. In some cases, the participants will work with law enforcement to move the parade or demonstration along to its completion. Such parades or demonstrations may be planned or unplanned. They may or may not have a permit.

As long as the situation does not escalate, the responsibility of the MFF is limited to monitoring crowd activities. The law enforcement presence may be in platoon formation or may consist of individual officers placed around the scene as directed by the Incident Commander. Regular patrol tactics can be used and, if so, any force used is regulated by policies and responsibilities that would normally apply.

Peaceful Civil Disobediences – defined as a parade or demonstration that takes place where some or all of the participants engage in some form of civil disobedience. This type of situation could manifest itself as a peaceful building takeover, a “sit-in”, that blocks the entrance to a building or roadway or parading against the traffic on a public street. Demonstrators will sometimes ask to be arrested and/or will try to get arrested, and will assist and/or cooperate in the arrest process. Events such as these will usually not result in property damage and will involve only a limited infringement of the civil and property rights of others.

The initial response of law enforcement at the scene of an unlawful, but non-violent parade or demonstration will be to monitor the crowd’s activities and to provide a uniformed police presence while evaluating the situation. The Incident Commander on scene will determine whether or not to deploy crowd control tactics and formations and/or the use of force to make arrests based on the fluid situation, the degree of disruption and in coordination with the MACC.

Non-Peaceful Civil Disobedience – defined as a parade or demonstration (whether a permit is possessed or not) that could be static or moving where the participants engage in unlawful behavior that causes damage to property and/or injury to themselves or others. This type of parade or demonstration significantly infringes on the civil or property rights of others and/or causes major disruption to the city’s infrastructure, parks, roadways, traffic or commerce.

The presence of law enforcement at the scene of a civil disturbance or crowd control situation will not necessarily prevent an unruly crowd from committing acts of violence or destruction of property. During non-peaceful acts of civil disobedience, violent parades, violent rallies or violent demonstrations, the on scene Incident Commander will monitor the crowd’s behavior and direct law enforcement personnel to engage persons involved in any violent and / or criminal activities as appropriate. During crowd control and/or civil disturbance incidents, the on scene Incident Commander shall utilize the below outlined use of force continuum (up to and including the employment of mass arrests) to direct officers during efforts to restore order.

Use of Force Continuum for Crowd Control and Civil Disturbances:

The five levels of force described in this policy do not change the use of force policies of the Saint Paul Police Department or (to the extent possible) any and all law enforcement agencies working under the JPA. Five phases of control are meant to give officers guidelines to what level of force is appropriate for situations and when to apply them.

Constructive Force – uniformed law enforcement presence. This presence may be in the form of individual officers assigned to posts or officers assigned to crowd control functions. Officers may be in standard police uniforms or outfitted in authorized crowd control equipment. Generally, there is no physical contact between law enforcement and demonstrators at this level of force.

Physical Force – in accordance with the provisions of Saint Paul Police Department Policy and the policies of assisting agencies, this is reasonable force, which is defined as the least amount of force that will permit officers to subdue or arrest a subject while still maintaining a high level of safety for themselves and the public. Such force may involve hands on touching, but does not include the use of or deployment of tools and/or weapons systems. The decision to use physical force may include the deployment of officers in squads or MFF platoons whether they are on foot, motorcycles, bicycles, or in squad cars. Such deployment may involve the use of approved formations, arrest teams and equipment capable of dispersing crowds and/or making arrests.

Mechanical Force – force within this area is broken down into two stages of tools and/or weapons systems:

Type I – in accordance with the provisions of Saint Paul Police Department Policy and the policies of assisting agencies, the Department currently authorizes several baton types or impact implements for the use as non-lethal weapons against subjects. Examples are the ASP line of expandable batons, the wooden 24 inch straight baton, and the 36 inch wooden riot baton. Additional non-lethal weapons authorized for use include Department issued Aerosol Subject Restraint (ASR), X 26 TASERS and/or smoke canisters.

Type II – includes the use of less lethal projectiles such as the 12 gauge (brand to be determined) beanbag munitions, TASER X-rep, 37mm or 40 mm launched munitions, noise flash diversionary devices, sting ball munitions and smoke canisters. Less lethal munitions consist of projectiles launched or otherwise deployed for the purpose of overcoming resistance, affecting an arrest or reducing the likelihood of serious injury. Less lethal munitions are meant to significantly reduce the likelihood of causing serious injury or death and are divided into three broad categories:

Target Specific – Involves a situation where there is an identified individual target who is involved in unlawful or criminal activities. In tactical situations, any and all of the above weapons may be used by tactical team members on entry and arrest situations. Likewise, any and all of the above weapons systems may be authorized for use in a crowd control situation or civil disturbance. However, only officers who have been trained and certified in their use may use the above weapons.

Group Specific – Involves a situation where there is no identified individual target or where group behavior must be modified. In such situations, Department-authorized less lethal weapons systems could be utilized against a crowd in order to move them from an area, to prevent injury to civilians and / or officers or to prevent damage or destruction of property. Only officers who have been trained and certified in their use may use these weapons. Unless exigent circumstances exist, the Incident Commander will make attempts to warn the disorderly crowd of possible impending deployment. Additionally, efforts should be made to give the crowd directions for dispersal.

Tactical Discharge – Involves a pre-planned operation. Most such situations will involve the tactical team. Situations such as high risk warrants, neutralization of a barricaded subject, high risk take down, disarming an emotionally disturbed person that is doing or threatening harm to themselves or others, et cetera. In such situations, Department-authorized less lethal weapons systems would be utilized under the direction and supervision of the on scene Tactical Commander, but only by officers who have been trained and certified in their use.

Chemical Force – Tools and weapons systems that disperse chemical irritants or incapacitating sprays. Such force includes, but is not limited to: the use of ASR spray, hand held MK – 9 or MK – 46, OC sting ball munitions, 12 gauge launched munitions, 37 mm or 40 mm launched munitions and hand launched munitions.

Deadly Force – Deadly force may only be used in accordance with the provisions of Saint Paul Police Department Policy, the policies of assisting agencies and State and Federal Law. There is no exception to the use of force policy regarding the use of deadly force during crowd control situations and/or civil disturbances. Such situations do not alter each agency's use of force policy regarding the use of deadly force.

It is the responsibility of the on scene Incident Commander or designee to evaluate the crowd situation or civil disturbance to determine the level of force to be utilized. Use of force will be authorized through the Area Commander in coordination through the MACC (unless exigent circumstances exist)

UNIFORM OF THE DAY

The uniform of the day will be directed by assignment and must conform to each agency's uniform regulations.

REPORTING FIT FOR DUTY

All personnel shall report fit for duty. Plan for expected seasonal conditions and personal requirements to function properly (extreme cold or heat). Personnel should keep themselves hydrated with juice or water and eat prior to assigned shifts. Water will be provided to everyone assigned to the field teams and meals (as necessary) for those who will not be able to take routine breaks during each shift. Officers who need to call in to report a sick day must notify their supervisor who will make proper notification through their agency.

ON DUTY INJURIES/TACTICAL MEDICS

Any officer who becomes sick or injured on duty shall report immediately to a supervisor if physically able. Any officer who observes another deputy/officer who is injured or ill shall render aid and report to a supervisor. The supervisor shall report to the CP who will direct appropriate medical and support resources. The CP will notify the MACC.

Each supervisor will be given an information sheet for first claims of injury. The Incident Commander will assign personnel to respond to the medical facility where an officer is transported to assist the officer and start the paperwork process. A supervisor will be assigned to provide assistance to families if necessary. A mental health professional will be made available if needed.

There will be two MFF-trained tactical medics assigned to each MFF Division. Tactical medics will be equipped with necessary protective gear, medical equipment and supplies. The tactical medics' primary role will be to support the line officers during any situations where medical attention is needed.

MOBILE FIELD FORCE (MFF)

A MFF division consists of approximately 75 personnel. For the East Area, St. Paul Police Department will provide two MFF divisions and two neighborhood response teams, Ramsey County Sheriff's Office will provide one MFF division and the Minnesota State Patrol will provide two MFF divisions. Minneapolis Police will provide four MFF divisions for the West Area. Bloomington Police Department and other south metro partnering agencies will combine resources to provide two MFF divisions to the South Area.

A MFF may be deployed on foot and/or vehicle as directed by the on scene Incident Commander. Tactics used by the MFF will be incident-based and may include the following definitions:

Crowd Control: Response to a pre-planned or spontaneous event, activity or occurrence where a potential for unlawful activity or the threat of violence exists.

Crowd Management: Strategies and tactics employed to deal with lawful assemblies in an effort to prevent escalation of events into an unlawful assembly or riot.

Containment: To confine unlawful disorder to the smallest possible area.

Isolation: To prevent growth of unlawful disorder and to deny access to others who, for their own safety are not involved.

Dispersal: To disperse the crowd and to take appropriate actions against law violators.

Tactical Objectives:

- Control the crowd, parade or moving protest with safety and with minimal injury, taking into consideration the safety of sworn officers, the protesters and the uninvolved bystanders and other public safety concerns.
- Establish order and traffic control points as directed by the on scene Incident Commander.
- Respect the rights of all citizens to peacefully protest and / or parade.
- Duties of First Responding Officers and their safety: In addition to any general responsibilities described previously, first responding officers shall evaluate the situation and notify the MFF Division Commander of the existence of a crowd control event, including the type, nature and/or cause. Possible types are not limited to:

Peaceful parade

- Monitor event and report what is occurring to the MACC, e.g., moving protest or parade on city streets, parks, or private property, building take over or blocking of entrances or exits, demonstration at a government facility or transportation facility.
- Estimate the size of crowd and their intentions, if known, and notify the MACC.
- Request a MFF commander to respond to the scene.
- Assume the role of Incident Commander until relieved, including the following duties:
 - * Identify staging area for responding units
 - * Notify the MACC as to the best route for additional responding units, the locations of streets that will need to be blocked, diverted or closed and to contact MTCO or other agencies which may be impacted.
 - * Prepare to open a clear channel for communications and assign a dispatcher for the incident if requested.

Duties of Initial Incident Commander

In addition to any general responsibilities described previously, upon arrival the designated incident commander shall:

- * Announce arrival and assumption of the duties of Incident Commander by radio and establish a CP, request Mobile Command Post if deemed necessary.
- Get briefing from the first responding officer/supervisor and re-evaluate the crowd control situation and number of people involved. Notify the MACC and request additional resources if necessary.
- Re-evaluate the staging area and determine if the staging area will remain the same or be re-located due the changing situation,
- Assign a supervisor to the staging area to act as the staging area manager.
- Assign or re-assign responding resources and brief them as to their duties.
- Attempt to make contact with the protest organization and find out their intentions, their route of parade and/or the length of the protest.
- Attempt to determine if the event has been issued a permit by the City or other organization.
- Prepare to brief the MACC and agency Senior Commander or other higher ranking officer who responds and assumes command.

Duties of Area Commander and/or Incident Commander

In addition to any other duties described previously, the Area Commander on scene shall:

- Announce their arrival and assumptions of duties of the Incident Commander by radio.
- Receive a briefing from the previous Incident Commander. Determine if the tactics being used are effective or need to be changed. Relay all changes clearly to the resources that need to be deployed.
- Re-evaluate the staging area and determine if the staging area will remain the same or be re-located due to the changing situation.
- Ensure that an incident log is being maintained by the Incident Commander's Executive Officer
- Give an update to the MACC

Identify the appropriate level of Department response needed such as:

Level I – The first level of deployment in accordance with the agency Commander's plan is made up of agency personnel. This deployment is anticipated for the small to medium sized group with little or no violence or disruption to the event. Level I response will be under the direction of an agency commander (or equivalent).

Level II - The second level of deployment will be to utilize the agencies Tactical Alert plan and/or the MFF. The escalation to Level II will depend on the size of the crowd, their behavior, and levels of violence and/or disruption being caused. The decision to escalate to Level II will be made by the Incident Commander while conferring with the Area Commander and in consultation with the MACC. If MFF tactics are going to be used, the Incident Commander will ensure that officers are organized, properly equipped and under the command of a supervisor.

Level III – The third level will consist of the deployment of the MFF. The MFF will be made up of pre-trained and pre-selected members of the agency. The MFF will be deployed in cases of violence, property damage and disruption or when the potential exists for such a situation to develop, or when the current resources do not have the resources to deal with the situation. The MFF will be equipped with less lethal weapons, chemical munitions and any other equipment deemed necessary to abate the situation. The decision to escalate to Level III will be made by the Incident Commander while conferring with the Area Commander and in consultation with the MACC

Level IV – The fourth level of deployment will consist of full deployment of the agency resources, as well as other agencies, i.e. mutual aid. The escalation to Level IV should be considered prior to full scale rioting and in cases where the loss of control of the situation is imminent. The decision to escalate to Level IV will be the responsibility of the Area Commander after consultation with the agency Chief Law Enforcement Officer (CLEO), or designee, and in consultation with the MACC.

Steps to take once the escalation to Level IV has been made:

- Make assignments as necessary under the Incident Command System to ensure the safe and timely resolution of the incident.
- Be aware of the limits of the training and personnel protective equipment possessed by the responding officer.
- Give timely updates on conditions to the MACC for dissemination to the CLEO and Command Staff.
- Evaluate the need for additional resources from the mutual aid agencies to deal with prisoners and booking issues.
- Request the Public Information Officer, PIO to respond to the scene and act as the information officer.
- Request EMS Units respond to the staging area.
- Request special units such as K-9, Mounted, Motors, Bicycles, respond to the staging area in anticipation of performing duties as needed.
- Request Special Investigation Unit to respond to the staging area.

ARREST TEAMS

Arrest teams will be made up of agency-specific officers in support of that agency's MFF. A sergeant will supervise each arrest team. Each arrest team shall, whenever possible, conduct the actual arrest during a civil disturbance incident when directed by the Incident Commander. This includes entering a civil disturbance area, physically arresting individual(s), handcuffing, searching and walking prisoners to booking teams. Arrest teams will be charged with assuring that the necessary detention forms, suspect identification, arresting officer identification and elements of the crime/arrest is obtained and relayed to the booking team. The arrest will not be considered complete until the booking team takes custody of the suspect from the arrest team. Officers' arrest reports will be completed prior to the end of his/her shift.

BOOKING AND TRANSPORT TEAMS

The respective Sheriff's Office (SO) will handle all the booking teams for arrests made at demonstration sites. While we are predominately planning on demonstrations in the cities of St. Paul and Minneapolis, these booking teams may be deployed anywhere that demonstrations occur as directed through the MACC. The SO booking teams should minimally consist of one sergeant and seven deputies who will be under the direction of a shift Sheriff's Lieutenant or Commander that will be part of the Area Unified Command.

The Booking Team will be responsible to handle felons, violent prisoners, juveniles or prisoners who must be kept separate. Metro Transit buses will be utilized for team support and passive prisoner transportation. A two officer Metro Transit Police squad will be required to accompany the bus at all times, with the expectation that one officer will ride on the bus if prisoners are placed on board. A sheriff's deputy would also accompany the prisoners on the bus.

A booking team will be assigned to each MFF but will only be deployed if arrests are occurring or arrests are imminent. The Area CP will deploy booking teams to areas where arrests are expected or occurring. MFF arrests teams will bring each prisoner to a booking team for processing. Booking teams must stay intact and not go to the arrests or engage demonstrators unless there is a threat to officer safety or exigent circumstances exist.

Arresting officers are responsible for the arrest paperwork, but the booking teams are expected to assist in any way practical. Arresting officers will bring their arrestee to the booking team for photos and identification. The agency arrest team supervisor and booking team supervisor both have to approve the authority to detain and arrest before the prisoner is handed over to the booking team. The SO is responsible for each prisoner they accept. The booking plan can only be altered with permission from the CP/MACC.

The SO will be responsible for prisoner transports with the exception of prisoners who are in need of medical attention. Those prisoners who must be brought to a medical care facility are the responsibility of the arresting agency. Each booking team must directly monitor all prisoners on buses, transport vehicles, restroom breaks, staging areas and during movement into booking sites.

Transport units will be deployed by the CP/MACC as part of the booking team. Once the transport bus or transport unit is at its safe capacity of prisoners, they may be sent to the appropriate staging area until the booking intake site can accommodate the number of prisoners. When booking teams are not actively engaged in booking or prisoner transports, they are to remain at the staging area. (See appendix F and G for RCSO and HCSO Guidelines)

PROPERTY

Outside of prisoner personal property (jewelry, medication, wallet, etc) SO booking teams will NOT take prisoner property (backpacks, bikes, etc) at the arrest/booking team location. The arresting agency is responsible for suspect property at the time of arrest and will have an officer from the arresting agency available to handle any property issues. Explosive Ordinance Disposal (EOD) technicians may inspect property taken from arrestees.

CHEMICAL AGENT RESPONSE TEAMS (CART)

Designated agencies may have a CART for deploying chemical and other less-lethal munitions and as a tactical response team if needed and coordinated through the MACC. These teams will operate under special operations guidelines (appendix E).

SPECIAL EQUIPMENT RESPONSE TEAMS (SERT)

The SPPD, Saint Paul Fire Department (SPFD) and HCSO will each have SERTs to extricate locking devices and other implements off protestors by utilizing specialized vehicles and equipment to enter high-risk areas for removal of locking devices from protestors or to perform other extrications.

MFF will hold a perimeter around any SERT team who may have to enter an extrication zone. If the SERT is unable to free the person(s), a perimeter must be held and the area rendered as safe as possible before deploying a fire/rescue team. Arrests teams will make arrests of prisoners after the SERT has finished their extrication(s). SERT will operate under special operations guidelines

BICYCLE RAPID RESPONSE TEAMS

The East and West Areas will field Bicycle Rapid Response Teams. These teams will support MFF functions when requested to do so by MFF Divisions

Neighborhood Response Teams (NRTs)

SPPD and HCSO have created NRTs for proactive community policing and quick response to a specific geographical area when problems exist. These teams can be used to monitor areas, provide proactive foot and vehicle patrols and be easily formed as a MFF unit to hold an area until reinforcements arrive.

SPPD NRTs will report to the East Area and HCSO NRTs will report to the West Area. A NRT will consist of approximately 25% of a full MFF division. All NRTs are considered deployable resources that can be directed by area command or by Unified Command.

CANINE

Canine teams will not be used in a civil disturbance and cannot be deployed to any civil disturbance situation area without permission of that jurisdiction's CLEO.

MOUNTED PATROL

Law Enforcement Mounted patrols will be tasked with providing support to the MFF at the request of the incident commander. They will also provide high visibility patrols in specific venue sights as directed by the MACC. Mounted patrols are to be primarily used to assist with moving groups of persons rather than static post assignments. Mounted patrol units will operate under special operations guidelines.

BRIEFINGS/ DEBRIEFINGS

The command staff and team leaders will have a briefing before each shift. They will also have a debriefing each day before each team's departure. MACC, Intel and CP staffs will also have a briefing at the start of each shift and a debriefing at the end of each shift.

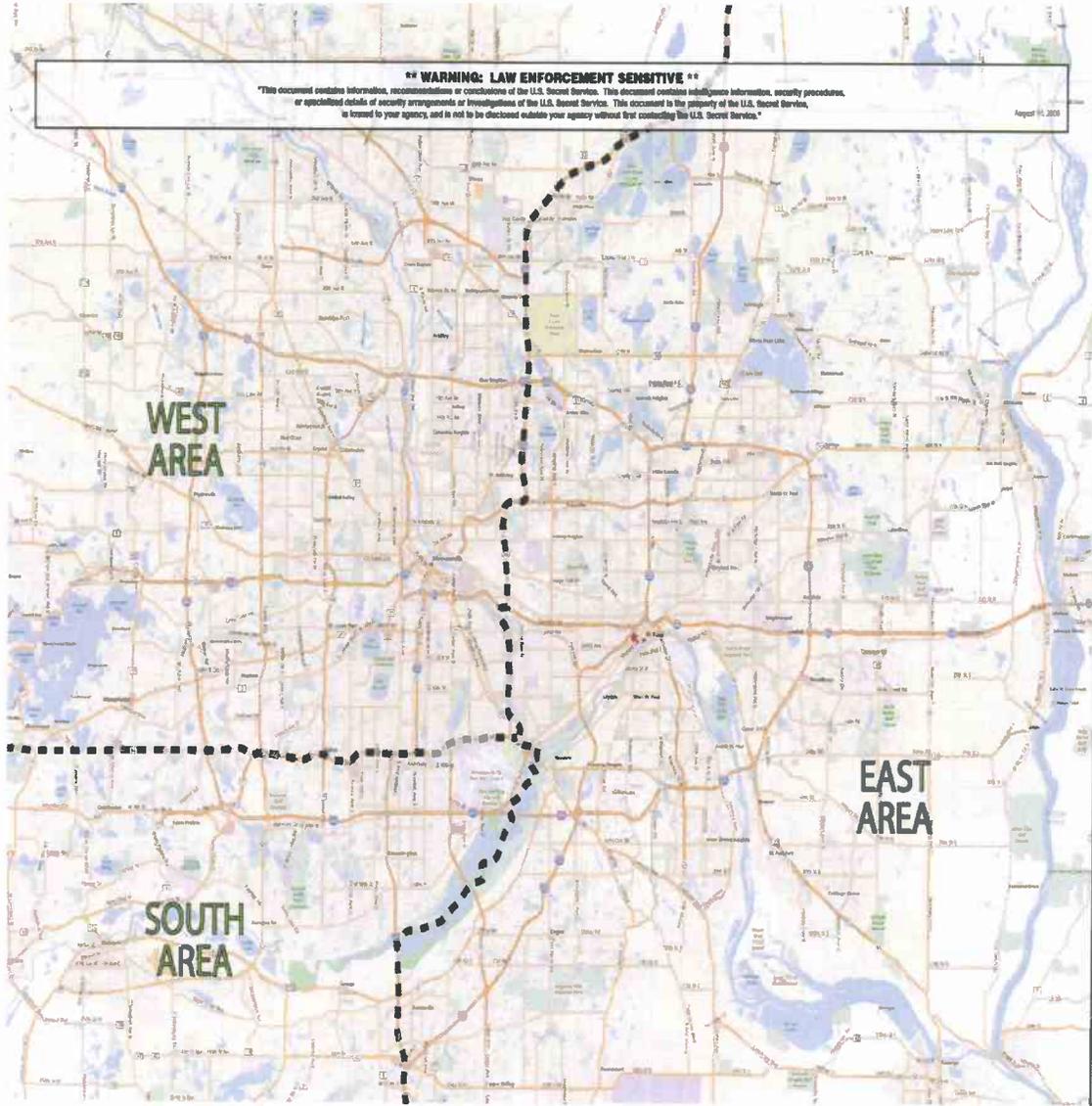
**THIS PLAN SHALL BE USED IN CONJUNCTION WITH EACH LAW
ENFORCEMENT AGENCIES POLICIES, PROCEDURES, DIRECTIVES,
RULES AND REGULATIONS.**

Confidential NSSE – Law Enforcement Sensitive: National Special Security Event (NSSE) As designated by HSPD-15; this information is considered LAW ENFORCEMENT SENSITIVE and must not be left unattended. Use is restricted to RNC assigned law enforcement agencies and officers. Release of this information to non-law enforcement is prohibited.

This draft document is a combined effort of 2008 RNC Subcommittee on Civil Disturbance and Prisoner Processing by:

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APPENDIX A



APPENDIX B

STATE STATUTES:

Aiding and Abetting - 609.05 (Misdemeanor/Gross Misdemeanor/Felony)

Alcohol, Underage Consumption/Possession - 340A.503 (Misdemeanor)

Arson I - 609.561 (Felony)

- dwelling, whether or not occupied
- other building if occupied or possibly occupied
- flammables used to start or accelerate fire

Arson II - 609.562 (Felony)

- any building not covered in Arson I
- any real or personal property valued over \$1000

Arson III - 609.563 (Felony)

- damage to real or personal property worth \$300-\$1000

Arson IV - 609.5631 (Gross Misdemeanor)

- burns personal property in a multi-unit residential building or public building
- Arson I, II, III not implicated

Arson V - 609.5632 (Misdemeanor)

- **real or personal property valued under \$300**

Arson, Negligent Fire - 609.576 (Misdemeanor/Gross Misdemeanor/Felony)

- person must be grossly negligent
- level of offense depends on damage amount or injury level

Assault IV - 609.2231 (Gross Misdemeanor/Felony)

- Peace Officer:
 - no demonstrable bodily harm (Gross Misdemeanor)
 - demonstrable bodily harm or bodily fluids (Felony)
- Firefighter/Emergency Medical Personnel:
 - must inflict demonstrable bodily harm (Felony)
- Bias: - against anybody (Gross Misdemeanor/Felony)

Assault V - 609.224 (Misdemeanor)

Assault or Harm to a Police Horse - 609.597 (Misd/Gross Misd/Felony)

- action causes great bodily harm or death to **officer** (Felony)
- action causes great bodily harm or death to **horse** (Felony)
- action causes demonstrable bodily harm to **officer** (Felony)
- action causes demonstrable bodily harm to **horse** (Gross Misdemeanor)
- action cause involuntary unseating of **officer** (Gross Misdemeanor)
- action causes demonstrable bodily harm to **other person** (Gross Misd.)
- action causes other than above (Misdemeanor)

Assault or Harm to Public Safety Dog - 609.596 (Gross Misdemeanor/Felony)

- harm resulting in death (Felony)
- harm resulting in substantial or great bodily harm (Gross Misdemeanor)

Attempts - 609.17 (Misdemeanor/Gross Misdemeanor/Felony)

- does an act which is a substantial step towards committing a crime
- more than just preparation
- it's a defense to voluntarily desist or abandon the crime
- level of offense matches level of attempted crime

Bicycles - 169.222 (Petty Misdemeanor)

- operators have same rights and duties as motor vehicle drivers
- no operation on sidewalks in business district
- local authorities may prohibit operation on any/all sidewalks

Bullet-Resistant Vest, Wearing or Possession during Crime - 609.486 (Felony)

- must be committing or attempting to commit a Gross Misd or Felony

- Concealing Identity - 609.735 (Misdemeanor)**
 - identity concealed in a public place
 - **exceptions:** religion, amusement, entertainment, weather, medical
- Conspiracy - 609.175 S.2 (Misdemeanor/Gross Misdemeanor/Felony)**
 - conspires with another to commit a crime **and** one or more of the parties does some overt act in furtherance of the conspiracy
 - level of offense matches level of conspired crime
- Contempt of Court - 588.20 (Misdemeanor)**
- Criminal Damage to Property - 609.595 (Misd/Gross Misd/Felony)**
 - \$0-\$500 of damage (Misdemeanor)
 - \$500-\$1000 of damage (Gross Misdemeanor)
 - \$1000 and up (Felony)
 - damage due to bias (Misdemeanor/Felony)
- Criminal Damage to Public Service Facility, Utility, Pipeline - 609.594 (Felony)**
 - "critical public service facility" includes: railroad yards and stations, bus stations, airports, other mass transit facilities, oil refineries, facilities for hazardous substances, and bridges
 - "pipeline" includes: any property related to the transport of natural or synthetic gas, petroleum or its derivatives, or hazardous liquids
 - "utility" includes: any provider of electric or gas heating and power, telephone or telecommunications, water, sewage, and wastewater.
- Damage or Theft to Energy or Telecommunication - 609.593 (Felony)**
 - no proof of value, loss, or disruption of services is needed
- Disarming a Peace Officer - 609.504 (Felony)**
 - intentionally takes defensive device from officer or from area of immediate control
 - "defensive device" includes: firearm, dangerous weapon, tear gas, taser, club baton, or any item issued to an officer for protection
- Disorderly Conduct - 609.72 (Misdemeanor)**
 - brawling or fighting
 - disturbs lawful assembly or meeting
 - engages in offensive, obscene, abusive, boisterous, or noisy conduct which tends to reasonably arouse alarm, anger, or resentment in others
- Escape/Aid and Abet Escape - 609.485 (Gross Misdemeanor/Felony)**
- False 911/Interfere with 911 - 609.78 (Misdemeanor/Gross Misdemeanor)**
- False Fire Alarm - 609.686 (Misdemeanor/Felony)**
 - false alarm, or tampers, disables, breaks, removes, defaces, etc....
- False Information to Police - 609.506 (Misdemeanor/Gross Misdemeanor)**
 - give false name/dob (Misdemeanor)
 - give name/dob of another (Gross Misdemeanor)
- False Report of Crime - 609.505 (Misdemeanor/Gross Misdemeanor)**
- Fleeing a Peace Officer on Foot - 609.487 (Misdemeanor)**
- Forgery - 609.63 (Felony)**
 - with intent to injure or defraud uses a false writing for purposes of ID
- Harmful Substance, Intentional Release of - 624.732 (Misdemeanor/Felony)**
 - intentionally expose another or their property to obnoxious or harmful gas, fluid, or substance, with intent to injure, molest, or coerce
 - felony if knowingly creates a risk of death or bodily harm or serious property damage
- Illegal Possession of Tear Gas/Stun Gun - 624.731 (Misd/Gross Misd/Felony)**
- Impersonating a Peace Officer - 609.475 (Misdemeanor)**
- Indecent Conduct/Exposure - 617.23 (Misd/Gross Misd/Felony)**
- Interfere with Transit Operator - 609.855 S.2 (Misdemeanor/Felony)**
 - act accompanied by force or violence or threat thereof (Felony)
 - no force or violence or threat thereof (Misdemeanor)
- Interference with Use of Public Property - 624.72 S.5 (Gross Misdemeanor)**
 - intentionally denies or interferes with the lawful right of another to free access to or egress from or to use or remain in or on public property or interferes with the transaction of public business
 - "public property" includes property owned or controlled by: the state, its political subdivision, or the U of M Board of Regents

- Littering** - 169.42 (Misdemeanor)
 - includes dropping objects on streets, highways, adjacent property, or on vehicles
- Obstructing Legal Process** - 609.50 (Misdemeanor/Gross Misdemeanor/Felony)
 - person knew or had reason to know act created risk of death, substantial bodily harm, or serious property damage, or act does cause any of above, or actual or attempted disarming of officer (Felony)
 - act accompanied by force or threat of force (Gross Misdemeanor)
 - other cases (Misdemeanor)
 - there must be a physical act on the part of the defendant that obstructs, resists, or interferes with the performance of an officer's duties,
- or**
 -in limited circumstances, words or inaction on the part of the defendant that has the effect of physically interfering, resisting, or obstructing the performance of an officer's duties
- Obstructing Public Levees** - 624.69 (Misdemeanor)
 - houseboat or other craft can't interfere with, inconvenience, or endanger the landing of any freight, passenger, or towing vessel
- Pedestrians** - 169.21 (Petty Misdemeanor)
 - must obey traffic control signals
 - must yield to vehicles if crossing roadway outside of crosswalk
 - must not cross roadway between adjacent intersections equipped with traffic control signals
- Possession of Firearm by Ineligible Person** - 624.713 (Gross Misd/Felony)
Possession of Firearm Under the Influence - 624.7142 (Misd/Gross Misd)
Possession of Pistol w/out Permit - 624.714 (Gross Misdemeanor/Felony)
Possession of Shotgun/Rifle/BB Gun in Public - 624.7181 (Gross Misd/Felony)
Public Nuisance - 609.74 (Misdemeanor)
 - interferes with, obstructs, or renders dangerous for passage, any public highway or right-of-way used by the public
- Riot** - 609.71 (Gross Misdemeanor/Felony)
 - three or more persons disturb the peace with intentional act or threat of force or violence, one person is armed, and someone dies (Felony)
 - three or more persons disturb the peace with intentional act or threat of force or violence, person is armed, or knows another is armed (Felony)
 - three or more persons disturb the peace with intentional act or threat of force or violence (Gross Misd.)
- Terrorism, Crimes Committed in Furtherance of** - 609.714 (Felony)
 - crime must be a premeditated felony involving violence to persons/property
 - crime must be intended to:
 - terrorize, intimidate, or coerce a considerable number of members of the public, in addition to the direct victims of the act, **and**
 -significantly disrupt or interfere with the lawful exercise, operation, or conduct of government, commerce, or lawful assembly
- Terroristic Threats** - 609.713 S.1 (Felony)
 - threat can be direct or indirect
 - need not prove actual intention of carrying out threat
- Terroristic Threats (Bomb Threat)** - 609.713 S.2 (Felony)
 - with purpose to terrorize or in reckless disregard of risk of causing terror
 - bomb doesn't need to actually exist
- Terroristic Threats (Firearm Replica)** - 609.713 S.3 (Felony)
 - causes or attempts to cause terror
 - acts in reckless disregard of the risk of causing terror
 - any device that reasonably appears to be a firearm
 - includes guns that only shoot blanks
- Trespass** - 609.605 (Misdemeanor)
 - there must be a demand to depart by lawful owner or possessor, or
 - a return within one year of demand to depart and not return

Trespass on Critical Public Service Facility, Utility, Pipeline - 609.6055 (GM)

- "critical public service facility" includes: railroad yards and stations, bus stations, airports, other mass transit facilities, oil refineries, facilities for hazardous substances, and non-public portion of bridges
- "pipeline" includes: any property related to the transport of natural or synthetic gas, petroleum or its derivatives, or hazardous liquids
- "utility" includes: any provider of electric or gas heating and power, telephone or telecommunications, water, sewage, and wastewater. -
- Prohibited conduct:
 1. refusing to depart on demand
 2. returning within 6 months of demand to depart
 3. being on "posted" property
 4. enters an underground structure not open to the public for pedestrian use which contains a utility line or pipeline

Unlawful Assembly - 609.705 (Misdemeanor)

- three or more assembled with:
 1. Intent to commit any unlawful act by force, or
 2. Intent to carry out any purpose in such a manner as will disturb or threaten the public peace, or
 3. Conduct themselves in a disorderly manner as to disturb or threaten the public peace

Unlawful Assembly, Presence at - 609.715 (Misdemeanor)

- refuse to leave unlawful assembly after so ordered by officer

Weapons, Dangerous - 609.66 (Misdemeanor)

- possesses any dangerous article or substance for the purpose of being used unlawfully as a weapon against another
- level of offense depends on location of incident

ST. PAUL ORDINANCES:

Alcohol, Drinking in Public - 245.01 (Misdemeanor)

Alcohol, Possession of Alcohol in Street/Park - 246.01 (Misdemeanor)

Hanging Banners/Signs - 140.07/286.01 (Misdemeanor)

- Skyway exteriors - 140.07(b)
 1. Banners can only be hung or removed by public works after obtaining permit and insurance (\$1,000,000 worth).
- Posting Prohibitions - 286.01
 1. Can't post signs without permission of owner on: lamp post, electric light pole, telephone pole, fence, post, building, structure, window, billboard, signboard, advertising display
 2. Owners of masts or poles can't give permission for posting.

Indecent Conduct/Exposure - 280.03 (Misdemeanor)

Noise Regulations - 293.02 (Misdemeanor)

- General prohibition for disturbing or excessive noise
 1. Factors may make it difficult to enforce for protests
- Amplified sound
 1. Must carry to points of habitation or adjacent property and be audible above the level of conversational speech at a distance of 50 feet or more.
- Motor vehicles
 1. Pertains to "music or other entertainment"
 2. Audible at 50 feet
- Bull horns - might fit under "amplified sound" if defined as loud speaker or electronic device.

Obstruction of Sidewalks - 111.01 (Misdemeanor)

- must interfere with passage of pedestrians
- officers have duty to give warning

Obstruction of Traffic on Public Streets - 110.01 (Misdemeanor)

Parade Regulations - 366A.14 (Misdemeanor)

- persons participating in parade or public assembly may not carry or possess any length of metal, lumber, wood, or similar material for purposes of displaying a sign, poster, plaque or notice, unless such object is 1/4 inch or less in thickness and 2 inches or less in width, or if not generally rectangular in shape, such object shall not exceed 3/4 inch in its thickest dimension
- no amplification equipment producing sound above legal decibel levels

Parades, Public Conduct During - 366A.15

- no person shall unreasonably hamper, obstruct, or impede, or interfere with any parade or public assembly or with any person participating in such

Park Regulations - 170.06/170.10 (Misdemeanor)

- Prohibited conduct:
 1. No posting on trees, structures, things - 170.06(f)
 2. No climbing trees or injuring or defacing property - 170.06(g)
 3. No music or posting - 170.06(i)
 4. No parades, speeches, ceremonies without permit - 170.06(j)
 5. No conduct which incites breach of peace - 170.10(c)(1)
 - includes harassing or interfering with park employees
 6. No loudspeakers or public address systems without written permission - 170.10(c)(3)
- Enforcement - 170.10(d):
 1. Must ask offender to stop or leave
 2. If offender refuses to leave when asked, misdemeanor
 3. If offender returns within same day, misdemeanor

Riot - 280.02 (Misdemeanor)

- No person shall make, aid or countenance, or assist in making any noise, riot, disturbance or improper diversion to the annoyance or disturbance of the citizens or other persons in said city; nor collect in bodies or crowds in any street or public place in said city so as to obstruct public travel thereon. (1956)

Spray Paint, Unlawful Possession - 280.10 (Misdemeanor)

- must show intent to use for defacing property

Urinating in Public - 280.08 (Misdemeanor)

Weapons, Possession of - 225.02 (Misdemeanor)

- includes military weapon, assault weapon, stolen weapon, or knife
- all above weapons defined in 225.01

APPENDIX C

RCSO AND HCSO Authority to Detain Forms

<p style="text-align: center;">← Accepted By</p> <p style="text-align: center;">Mass Arrest AUTHORITY TO DETAIN (Specific Use) HENNEPIN COUNTY SHERIFF'S OFFICE ADULT DETENTION CENTER</p> <p style="text-align: center;">Pack # _____</p> <p style="text-align: center;">← Time Stamp</p>	<p style="text-align: center;">Prisoner Information HC 6377MA Rev. 07/08</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="3">NAME: LAST FIRST MIDDLE</td> </tr> <tr> <td colspan="3">D.O.B. / /</td> </tr> <tr> <td style="text-align: center;">↑Month↑</td> <td style="text-align: center;">↑Day↑</td> <td style="text-align: center;">↑Year↑</td> </tr> <tr> <td colspan="3" style="text-align: center;">Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female</td> </tr> <tr> <td colspan="3" style="text-align: center;">Race: <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Indian <input type="checkbox"/> Asian <input type="checkbox"/> Other</td> </tr> <tr> <td>CCN</td> <td colspan="2" style="text-align: center;">Mass Arrest Tracking Number</td> </tr> <tr> <td colspan="3"> <input type="checkbox"/> Issue Citation <input type="checkbox"/> Book into Jail </td> </tr> </table>	NAME: LAST FIRST MIDDLE			D.O.B. / /			↑Month↑	↑Day↑	↑Year↑	Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female			Race: <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Indian <input type="checkbox"/> Asian <input type="checkbox"/> Other			CCN	Mass Arrest Tracking Number		<input type="checkbox"/> Issue Citation <input type="checkbox"/> Book into Jail																																									
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**RNC
Authority to Detain**

Ramsey County Sheriff's Office

Adult Detention Center

I. PRISONER INFORMATION:

Last Name				First				Middle				DOB: Month / Day / Year															
Arrest Location				City of Arrest				Time of Arrest:				Case Number (CN)															
Race: <input type="checkbox"/> WHITE				<input type="checkbox"/> BLACK				<input type="checkbox"/> NATIVE AMERICAN				<input type="checkbox"/> ASIAN				<input type="checkbox"/> OTHER											
Arresting Officer #1				Agency				Badge #				Post #				Transport Officer #1				Agency				Post #			
Arresting Officer #2				Agency				Badge #				Post #				Transport Officer #2				Agency				Post #			
Arresting Officer - Signature												Date:															

II. CHARGE INFORMATION HOLD INFORMATION:

<u>Misdemeanor Offense</u>	
609.72	<input type="checkbox"/> Disorderly Conduct
609.50	<input type="checkbox"/> Obstruction Legal Process
609.605	<input type="checkbox"/> Trespassing
609.715	<input type="checkbox"/> Presence at Unlawful Assembly
609.224	<input type="checkbox"/> Assault 5th Degree (Misdemeanor)
609.595 Sub. 3	<input type="checkbox"/> Criminal Damage to Property
609.506	<input type="checkbox"/> False Information to Police
609.66	<input type="checkbox"/> Weapons, Dangerous
<u>Felony/ Gross Misdemeanor Offense</u>	
609.50 Sub.2(1)	<input type="checkbox"/> Obstruction Legal Process (Felony)
609.50 Sub.2(2)	<input type="checkbox"/> Obstruction Legal Process (Gross Med.)
609.71	<input type="checkbox"/> Riot (Gross Med. to Felony)
609.713	<input type="checkbox"/> Terroristic Threats (Gross Med. To Felony)
609.595 Sub.1(3)	<input type="checkbox"/> Criminal Damage to Property First Degree (Felony-Damage over \$1,000)
609.505 Sub.2	<input type="checkbox"/> Criminal Damage to Property Third Degree (Gross Med-Damage more than \$500 but less than \$1,000)
609.2231	<input type="checkbox"/> Assault 4th Degree
609.505 Sub. 2	<input type="checkbox"/> False Information to Police (Gross Med.)

Arrest Charges (other than those listed above):

Misdemeanor Gross Misdemeanor Felony

Reason for Detention: The prisoner named herein is not eligible for immediate release because:

(A) Continued detention is necessary under MRCP 8.01 To Prevent Bodily harm to the accused or to another To prevent further criminal conduct There is substantial likelihood that the prisoner will fail to respond to a citation

(B) The prisoner does not possess, or have ready access to, adequate resource to post bail or pay a fine

III. SPECIAL INFORMATION:

<input type="checkbox"/> was in a fight or accident	<input type="checkbox"/> is ill or needs medication	Property was taken by:
<input type="checkbox"/> prisoner was uncooperative during arrest	<input type="checkbox"/> mentioned suicide	Vehicle was towed:
<input type="checkbox"/> was seen at the hospital before booking	<input type="checkbox"/> signs of visible injury	
<input type="checkbox"/> had chemical agent used on him/her	<input type="checkbox"/> exhibits disturbed behavior	
Releasing Officer's Signature	Agency	Date
		Time

FOR JAIL USE ONLY

BOOKING NUMBER	IDENT NUMBER	Booked	Tied	P & C	Photo
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FOR SPPD USE ONLY

BOOKED	CITED/RELEASED	CITATION #
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APPENDIX D

MASS ARREST WARNING

I am (rank and officer's name), a (Police Officer, Deputy Sheriff or State Trooper) to the (City of St Paul/Minneapolis/County of Ramsey or Hennepin/State of Minnesota). I hereby declare this to be an unlawful assembly, I order all those assembled at (give specific location) to immediately disperse, which means to break up this assembly. If you do not do so, you may be arrested or subject to other police action.

Other police action may include the use of civil disturbance agents and/or less lethal munitions, which could cause risk of injury to those who remain. Minnesota Statute 609.705 prohibits remaining present at an unlawful assembly. If you remain in the area which was just described, regardless of your purpose in remaining, you will be in violation of Minnesota Statute 609.705. The following routes of dispersal are available: (give the most convenient route(s) of dispersal) You have ____ minutes (give a reasonable amount of time - take into consideration the number of participants, location of the event and number of exit routes) to disperse.

****RECORD THE TIME OF ALL WARNINGS COMMUNICATED TO THE VIOLATORS****

1st Warning _____ hrs. (Wait 5 minutes before reading 2nd warning)

2nd Warning _____ hrs. (Wait 2 minutes before reading 3rd warning)

3rd Warning _____ hrs. (Commence arrests when practical)

Whenever possible, warnings should be given with a bullhorn or a squad car PA system. Warnings should be given in a loud, clear and articulate manner.

APPENDIX E

Crowd Management and Crowd Control Protocols, Including use of Chemical Agents and Less Lethal Munitions

PURPOSE:

The purpose of this document is to outline the objectives of facilitating assemblies so that assemblies remain lawful and to establish the procedures for dispersing crowds, including the use of Chemical and Less Lethal Munitions (LLM's), should the assembly become unlawful.

SCOPE:

These procedures will apply to all Law Enforcement agencies working in Mobile Field Forces (MFF) and Chemical Agent Response Teams (CART) and deployed for the 2008 Republican National Convention.

DEFINITIONS:

CROWD MANAGEMENT is defined as techniques used to manage lawful public assemblies before, during and after the event for the purpose of maintaining their lawful status.

CROWD CONTROL: is defined as techniques used to address unlawful public assemblies including a display of formidable numbers of police officers, crowd containment, dispersal tactics and arrest procedures.

FIRST AMENDMENT ACTIVITIES: include all forms of speech and expressive conduct used to convey ideas and/or information, to express grievances or to otherwise communicate with others, and includes both verbal and non-verbal expression. Common First Amendment activities include, but are not limited to, speeches, demonstrations, vigils, picketing, distribution of literature, holding of banners or signs, use of puppets to convey a message, street theater, and other artistic forms of expression. These activities implicate the freedom of speech, association, assembly and the right to petition the government, as guaranteed by the United States Constitution (First Amendment) and the Minnesota Constitution (Article 1, Section 3).

DEMONSTRATION: is used generically in this policy to include a wide range of First Amendment activities which require, or which may require, police traffic control, crowd management, crowd control, crowd dispersal or enforcement actions in a crowd situation. Thus, the term "demonstration" as used within this policy includes, but is not limited to, marches, protests, student walk-outs, assemblies and sit-ins. Such events and activities usually attract a crowd of persons, including participants, onlookers, observers, media and other persons who may disagree with the point of view of the activity.

CIVIL DISTURBANCE: is 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.

UNLAWFUL ASSEMBLY

M.S. §609.705 When three or more persons assemble, each participant is guilty of unlawful assembly, which is a misdemeanor, if the assembly is: (1) With intent to commit any unlawful act by force; or (2) With intent to carry out any purpose in such manner as will disturb or threaten the public peace; or (3) Without unlawful purpose, but the participants so conduct themselves in a disorderly manner as to disturb or threaten the public peace

PRESENCE AT UNLAWFUL ASSEMBLY.

M.S. §609.715 Whoever without lawful purpose is present at the place of an unlawful assembly and refuses to leave when so directed by a law enforcement officer is guilty of a misdemeanor.

RIOT

M.S. § 609.71 Subdivision 1. Riot first degree. When three or more persons assembled disturb the public peace by an intentional act or threat of unlawful force or violence to person or property and a death results, and one of the persons is armed with a dangerous weapon, that person is guilty of riot first degree and may be sentenced to imprisonment for not more than 20 years or to payment of a fine of not more than \$35,000, or both. Subd. 2. Riot second degree. When three or more persons assembled disturb the public peace by an intentional act or threat of unlawful force or violence to person or property, each participant who is armed with a dangerous weapon or knows that any other participant is armed with a dangerous weapon is guilty of riot second degree and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both. Subd. 3. Riot third degree. When three or more persons assembled disturb the public peace by an intentional act or threat of unlawful force or violence to person or property, each participant therein is guilty of riot third degree and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$1,000, or both.

AUTHORIZED USE OF FORCE

M.S. § 609.06 Subdivision 1. When authorized. Except as otherwise provided in subdivision 2, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist: (1) when used by a public officer or one assisting a public officer under the public officer's direction: (a) in effecting a lawful arrest; or (b) in the execution of legal process; or (c) in enforcing an order of the court; or (d) in executing any other duty imposed upon the public officer by law

COMMAND INTENT:

The unified command of RNC Mobile Field forces seeks to ensure

- ❑ The First Amendment rights of RNC participants to safely assemble at their convention and related activities.
- ❑ The First Amendment rights of those who want to lawfully express their opinions about the RNC
- ❑ The rights of residents, workers and visitors to travel freely with minimal disruption in traffic and free movement.

In the event that large crowds gather in public assemblies, unified command will endeavor to manage the crowd in order to ensure the assembly's lawful status and to meet these three priorities:

- Life Safety
- Incident Stabilization
- Property Protection

This can be accomplished in part through coordination with event planners and group leaders, permit monitoring, and past event critiques.

It is the responsibility of Unified Area Command and MFF Commanders and supervisors to ensure that police personnel maintain professional demeanor, and remain neutral in word and deed, despite unlawful or anti-social behavior on the part of crowd members. Unprofessional police behavior can inflame a tense situation and make control efforts more difficult and dangerous. Strong supervision and command are essential to maintaining unified, measured and effective police response. A response incorporating strong leadership and based upon teamwork is crucial to maintaining control and safety. MFF and CART members should operate as a unit under tight supervision: impulsive or independent actions by officers are to be avoided.

CROWD MANAGEMENT PROCEDURES:

In the event that MFF and CART elements are dispatched to or encounter a public assembly, they should adhere to the following procedures for Crowd Management:

1. Observe the situation from a safe distance to determine if the gathering is currently or potentially violent.
2. Establish Incident Command. The ranking officer at the scene shall be the incident commander (IC) unless there is a designated IC on scene. A declaration of Incident Command Authority shall be announced via radio upon arrival.
3. Notify the MFF operations center of the nature and seriousness of the disturbance. Important information to relay to the MFFOC would be:
 - Estimated size of crowd
 - Tenor of the crowd
 - Reason for the crowds gathering
 - Availability of weapons, i.e. Rocks, bottles, sticks etc.
 - Potential ingress routes for assisting MFF teams
 - Potential egress routes for participant escape, should they wish to leave
 - Are a significant number of the crowd participants behaving unlawfully?
 - Is there a likelihood that the unlawful behavior will spread to other crowd participants?
 - Immediate threats to the safety of the public and/or police officers
 - The size of the involved area

4. If warranted, request the assistance of additional MFF resources and advise as to the preferred course of action.
5. If approaching the crowd would not present unnecessary risk, instruct the gathering to disperse.
6. Utilize Field Intelligence Teams (FIT), when possible, to identify agitators, leaders and individuals committing crimes, and to document and report on events as they happen. Photographic and videotape evidence of criminal acts and perpetrators shall be generated whenever possible. Attempt to identify crowd leaders and any individual personally engaged in criminal acts.
7. When possible, establish contact with crowd leaders to assess their intentions, motivation and develop rapport.
8. If the IC and MFFOC determine that the assembly is becoming unlawful, communicate to the participants that their assembly is in violation of the law and will not be tolerated, that the Agency wishes to resolve the incident peacefully and that acts of violence will be dealt with swiftly and decisively.
9. If Crowd Management tactics are not working,, and the crowd poses a threat to life safety, property, and the rights of others, MFF and CART members will proceed to Crowd Control Procedures.

CROWD CONTROL PROCEDURES:

Physical arrest

When appropriate, the IC will order the arrest of crowd leaders, agitators or other engaged in unlawful conduct and will attempt to establish:

- the appropriate use of tactical formations and availability of protective equipment for officers engaged in arrest procedures;
- the availability of transportation for arrestees; and
- that a backup team of officers is readily available, should assistance be required.

Dispersal Order

Once a crowd control situation is determined by the IC and MFFOC to be an unlawful assembly, the IC will issue the standard dispersal order. (Commanders must give a dispersal order as a preemptive warning to the use of force unless there is a violent riotous situation, making the reading of such an order impossible.)

The order must be read verbatim

"I am (rank and officer's name), a police officer to the City of employment. I hereby declare this to be an unlawful assembly, I order all those assembled at (give specific location) to immediately disperse, which means to break up this assembly. If you do not do so, you may be arrested or subject to other police action. Other police action may include the use of chemical agents and/or less lethal munitions, which could cause risk of injury to those who remain.

Minnesota Statute 609.715 prohibits remaining present at an unlawful assembly. If you remain in the area which was just described, regardless of your purpose in remaining, you will be in violation of Minnesota Statute 609.715. The following routes of dispersal are available: (give the most convenient route(s) of dispersal) You have ____ minutes (give a reasonable amount of time – take into consideration the number of participants, location of the event and number of exit routes) to disperse”

If possible the order should be repeated up to three times before police actions are started.

CHEMICAL AGENTS

1. The Use of Chemical agents may be authorized by the MFFOC if physical arrest of identified leaders and agitators fails to disperse the crowd or other conditions exist making the use of chemical agents necessary based on crowd conditions. In so doing, the IC shall if practical ensure that:

- a. Unlawful Assembly dispersal order has been given
- b. An escape/exit path has been communicated to the crowd
- c. Consideration given to proximity of hospitals, schools, air intake for large buildings, or other locations that could be severely affected by the use of large amounts of chemical agents
- d. The use of chemical agents, smoke or other is coordinated and controlled
- e. The IC may utilize the following agents without senior command approval:
 - Smoke
 - Smoke mixed with small amounts of OC
 - OC from Mark 9 projector device
 - Inert “blastball”

2. The IC may request authority from MFFOC to utilize the following agents:

- OC from Mark 46 projector device
- OC “blastball”
- CS blastball
- CS delivered by “Skat” munition
- CS delivered by “Triple chase” munition
- Inert “blastball”
- Stingball
- 40mm OC
- 40mm CS

3. Officers shall use the minimum amount of the chemical agent necessary to overcome the subject(s) resistance.

4. Officers shall only deploy chemical agents during a demonstration or crowd event under the direction of a supervisor, unless the officer is faced with imminent threat of injury.

LESS LETHAL MUNITIONS

Less Lethal Munitions may be used in certain circumstances during crowd control circumstances, as with any application of force, LLM may be used to stop the criminal act, overcome resistance by the suspect or protect the officer or citizen from injury

1. LLM's are "target specific" weapons; therefore they will not be used as a general crowd dispersal tool and may-not be used indiscriminately against a crowd or group of persons, even if some members of the crowd or group are violent or disruptive

2. LLM may be used during any of the following in progress crimes:

- any assault
- Gross Misdemeanor level Property Damage
- Any Felony

(and should only be used against the specific individual(s) who is/are engaging in that conduct and when that individual can be targeted without endangering other crowd members or bystanders).

3. No officer shall use LLM without formal training.

4. LLM shall not be used against a person who is in custody.

5. The use of LLM must cease when the violent or destructive actions cease, and must not be used for the purpose of apprehension or to otherwise prevent escape unless escape would present a substantial risk of continued imminent threat to loss of life or serious bodily injury. An exception would be the use of 40mm marking device used to stop a criminal violator who is attempting to escape or evade arrest.

6. Officers shall not discharge a LLM at a person's head, neck, throat, face, left armpit, spine, kidneys or groin unless deadly force would be justified or as outlined in training.

7. Officers shall only deploy LLM during a demonstration or crowd event under the direction of an on site supervisor, unless the officer is faced with imminent threat to loss of life or serious bodily injury. Officers may use 40mm rounds when the above thresholds are met.

The IC may utilize the following LLM's:

- Sponge round
- Marking round
- OC tipped round
- CS tipped round

APPENDIX F

RAMSEY COUNTY SHERIFF BOOKING OPERATIONAL PLAN

The Ramsey County Sheriff's Office (RCSO) will create five Booking Teams. These teams will be assigned to and be part of the Mobile Field Force (MFF) and will be trained and equipped by them to assist in the RNC Operation. They will be assigned to the various MFF teams and their shifts will be 12 hours per day to coincide with the rest of the MFF. They will stage with the MFF teams and be deployed to protest sites or hot spots as needed. Their primary function is to take in to custody, and transport to the LEC, prisoners arrested by police. Prisoners will be transported directly to the LEC for processing or booking.

Booking TEAM

Each booking team will consist of 7 deputies and 1 sergeant. The teams will be under the direction of a RCSO Commander. Each booking team will have transport vans and buses assigned to them. The bus will be used to temporarily house and if needed transport the passive detainees to the LEC. Violent, gross misdemeanors and felons will be kept separate and transported in vans. The booking teams will remain together as a team at all times. If there is a need to move, then the team moves as one unit. All team members will be equipped with riot gear that will be secured in close proximity and put on as necessary.

RECEIVING PROCESS

Arresting officers from the MFF will bring a prisoner to the booking team. The team assignments will be as follows:

1. The sergeant will manage the team, approve the arrest, confirm prisoner identification, review the authority to detain (ATD) form and ensure that it is completed properly
2. Deputy to document the booking procedure with a video camera
3. Deputy to manage the paperwork and white board to ensure that proper photograph is taken and that a copy is provided to arresting officer and that a copy is included with prisoner's ATD form
4. Deputy to be responsible for photographing prisoner with arresting officer
5. Deputy to search and escort prisoner to transport vehicle
6. Deputy to search and escort prisoner to transport vehicle
7. Deputy to supervise prisoners and ride on the transit bus
8. Deputy to supervise prisoners and ride in secured transport vehicle

A deputy will fill out a grease board with the suspect's name, DOB, date and time of arrest, offense, the arresting CN, and the name of the arresting officer.

A deputy will take two pictures of the suspect holding the white board in front of them. One picture will remain with the Booking Team paperwork, the other goes with the arresting officer.

A deputy will videotape the receiving process, documenting the arresting officer and the suspect holding the white board. The **arresting agency** will be responsible for and take in to their possession all property and evidence in the possession of the prisoner, except the non-evidence clothing worn and items on their person or in their pockets or any medication. Prisoners will be in plastic restraints and the arresting identifying number will be on a bracelet placed on the by a booking team member if not already there.

The booking team at the conclusion will take custody of the prisoner, one ATD, and one photo, concluding the field booking process. The suspects will be placed in a vehicle. After obtaining departure approval from a Detention Commander located at the LEC, the vehicle will transport the detainees to the LEC. If the suspect is combative or charged with a gross misdemeanor or felony, they will be transported by van. Passive prisoners may be transported by bus to the LEC.

INJURED PRISONERS

Medical assessments, treatment, and transportation to a hospital will be required of all visibly injured prisoners before they are taken in to custody by a RCSO booking team. This will also be required before being accepted at the LEC. Transportation to the hospital from the arrest site and from the hospital to the LEC shall be the responsibility of the arresting agency.

DECON OF PRISONERS

Prisoners that have been exposed to chemical agents will be decontaminated before being received into the processing area. A shower trailer will be on site at the LEC that will be utilized and jail clothing will be issued before any processing can begin.

SEARCH OF PRISONER

A thorough search of prisoners taken into custody by a booking team will be conducted. The receiving correctional officer at the LEC will again search each prisoner. At the jail property bags will be supplied to the receiving correctional officers for the personal belongings of the prisoners, such as wallets, change, keys etc. The prisoner's name and case number will be in written on the property bag with a permanent marker/pen for continuity. In the event contraband is discovered, the receiving correctional officers will secure the contraband in a separate evidence bag with the prisoners name and case number and turn the evidence bag containing the contraband over to the arresting officer who will then take charge of the evidence and amend the arresting charge if appropriate.

Custody of Property

No prisoner property will be accepted by booking team members other than personal effects such as wallet, money, medications and jewelry. Anything else in their possession shall be taken into custody and inventoried and held by SPPD. When prisoners are later released from the LEC they will be instructed to contact SPPD to regain their property.

APPENDIX G

HCSO MOBILE BOOKING TEAM PROCEDURES

Set-up prior to reporting to staging area:

MBT Sergeant will make sure all supply bins are full prior to reporting to staging area. Add supplies as needed using bin checklist.

MBT Sergeant will make sure camera and video equipment are fully charged, marked that they are charged and each equipment bag filled with extra batteries, film etc.

MBT Sergeant will get all equipment to their designated staging area.

Staging area:

MBT Sergeant will make sure all team members of their MBT are present and accounted for.

MBT Sergeant will make sure all team members understand their duties, are fit for duty and address any concerns of their team.

MBT Sergeant will make sure all team members notify them if they leave the immediate staging area.

Booking process and procedure:

MBT will be dispatched to a specific location.

MBT will set up equipment immediately.

Video deputy starts recording areas immediately and will focus on arrestees and arresting officers as soon as they approach the booking set up area. The entire process is video tapped.

PD Liaison will receive, review and approve the paperwork from the arresting officers. PD Liaison will give paperwork to the MBT Sergeant for them to review and approve.

MBT Sergeant and PD Liaison will check the arrestee for obvious injuries. If medical treatment is required, arrestee may be treated by a paramedic or brought to a medical facility. The arresting agency is responsible for all medical treatment of arrestees to include transporting to a medical facility, if necessary.

Mobile Booking Team, or Arresting Officers, will write the bus or transport vehicle number on the paperwork. The Mass Arrest Tracking Number will be generated by the arresting agency and either handwritten on the Authority To Detain or stickers will be applied to all copies.

A Search/Escort Deputy will be in charge of documenting on a white board the following information in this order:

Date.

Arrestees name.

Arresting agencies control number and mass arrest tracking number.

Arresting Officers name and badge numbers.

Booking Team number.

While photograph is being taken the same deputy that filled out the white board will fill out and attach an ID band to arrestee with the control number and arrestee's name.

Arrestee is photographed with arresting officer(s). Arresting officer(s) will hold the white board.

Photograph is developed immediately after being taken and is stapled to the paperwork by the photo deputy.

Photograph and paperwork are placed in a folder. This folder containing all booking paperwork will go with the arrestees to the jail.

Arresting Officers are released after paperwork is approved and photograph is clearly developed.

Arrestee is searched by a Search/Escort Deputies.

No property larger than a purse will be accepted. Arresting agency will take possession of all large items.

Personal items found on the arrestees will be placed in a property bag and marked with the same information that has been written on the white board, including the mass arrest tracking number. If contraband is found, it is immediately given to the arresting officers. MBT Sergeant will direct deputies to write a report pertaining to found contraband, if necessary.

Cell phones are taken from the arrestees and will be disabled by either powering down the phone or removing the battery and stored in the arrestees' property bag.

Arrestee is escorted to the appropriate transport vehicle. Juveniles, non-cooperative and keep separates will be housed on a secured transport vehicle. Cooperative male and female arrestees may be housed on the transit bus, but kept separate by sectioning the seating on the bus (i.e. either males on one side, females on the other side or males in front seats, females in the back seats with two empty rows between them.)

As soon as one arrestee is ready to be housed on a transport vehicle, the Search/Escort Deputy assigned to the bus or the transport vehicle will take their assigned position. The deputies assigned to these positions are not allowed to leave their post unless relieved by another deputy. No arrestee will be left alone on a transport vehicle.

Once the transport vehicles are full or if all arrests have been processed, the transport vehicle will be escorted to the appropriate jail by either a transport deputy or Mobile Booking Team deputy, if available.

All arresting paperwork will go with to the jail on the appropriate transport vehicle.

All staff need to remain diligent to their tasks, be aware of their surroundings and any demonstrator tactics that pertain to mass arrests.