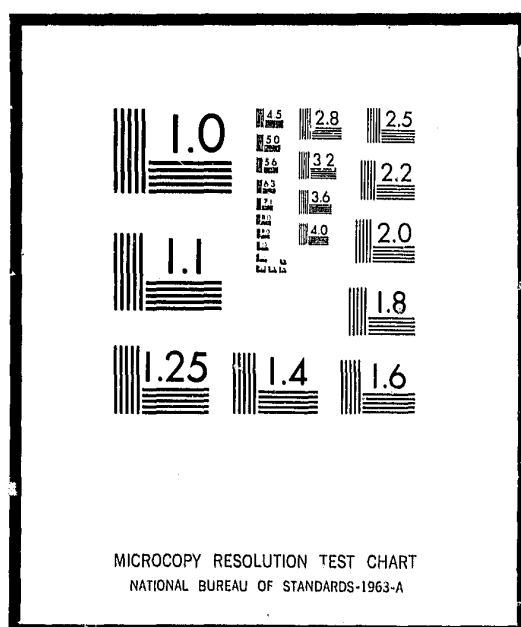


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ANNOTATION:

THE PREVENTION OF VIOLENCE IS ONE OF THE MOST IMPORTANT RESPONSIBILITIES OF LAW ENFORCEMENT.

ABSTRACT:

THE OBJECTIVES OF THIS BOOKLET ARE - (1) TO SET FORTH THE LAWFUL BASIS FOR POLICE ACTION IN RIOTOUS SITUATIONS, (2) TO HIGHLIGHT SOME OF THE UNDERLYING FACTORS CONTRIBUTING TO CIVIL DISTURBANCES, AND (3) TO OUTLINE SOME OF THE PROCEDURES AND TECHNIQUES LAW ENFORCEMENT OFFICERS HAVE EMPLOYED TO PROTECT LIFE AND PROPERTY AND TO RESTORE THE PUBLIC PEACE WHEN RIOTS HAVE OCCURRED. THE PREVENTION OF RIOTS OR THE RESTORATION OF PUBLIC ORDER IS A HIGHLY COMPLEX AND DEMANDING ASSIGNMENT. MOB ACTION IS USUALLY GENERATED BY STRONG EMOTIONAL FACTORS AND, CONSEQUENTLY, MAY NOT BE SUSCEPTIBLE OF ACCURATE PREDICTION. IN ANY TREATMENT OF MOBS AND RIOTS, EMPHASIS MUST BE PLACED WHERE IT BELONGS--ON PLANNING FOR PREVENTION. PREVENTIVE EFFORTS MUST BE A TOTAL UTILIZATION OF ALL RESOURCES AND MUST, OF NECESSITY, INCLUDE LAW ENFORCEMENT, LOCAL GOVERNMENT AND CIVIC LEADERS, AND MASS MEDIA. PREVENTIVE PLANNING IS FACILITATED THROUGH AN UNDERSTANDING OF CROWD BEHAVIOR, BASIC PSYCHOLOGY, GOOD PUBLIC RELATIONS, EFFICIENT POLICE INTELLIGENCE, AND GOOD JUDGMENT.
 (AUTHOR ABSTRACT)

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PREVENTION AND CONTROL OF MOBS AND RIOTS

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PREVENTION AND CONTROL OF MOBS AND RIOTS



FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
JOHN EDGAR HOOVER, DIRECTOR

April 3, 1967

PREFACE

The history of human relations within our society is largely a process of balancing and adjusting conflicting interests. This balancing and adjusting is usually achieved by voluntary agreement, or through established legal processes, such as action of a legislature or constitutional convention, public hearings leading to action of municipal authorities, or proceedings in a court of law. These proceedings may be accompanied by peaceful public demonstrations, taken in the exercise of the constitutionally protected rights of free speech and free assembly.

There have been times, however, when individuals or groups have abandoned these orderly procedures, and have resorted to violent demonstrations, riots and destruction of property. Violent or otherwise illegal actions which jeopardize lives and property cannot be justified or condoned, whatever may be the objectives or provocations of those engaging in them. Moreover, uncontrolled violence does not solve problems; it only increases bitterness and sows seeds of future disorders.

The prevention of violence is one of the most important responsibilities of law enforcement. The objectives of this booklet are: (1) to set forth the lawful basis for police action in riotous situations, (2) to highlight some of the underlying factors contributing to civil disturbances, and (3) to outline some of the procedures and techniques law enforcement officers have employed to protect life and property and to restore the public peace when riots have occurred.

The prevention of riots or the restoration of public order is a highly complex and demanding assignment. Mob action is usually generated by strong emotional factors and, consequently, may not be susceptible of accurate prediction. In any treatment of mobs and riots, emphasis must be placed where it belongs--on planning for prevention. Preventive efforts must be a total utilization of all resources and must, of necessity, include law enforcement, local government and civic leaders, and mass media. Preventive planning is facilitated through an understanding of crowd behavior, basic psychology, good public relations, efficient police intelligence, and good judgment. These are considered in this booklet.

There is no firm set of procedures that may be universally applied to riot and mob control situations. The best control, of course, is prevention. There are, however, definite measures which every law enforcement agency can take to be as fully prepared as possible in the event a riot should occur. These include: (1) to be fully cognizant of Federal, state and local statutes and ordinances covering civil disturbances, (2) to provide its officers adequate training in all aspects of riot control, and (3) to formulate plans which are sufficiently flexible to assure that available manpower and equipment are used to best advantage if a riot or mob control situation occurs.

There is no substitute for training and, to be effective, training must be continual. Officers who are assigned these vitally important duties must be schooled and skilled in the latest riot-prevention and riot-control equipment and techniques.

The original booklet on this subject was distributed to law enforcement agencies in February, 1965, as a guide and a basis for stimulating thinking and planning in preventing and control of riots. Many organizations considered the booklet valuable in formulating their individual plans. It is hoped the additional information contained in this supplement will likewise be valuable to all law enforcement agencies.

There are times when a riot develops to such a magnitude that the local police organization cannot effectively control the situation. Contained in this booklet are the detailed steps to be taken to obtain needed assistance from the state National Guard.

ACKNOWLEDGMENTS

The splendid cooperation and support extended by personnel of Municipal, State and Federal agencies in the preparation of this booklet is gratefully acknowledged. Their knowledge of, and experience with, recent riots and other assemblies aided immeasurably in the production of a practical and realistic treatise which, it is hoped, will be of assistance to all levels of law enforcement.

Recognition is given to the President's Commission on Law Enforcement and Administration of Justice and in particular Lieutenant Colonel Gordon D. Rowe, Military Police Corps, who was released from the Office of the Provost Marshal General, Department of the Army, to conduct research for the Commission in the field of mobs and riots in this country. Considerable material contained in this booklet was furnished Colonel Rowe from the following organizations: California State National Guard; Chicago, Illinois, Police Department; Detroit, Michigan, Police Department; Los Angeles, California, Police Department; National Guard Bureau, Departments of the Army and the Air Force; New York City Police Department; Philadelphia, Pennsylvania, Police Department; Rochester, New York, Police Department; San Francisco, California, Police Department; St. Louis, Missouri, Police Department; State of California, Department of Justice; and Metropolitan Police Department, Washington, D. C.

Recognition is also given to the Office of the Provost Marshal General, Department of the Army; Cincinnati, Ohio, Police Department; Duval County, Florida, Sheriff's Department; Kansas City, Missouri, Police Department; New Hampshire Department of State Police; New York State Police; Pennsylvania State Police; and U. S. Department of Justice, Civil Rights Division.

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CHAPTER I

THE LAW

FEDERAL CONSTITUTIONAL AND STATUTORY
LAW ON DOMESTIC VIOLENCE, RIOT, AND REBELLION

State Duty and Power to Keep the Public Peace

Under our Constitutional system the primary responsibility for suppressing public disorder and keeping the public peace rests with the States. Riots and the crimes committed incidental thereto, such as assault and battery, malicious destruction of property, and looting, are all violations of State law, no matter what the origin and objective of the riot may be. The Federal Government has neither the power nor the responsibility to do ordinary police duty in the States. "Certainly it will not be claimed that the United States have the power or are required to do mere police duty in the States. If a State cannot protect itself against domestic violence, the United States may, upon the call of the Executive, when the Legislature cannot be convened, lend their assistance for that purpose. This is a guaranty of the Constitution, (Art. 4, Sect. 4)... " U. S. v. Cruikshank, 92 U. S. 542, 556 (1876). "Under our federal system the administration of criminal justice rests with the States except as Congress, acting within the scope of its delegated powers, has created offenses against the United States." Screws v. U. S., 325 U. S. 91 (1945). In accordance with this interpretation of constitutional law, it is clearly the responsibility of the State and local governments and their law enforcement officers to prevent and suppress riots and other domestic violence. 41 Opinions Attorney General 313, 324 (1957)

The States may not lawfully refrain from action on the ground that Federal laws are or may be in some way involved in the riot action, its origin or consequences. It is the duty of local police officers equally with Federal officers to enforce all laws passed by Congress. "It is the duty and the right, not only of every peace officer of the United States, but of every citizen, to assist in prosecuting, and in securing the punishment of any breach of the peace of the United States." In re Quarles, 158 U. S. 532, 535 (1895). Although the question whether State officers are authorized to arrest for Federal offenses was once said to be "a debatable issue," Mr. Justice Frankfurter, dissenting, Davis v. U. S., 328 U. S. 582 (1946), the fact is that the courts, both Federal and State, have upheld such arrests by State and local officers. In re Schuetze, 299 F. 827 (1924); U. S. v. Bumbola, et al., 23 F2d 696 (1928); Marsh v. U. S., 29 F2d 172 (1928), cert. den., 279 U. S. 849; Bircham v. Commonwealth (Ky.), 238 SW2d 1008 (1951); Whitlock v. Boyer (Ariz.), 271 P2d 484 (1954).

The Federal Constitution, and Federal laws enacted pursuant to it, are the Supreme law of the land, which all State officials are sworn to support. Constitution, Art. VI; Cooper v. Aaron, 358 U. S. 1, 18-19 (1958). "The obligation which the Federal Constitution imposes upon State officers to uphold Federal law is in accord with their primary responsibility to maintain order within the State. Acts of violent or forcible resistance to Federal law disrupt peace and order in the State and violate State law. It is the duty of State officers in such circumstances to suppress the disorder in a

manner which will not nullify and will permit the effectuation of State and Federal law.

"When State officers refuse or fail to discharge their duty in this respect it becomes the responsibility of the national Government, through the Chief Executive, to dispel any such forcible resistance to Federal law. Otherwise, lawlessness would be permitted to exist for lack of any counteracting force." 41 Opinions of the Attorney General 313, 324 (1957).

Federal Duty and Power to Keep the Public Peace

In contrast to the States, the Federal Government has no general power or duty to keep the peace. Its powers are limited to two situations. First, to assist a state if it so requests, in suppressing domestic violence, and second, to enforce the Constitution and laws of the United States, to protect rights guaranteed by that Constitution and those laws, and to protect Federal property and functions.

The Constitution of the United States provides in Article IV, Section 4, that "The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence." In Luther v. Borden, 7 How. 1, 42, 12 L. Ed. 581 (1849), the Supreme Court held that "it rested with Congress... to determine the means proper to be adopted" to exercise this power of the United States to protect a state, at its request, against domestic violence. In fact, Congress has delegated to the President the discretion as to whether to call out the militia pursuant to Article IV, section 4 of the Constitution, 10 U.S.C. 331.

In addition to the power granted by Art. IV, sec. 4 of the Constitution, the Federal Government has inherent power to protect and enforce Federal functions, interests and rights. "The entire strength of the nation may be used to enforce in any part of the land the full and free exercise of all national powers and the security of all rights entrusted by the Constitution to its care." In Re Debs, 158 U. S. 564, 582 (1894). The Constitutional duty of the President to "take care that the laws be faithfully executed" extends not only to the enforcement of Acts of Congress and Treaties of the United States, but also to "the rights, duties and obligations growing out of the Constitution itself, our international relations, and all the protection implied by the nature of the government under the Constitution." In Re Neagle, 135 U. S. 1, 64 (1890). To this extent, "there is a peace of the United States" which Federal officials may protect and preserve. In Re Neagle, supra, 69; see also Ex Parte Yarbrough, 110 U. S. 651, 662 (1884).

"It is argued that the preservation of peace and good order in society is not within the powers confided to the Government of the United States, but belongs exclusively to the States. Here again we are met with the theory that the Government of the United States does not rest upon the soil and territory of the country. We think that this theory is founded on an entire misconception of the nature and powers of that Government. We hold

it to be an incontrovertible principle, that the Government of the United States may by physical force, exercised through its official agents, execute on every foot of American soil the powers and functions that belong to it. This necessarily involves the power to command obedience to its laws, and hence the power to keep the peace to that extent. This power to enforce its laws and to execute its functions in all places does not derogate from the power of the State to execute its laws at the same time and in the same places. The one does not exclude the other, except where both cannot be executed at the same time. . . It must execute them on the land as well as on the sea, on things as well as on persons. And to do this, it must necessarily have power to command obedience, preserve order and keep the peace; and no person or power in this land has the right to resist or question its authority, so long as it keeps within the bounds of its jurisdiction." Ex Parte Siebold, 100 U. S. 371, 394 (1880).

It should be emphasized that, even in those areas which involve Federal rights or functions, the primary duty to keep the peace rests with state and local officials. Use of Federal officials to keep the peace has in general occurred only when it became clear that state and local officials were unable or unwilling to discharge their responsibilities. Where such Federal intervention has occurred, every reasonable effort has been made to avoid conflict between Federal and State authority. However, if such a conflict cannot be avoided, the Federal law is supreme. "As to the supposed conflict that may arise between the officers appointed by the State and National governments. . . /t/he regulations of Congress being constitutionally paramount, the duties thereby imposed upon the officers of the United States, so far as they have respect to the same matters, must necessarily be paramount to those to be performed by the officers of the State. If both cannot be performed, the latter are pro tanto superseded and cease to be duties." Ex Parte Siebold, supra.

Extent of Power to Keep the Peace

The power to keep the public peace is broad for both State officers and Federal officers. It includes the power to prevent crime. "A sheriff or a policeman who perceives one about to kill or maim another, to burn his house, to steal his property, or to do any other act prohibited by the laws of the land, which it is his duty to enforce, is not required to wait in futile idleness until the laws have been broken in order that the prescribed penalties for their violation may be inflicted, even though those penalties are the only means prescribed by the laws for their enforcement. The laws themselves and his commission of office vest in him the authority, and impose upon him primarily the duty, to prevent their violation, and thus to enforce obedience to them. He may lawfully do, and it is his duty to do, this without further warrant or process, where such action will not impinge upon the lawful rights of those who threaten the violation. Mobs gather and threaten to destroy life and property. The laws and the commissions of their office are ample process of law to warrant mayors, Governors, the President, and all executive officers of city, State, and Nation to gather their forces, if necessary, to surround the threatened persons and property, and to protect them against attack." Buster v. Wright, 135 F. 947 (1905), appeal dismissed, 203 U. S. 334 (emphasis added). See also In Re Neagle, supra. On the basis of these decisions it should be assumed

that the power of law enforcement to deal with riots and domestic violence is not limited to action taken after the riot or violence has begun.

The power of state governments to keep the public peace was recently reaffirmed by the Supreme Court of the United States in Cox v. Louisiana, 33 L. W. 4105, 4109-4110, decided January 18, 1965. Although the Court reversed the petitioner's conviction for violating a Louisiana Statute prohibiting picketing in or near a courthouse, principally on the ground that the picketing had been permitted by responsible local officials, it made the following significant statement concerning the keeping of the public peace generally:

"Nothing we have said here or in No. 24 ante. is to be interpreted as sanctioning riotous conduct in any form or demonstrations, however peaceful their conduct or commendable their motives, which conflict with properly drawn statutes and ordinances designed to promote law and order, protect the community against disorder, regulate traffic, safeguard legitimate interests in private and public property, or protect the administration of justice and other essential governmental functions.

"Liberty can only be exercised in a system of law which safeguards order. We reaffirm the repeated holdings of this Court that our constitutional command of free speech and assembly is basic and fundamental and encompasses peaceful social protest, so important to the preservation of the freedoms treasured in a democratic society. We also reaffirm the repeated decisions of this Court that there is no place for violence in a democratic society dedicated to liberty under law, and that the right of peaceful protest does not mean that everyone with opinions or beliefs to express may do so at any time and at any place. There is a proper time and place for even the most peaceful protest and a plain duty and responsibility on the part of all citizens to obey all valid laws and regulations. There is an equally plain requirement for laws and regulations to be drawn so as to give citizens fair warning as to what is illegal: for regulation of conduct that involves freedom of speech and assembly not to be so broad in scope so as to stifle First Amendment freedoms, which 'need breathing space to survive.' NAACP v. Button, 371 U. S. 415, 433; for appropriate limitations on the discretion of public officials where speech and assembly are intertwined with regulated conduct; and for all such laws and regulations to be applied with an equal hand. We believe that all of these requirements can be met in an ordered society dedicated to liberty. We reaffirm our conviction that 'Freedom and viable government are . . . indivisible concepts.' Gibson v. Florida Legislative Comm. 372 U. S. 539, 546."

Statutory Provisions

As early as February 28, 1795, the Congress provided by statute that "in case of an insurrection in any State against the Government thereof it shall be lawful for the President of the United States, on application of the Legislature of such State or of the executive (when the Legislature cannot be convened) to call forth such number of the militia of any other State or States, as may be applied for, as he may judge sufficient to suppress such insurrection." Luther v. Borden, supra.

The present statutory powers to deal with domestic violence appear in Title 10, U. S. Code, and read as follows:

Section 331 - Federal Aid For State Governments

"Whenever there is an insurrection in any State against its government, the President may, upon the request of its legislature or of its governor if the legislature cannot be convened, call into Federal service such of the militia of the other States, in the number requested by that State, and use such of the armed forces, as he considers necessary to suppress the insurrection."

Section 332 - Use of Militia and Armed Forces to Enforce Federal Authority

"Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States, make it impracticable to enforce the laws of the United States in any State or Territory by the ordinary course of judicial proceedings, he may call into Federal service such of the militia of any State, and use such of the armed forces, as he considers necessary to enforce those laws or to suppress the rebellion."

Section 333 - Interference With State and Federal Law

"The President, by using the militia or the armed forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination or conspiracy, if it -

"(1) so hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or

"(2) opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws.

"In any situation covered by clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution."

Section 334 - Proclamation to Disperse

"Whenever the President considers it necessary to use the militia or the armed forces under this chapter, he shall, by proclamation, immediately order the insurgents to disperse and retire peaceably to their abodes within a limited time."

Other

The power of the Governor of the Virgin Islands to deal with domestic violence is shown in Title 48, U. S. Code, Section 1591.

The Human Instruments of Federal Power

The United States Marshal - The United States Marshals are directed by statute to "execute all lawful writs, process and orders issued under the authority of the United States." 28 U.S.C. 547. This authority includes the execution of decrees of Federal courts, and the carrying out of orders or instructions issued by the President, in the exercise of his authority to "take care that the laws be faithfully executed." In particular, 10 U.S.C. 333 authorizes the President, where necessary to protect Federal rights or to enforce Federal law, to suppress domestic violence by use of the militia, the armed forces, "or by any other means." The legislative history of this provision reflects that one "other means" which was contemplated is the use of U. S. Marshals. Accordingly, U. S. Marshals have been used to help keep the peace in several recent situations involving the protection of Federal constitutional rights.

In the exercise of this power the U. S. Marshal may appoint deputies, 28 U.S.C. 542. He may "command all necessary assistance to execute his duties." 28 U.S.C. 547(b), a provision which allows him to summon a posse comitatus in the ancient manner of the sheriff. U.S. v. Fenwick, Fed. Cas. No. 15086. Both methods have been used. During the Pullman Car Strike of 1894, which broke out in various places across the Nation, some 5,000 extra deputy marshals were hired. The posse comitatus has been called out by the Marshal on a number of occasions, although no recent examples have been found. Federal Aid in Domestic Disturbances, Senate Document No. 263, 67th Congress, 2nd Session; Sen. Ex. Doc. No. 7, Vol. 2, 53rd Congress, 3rd Session, pages 202, 41, 62-64, 69-71, 79-83.

Marshals are prohibited by law from using the Army or the Air Force as a posse comitatus or otherwise to execute the law. 18 U.S.C. 1385. This provision, however, does not prevent the President from using Federal troops to suppress a civil disorder as provided in 10 U.S.C. sections 332 and 333. 41 Opinions Attorney General 313 (1957).

U. S. Marshals may make arrests without warrant for any offense against the United States committed in their presence, or for any felony cognizable under Federal law if they have reasonable grounds to believe that the person to be arrested has committed or is committing said felony. 18 U.S.C. 3053. In addition, U. S. Marshals, in executing the laws of the United States, may exercise the powers which the sheriff of the state may exercise in executing state law. 28 U.S.C. 549. One of the

common law duties of the sheriff is to conserve the public peace (prevent crime) and modern statutes declaring that power are only a restatement of the common law. Fields v. State (Fla.), 36 S02d 919 (1948). The Marshal's exercise of the power to keep the Federal peace within a State has been upheld by the Supreme Court of the United States. Ex parte Siebold, 100 U.S. 371 (1880); Cunningham v. Neagle, 135 U.S. 1 (1890); In re Quarles, 158 U.S. 532 (1895).

Other civil officers. The reference, in 10 U.S.C. 333, to "any other means" may suggest the possible use of other Federal civil officers to suppress disorders. However, this has not been the practice. In discussing the considerations which led to the President's decision to call out the armed forces in 1957, at Little Rock, Arkansas, the Attorney General stated, in part, "In accordance with the salutary policy that the agents of the Federal Bureau of Investigation shall not be used as a national police, you rejected suggestions originating outside the Federal Government that such agents be called upon to enforce the court's orders." 41 Opinions Attorney General 313 (1957). This decision of the President and the Attorney General to separate the officers who may be called upon to investigate the riot and its causes from those whose duty it is to suppress the riot is in accord with In re Jordan, Fed. Case No. 7512 (1873).

The Armed Forces - Use of the Armed Forces by the President for the purpose of suppressing riots and domestic violence is authorized by law, as previously shown. Their use is sanctioned by precedent. The Armed Forces have been used on a number of occasions, either directly or to supplement the force of the Marshal, from the beginning of the Republic to the present day.

Some Examples of the Use of Federal Power

The Whisky Insurrection of 1794 was the first major civil disturbance dealt with by the Federal Government. It was brought about by an excise law passed by Congress in March, 1791, which put a tax on corn liquor. Resentment against the tax was concentrated in the four Pennsylvania counties west of the Allegheny Mountains whose farmers, having no near market for their grain, had been accustomed to converting it into whiskey and selling that readily. The insurrection reached a point where, in July of 1794, a mob of 500 attacked the house of the U. S. tax collector in Western Pennsylvania and burned it to the ground. Two weeks later malcontents marched into Pittsburgh intending to attack the fort, but became frightened and dispersed. The insurrection was put down without bloodshed when the militia was called out by President Washington.

In the Spring of 1799, the Fries Insurrection broke out in Pennsylvania. The cause of this disturbance was an act passed by Congress providing for the raising of revenue by direct taxation which involved a minute appraisal of houses and dwellings, including measurements of windows in some cases. The official measurers were deluged with scalding water poured down on them by women from upper windows. Others were ejected from the houses by the men. At the height of the insurrection, a marshal's posse with 30 prisoners was attacked by a hundred or more mounted men

under the command of John Fries and the prisoners were rescued. Troops were called out and the insurrection was put down without difficulty.

In December, 1839, the Federal militia in the Territory of Iowa was ordered into service by the Governor of that Territory on a statement made to him by the U. S. Marshal that the civil authorities of Missouri were seeking to extend their jurisdiction over a part of the Territory of Iowa which Missouri claimed and that Missouri was assembling a huge military force for the purpose of taking immediate possession.

The Dorr Rebellion of 1842 broke out in a dispute over the Constitution of Rhode Island, and particularly over restrictions on the right to vote contained in the charter granted by Charles II in 1663, which was still in effect. A new constitution was voted on, and new officers elected pursuant to it, but the officials of the old charter government refused to recognize its validity. Thomas W. Dorr, the Governor elected under the new constitution, left the state, raised a corps of several thousand armed men, and threatened to invade the state and overthrow the charter government. The charter government called upon the President of the United States for assistance. He announced his intention to call out the militia if that should be necessary, and this announcement put an end to the armed rebellion. The following year a constitutional convention was called by the charter government and a new constitution was adopted.

[Facts taken from opinion in Luther v. Borden.]

The Anthony Burns riots in Boston in 1854 were typical of those which several times broke out in that city over enforcement of the Federal law requiring that fugitive slaves be returned to their owners. When it was learned that Burns, a fugitive slave, had been arrested and turned over to the U. S. Marshal, some 50,000 people gathered in the streets and undertook a night attack on the courthouse. The rioters were driven from the scene but only after one of the Marshal's guards had been killed and several of the assailants badly wounded. A detachment of marines and sailors and some militia was sent to assist the state authorities and Burns was taken to a southbound ship through a shouting and angry crowd estimated at 200,000.

In 1856, violence developed in the Territory of Kansas over the question whether the new state should be free or slave. The U. S. Marshal entered the town of Lawrence with several hundred armed men and blew up and burned several homes and plundered a large number of others. John Brown, who was later to figure in the affair at Harper's Ferry, Virginia, was defeated in a battle at Osawatomie where 10 men were killed and 20 or more were wounded. Nearly 2,000 militiamen were sent to restore order.

During the reconstruction period, following the War between the States, riots were frequent. Many were instigated by the Ku Klux Klan's activities against the newly emancipated Negroes. To name only a few, there were riots at Norfolk and Memphis in 1866, Mobile, Alabama, and Franklin, Tennessee, in 1867, and other riots during this period in Arkansas, Georgia, Texas, and South Carolina.

Somewhat different was the Fenian Invasion of Canada in June, 1866, an armed invasion of Canada by several thousand members of the "Fenian Brotherhood," an organization of Irish-Americans having as their ultimate objective the liberation of Ireland from the British. Over ten thousand men were engaged in this enterprise, which failed only after the President authorized Major General Meade to employ the land and naval forces of the United States to prevent the invasion.

Beginning in 1877, civil disturbances based on labor disputes developed serious proportions for the first time. In the summer of that year, the railroad companies suddenly reduced wages 10% and the result was riots at Martinsburg (West Virginia), Baltimore, Pittsburgh, Indianapolis, Chicago, St. Louis and other places. A mob of 1,500 gathered in Pittsburgh and destroyed by fire enough buildings and equipment to reach the value of 8 to 10 million dollars. The Federal troops were called out and the riots were quelled only after considerable bloodshed.

During the late 1800's, there were many disturbances in the territories and western states. Military forces were sent into New Mexico where bands of armed men numbering about 250 roamed the country at large, murdering, robbing and pillaging. At Rock Springs, Wyoming, in 1885, 100 idle white gold miners attacked approximately 330 Chinese employed in the mines, killing about 25 to 30 of them, and driving the remainder into the hills where some 50 died from wounds, starvation and exposure. Two companies of troops were sent by the Secretary of War to restore order. There were other riots against the Chinese in Seattle, Washington, and in New Mexico.

The greatest riots of all during the 1800's occurred in 1894 in connection with railroad strikes. The riots reached from Chicago, Illinois, and Hammond, Indiana, to Sacramento, California, and occurred at many principal cities in between. In one mob action in Chicago alone, 20 men were killed or injured, several hundred railroad cars and 10 buildings were burned and more than 1,000 cars and the merchandise they contained were destroyed. The forces of the U. S. Marshal proved to be powerless in many cases and order was eventually restored only by use of the armed forces. The total force used in Chicago alone was more than 14,000, consisting of 5,000 deputy marshals and 4,000 militia, to say nothing of the Chicago police force and a large number of deputy sheriffs.

In 1921 martial law was declared to halt warfare in the coal fields of West Virginia and the Army was called. In 1932 the "Bonus Army" marched into Washington some 15,000 strong and, after several months of turmoil, they were evicted by the Army when the police department reported that it was unable to handle the situation without bloodshed. In 1941 some 2,500 soldiers were sent to Los Angeles to restore order and prevent violence in a dispute between rival unions which had shut down plane production at the North American Aviation Company Plant.

These specific instances of the use of Federal force to put down domestic violence may seem numerous, yet they represent not one-

tenth of the total number of cases recorded in the history books. The conclusion seems inescapable that there not only have been but will be instances in which the Federal Government must act, and with superior force, either civil or military. More recent examples have been the use of Federal forces in Little Rock, Arkansas, and Oxford, Mississippi.

Some Federal Criminal Statutes Which May Be Violated During Riot And Domestic Violence

Federal criminal statutes are so broad and diverse in their coverage that it is impossible to predict with accuracy which of them may be violated during riot and domestic violence. Any questions arising when riot or domestic violence is expected, or is in progress, or after it has terminated should be taken up with the Office of the United States Attorney for the district concerned. Some of the statutes which appear most likely of violation are shown in Appendix A.

STATE CONSTITUTION AND LAW
POLICE POWERS IN DOMESTIC VIOLENCE,
RIOT, AND REBELLION

The legal points outlined below are those which should be resolved by local law enforcement in consultation with the Attorney General of the State, County Prosecutor, or other official who will rule on the pertinent law of that state. The points listed here should be considered the absolute minimum of information which the officers must have available in order to carry out their responsibilities in a legal manner.

The law on the points shown varies from state to state, hence only the lawyer well versed in the law of the individual state can give the officers the precise guidance which their duties require.

1. ARREST POWERS OF LAW ENFORCEMENT OFFICERS IN GENERAL

A. Arrest Powers of City Police Officers

- (1) At Common Law
 - (a) For Misdemeanor
 - (b) For Felony
- (2) By Statute
- (3) General application of these powers of arrest to domestic violence and riot situations.
- (4) Do any of these powers include the power to arrest to prevent the commission of a threatened crime?

B. Arrest Powers of Sheriffs and Their Deputies

(Same as above)

C. Arrest Powers of State Police or Highway Patrol

(Same as above)

D. Arrest Powers of National Guard When Mobilized

(Same as above)

2. ASSEMBLING A LEGAL FORCE (Assume that City Police have confidential information that a mob action is being planned for a time some hours from now, and that they wish to assemble an overwhelming police superiority in numbers of officers)

A. City Police Only

- (1) Legal power of police to command citizen assistance.
- (2) Legal power of police to arm citizen assistants.
- (3) Legal power to commandeer automobiles and other private property needed.
- (4) Legal power to call for help from Sheriff's Office, State Police, or others.

B. Sheriff's Office

(Same as above)

C. State Police or Highway Patrol

(Same as above)

D. Legal Mechanics of Mobilizing the National Guard

E. Conflict of Authority - If any two or more of any of the above law enforcement bodies are on duty, which one is in control by law and which is subordinate to the other.

3. EARLY PREVENTIVE ACTION

A. Power of Officers of City, County and State to Close Stores, Barricade Streets, and Forbid Speeches, Meetings and Parades

B. Power to Arrest for Offenses Which Frequently Precede a Riot

- (a) Affray? Misdemeanor? Arrest without warrant?
- (b) Rout (Same as above)
- (c) Unlawful assembly (Same as above)
- (d) Inciting to riot (Same as above)
- (e) Conspiracy (Same as above)
- (f) Contempt of Court Order (Same as above)
- (g) Other offenses, if any (Same as above)
- (h) Does acquittal of misdemeanor make arrest unlawful?

4. POWER TO COMBAT THE RIOT

- (1) Definition of riot - Felony or Misdemeanor?
- (2) Common Law and statutory powers during riots, in general.
- (3) Power to use firearms and auxiliary weapons of any kind, such as nightsticks, blackjacks, tear gas, dogs.
- (4) Power to arrest for crimes committed during riots, such as assault, breaking and entering, arson, malicious damage to property, looting, etc.
- (5) Legal immunities for law enforcement personnel and assisting citizens.

CHAPTER II
AN ANALYSIS

I. CONTRIBUTING FACTORS LEADING TO CIVIL DISORDER

A primary responsibility of local and state police is to maintain law and order. However, the police can best perform this vital role when they have the wholehearted support of all segments of the community--civil organizations, church leaders, public officials, business leaders, news media and other responsible members of the community. Prevention and control of civil disorders are a community responsibility--not an exclusive function of the police. Actually, police agencies function most effectively and efficiently where there is mutual understanding of both community problems and police responsibilities. Such understanding provides the necessary basis for effective action to successfully maintain law and order. Where community problems which could lead to civil disorder are encountered, the police should provide appropriate officials with intelligence reports so that remedial steps can be taken.

BASIC RIGHTS AND NEEDS

The Founding Fathers of our country recognized that man, by his very nature, has rights. They considered these so sacred that they expressed them in the Declaration of Independence as a basis for action by the following statement:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, among these are Life, Liberty and the pursuit of Happiness."

In order to exercise these rights, it is apparent that man has certain natural needs which must be satisfied. Man must have food, clothing, and shelter to sustain his life; he must have the right to freely choose legitimate goals and lawful means in the exercise of liberty; and he must not be denied unjustly because of such considerations as his race, color, creed, or national origin, the opportunity to legitimately fulfill all his natural, physical and mental capabilities in the pursuit of happiness. This does not mean that the individual's rights or desires will always prevail--there must be at all times a balancing of his rights with the rights of other individuals and of society as a whole.

Man is a social being who, with rare exception, desires to be secure, craves recognition and approval, and expects to be treated as a person possessed of human dignity. As an extension of personality, most individuals share certain aspirations. While there are various schools of thought concerning man's aspirations, among those most generally mentioned are:

Independence

Most people aspire to be independent in their choice of objectives, goals and actions. This quest for independence may be expressed by individuals in various ways. Generally, a peaceful approach to accomplish independence will be utilized; however, once emotionally motivated and organized, some individuals may resort to drastic means to attain their objectives.

Justice

Man aspires for justice. His sense of justice expects equality before the law for all members of society regardless of wealth or position, and regardless of race, color, creed or national origin, both in the protection of rights and in the punishment for wrongs.

Wealth

Some people use wealth as a measure of both individual and social progress. Wealth can add to an individual's sense of security regardless of his particular environment. This aspiration for wealth is sometimes correlated with an individual's desire to obtain personal, economic, and social recognition.

Recognition

Man generally seeks to communicate his ideas, problems, and desires. In return most people desire to be recognized and treated as contributing members of society.

Self-esteem

Most people realize human dignity is shared in common, and desire respect from and equal treatment with other members of society. As the individuals develop self-esteem, they may collectively assert themselves in the attainment of objectives and goals.

A CAUSE FOR ACTION

Any unjust denial, actual or imagined, of man's basic rights, needs or aspirations can give rise to a feeling of frustration and desperation which can (1) be exploited by elements of a community which are prone toward violence and/or (2) serve as a foundation upon which additional grievance can build, all of which could lead to possible violent protest action.

Every civil disorder or riot is brought about by previously existing factors. The build-up may or may not be apparent and may or may not have had a legitimate beginning. Whatever the background, it should be apparent that the atmosphere which contributes to a riotous situation develops over a period of time and many factors are often involved. In the final analysis, the most effective method of preventing riot and mob situations is to eliminate conditions which could lead to friction and misunderstanding and ultimately to violence and lawlessness.

II. CROWDS AND THEIR BEHAVIOR

Law enforcement agencies, from time to time, face dangerously explosive situations. The recent Federal and state laws in the field of civil rights have in some areas produced resentment, resistance, and sometimes retaliation. The resulting dissatisfactions and disagreements are sometimes so fraught with bitterness that tensions build up to the boiling point. The

changes in social structure and cultural values are perceived by many misguided persons as threats to their well-being and to their way of life. Occasionally they react violently.

In studying this problem, the law enforcement executive is primarily interested in the actions of people in groups under certain specific conditions. The law enforcement officer is used to controlling crowds as this is part of his everyday activity. However, there are different kinds of crowds and they present different kinds of problems. The mere presence of a large crowd does not necessarily constitute a serious law enforcement problem. On the other hand, a relatively small group of people acting as a lawless mob can be very dangerous and can provide problems of major importance.

We are interested in the actions of groups of people and a study of the nature of crowds will be helpful. It is necessary to bear in mind, however, that the crowd is composed of individuals. It is the person who is the basic unit. It is the behavior of the individual that, in the final analysis, is important. If charges must be preferred growing out of mob violence, it is individual persons who are charged, not groups. Yet we must understand the nature of groups because there are times when controls are most effectively applied against a mass rather than against individuals.

A. Nature of Crowds

There are many ways of classifying crowds. For example, they could be grouped according to size, but size is not usually the most significant factor. They could be grouped according to sex, race, religion, political beliefs, or in many other ways, but these would not be useful classifications for our purpose. The factors of greatest interest to law enforcement are the behavior and motivation of the people. In other words, we are most concerned with what they are doing and why. For our purpose, then, the following types of crowds may be distinguished:

1. Casual crowd. The casual crowd is merely a group of people who happen to be present at a given place but who are not unified or organized. The people in a casual crowd are bent on their individual ways. They do not have a common interest or purpose and they are not following any particular leader. An example of a casual crowd would be a group of shoppers going from store to store.
2. Cohesive crowd. This is a group of people who are assembled for some specific purpose. An audience attending a play or a concert, or the fans at a sporting event, constitute a cohesive crowd. They are held together by a common interest. Their attention is directed toward some common focus. In most cases the interest that brought them together is momentary and they are usually not under well-defined leadership. Other examples of a cohesive crowd would be the participants at a picnic, the people watching a fire, or those who are present at the scene of

an accident. The casual crowd mentioned above can very easily turn into a cohesive crowd. All that is required is for some event to take place which attracts the attention of the people. An accident, a heart attack, the sales pitch, a fight, or anything unusual can provide the cohesive stimulus.

3. Expressive crowd. This is a group in which the people are held together by some common purpose. They usually hold more or less similar attitudes for or against something. They are ordinarily under the direction of well-defined leadership. It is characteristic of this type of crowd to display a more or less unified mood. Their likes and dislikes, their loyalties, their desires and intentions are normally quite easily seen. Examples of the expressive crowd are found at a political rally, a picket line, and a religious revival.

An expressive crowd is, at the same time, a cohesive crowd. It is easy to see how a casual crowd may turn into a cohesive or even an expressive crowd. Let us assume that two patrolmen receive a call to investigate a disturbance at a tavern. Upon arrival at the scene, they find a group of people idly standing around on the sidewalk in front of the tavern. They are not aware of the disturbance inside the establishment. The officers enter and arrest two men who have been fighting. As soon as the officers arrive, the casual crowd becomes a cohesive group because their interest is focused toward what promises to be something exciting. When the officers bring their prisoners out of the tavern, the cohesive crowd may become expressive, hooting and jeering at the officers for making the arrest. This expression of disapproval may well be instigated by some individual who himself had been arrested under similar circumstances on a prior occasion. His reaction to the officers' performance of duty can easily stimulate bystanders to express similar sentiments. In fact, in all too many instances, such crowds may go a step further and turn into the next type.

4. Aggressive crowd. In this type of crowd the people, under positive leadership and strong emotions, engage in some kind of aggressive action. Ordinarily these people have come together because of strong feelings about some issue and show definite unity of purpose. Their actions may be impulsive and highly emotional and, unfortunately, may become destructive. This type of crowd is the most difficult for police to handle.

The aggressive crowd is, at the same time, expressive and cohesive. Thus, we can see that the above classification provides a progression in which the police problems increase as each step is reached.

B. Basic Behavior Patterns in Mobs

Students of mob behavior identify several basic patterns into which the actions of the mob members fall. These classifications are

not necessarily intended to be mutually exclusive or all inclusive. There may be combinations of these behavior patterns or others observed in many mob situations. The general behavior patterns include those listed below:

1. Aggressive. Aggressive tendencies show up in the actions of members of a lynch mob or in the violent clashes between strikers and strike breakers. Similar aggressive behavior may be seen in juvenile "rumbles." The objective of the violence differs, of course, with the situation. Often the objective of the violence is some person or group of persons, while at other times it may be property. In some cases it is both.
2. Escape. The behavior tendency involving escape is seen in panic situations. Escape behavior is predominant in the members of a crowd of people in panic at a fire or other disaster. Individuals driven by overwhelming fear react emotionally and irrationally to avoid the source of the danger. This behavior is often maladaptive because the people act blindly and do not take time to figure out the best way to avoid the danger. The escape behavior of a panic often ruthlessly disregards the welfare of others in the crowd, each individual taking a "me first" attitude. Panic behavior occurs in a situation where the people have no prepared response with which to meet the emergency. There is at first a sense of shock which involves a moment of indecision during which the people are evidently appraising the situation. This is quickly followed by a sense of panic during which the danger is comprehended and great fear and terror results. If, at the onset of the panic, firm leadership springs up which brings the crowd to its senses, the maladaptive and dangerous escape behavior may be avoided.
3. Acquisitive. In some mobs, the main purpose of the emotional and irrational behavior seems to be the acquiring of some desired object. Law enforcement officials have observed that what starts out in some cases as a riot soon changes into a wild and uncontrolled looting spree. Other examples of acquisitive behavior would be a run on a bank and hunger riots.
4. Expressive. The behavior of people in certain highly emotionally charged situations is not any of the foregoing, but, rather, simply expressive. The behavior of persons attending conventions is sometimes the expressive type. It is seen also on occasions of great revelry. This kind of behavior apparently provides a release for pent-up emotions and an escape from the dull routine of the workaday world. Religious revivals, carnivals, county fairs, jazz festivals, parades, wild parties and orgies all may contain elements of expressive behavior. With the exception of the religious revival in which the main police problem is one of traffic control, all of these may provide situations which are difficult to control. Such expressive behavior can very easily be converted into one of the other types. A demagogue or

professional agitator may whip a crowd into an expressive frenzy which he may then capitalize upon by instigating some kind of aggressive action. The law enforcement executive who makes a study of such matters takes a long step toward a successful control.

C. The People Involved

It is obviously important to anyone concerned with crowd behavior to consider the kinds of people involved and how they may behave. The following types of persons may be found at the mob scene:

1. Impulsive and lawless persons whose mob behavior is not unlike the behavior they exhibit in their ordinary daily lives. The people are short-tempered and hotheaded, the kind that are always spoiling for a fight. They need only a fancied insult or a slight provocation to excite them to violence. They start the riot or incite others to violence. Many of them are ignorant, bigoted, and of low social status.
2. Suggestible persons who are easily influenced to follow the lead of the more violent. They get into the action early.
3. Cautious individuals who would like to get into the fracas but who wait for the cloak of anonymity to give them courage by hiding their identity.
4. Yielders --those who hang back on the side lines and do not join the action until the large number of persons participating gives the impression of universality. In other words, "Everyone is taking part, so why shouldn't I?"

Another kind of yielder is the person who opposes violence, but only passively or halfheartedly. When the fighting starts, he yields even though opposed.
5. Supportive persons--those who do not actively join the mob but who enjoy the show and even shout encouragement.
6. Resisters--those whose values and standards of judgment are not swayed by the emotional frenzy of the mob, who maintain level heads, and who disagree with the actions of the majority. A mob is intolerant and meets resistance with violence.
7. Psychopathic individuals--there are some individuals with a pathological personality structure who might be part of a mob. There are people who are angry at the world, because of frustrations or mental illness, who could use the riotous situation as a means of getting even with society.

D. Behavior Dynamics in Unruly Crowds

1. Lack of restraint

When a crowd becomes a mob, restraint is lost. The crowd may be boisterous and disorderly, but with only isolated and minor violence. However, haranguing by a hothead or demagogue, or the arrival on the scene of a hated figure can transform truculence into frenzy in an instant.

The various factors that operate in determining the behavior of a mob have a tendency to reduce the behavior of the total group to that of the worst of its members. In a mob situation the first persons who express their feelings and who take definitive action are likely to be the most impulsive, the most suggestible, the least self-controlled, the least inhibited. The most ignorant and the most excitable are the ones who are likely to trigger the violence and, once it has begun, it usually spreads quickly, engulfing even the more intelligent and self-controlled.

2. Common denominator in behavior

The tendency for the members of a mob to exhibit similar behavior has been referred to by various terms-- suggestion, imitation, primitive sympathy, circular reaction, and social facilitation.

Mob behavior is essentially emotional and without reason. Generally, there is an apparent dissimilarity to the behavior in private life of the people involved. In other words, their behavior when part of the mob is not like the behavior of the same people when they are acting individually.

Mob behavior is not something which occurs only in certain sections of the country involving only certain types of people. It may occur anywhere and for a great variety of reasons.

3. Social suggestion

Among the psychodynamics of human behavior, social suggestion is a phenomenon familiar to all. If, as a person walks along the street, he sees three or four individuals looking up toward the top of a building, he is almost irresistibly drawn to look up himself. In an audience, when one person begins to clap, others follow. The conduct of people in crowds seems to be contagious. One person takes his cue from another. Many people readily fall in line and follow a leader, taking his suggestions as to their conduct. In other words, they imitate the actions of the leader or of each other. Naturally, some people are more suggestible than others. There are some individuals who are nonconformists,

who are more or less independent, and who are not easily swayed. Most people, however, are susceptible to suggestion.

The behavior of a crowd depends often on momentary suggestion. It is, of course, not entirely dependent upon things which arise at that moment, but is often triggered by a momentary impulse. The behavior of a crowd of people is essentially nonrational. The attention of the crowd members is directed principally to objects and symbols which excite their feelings or emotions and their impulses. The rational powers of the crowd members are in abeyance, so to speak. In other words, crowd behavior is governed not by intellect, but by passion; not by cool calculation, but by impulse.

4. Impression of universality

One of the psychological factors influencing behavior in crowds, and especially in mobs, is the fact that people have a tendency to believe the attitudes and emotions which they are experiencing are being shared by everyone present. The mere fact that large numbers of people are present has a tendency to discourage behavior that is different from that being exhibited by other persons. Crowd members stimulate each other and, before long, the individual gets the impression that everyone feels as he does.

In a mob, A stimulates B, B stimulates C, C stimulates D, and so on throughout the mob. In turn, C stimulates B and A, D stimulates C, B and A, etc., in a kind of circular reverberation, thus heightening the over-all potential for emotional excitement. This is good reason why the wise course for law enforcement officers is to break up the mob into ever smaller groups, thus limiting the degree of reinforcement of the common excitement. Another reason for splitting the mob into ever smaller groups is that this practice destroys the protective anonymity which the crowd affords. The individual who is thus isolated or shunted off into a very small group is exposed to identification and experiences a hesitancy about engaging in violence, which the cover of the crowd might eliminate.

5. Anonymity

One factor of considerable importance in unruly crowd behavior is the anonymity of the individual. Large numbers serve as a cover in which he can hide his identity. He feels since he is one of a large number, people will not be able to point to him, to ascribe guilt to him, to single him out. He is but one of many and the things that he does, however violent, will be but small, isolated incidents in the much larger violent picture. The over-all excitement, frenzy, and passion grip him and he becomes but a small cog in a much larger machine. At the same time, paradoxically, the mob partic-

ipant frequently experiences a sense of inflated ego or exalted self-importance. It is interesting to note that a police officer with a camera taking pictures of the mob members may be a deterring influence because this action has a tendency to destroy the feeling of anonymity and create a feeling of anxiety.

6. Inability to withdraw

Another factor involved in crowd behavior is the reluctance of any individual to buck the trend. The individual is generally afraid to express views contrary to those of the majority. He finds it easier and safer to go along with the mob. Conformity is approved; the nonconformist is in peril.

Sometimes, even though the individual may have been present at first only out of curiosity and was only a passive observer, he becomes drawn into the activity perhaps unwillingly. He may eventually become so deeply enmeshed, even though he is not a leader, that he is unable to physically withdraw from the action. This reluctance to withdraw may be for the same reason that he is unable to express views or sentiments contrary to those of the crowd members; i. e., he lacks the courage and feels that it is safer and easier to "go along."

7. Increase in hostility

When people have been brought together by some strong social motivation, whether it be political, racial, economic, or whatever, there are certain factors which tend to influence the organization of the group. When a group is subjected to a common frustration, the cohesiveness of the group is increased: that is, common frustration draws the people closer together psychologically.

Some people seem to feel that hostility and conflict between groups can be eliminated by "having a good fight and getting it over with." Psychologically, this is definitely the opposite of the actual fact. Such conflicts do not eliminate the source of frustration which produced the hostility in the first place. Regardless of the outcome of intergroup violence, both sides come out of the action with increased hatred and solidified hostile attitudes. They see each other as greater threats than ever before. Engaging in open violence actually increases the hostility and lays the groundwork for further trouble.

III. THE RIOT PATTERN

A. The Pattern of Preparation

Whenever a civil disturbance or riot occurs, there are always certain factors or developments which have prepared the way.

1. Verbal aggression may have existed for a long time and with increasing intensity.
2. Economic frustration and dissatisfaction with status, coupled with a gradually changing social organization, have resulted in increasing irritation.
3. Like-minded people band together in various kinds of groups. Some of these may be formal organizations with definite programs and others may be of an informal, more or less spontaneous nature such as a mob. These organizations, having grown out of frustration and discontent, serve to provide the individual with courage and support. He feels that his anger and his gripes are approved, and his beliefs justified; his tendencies toward violence are stimulated.
4. Some kind of provocation triggers the violence. This precipitating incident, even though it might have been completely imaginary, becomes exaggerated through rumor and magnified out of proportion to its actual importance.
5. Isolated cases of violent aggression occur. There may be a few of these which, over a short period of time, serve to increase the already existing tension and excitement.
6. Full-scale rioting begins when one or two of these isolated clashes take hold and instigate mob action. At this point, through social contagion or social facilitation, the destructive activity is sustained. The level of mob frenzy in various individuals participating in the rioting is reinforced and augmented by seeing others who are equally excited and also rioting.

We must bear in mind that frustration breeds aggression on the part of any group. A frustrated minority may resort to aggression just as a frustrated majority group may.

B. The Role of Rumor

It is a truism that social violence such as race riots, lynchings, industrial violence, and the like originate in a state of mind, in a convergence of public opinion. Rumor plays a major part in crystallizing this public opinion. In fact, some writers go so far as to state that no riot ever takes place without a build-up through rumor.

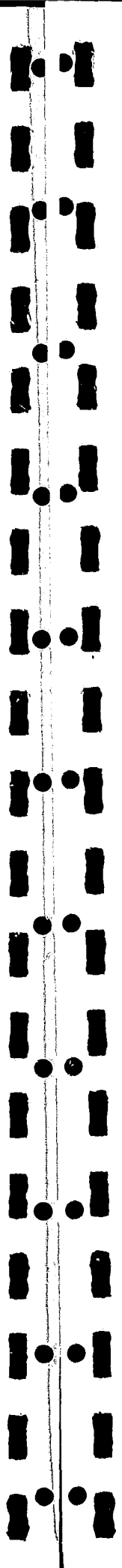
Animosity is gradually intensified preceding a riot by stories of provocations or aggressive acts on the part of the opposition which is said to be conspiring, plotting, saving up guns and ammunition. A rumor can often be the spark that sets off the explosion. It is circulated rapidly and, through distortion, it grows in its ugliness at each recitation. Rumors are also significant during the actual rioting by helping to sustain the excitement.

Since the participants are acting irrationally and emotionally, it is to be expected that the rumors may become firm beliefs. One of the most obvious things about the mental make-up of the rabid mob member is that he tends to accept unqualifiedly any and all reports which fit into certain preconceived notions about the situation.

In ordinary daily contacts among people, all sorts of rumors float around. Little or nothing comes of most of them. Rumors which lead to riots and other social violence such as war, for example, are generally uglier and more exciting. They are often couched in provocative language and they become more lurid and exciting as they spread. Because of the distortions that occur, one rumor tends to beget another. As feeling mounts, the rumors get nastier. The stories may start out as "Hey, I heard that..." Before long, the rumors become "Did you know that..." and finally, "You know what they did? They..." Rumors start out as stories of insults, progress to stories of impending trouble, and finally become inflammatory accounts of intolerable acts such as beating, etc.

These rumors frequently provide grist for the psychological mill which results in rationalizing the actions of the mob--justifying their actions. Rumors are of various types. They include tales which are partial statements of fact to which the rumormonger frequently adds significant material from his own imagination. They include stories based upon incorrect assumptions and conclusions. They may also be complete fabrications that are entirely unfounded and sometimes deliberately concocted and spread by vicious individuals who intend to stir up trouble.

If the police collect and analyze these rumors in a community, they will be taking advantage of a sensitive index for the state of group hostility and thus they can help themselves forestall violence. Rumors, together with other signs, are important to police authorities.



CHAPTER III

CHARACTERISTICS OF A RIOT

I. TYPES OF VIOLENCE

A riot is mob violence, a contagious striking out at authority and the symbols of authority. It may consist of indiscriminate looting and burning; it may be open attacks on officials, buildings or innocent passersby, or it may be both. The action can be organized or spontaneous. But always the one pervading element that is present is group violence that must be controlled by police or military action.

The level of violent action will ebb and flow. Initially, the violence may be directed solely against members of another race, management, school authorities, etc. In mob hysteria, however, illogical destruction may spread to include other persons or property which, even remotely, represents to the mob symbols of the conditions producing the initial frustration. The rioters may see the policemen or other authorities as symbols of their hatreds. The Statehouse, police station, churches, grocery stores, pawn shops, liquor stores, and other establishments become "fair game" after the violence gets out of control. No rules apply; there is no fair play. The behavior is governed by mass hysteria, hatred, and impulse. Any attempt at remonstrance or control is met with immediate retaliation.

Law enforcement personnel should be carefully instructed about what kinds of violence they may be faced with. An analysis of past riots indicates that the following are some of the types of violence encountered in a full-fledged riot:

Verbal and Written Abuse. Police should anticipate both verbal and written abuse when encountering a mob. The purpose of this tactic is to anger and demoralize police officers and cause them to take individual actions that may be later exploited as acts of "police brutality." Confidence in their leaders and a sense of responsibility and discipline are vitally important to police officers in carrying out their orders in the face of such abuse.

Noise. Noise, in addition to increasing the level of excitement and aggressiveness of the members of the mob, tends to fatigue and demoralize the police and it also interferes with police command and control. Police must be prepared to control their forces when voice commands are ineffective. This may be done through use of megaphones or a system of visual signals.

Attacks on Police and Police Equipment. Vehicles may be overturned, windows broken, tires slashed with knives or punctured with ice picks. Vehicles have been set on fire, both by throwing Molotov cocktails at the vehicles (either moving or parked) or by overturning vehicles. Command vehicles are often the object of such action. The same type of violence may be directed against fire equipment and other public utility vehicles. Fire hoses may be cut or punctured with a knife or ice pick. Equipment should not be left unattended; if the equipment is necessary to the operation, it must be protected.

Thrown Objects. Anything and everything may be thrown. This may include objects available at the scene, such as rocks and trash, and items previously prepared for this purpose, such as acid and Molotov cocktails. Within a tension area, rocks and bricks may have been stashed on roof tops and in the rear of various residences. Police should be alert to detect such stocks; they are indicators of impending trouble, and

detection will permit the removal of these "weapons." In one department, police periodically survey probable trouble areas by helicopter, looking for stock piles of bricks or similar missiles on roof tops.

Acid may be thrown in the face or on the clothing of the police officer. Many departments use the riot helmet with a protective face shield, which will protect the individual from thrown acid and other missiles. Wearing a gas mask also provides facial protection.

Police have encountered scaling glass, that is, pieces of plate glass that are "scaled" at police by individuals hiding behind buildings or on side streets. This is particularly effective against the lower extremities of the body. Boots and shin guards provide adequate protection for the individual.

Moving Vehicles. Vehicles driven at a high rate of speed have been used against police formations and roadblocks. A police countermeasure would be to use vehicles, preferably heavy trucks, in formations to protect against this form of violence.

Destruction of Property and Looting. In addition to overturning, damaging, and setting fire to police vehicles, similar violence may be directed to private vehicles, buses, and street cars. Private residences and businesses may have windows broken and may be set afire. Business establishments may be looted of merchandise. Experience has shown that an initial target will be liquor stores. The consumption of liquor will further incite the mob and the empty bottles will be used in making Molotov cocktails. Fire hydrants may be knocked over or tops broken off, causing the water to eject and adding to the confusion as well as depriving the fire department of the hydrants in combating fires in the area. Power lines may be broken, poles knocked down across streets to impede police progress, and power stations destroyed or damaged to make electric power unavailable. Telephone lines may be cut throughout the area to deny a means of communication to the police and nonparticipants in the area.

Demolitions and Explosives. Rioters may employ gasoline, dynamite, or other explosives to create damage, demolish buildings, or block movement routes. An explosion can be timed to occur as police elements are in their most vulnerable position. Another method employed is to flood an area with a volatile solution, such as gasoline from a service station gas pump. When the police reach the area, the gasoline is ignited. Police must anticipate the use of demolitions in numerous places. Good police intelligence, careful planning, and constant vigilance are required to prevent or cope successfully with these situations.

Weapons and Firearms. Weapons fired against police may take the form of selective sniping or massed fire. Weapons will include hand weapons and rifles, both homemade, such as the "zip gun," and commercial or military surplus weapons. They may include automatic weapons, or even cannon-type weapons. It is important not to underestimate the imagination and resources of the rioters. They may employ weapons' fire against police elements to inspire more daring and violent action by rioters or cause police to employ more severe measures against the mob. The latter would tend to foster antagonism toward the police force. Just as the law enforcement command

is concerned with the mob leadership, the mob leader is equally concerned with the police leadership.

Sniper fire can be effectively employed to eliminate this leadership, as the police leader can be easily identified by his white shirt or braid on his uniform or cap. Consideration should be given to dressing the police commanders in regular police uniforms, with only the insignia of rank on the shoulder or arms to identify their command position. Snipers have also been effectively employed against officers manning roadblocks or barricades, especially during the hours of darkness. The white helmet stands out in the dark. The police officer is also vulnerable when silhouetted against a background of burning buildings or the headlights of an approaching vehicle. When a sniper is discovered, appropriate action must be taken to protect the lives of police personnel and the public.

Other weapons available to the rioter include commercial "guns" or "pens" that emit tear gas, water pistols loaded with a liquid acid solution, and "toy guns" designed to shoot a cork or plastic ball loaded instead with a harmful projectile designed to inflict bodily harm at close range. The relatively simple bow and arrow may be used, ranging from the "dime store" variety with the rubber suction tip removed and a lead head substituted, to the sporting, professionally constructed arrows.

Violence may take many forms and will be limited only by the ingenuity of the mob leadership and emotional state of the group. The longer a riotous situation exists the more disastrous the violence will become. One successful act of violence invariably leads to attempts at more serious acts of violence. Riots and mob violence are like cancer - the longer they are permitted to survive, the more serious and disastrous they become and the further they spread. When prevention fails, rapid, effective and positive control measures by police are the only successful antidotes.

II. LEADERSHIP

This section is concerned with leadership in actual riot situations.

The study of riots has not revealed any accurate generalizations about the role of leadership in the metamorphosis of a riot. Some riots seem almost spontaneous, like a powder charge set off by some minuscule friction. Others develop at a rate and with a pattern that suggests organized direction. There are danger signals that frequently precede riots, some of them with implications of leadership, which are discussed in Chapter IV. Whatever contribution leaders may make to start a riot, once underway, the complexion changes and the presence and the function of leaders are identifiable. One of the basic precepts of riot control is to identify mob leadership and take steps to render it ineffective.

Prior intelligence can be of great help in identifying possible leaders. If any identifiable group or organization is involved, its true leadership - as opposed to leadership in name only - should be available to command officers at the scene. The presence in the community of known troublemakers, either supporting or opposing issues related to the riot should also be available from police intelligence.

Some leaders can be identified at the scene. They are the impulsive and uninhibited individuals who are the first in the mob to take violent action or to keep it going when it wanes. Occasionally the real leaders will not be at the actual scene, but will stay in the background. They can be identified and apprehended only through careful intelligence and field work both before and during the riot.

Identified leaders must be immediately taken into custody and removed from the scene.

Although not always readily or easily identified, somewhere in a riot there is leadership. The earlier it is identified, the sooner it can be eliminated. When we eliminate the leadership, we strike at the nucleus of the riot and appreciably enhance the restoration of law and order.

III. TACTICS EMPLOYED

Tactics employed by the rioters may be planned with a definite objective in mind, such as thwarting police actions, looting, and destroying property. Tactics are likely to include acts of violence. Police must be alert, not only to the actual tactics, but also to what the tactics are supposed to accomplish.

In the past, law enforcement agencies have been concerned with what may be called "conventional mobs," which are large masses of individuals in a rather confined area with a common motive and with leadership. The common military techniques employed to move, divide, and eventually disperse this type of mob are sound. There is available a wealth of training literature describing these techniques and the formations employed to accomplish these aims.

During the recent past, however, police have been confronted with a new type of mob, or a new mob technique. This is the "guerrilla," or "hit-and-run" mob. The conventional large mass of individuals confronting police in a rather confined, or defined, area is not encountered. Quite simply stated, this new tactic is designed to counter the effective measures employed by police and military forces to subdue the conventional mob techniques. It is a tactic employed to counter a force superior in terms of training and equipment. It thrives on deception, confusion, and the "divide-and-conquer" theory.

The guerrilla mob consists of dedicated and violent elements - usually youthful, dissident "gang" leaders and criminal-prone types. They will initiate the breaking of windows or starting fires to incite the crowd to violence and are the vanguard of this action if the destruction of property and looting is their goal.

After the trouble has been started, some members of this group will remain with the "mass" to direct their activities, consisting primarily of actions which divert the attention of the police, thus creating a smoke screen for the insurgents who move on with their mission. The majority of this mass are probably unaware of their role in the overall plan. The professional "insurgent agitator" relies on basic mob psychology to accomplish his objective. The level of mob frenzy in various individuals participating in the rioting - or looting - is reinforced and augmented by seeing others who are equally excited and also rioting or looting. In this type of mob action, reliance is placed upon total participation within the

area, following the theory of "when in Rome do as the Romans do."

The following are some of the tactics which have been employed by "guerrilla mobs" to diminish police effectiveness:

1. Numerous false alarms directed to the fire department, causing the premature of incorrect deployment of fire equipment and resources.
2. False calls of "officers in trouble" resulting in the deployment of police manpower to a certain area. This tactic can be used to divert police resources, or to cause police to converge on a certain area and attract a larger crowd for the agitator to incite.
3. Interfering with a police officer in his line of duty, forcing him to take action against the agitator or at least diverting him from his primary duty. This tactic is invariably followed by cries of "police brutality" from the instigators of the trouble.
4. Reliance on emotional appeal to the mass, such as "Power Structure," "Black Power," "White Power," and "Police Brutality."
5. Blocking police switch drops by calling and leaving the line open, or flooding the police switchboard with petty calls and petty conversation.
6. Use of walkie-talkies on citizen bands to control operations and maintain communications between rioting groups.

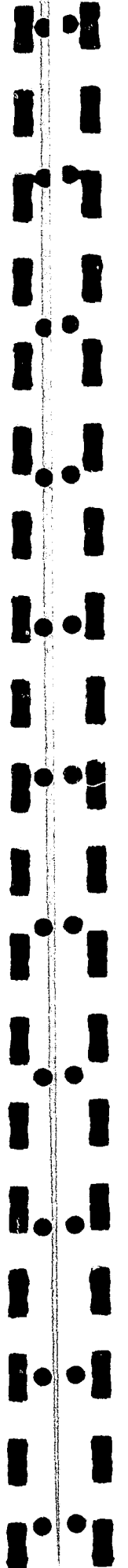
There is no limit to mob ingenuity and police must recognize the effectiveness of mob psychology as employed by the advocates of violence. The fanatical advocate is not to be overlooked, for he is the epitome of this type of psychological pressure.

During a recent riot, an incident occurred which illustrates this point. A vehicle, moving at a high rate of speed and without lights, attempted to ram a police skirmish line. Although the individuals in this vehicle knew they would be apprehended, even possibly killed, they proceeded regardless of the consequences. Their aim was to kill as many representatives of law and order as possible to further their objective.

The exercise of violence during a riot does not result in a purification of the atmosphere, leading to peace. It is not a situation in which excess energy is worked off, leaving the decks cleared for cooperation. Immediate, responsive, and remedial action should, and must, be employed to preclude a recurrence. Deep scars are left on both sides. The rioters, especially the more active ones, take pride in their accomplishments regardless of the outcome of the riot. They do not feel guilty and tend to justify their actions on the basis of "moral" reasons.

One of the immediate consequences of a riot is increased determination

to prepare for the "next time." Far from eliminating the differences which caused the violence in the first place, the rioters are consolidated, reinforced, and deepened. Police intelligence and planners must not relax, community relations must be intensified, and an impartial law enforcement policy followed. The entire community must mobilize all its resources in an attempt to identify the causes of the riot, and initiate positive measures to correct the situations.



CHAPTER IV

THE POLICE ROLE IN
PREVENTING RIOTS

I. INTRODUCTION

A hallmark of a modern police department is its emphasis on preventive law enforcement. In riot control as in other areas of police responsibility the most significant incidents are not those which occur but those which do not. Several principles should guide police in planning to prevent riots: Understanding causes of group or community unrest; Communication with the community or key groups in the community; Release of tension through legitimate and nonviolent channels, conferences; Establishment of understanding between police and the community they serve.

The success of law enforcement agencies in controlling violence must ultimately be judged not by the speed with which a riot is quelled, but by the manner in which explosions are recognized in embryo and averted. If a police force disperses rioters with little injury and only moderate property damage, it deserves community praise. Control, however, is the second step and is necessary only when communication between local government and the dissident group - or individuals - has broken down.

Riot prevention is not and should not be solely a police function. Community officials, leaders, businessmen, and ordinary citizens all share this responsibility, and knowledgeable civil authorities will initiate and coordinate the overall city plan. There are several phases of the problem that only police departments can effectively deal with, and this chapter will elaborate on them.

First, the activities of police must never be a contributory cause for the kind of civil unrest which leads to mob action and violence. All law enforcement personnel must be made to realize that the law must be enforced equitably for all people. There can be no select few who receive preferential treatment, or a select group singled out for particularly harsh or unjust treatment. The rights of man were a serious concern of our founding fathers and were clearly defined by them. All men are created equal; they are endowed with certain unalienable rights - life, liberty, pursuit of happiness - and equal protection under the law. Any unjust denial, actual or imagined, of man's basic rights, needs, or aspirations can give rise to a feeling of frustration and desperation which can, unless promptly and effectively corrected, lead to possible violent protest action.

Second, police are in the best position to observe the danger signals which can lead to violent protest. All police officers should be instructed as to these danger signals and an organizational system established to provide early reporting of such information to civil officials. At the same time, a program of police-community relations to foster the early detection, reporting, and prevention of riot-breeding conditions should be established.

Every civil disorder or riot is brought about by previously existing factors. Whatever the background, it should be apparent that the atmosphere which contributes to a riotous situation develops over a period of time and many factors are often involved. In the final analysis, the most effective method of preventing riot and mob situations is to eliminate conditions which might lead to friction and misunderstanding and ultimately to violence and lawlessness. The police can play an important, if not a leading role, in this function.

At the root of many of the riots that have beset American cities recently is the deprivation and debasement of people resulting from poverty and slums. While police do not have a responsibility to repair the economic and social damage of these conditions, they, more than any other group in the majority community, are witness to the degenerative process, and they, more than any other group in society, must deal with the consequences of the damage.

For these reasons police should utilize all appropriate opportunities to point out to the community its preventive role. In one state, the Association of Chiefs of Police has seen fit to issue a public statement calling for action to assure minority groups of equal opportunity in employment, housing, etc. In a number of communities police transmit to legislators and social planners their eye-witness account as to the need for improved recreational facilities, rehabilitation of housing, improved health and sanitation services.

The United States has a burdensome juvenile crime problem; prevention rather than correction is desired; youthful criminality is a training school for adult crime. In some mob and riot situations, juveniles account for a considerable proportion of the more violent participants. Groups of youngsters gathered idly on street corners often breed trouble; this often occurs when youthful recreation facilities are inadequate. Police can play an important role in preventing crime through promoting recreational activities for the young. These activities can alleviate conditions which may lead to youthful criminality. Many police agencies have initiated special programs to occupy idle youths and promote good citizenship; an example is the Police Boys' Club. Youth recreational programs are of such recognized value to public welfare that many officers now work with such groups.

The prevention of riots or the restoration of public order is a highly complex and demanding assignment. Mob action is usually generated by strong emotional factors and consequently may not be susceptible to accurate prediction. In any treatment of mobs and riots, emphasis must be placed where it belongs - on planning for prevention. Preventive efforts must be a total utilization of all resources and must, of necessity, include law enforcement, local government, civic leaders, and leaders of the minority elements. There may also be available the services of mediation and human relations experts, who are employed by many cities and a number of states. In addition, the U. S. Department of Justice has "trouble shooters" as field personnel through its Community Relations Service and the Civil Rights Division. Preventive planning is facilitated through an understanding of crowd behavior and basic psychology and sociology, through good public relations, efficient police intelligence, uniform law enforcement, and good judgment.

II. UNIFORM, EFFICIENT LAW ENFORCEMENT

Effective law enforcement envisions decreasing tension between the police and minority groups in order to foster and develop an understanding of the police and police responsibilities, to encourage the flow of information to the police, and to promote community involvement in law enforcement.

In surveys of what minority groups want to see improved in their cities, better law enforcement rates higher on the minority group scale than on any other scale. This is understandable. No one in America needs the police more

than our citizens who live in slums and other areas where poverty spawns crime. No one is victimized more by criminal acts. At the same time the police stand in great need of the cooperation of these same citizens -- as complainants, as witnesses, as sources of information, and for support in show-down situations.

But the paradox of crime prevention is that thousands of these citizens in every city, who should look to the police as their natural ally, view them with a lack of confidence and even animosity.

Clearly, this animosity toward police is part of the fuel which ignites whenever an incident sparks a riot.

In their efforts to reduce this animosity, police must take into account the perception which the minority poor have of current police practice. In large part they do not believe that police treat them with the same respect accorded other citizens. Indeed, they are prepared to cite what they believe to be chapter and verse to support this view. Among police practices which minority groups believe are applied to them differently than to their other fellow citizens are: slowness in response to appeals for help; use of dogs in residential areas; excessive use of "stop and frisk" and "move along" practices; harassment; verbal abuse and racial slurs; discriminatory employment and deployment policies regarding minority group police officers.

Where the negative perception is not warranted, the true circumstances must be interpreted. Where the perception is justified in even the slightest degree, the police should be quick to make whatever changes may be appropriate. But in order for police to know what these negative perceptions are, and in order for them effectively to interpret their role to the minority poor, there must be established open channels of communication through which the minority community at every level, not only its nominal leadership, is encouraged to speak its mind and to hear the truth about the police position. Pilot experiences in a number of cities with this form of police-grass roots dialogue have shown that once confidence has been established, both sides begin to listen attentively and learn from one another.

The police must treat individuals from economically deprived neighborhoods with the same respect as afforded other citizens. This in no way implies that officers should ignore or excuse instances of criminality from minority groups. Surveys of ghetto citizens have, in fact, revealed great concern over lawlessness and law enforcement since the decent people of these disadvantageous areas are themselves frequently the victims of crime.

The establishment of a uniform enforcement policy is a first step to effective police-community relations. In order to further implement a police-community relations program, it is necessary that this policy be thoroughly understood throughout the police organization and it must be clear that support is expected by the administrators. The next phase is an effective program of supervision and administrative inspection to determine that policy is being carried out. It is at the level of the individual police officer that a community relations program can succeed or fail; it must be recognized that community problems may have a variety of solutions and that they are generally more easily settled at the level where they first occur.

When a community is plagued with a rash of certain types of crime, such as robbery or housebreaking, the full resources of the department are committed to correct the situation. Why then, should not the full resources of the department be committed to the prevention of riots? Carefully selected, highly trained, professional police officers should be assigned to slum and high-crime areas. They must be intelligent, free of racial intolerance, and have an understanding of human behavior. These are, of course, the qualities needed in every police officer, but within any agency or group, law enforcement or otherwise, there are those who have these qualities in varying degrees. While the total elimination of bias and prejudice in human beings may be a remote ideal, all police personnel must show that they can enforce the law impartially.

Most members of minority groups want to support the police and have respect for the police function. However, the misconduct of even a single officer can reflect upon the entire police force, and rumor can extend and distort even minor indiscretions to major proportions that may result in area-wide antagonism and lack of citizen cooperation. For these reasons, effective management demands the recognition and correction of unethical and sub-standard practices.

Equally as important as a uniform, fair law enforcement policy throughout the community is a uniform, fair departmental policy concerning hiring, promotion, and assignment of officers.

Police departments in greater numbers are fully implementing their commitments to non-discriminatory employment policies. In order to overcome an image of inhospitality which has discouraged the minority group applicant in the past, many police departments have instituted recruiting programs in central city schools. Others have incorporated the services of Neighborhood Youth Corps and anti-poverty programs in a search for qualified applicants. Minority group officers are depicted in official police publications and other public recruiting materials. Advertisements taken in the minority press and the cooperation of civil rights groups have encouraged minority group application for police positions.

Recruitment efforts are also aided by practices which evidence that racial and ethnic background plays no role in assignment or advancement of officers.

Finally, both the police and the community must understand that community relations is a reciprocal undertaking, one in which private citizens on all social and economic levels play a part. While police technology and selection of personnel seek new levels of excellence, there must also be developed a satisfactory and efficient relationship between the police and other governmental and private social agencies in an effort to rid the community of class tensions, racial inequities, and other social ills. Through such an effort there will develop a climate of mutual trust in order that the best interests of the community may be served. To accomplish this, the police cannot wait for the public to come to them; rather, they must seize the initiative and aggressively implement a sound police-community relations program. One of the purposes of this program should be to remove incidents and practices which can lead to riots.

Undeniably there have been instances of misuse of force by enforcement officers, but such incidents are not as prevalent as the public has been led to

believe. A growing number of responsible news editors, public officials, and law-abiding citizens agree that it is time to get this pet slogan into a better perspective.

A general and accepted principle of the law has been that an officer may use such force as is necessary to make lawful arrests, protect his life, and perform other specific duties. Only a rigid adherence to this principle and a policy of uniform, efficient law enforcement can dispell the rumors and remove the labels.

When a department has established and announced such a policy, it can then demand from news media a more professional response. In optimum circumstances, both police departments and reporters should agree that allegations and incidents should be reported and described in realistic, impartial, and truthful terms. If an officer is assaulted while making an arrest and uses undue force to subdue the person, it should be called undue force. If an officer uses profane language to a citizen, it should be described as profane language. If an officer is thought to be biased or prejudiced in his treatment of groups or individuals, the complaint should so state.

To obtain such press coverage, and to obtain the goodwill of all citizens, police officers must be properly instructed.

III. TRAINING PROGRAM FOR INDIVIDUAL OFFICERS

The law enforcement officer who has been trained understands the elements of human behavior which lead to riots and will be in the fortunate position of knowing what to expect. He can recognize the signs of the impending explosion and apply effective measures to counteract it. There are certain recognizable progressive symptoms, each of which may be forecast by the conditions which precede it. The areas in which to look for danger signals include:

Increased Bitterness which is reflected in the sentiments and opinions of the populace, in rumors, in publications, and in public demonstrations. Sentiments are our true feelings toward an issue; opinions are verbal expressions of sentiments. When people, particularly the more rabid ones, begin to express themselves with decreasing restraint and with increasing bitterness, law enforcement officers should take note. The circulation of rumors is one of the most reliable indicators of the temper of the times. The press and mass media will frequently give indication of the mounting tension - headlines become more strident, the language becomes more and more exaggerated. Meetings, rallies, marches, and even scribbling on sidewalks, billboards, and the like should be watched carefully; such things indicate not only the saliency of the attitudes of the participants, but also the intensity and direction of those attitudes.

Organization Activities must receive careful study in terms of their effect on the community and in terms of possible retaliation by opposing groups. The law enforcement executive must know what organizations are active and what their programs are.

Racial Frictions - be especially alert to an increase in minor incidents

of conflict, particularly by youths. Watch for any buildup of bristling and jostling.

Police Relations, particularly an increasing mistrust of the police. This may be noted as a reluctance on the part of certain people to cooperate in furnishing information or discussing the situation. Watch for more and wilder rumors of police unfairness and brutality and take effective action to counter these rumors. Another significant signal is more frequent and bolder resistance to police, reflected in nasty remarks to officers, sullenness or perhaps even refusal to obey police officers, or as outright physical resistance and attack.

However, by the time such overt symptoms of crowd antagonism have manifested themselves, the situation may already be badly out of control. Proper preventive work, weeks, months, and even years in advance, can make the difference.

It is important for an officer and the residents in his area or on his beat to become mutually acquainted. He will learn their problems, recognize their changing attitudes and sentiments, and eventually develop a "feel" of the area. The residents will learn to trust the officer and to recognize him as their friend. If an officer wants to learn about the criminal activities of someone, such as a jewel thief, he does not seek the information from school teachers or the clergy. Similarly, one does not look for the symptoms of riots by observing the behavior of persons attending the weekly meeting of civic clubs. The pulse of social circulation, like the heartbeat, must be taken at the pressure points. In this case, the police must observe and give constant analytical attention not only to citizens who are responsible and inclined to understanding of law enforcement, but to the unsympathetic and antagonistic people as well. What they think and how they manifest their thoughts by words and action may be a better barometer of social unrest than the feelings and actions of more stable people.

In addition, police must be constantly alert to the activities of demagogues, not only as barometers of trouble, but as fomenters of trouble. In a community where good police-community relations exist, such persons can have only limited effectiveness, but at best they are difficult to cope with.

Individuals who are extremists can not be categorized into any one race or any one age group. They may be members of some organized group or conversely could be embittered unstable people acting on their own initiative. Nevertheless, they must be handled with similar professional law enforcement discretion. Do not forget, their appeal is an emotional one.

Extremists - or opportunists - will not hesitate to charge "police brutality." The only counter-measures are absolute impartiality, minimum effective use of force, and the development of honest, impartial news reporting.

IV. POLICE-COMMUNITY RELATIONS

Police-community relations encompass all facets of community life. Stated succinctly, it is nothing more than LIAISON - establishing communications with groups, organizations, and individuals. One of the first planning

steps with regard to the prevention or control of possible disturbances or riots is enlisting the support and aid of the community. An informed community is the best guarantee of attaining this community support. If the people can be made to realize that law enforcement officials are doing the best job possible in the day-to-day performance of their responsibilities, the presumption of right action and proper conduct will be foremost in the minds of the citizenry when adverse criticism arises.

In order to implement a police-community relations program, it is necessary that definite policies be established by police officials. These policies must be made known throughout the organization and it must be clear that support is intended and expected. While the need will vary from agency to agency, it is important that community goodwill be fostered at all levels from the agency policy level down through each division and precinct level, including each individual officer in the daily performance of his duties. This was discussed in detail in the previous section, "Uniform, Efficient Law Enforcement." It is at the level of the individual police officer that a community relations program succeeds or fails; it must be recognized that community problems may have a variety of solutions and that they are generally more easily settled at the level where they first occur.

Community relations is not a one-way street. To be effective, it is based on policies and procedures adopted after a "meeting of the minds." For example, the departmental policy concerning press relations should be formulated in coordination with representatives of the mass media. In this manner, departmental policies coincide with the policies followed by the mass media. Through such effort, there will develop a climate of mutual trust to promote the best interests of the community. To accomplish this, the police cannot wait for the public to come to them; rather, they must seize the initiative and aggressively seek out and make the acquaintance of individuals and groups.

A. Internal Organization

Because of the specialized and complicated nature of the police problems involving antagonisms between different groups, many departments have set up special units to handle them. This organizational concept is particularly well suited for large, congested and complex communities. The unit should consist of well-trained and experienced police officers who have displayed ability to meet the public and who have a favorable reputation. In addition to police officers, it may be advisable to include such professional personnel as sociologists and psychologists, who may be employed for this purpose or may be citizens of the community who volunteer their services in an advisory capacity. There are no limits to the size or composition of such a unit; these factors must be based on local needs. The unit must be imaginative and responsible for the development of new ideas.

When a special unit is formed, caution must be exercised to insure its effectiveness. There are certain situations the police administrator must be alert to note:

1. The special unit commander must have direct access to the police administrator; he should not be subjugated in the chain of command.

2. The unit must be decentralized; that is, personnel should be working in the various precincts, not congregated in the headquarters of the top echelon.
3. It must be remembered that the individual policeman is the mirror in which the police department is reflected.

Community relations activities, conducted by a unit or an individual, should include, but not necessarily be limited to, the following functions:

1. Training all police officers in community relations activities.
2. Liaison with community:
 - a. Civic, fraternal, professional and religious groups.
 - b. Minority groups and leaders.
 - c. Hostile groups.
3. Complaint procedures.
4. Public relations and liaison with news media.
5. School programs and activities.
6. Liaison with city and county officials and agencies.
7. Support programs.

B. Training Programs

Training for police in human relations is a relatively new and experimental field. Many metropolitan agencies have included substantial blocks of time in their recruit training procedures for lectures on basic psychology, sociology, anthropology, and such studies as the culture of local ethnic or racial groups, the nature of prejudice, and the behavior of extremist groups. A few cities have also undertaken in-service training programs to reach veteran policemen as well.

A recent trend in human relations training has been the use of the small discussion group, to allow the individual to react to the lecture material and to adjust his concepts to new ideas and orders.

Basic to the success of any human relations training are two requisites: (1) a clear statement regarding minority group treatment, and (2) an involvement of not only patrolmen but supervisory and command personnel in the educational programs. If outside agencies are engaged to design or conduct such training, police personnel should be thoroughly involved at all levels in advisory and participating capacities.

C. Liaison with the Community

1. Civic, Fraternal, Professional and Religious Groups

Citizens expect law enforcement officers to participate in community affairs. Participation in community functions is an excellent medium through

which an officer may create goodwill. Church activity enhances character; police officers should be encouraged to attend and participate in the activities of the churches of their faiths. In some communities, an annual "Police Memorial Service" is conducted, with all officers attending in uniform. These services are rotated among the various churches in the community. In large metropolitan areas, this could be handled through individual precincts.

The participation in civic clubs is a matter for the individual department to decide based on an analysis of its particular situation. The department should avoid aligning itself with one civic group or service club to the exclusion of others. Also to be avoided is a situation wherein all of a department's top echelon belongs to one group or one club. In large metropolitan areas, many officers assigned to a precinct or subdivision do not reside in that area. Through participation in a civic group or service club in their precinct areas, they will be practicing community relations where it benefits them the most.

2. Minority Groups and Leaders

The problems of minority groups can sometimes be reduced or eliminated by establishment of a workable liaison with responsible leaders within the groups. Benefits of liaison with such groups are as follows:

- a. Establishes a communications line for airing complaints and enlisting support.
- b. Presents an opportunity to determine basic community problems and to propose possible solutions.
- c. Furnishes the information necessary to establish policy for handling anticipated problems.
- d. Furnishes the law enforcement agency a cross section of community opinions and interests.

3. Hostile Groups

Hostility is a relative quality. The best that can be expected from contact with extremists of various types is the development of intelligence on their attitudes, methods, plans, and personnel.

However, many groups who appear to be hostile are actually open to approach; if their antagonism is given venting and if conditions which cause their antagonism are recognized and perhaps corrected, they often can be neutralized or even enlisted in community betterment projects and cooperation with law enforcement agencies.

D. Complaint Procedures

While police are often victimized by promiscuous use of the term "police brutality," their protests of unfairness of the charge have not succeeded

in making them less susceptible. Indeed, their defense against such charges has often made them suspect in the eyes of a large segment of the public.

The public would more readily be prepared to distinguish between the truth and falsity of police brutality charges if the police themselves would make clear the distinction. Too frequently, however, the police have strained the credibility of the public by failure to admit that a policeman has erred -- even if the department has taken disciplinary action.

This lack of credibility in the police might be overcome by two courses of action. One would be to provide public assurance in every instance that charges of brutality are scrupulously investigated, and those which are validated result in adequate disciplinary measures. The second would be to establish within the department a complaint procedure which respectfully receives a citizen complaint, investigates it thoroughly through a formally established and conscientiously administered mechanism, leads to appropriate action where indicated, and ultimately advises the complainant of the disposition of the matter.

E. Public Relations and Liaison with News Media

Many departments, particularly in metropolitan areas, have substantial programs in public relations which have proven effective in informing the public about the police function and enlisting support for police work. The use of speaker bureaus, films, open houses, service pamphlets and publications are valuable in creating a climate of better understanding between police and the community.

Of prime importance is a candid and close working relationship with news media. A skillful press officer can give out legitimate information or provide background where details cannot be supplied. If reporters sense that a department has nothing to hide, they will accept the fact that there are some details which cannot lawfully be issued, while others would be injurious to effective planning.

Sensational reporting of community tension or disturbances only fans the flames, yet withholding news or playing favorites will worsen the situation. A better tactic is a program to educate reporters in intelligent coverage of police affairs.

Police should not overlook the direct assistance the news media may furnish. Reporters have various sources of information; it may constitute good police intelligence. Photographic, television, and recording equipment of the news media may be made available to the police through previous agreement. Also, the use of closed-circuit television should not be overlooked. Photographs and movies of the disturbance may be made available to police for the evaluation of tactics employed or as a training medium. Statements taken by reporters, but not necessarily printed, may be of value to police for the evaluation of tactics employed or as a training media. Statements may be of value to police for future planning and contemplated corrective actions. The police and the mass media can cooperate fully, for the ultimate aim of both is the same - service of the community and justice for all.

F. School Programs and Activities

In some departments there have been developed police-school-liaison programs (also known as "school resource officer" programs). Here, police assigned to the schools perform normal juvenile officer duties (traffic work during school travel hours, investigation of complaints, security against child molestation, driver education, etc.), but they also participate as members of school teams in educational, preventive, and problem youth work. Other team members could be the counselor, nurse, teacher, or even principal.

Such a program offers opportunities for development of understanding and rapport with youth, and it may also enlist the close assistance of school personnel.

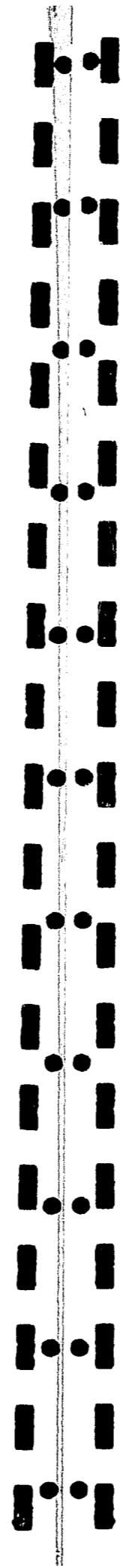
G. Liaison with City and County Officials and Agencies

It is important that city and county officials be informed of the seriousness of a particular situation, that they be kept fully apprised of new developments, and that their cooperation be solicited. Police may require their assistance to convince a specific governmental agency to take some positive action in a particular problem area. For example, if police identify the need for a playground in a particular area, and the City Recreation Department refuses to take appropriate action, city officials may provide the support needed to get the action desired.

H. Support Programs

Frequently the budget for police-community relations units and programs is not available, even in larger departments. To fill this gap there are several federal programs offering financial support. The broadest of these for police agencies is the Law Enforcement Assistance Act of 1965, administered by the Attorney General and the Department of Justice. Inquiries should be directed to the Office of Law Enforcement Assistance, Department of Justice, Washington, D. C.

Some support programs have also been available on a more limited basis through the Office of Juvenile Delinquency and Youth Development in the Department of Health, Education and Welfare, and through the Office of Economic Opportunity. Inquiries about the former should be directed to the Washington office; inquiries about Economic Opportunities should be addressed usually to the local city or county Community Action Program.



CHAPTER V

CROWD AND DEMONSTRATION CONTROL

I. CROWD CONTROL

When a crowd is orderly and violating no laws and poses no danger to life or property, it is of little concern to police agencies except for possible circulation control. However, experienced police realize that problems often arise when groups are formed and an incident may occur which excites or inflames human emotions. A crowd, although innocent in its origin, nature, or purpose, can become a mob; a mob, in turn, can generate rioting. It is difficult to determine exactly at what point a crowd becomes a mob.

There is no firm overall rule to apply in crowd control, as there are various kinds of crowds and each presents different problems. An outstanding characteristic of a crowd is its awareness of the law and willingness to respect the principles of law and order, as, generally, the individual members have an ingrained respect for the law. A crowd is merely a large number of persons temporarily collected into a close body without organization for a common purpose. To effectively control these individuals, the police must (1) know the reason for their gathering, (2) determine the general characteristics of the individuals who constitute the crowd, and (3) have a detailed knowledge of the area in which the crowd is assembled or intending to assemble.

The police officer performing duty which requires contact with crowds benefits from a knowledge of human behavior. The officer should not use a stereotyped procedure when dealing with an orderly crowd; instead, he should adopt an attitude compatible with the general mood of the individuals in the crowd. The rigid, firm, expressionless pose of the police officer engaged in controlling a mob is not necessarily that of the police officer involved in crowd control. Although firmness is common to both, an attitude of friendliness, tact, and helpfulness should be predominant in crowd control. In mob control, the police officer is in direct confrontation with the mob; in crowd control the officer should make his presence known and remain as inconspicuous as possible. From this vantage point, the officer can assess the attitude of the crowd, note any developments that could result in trouble, and be in a position to respond rapidly to any emergency.

The appearance of police officers engaged in crowd control is most important. Officers should NOT be dressed in the uniform that is sometimes associated with riot control, i. e., white helmets, boots, and similar equipment. The officers should wear regular uniforms and should present a clean, neat appearance. In parades and certain athletic events, the officer should be alert to salute the colors; at religious functions he must be aware of proper respect due religious symbols. Doing so he has a salutary effect and helps create a lasting good impression of the entire police force. Appearance of police officers at the scene in riot control uniforms may cause the crowd to become hostile or aggressive.

Experience has shown that possible eruption of mob violence cannot be confined to any particular type of crowd. A crowd that assembles to witness a sporting event, to participate in recreation or relaxation, or to attend a political rally contains the ingredients of force and violence. Crowds attending various types of special events have certain characteristics or peculiarities which, if thoroughly understood, can be of material assistance in crowd control planning.

Crowds at political rallies are definitely partisan. The opposing party may "pack" meetings or send agitators to disrupt proceedings. Prompt identification of these individuals and assignment of police in close proximity to them will greatly curtail their activities. Party leaders who have the support of the crowd should be called upon to give assistance to any police efforts or make any announcements of a police nature, thereby avoiding any resentment toward the police. At such rallies, inhibitions may be thrown to the winds. The next day those persons will return to their normal routines and their actions will be forgotten; the actions of the police, however, if inappropriate to the occasion, may become headlined and may haunt them for a long time. To add to the problem, there may be security factors, such as the attendance of a high official or a highly controversial candidate or official. Under no circumstances should police officers become engaged in a political debate or signify a party loyalty or preference.

Crowds attending athletic events are generally divided by team loyalties. Feelings often run quite high and arguments are frequent. These arguments rarely require police action; however, fights which may occur should be handled expeditiously by the police. Caution must be taken, however, to assure that athletic contests are not used as opportunities to foment riots by groups or organizations; police intelligence should always be alert to this possibility. It is essential also that police remain neutral to the proceedings of the athletic contests.

At religious meetings, particular care must be exercised by police and other authorities in their official actions. This presents a delicate situation and each such situation must be handled in its own way; however, the creation of religious martyrs must be avoided. History records that violence has erupted from actual or supposed religious persecution.

When parades are used as a form of demonstration by political, religious, economic, student, or other groups having intense emotional feelings, a basis for potential civil disorder exists. Parades in connection with holiday celebrations or festivities are less likely to produce violence unless the preceding period of time has been marked by intense agitation or other signs of public unrest.

Crowds at miscellaneous recreational activities, such as public beaches, amusement centers, parks, large picnics, and similar events, may occasionally become disorderly. Serious accidents, unexpectedly severe weather, excessive altercations, overcrowding, alcoholic beverages, and premature closing of the facility accompanied by inadequate transportation are examples of special circumstances which might lead to inflamed emotions and subsequent violence. The crucial period is at the closing time of these various facilities.

Crowds which develop from curiosity at unusual occurrences, such as fires or accidents, usually have no purpose other than viewing the proceedings. Make-up of these crowds changes constantly due to individuals' losing interest. Failure of such crowds to undergo this change should alert the police that some influence, possibly one which could lead to trouble, is sustaining the crowd's interest. This is especially true of a crowd that gathers at the scene of police action, such as an arrest. Invariably a crowd gathers at the sight of a police cruiser, especially one with the warning signal

flashing. When operating in a tension area, police should attract as little attention as possible and accomplish their task as rapidly as possible. Some of the recent disastrous riots in this country were initiated by a crowd gathered at the scene of an arrest being made by a police officer.

Conflicting interests are usually present during strikes and demonstrations. As a result, such situations are violence prone due to the strong emotions involved. Crowds that gather may include various "anti" groups, intent on causing trouble or disrupting the strikes or demonstrations. The role of the police in handling demonstrations is discussed in detail in the next section captioned "Control of Demonstrations."

A. Specific Problems

There are many problems inherent in crowd control. Police officers must be familiar with these problems, recognize them immediately, and be prepared to initiate timely remedial action. Some of these problems are:

1. Overcrowding. This problem is best controlled by establishing shutoff lines. The line should be determined and manpower and facilities assigned in advance so that, upon a signal, the shutoff can be effected. The line should be established at a point where the people who are unable to gain access to the area can be turned back without creating a congestion problem. It should be established where the physical features tend to channel the flow of pedestrians to its narrowest width, and at a point far enough beyond the crowd to prevent the shutoff point from being overrun by the normal crowd. Room must be provided for police to maneuver between the edge of the crowd and the shutoff point. Consideration should be given to establishing an overflow area for accommodating those who wish to remain in the vicinity even though they may not be able to go to the main assembly area. In the event overcrowding already exists in the area (a beach or amusement park), police should insure there is adequate transportation prior to closing of the area. Arrangements may be made to refund unused tickets or admission fees and, if so, the crowd should be advised of appropriate procedures to be followed.

2. Clashes between opposing groups. Whenever possible, opposing groups should be segregated. Political meetings or those concerned with labor disputes are examples of controversial gatherings where this system would be applicable. This involves assigning each group to a specific area. Similar facilities and equal opportunity for publicity should be provided. If possible, different departure times should be assigned to each group. In more confined areas, such as at beaches and amusement parks and where diverse opinions are to be represented, different tactics must be used. In such instances, plainclothes officers or detectives should be assigned in the crowd to identify leaders or potential troublemakers, to determine plans of the group, and to permit prompt action in the event of disorder. If possible, troublemakers should be dispersed, exit routes and transit facilities policed, and shutoff lines established.

3. Panic is the fear of the unknown. In crowds panic can be highly contagious. Plans for panic prevention should include separating the crowd into small groups by establishing aisles, barricades, shutoff lines, and other restrictive measures. There must be sufficient exits so the area can be cleared quickly. Strategic placement of uniformed officers throughout

the area, inspection of the area for explosives, fire hazards, etc., and adequate protection for light control switches, help to reduce panic. Control personnel must be familiar with the evacuation plan and exits must be kept clear. The proper use of public address systems is invaluable in helping to dispel crowds. Doors should be made to open outward and revolving doors should not be used.

4. Criminal activities. A crowd presents an ideal environment for pickpockets, sex deviates, and other offenders. All police personnel should be fully instructed in the modus operandi of such persons. Plainclothes officers experienced in the detection of pickpockets, dope peddlers, degenerates, and the like can be used effectively. Policewomen in civilian clothes are effective in detecting sex offenders.

5. Drinking. Excessive use of alcoholic beverages, especially among youths at beaches, has resulted in mob violence on several occasions. To control the sale of alcoholic beverages at the scene is not sufficient, as liquor is often brought in by individuals or groups. The intake, as well as the sale, must be closely observed and controlled. In addition to the fact that consumption of alcohol lessens inhibitions, possibly resulting in fights and other disorders, the bottles and cans containing the alcoholic beverages provide the youths with weapons to use against each other or in concert against police.

6. Sickness and injury. The emotional tension associated with a crowd situation and the necessity of standing or walking in a congested area create an atmosphere in which some persons may become ill. It is good policy to have available an ambulance or patrol car equipped with emergency medical supplies and equipment to care for the sick and injured.

7. Lost children. Provision should be made for the security of children who become separated from their parents. A policewoman should be placed in charge of them and food, shelter, and sanitary facilities should be available. A communication system should be established so that information regarding lost children may be quickly disseminated.

8. Traffic congestion. Traffic congestion causes tempers to flare and is conducive to accidents. Accidents cause further congestion. A simple plan involving minimum control should be established to facilitate the flow of traffic. Consideration should be given to temporarily changing normal traffic patterns to accommodate the mass exodus of vehicles following an athletic event, closing of a resort area, etc. Widespread publicity should be given to all traffic plans and detours. Where applicable, full advantage should be taken of automobile radios and radio stations to broadcast traffic news. When a crowd has formed, be sure traffic is diverted in order that vehicles will not try to go through the crowd area.

B. Crowd Control Plan

The first step in planning for control of a crowd is to obtain all available facts from areas where similar events have occurred. Information of intelligence value includes the time and location of the event, the purpose and sponsor, the physical features of the area, expected attendance, climate or atmosphere of the event, anticipated presence of opposition groups, the psychological background of the expected crowd, and

any anticipated trouble or disorder. Such information should be evaluated as to reliability.

The next step is to plan the physical control of the event. This includes coordinating plans with sponsors, other municipal agencies (transit systems), and management of the facility to be used. Problem areas should be identified, a traffic plan prepared, and personnel requirements determined. The equipment required depends upon the circumstances involved and the type of control measures decided upon.

Finally, provision must be made for a reserve force, properly organized and equipped, to respond rapidly should the situation deteriorate beyond handling by the committed forces. If needed, the reserve force could furnish a surprise Show of Force. In this early stage, their timely appearance could provide the psychological impact necessary to divert the threatening crowd and permit the committed control force the time necessary to regain control. By proper planning and the application of sound judgment, riot or mob violence may have been averted.

Advance orders given to police officers should be timely, complete, and preferably in writing. Orders should be accompanied by a map or sketch of the officers' assigned areas of responsibility. The chain of command and the communications net must be thoroughly understood. The locations of facilities such as the communications center, first-aid station, rest rooms, and lost children's shelter should be included. Orientation should also include a review of the essentials of crowd and demonstration control which should include basic steps for control of spontaneous disturbances:

1. Observe spectators rather than the event.
2. "Baiting" by spectators should be outwardly ignored; however, such spectators should be kept under observation as potential troublemakers or leaders of disorders.
3. Do not bluff.
4. Avoid unnecessary conversation.
5. Remain impartial.
6. Avoid bodily contact with spectators.
7. Keep outside the crowd
8. Show proper respect (i. e. , salute flag at parades).
9. Employ crowd psychological factors to advantage.
10. Identify and watch crowd leaders and potential troublemakers.

II. CONTROL OF DEMONSTRATIONS

A demonstration is a public display of sympathy or antagonism toward some social, political, economic, or other condition. There is no single, set

procedure to handle all demonstrations due to their varying natures, the number of participants, and the areas where they occur. A plan, flexible in nature, which will permit adjustment to the situations as they develop is necessary.

A. Lawful Demonstrations

Throughout the country, lawful demonstrations have been employed by various groups. No police department has a moral or legal right to prevent lawful demonstrations. However, it is the moral and legal duty of police departments to protect life, property, and the rights of citizens, and to prevent disorder at the scene of a demonstration. In the event of threat to the safety of any person or destruction of property, or if the public peace is disturbed, the police must act.

A peaceful or lawful demonstration should not be looked upon with disapproval by a police agency; rather, it should be considered as a safety valve possibly serving to prevent a riot. The police agency should not countenance violations of law. However, a police agency does not have the right to deny the demonstrator his constitutional rights.

It must be understood that any mass demonstration can get out of control. The impetus can come from the law enforcement agency as well as from the demonstrators or any opposing group of demonstrators. This makes it of the utmost importance that these events be policed with select, well-trained personnel. The policing force should be kept to a minimum of uniformed personnel; dress of these officers should be normal police uniforms, not riot control uniforms. The presence of large numbers of uniformed officers and/or officers in riot control uniforms adds to the animosity of the crowd, and provides them a focal point on which they can release their venom. The bulk of the police force should be kept out of sight of the demonstration, to be used when and if needed. The reserve force should be dressed and equipped in the prescribed riot control uniform.

The police agency must be alert not to divert the original objective of the demonstration by improper police methods and thus making themselves the focal point of the demonstration. Furthermore, police should handle arrests with calmness and good judgment. Where the situation is static, police should put the demonstrators on notice that arrests will be made unless police orders are obeyed. Sometimes it is a good tactic, if careful thought and planning has preceded the arrest, to avoid nuisance arrests of the demonstrators. Arrests are often viewed as the climax of a protest demonstration and are interpreted as a denial of the right to demonstrate.

Many demonstrations can be controlled by nothing more than proper liaison between the police and the demonstrating organizations. When large demonstrations and marches are going to be held, liaison must also be established with various civic groups and businesses that might be affected or inconvenienced by the demonstration. They should be informed of the probable actions of the demonstrators, the constitutional rights involved that the police must protect (even though this may seem unreasonable to the affected citizen) and certain phases of overall police responsibilities requiring this course of action. Proper liaison with these groups is important to successful police action.

The key to successful control of demonstrations is the same as that for riot control - intelligence, planning, and communication. Before appropriate plans can be developed, the police must know as much as possible about the oncoming event. There can never be too much information; there is a danger in planning initiated on scant information. Good police-community relations among minority and potentially hostile groups will often provide the information desired.

Do not avoid contact with the demonstration leadership. Seek the real leaders to the group sponsoring the demonstration, as well as the merely nominal organizers, and confer with them. Explain the position and policy of the police and impress upon them that the police recognize and respect their right to protest or demonstrate, but that this demonstration must be conducted within the limits of the law and with regard for the rights of the rest of the community. Explain the pertinent laws and impress the leaders with their responsibility to respect the laws and to maintain peace in the community. Request that they furnish the police written plans for the demonstration; if the proposed plans are in conflict with the law so notify them and advise them of the consequences of any violation.

Attempt to ascertain what provisions will be made for internal control, sanitary and first-aid facilities, feeding, and transportation. The importance of this tactic is to place the responsibility for conducting a lawful, peaceful demonstration squarely on the shoulders of the leaders of the demonstration. The police control technique is then to deal only with the leaders of the demonstration or their appointed monitors, and not with the mass of individuals. To make this technique successful, the police must evaluate the leaders and determine the degree of discipline among the ranks. This is why it is so important to establish contact with the real leaders, not with the nominal or "straw" leadership. If information developed indicates the underlying intent is to conduct acts of civil disobedience or incite mob violence, the police administrator has obtained the data most important to him and he can plan accordingly.

Police should also confer with those against whom the demonstration is directed, i. e., employers in case of union picketing, and leaders of opposing groups who plan to counterdemonstrate. The position and policy of the police should be explained, making it clear that no violation of the law by either side will be tolerated. In the case of counterdemonstrators, demonstration areas should be agreed upon, the police objective being to keep the opposition group separated from the demonstration group. Details should include time, type, and extent of the counterdemonstration. Consistent with the extent of the antagonism and the temperament of the various leaders, a joint meeting of the leaders may be arranged. Both sides could then establish the legal limits and rules to be followed.

The purpose of a demonstration is a "public exhibition"; the intent is to "focus attention" and "publicize their cause or belief." Knowing this, police should recognize the important role the mass media play in a demonstration and establish a good, working relationship with representatives of the mass media. This can be accomplished by briefing members of the press on coverage plans, establishing locations for reporters to observe the demonstration, and when needed, providing press credentials.

A novel tactic employed by one progressive metropolitan police department is to control the rate of march of the demonstrators by regulating the speed of the camera vehicle. A protest march is often preceded by at least one vehicle containing television and movie cameramen. By providing proper communication between this lead vehicle and the police field commander, the marchers may be speeded up or slowed down as desired.

B. Unlawful Acts by Demonstrators

It is sometimes the purposes of a demonstration to attract police action by intentionally violating the law, by deviating from the announced plan, or by refusing to obey the orders of officers on the scene. Wise public administration requires each such incident to be carefully evaluated in the context of surrounding events. Even though a particular act is unlawful, it may be wiser not to make an instant arrest. If the circumstances do not require arrests to maintain the public order and safety, police flexibility may be the better policy.

Where the final phase of a demonstration is a sit-in type activity which technically violates a local ordinance, circumstances may permit the officers to contain the demonstrators until they leave. Sometimes arrest can be avoided simply by asking the person at whom the demonstration is directed to agree to meet with representatives of the group then or at some other time to hear their grievance.

If these approaches fail or are inappropriate the group should be advised that they are violating the law and are subject to arrest. If the activity continues arrests should be made. The use of force, police dogs, or tear gas to require the group to disperse is neither a proper police procedure nor an acceptable method of controlling demonstrators.

If arrests are warranted, they should be made. Here the arrest procedures employed by the police are of paramount importance. Although the demonstrators may have momentarily achieved their purpose (arrest), the public will soon negate this so-called victory through support for the police action, IF the police action is a planned, systematic, fair, and impartial enforcement of the law. The arrests must be slow and methodical, conducted with the objective of convicting the offenders through the proper application of the law, and under the premise that each arrest is an individual case. This is the "policeman's day in court," so to speak. Although "mass arrest" techniques may be an effective means of removing violators from the scene, they are not techniques accepted in our court system where the individual is considered innocent until proved guilty.

When the actual arrests begin, arrest teams are employed. The arrest team should consist of a minimum of three officers: a commander and two arresting officers. In order of priority, the following additional members may be added to the team: a photographer, a recording operator, and a policewoman. These are expertly trained, select officers, well qualified physically, and with a high degree of emotional stability. They must be trained and used as a team. Arresting officers of the team (male and/or female) should approach the unruly demonstrator, inform him (her) that he (she) is under arrest, and the reason for the arrest. The arresting officers are then photographed with the arrested demonstrator. Whenever possible, the entire action is photographed and recorded.

The transportation team, consisting of a sufficient number of personnel to handle the particular situation, then takes the arrested person from the arrest team and transports him to the police wagon (transporting vehicle) for booking and detention. The demonstrator is walked, carried, or transported to this vehicle in whatever fashion is necessary to effect his removal. If possible, this activity should also be recorded on film. The transportation teams also perform whatever other police action is necessary to control the overall area, such as closing entrances and exits, controlling other demonstrators not actually engaged in the disorder, controlling spectators, and keeping counterdemonstrators separated from the disobedient group. Vehicular traffic around the perimeter and public transportation which has no alternative but to traverse the general area should be controlled by the officers of the Traffic Bureau; this prevents drawing trained manpower from the demonstration area.

One arrest team should not be used indefinitely or over an extended period; their work is demanding, it requires physical stamina, and an impartial, fair attitude. Prolonged periods of assignment decrease their efficiency and aggravate individual tempers; rest periods at reasonable intervals are essential. A realistic gauge may be devised based upon the capacity of a transportation vehicle and the time required for the booking and processing procedures. This procedure is repeated for each group arrested and the arrest teams should be changed.

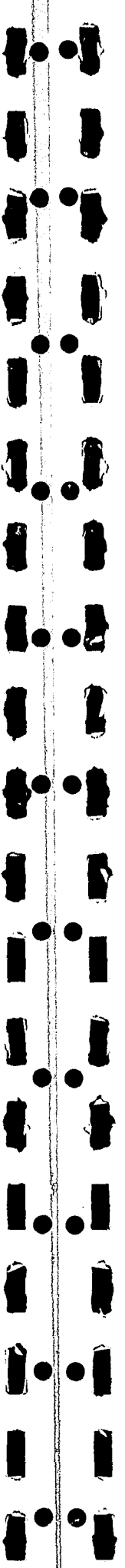
The advantages of this procedure are numerous. The procedure is slow, methodical, complete, fair, and impartial, and it supports the police purpose - conviction of offenders. Of equal importance, it involves a minimum number of officers in court processes. The police report on the specific acts of civil disobedience is one of the most important facets of the successful prosecution. The appearance of the arresting officer(s) in court is essential. Using the method described above, only a minimum number of officers are engaged in the court proceedings; it is to be kept in mind that court action may encompass not only days, but months, of an arresting officer's time as a witness.

The team concept described above is not a substitute for planning - it is a technique based on police intelligence, planning, and communications. Its success or failure is directly related to the effort exerted in these areas. Intelligence reveals the plans of the disorderly; planning encompasses police actions to counter those goals; communications insure a timely and effective response to situations as they develop. Just as cloudy skies may predict inclement weather, police intelligence can pinpoint probable trouble areas, identify leaders, and determine the objectives of the disorderly.

Planning covers the logistical problems associated with a large number of arrests and the protection of the legal rights of the arrested, agreements with management, deployment of manpower, and the availability of adequately equipped reserve forces. Adequate communications insure the smooth flow of events according to plan and guarantee the prompt arrival of ample reserves when and where needed. Included in the above should be basic precautionary measures: close off areas of potential danger and those from which it will be difficult to eject a "sit-in," lock cars in a display room, close cigar stands and shops in hotel lobbies, close off second floor areas, and secure possible weapons such as portable fire extinguishers.

Police should keep in mind that the disorderly demonstrator intends to commit an unlawful act. Do not underestimate him - he has determination, purpose, and imagination. The greatest tactical blunder a leader can commit is to underestimate the opposition, for this promotes a feeling of false security, leading inevitably to defeat. A disorderly person who intends to incite riot and mob violence depends on the police assuming an attitude of complacency. Positive police action as the result of police intelligence is the Achilles' heel of potential unruly demonstrators.

Riots and mob violence can be prevented. They can be prevented by an informed and alert police agency composed of individuals prepared to meet the challenge, dedicated to the principles of democracy, and willing to give that extra ounce of effort. This situation cannot be accomplished overnight; it requires determination and a sincere desire to enforce the law in a fair, objective, and equitable manner. Police are the representatives of our duly elected constitutional government and have the sworn duty to enforce the laws; without laws, there can be no government; without constitutional government, there can be no freedom.



CHAPTER VI

PLANNING AND ORGANIZING FOR
RIOT CONTROL OPERATIONS

I. INTRODUCTION

The old maxim "playing it by ear" is not acceptable insofar as control of crowds, demonstrations, and riots is concerned. A realistic program for crowd and mob control involves a number of factors, the principal ones being planning, training, intelligence, communications, and tactics. No aspect of the program is more important than planning. Unless the plan is thoroughly organized and is founded upon realistic considerations of available personnel and equipment, the operation will be doomed to failure. In planning for civil disturbances, there is urgent need for close coordination among political factions and civic groups.

Planning should include the identification of critical areas or likely trouble spots, provide for adequate equipment and communications, and specify an established order or action. The evolution of a good plan will depend in large measure on the degree and quality of intelligence information made available to the responsible officials. Every source of information must be cultivated. The overall strategy should be based on the precept "contain, isolate, disperse." Speed and decisiveness, together with an impressive show of force, should be clearly evident. The planning should encompass the action to be taken before, during, and after the disorder.

II. INTELLIGENCE PLANNING

Intelligence should be regarded in its broadest sense as information. Each police agency has many available intelligence sources and every possible source should be used to collect information before, during, and after a demonstration. The Chief of Police, like the military commander, must make decisions and choose an appropriate course of action. Timely and accurate information concerning possible disorders or activities of the rioters will assist him in making decisions and directing actions that will thwart, prevent or stop a riot. He must know the temper of the community. He should be aware of every meeting, planned or otherwise, every grumble, every rumor. By being alert, a police agency will not only be aware of and be able to identify organizations or groups that are hostile or are sources of potential disorders, but it can also identify those who are on the side of law and order and likely to be of assistance in the event of a real or threatened disorder. Each bit of information, however insignificant it may appear, should be promptly reported so it can be properly analyzed and assessed; if evaluated and determined to be valid, information becomes intelligence for the planner - it is knowledge. Knowledge is necessary for good planning and it must be disseminated so that it serves all elements of the agency involved.

A. Sources of Intelligence

1. The Individual Officer. It is he who can sense a changing attitude or notice that "something is different." Each police officer should be a listening post, alert to the changing attitudes in the community. He must know what is wanted by certain segments, when it is wanted, and why it is so important. He should be encouraged to report facts, rumors, and any information he may obtain during on-duty and off-duty hours.

2. Public Information Media. Newspapers, radio, television, handbills, etc., are good sources of intelligence. Organizations must have publicity, and

toward this purpose they make public announcements to promote membership, show activity, keep members informed, and to achieve status. Used properly, these media provide an inexpensive and simple way to keep informed about "what is going on" in the community.

3. Community Organization. Where possible, and when such groups are receptive, direct contact should be maintained with organizations in the community. If such contact is rebuffed, this fact in itself is potentially useful intelligence in assessing the position of the organization. When contact is possible, consultation prior to any planned demonstration or event will facilitate joint planning between the police and the organization to eliminate sources of conflict, will assist in preparing a schedule of activity, and will help to insure a lawful demonstration.

4. Analysis of Complaints. Complaints received by the police or other law enforcement agencies can be useful indicators of the causes and the level of tension in the community.

B. Intelligence Evaluation

After information has been gathered, analyzed and screened, it will be apparent that all of it will not be useful. This does not mean, however, that any information should be discarded or ignored. False rumors can often breed widespread discontent if permitted to spread. In the case of false rumors, police should use whatever public information media might be available to debunk the falsehood, portray the true situation, and reassure the people. By such actions, the police can do much to discredit the organization that is precipitating these falsehoods and thus use police intelligence as a means of counterintelligence.

C. Supplemental Information

During a demonstration or riot the intelligence effort must not diminish; if anything, it must be intensified to cull timely information concerning the rioters and their plans. Plainclothes officers and informants should mingle with the crowds and enter into the mob to gather intelligence, identify leaders, ascertain their plans, and, if at all possible, photograph and record their orders and statements. In addition to providing timely information, this intermingling may develop evidence for use in court action. All possible means of observation should be used, including aircraft - especially helicopters; and ground observation posts should be established from various vantage points, such as rooftops and upper floors of buildings. A systematic interrogation of individuals connected with the mob in any way should be initiated prior to detention, as these persons may disclose valuable information.

The responsible officer of the law cannot know too much about his community, and he dare not know too little. If the intelligence system is inadequate, obtaining significant information during a time of disorder will be severely restricted. If information is limited, police are in the defensive position of reacting to mob actions rather than anticipating and controlling the situation as new developments occur. Good intelligence can give the department time to prevent or properly prepare to control a riot by providing knowledge of impending trouble.

III. LOGISTICS PLANNING

If the basic plan is going to work, the planner must make adequate provision for services and facilities which may be needed. Special or unusual operations, such as riot control, require special equipment and logistical support, and requirements must be considered in terms of transportation, facilities, communications, individual clothing and equipment, specialized equipment, and other-than-normal administrative needs.

A. Transportation. Transportation may be needed for police personnel, arrested persons, injured persons, and equipment. Motor vehicles should not be the only means of transportation considered; facilities provided by rail, air and water, or a combination thereof, may be both useful and feasible. Patrol cars are suitable for police, prisoners, small items of equipment; buses for police, prisoners, the injured; patrol wagons for use as emergency ambulances; trucks for equipment, personnel, prisoners; boats for all persons and items, including vehicles, if the area is accessible by water; rail for all of above, depending on availability of flat cars, etc; and aircraft, especially helicopter; for emergency evacuation of injured, delivery of police personnel and equipment. To keep transportation facilities usable, provision must be made to have adequate supplies of gasoline or other fuel, tires, and repair parts.

B. Emergency Facilities. A temporary detention facility, a command post or field operations center, parking or assembly areas, first-aid stations, and emergency food and shelter areas for police officers should be considered. When the actual riot control operation commences, the possibility of mass arrests cannot be overlooked. In selecting a detention facility, which should be in the proximity of the area of operations to reduce transportation and guard demands, consideration must be given to requirements of the law regarding detention of prisoners (particularly separation of men, women and children), and police personnel needed to guard the prisoners, property, evidence, and contraband.

C. Field Locations and Services. When selecting and arranging a field headquarters location, necessary services as electricity, water, sanitary facilities, and emergency power equipment must be considered. It may be necessary to use a tent as temporary headquarters to house such items as desks, chairs, maps, etc. Parking in assembly areas should be arranged so that vehicles and equipment may be guarded and may arrive and depart with a minimum of delay. Areas should be set aside so that doctors and their assistants may provide emergency medical care to injured policemen and other riot victims. Oxygen equipment, such as oxygen cylinders, inhalators, and masks should be available at the emergency aid station. If tear gas and smoke bombs might be used, a solution for the treatment of eye irritation from smoke or gas should be available. Hospitals for evacuation of the seriously injured should be designated in advance.

Long hours of duty under stress will tire the police and if excused for only a short time, they may not have enough time to travel to and from their homes and still get sufficient rest. Provisions should be made for a rest area nearby to include sufficient spaces, cots and bedding supplies, as well as sanitary and bathing facilities. Plans should also be made to feed

police at their assigned posts or at massed points nearby. Mobile kitchens (from disaster-aid organizations, the Red Cross, Salvation Army, or private caterers) should be used to serve hot meals; do not rely totally on box lunches or sandwiches.

D. Communications. The planning must provide for the immediate dispatch of communication equipment for use not only at the scene, but between the scene and the operations headquarters. The plan should be imaginative and should utilize every available means of communication: telephone; public address systems, both hand-portable and vehicular-mounted; commercial radio and television to inform the public of traffic restrictions and emergency regulations; teletype machines to transmit information, orders, emergency regulations, etc., to other police personnel; police radio, including hand-portable and vehicle-installed units. If possible, one radio frequency should be reserved for emergency operations such as riots. Code signals for mobilization of the force, through radio or teletype messages, should be devised with specific signals for putting into operation a wider aspect of the total plan, contingent upon the worsening situation.

Of major importance in communications planning is a method for establishing contact with supporting forces, such as the National Guard. Appropriate and adequate communications must exist between all elements of the force engaged in the operation. The leader cannot control or direct the operation unless he can communicate with his subordinate elements; without control, an operation is doomed to failure. If equipment is not compatible (i. e., radios will not net together), the planning must include provisions for establishment of relay stations, equipment exchange, and frequency allocation.

E. Clothing and Equipment. Clothing and equipment prescribed for regular police duties are not generally adequate for riot control duty. Special equipment is required and should be planned for in advance. Most police departments issue helmets to their officers, and a sufficient supply should be available for distribution on a moment's notice. Firearms, including rifles, carbines, shotguns, or riot guns must be considered, as well as a reserve supply of ammunition and a plan for distribution. If chemicals are to be used, each police officer on the scene must have a gas mask or the rioters may obtain an undue advantage over the police. Body armor should be considered for use by police assigned to the more violent areas; special riot control devices, such as long batons (if used by the particular police agency), must be issued. Much of this type of equipment can be stored in trunks of regular patrol vehicles which would be dispatched to the scene of the disorder. In planning for the special equipment, a method of issuing it must also be devised.

F. Operational Equipment. In addition to the special equipment required by the individual officer, certain equipment and supplies are required for the successful conduct of the overall operation. Provision must be made for auxiliary lighting, both hand-portable lights and vehicular-mounted search-lights. Wood or metal barriers, or suitable substitutes, such as ropes, may be used to cordon off the area (patrol vehicles are useful, both as roadblock obstacles and to provide to police some protection from hurled objects and small arms fire). Signs, such as "DO NOT PASS THIS LINE," which may be printed multilingually, may be used to supplement barriers and to serve as an additional warning or explanation as to the reason movement into the area is restricted. If barriers and/or signs are to be used, plans should include data

as to where they are stored and how they are to be distributed. Evidence equipment, including movie cameras, all types of recording devices, still cameras, and telescopic lenses must be identified, placed into position, and a method of issue determined. More sophisticated equipment that must be planned for includes: helicopters, both for observation and gas dispersal, mechanical gas dispersers, gas grenades and launchers, high pressure water-hose equipment (if used), fire-fighting and fire-protection equipment, and bulldozers for debris and barricade removal. Authority to use many of these items may be required by the agency head or an elected official. It should be decided beforehand under what circumstances the equipment is to be used and who has the final decision as to its use.

G. Chemicals. If chemicals are to be used, the type of gas and the general plan for its use are decided beforehand; the manner of use is determined on the spot. Those in common use today are smoke (HC) and tear gas (CN and CS).

Smoke (HC) has been advocated as a relatively harmless weapon to disperse mobs. It has a psychological impact, especially when colored smokes are employed, and it causes individuals to lose contact with one another, thus weakening mass unity. Communication between leaders and rioters is lessened. Smoke may also be employed to screen movements of the police force and can be used to effect a surprise showing of police force from another direction. When employing smoke, which constitutes a fire hazard, appropriate precautions should be taken.

Tear gas, chloracetophenone (CN), when properly used, has proved to be a relatively safe method of controlling and dispersing a mob. This type of gas will cause irritation of the eyes, tears, a burning sensation in the mucous areas, and an overall feeling of discomfort. The skin will burn and smart, giving the sensation of being blistered. These sensations are fleeting and will usually disappear within a few minutes after the individual has been removed from the gassed area. Treatment includes: a commercial eye wash, plain water, or a solution of one-half teaspoon of table salt in a quart of water to relieve eye irritation. Skin irritation is relieved by washing the affected area with a hot, soapy solution; however, persons exposed to heavy concentration for prolonged periods may require longer to recover and may need medical assistance.

Orthochlorobenzalmalononitrile (CS) is a more powerful tear gas than CN and produces an extreme burning sensation of the eyes, coughing, labored breathing and chest tightness, stinging sensation on moist skin areas, and nausea. Treatment for this gas is the same as for CN.

Diphenylaminechlorarsine (DM) is another chemical agent sometimes used. It is referred to as sickening gas, nauseating gas, knockout gas and KO gas. The decision as to whether it should be used is a matter for local authorities. DM gas can seldom be used to good advantage alone since it takes from 15 to 30 minutes to produce the maximum effect; therefore, tear gas is generally used simultaneously with DM gas to keep the mob at bay until the DM gas takes effect. DM gas causes increasingly severe nausea, closely akin to the sensation experienced in cases of severe seasickness. If fully exposed, a person can expect to feel the effects up to 24 hours after initial exposure. When the use of DM is anticipated, first aid and medical personnel should be present.

All the above agents are available commercially and may be dispensed by various means, the most common being grenade, projectiles from a gas gun, or mechanical dispensers. When using a projectile, caution must be exercised not to fire directly into the mob as serious injury or death could result. When employing a chemical agent, allow the prevailing wind to do the work by carrying the gaseous cloud into the mob. Literature on types and uses of chemical agents may be obtained from commercial producers of chemical agents.

Riot control gases are diffused by three methods: by burning, by a small order explosion, or by air pressure. Diffusion by burning and explosion is accomplished by use of grenades while diffusion by air pressure is accomplished by use of dispersers. Several innovations in these basic methods have been advanced by various commercial producers, and include such items as gas pistols and nonexplosive grenades. Dispersers, both portable and vehicular - or helicopter-mounted ones, emit micropulverized powder and are most effective when large areas are to be covered.

IV. OPERATIONS PLANNING

The standards governing the selection of police officers for riot duty must be given careful consideration. Police officers assigned to riot control duty must be able to retain their composure while operating under physical, mental, and emotional strain. They must respect all individuals regardless of race, color, or creed, and must maintain an impartial, patient attitude. They must be able to issue orders in a manner that rioters can easily understand and obey. They must be in good physical condition. Personnel planning must include sources of personnel for reinforcement and the rotation or relief of personnel during extended periods.

Any police organization which might be involved in riot control duty should maintain a detailed alert plan based upon anticipated need. The alert plan is the step-by-step procedure used to rapidly bring the organization to a state of operational readiness. The details of the plan are based upon local operating conditions and should be revised as the result of experience gained in rehearsals or actual performance. Each individual affected by the plan must know his personal responsibility and the responsibility of his unit. The alert plan should incorporate an inspection check list and should include such other matters as:

1. Verification procedures for the alert order.
2. Specific actions by individuals.
3. Specific actions by individual sections of the organization.
4. Procedures for issuing special equipment, supplies, and material.
5. Vehicle preparation.
6. Security.
7. Administrative details.

8. Tentative briefing schedules.

The alert plan should be thoroughly understood by each officer in the department.

Responsible police officials, through evaluation of their communities and environments, can predict with reasonable accuracy those areas which are prone to disorders. Evaluation of intelligence information will indicate trends within the population and causes of public unrest. Each area selected as a possible disorder site should be surveyed with attention to locations of key facilities, primary and alternate routes of access, observation and command post sites, and tentative areas available for use of police forces. Tentative operations plans prepared for each area should include, as a minimum, assembly areas and routes thereto, location of roadblocks, observation posts, a concept of the operation (to include a tactical plan and a patrol plan), temporary quarters for billeting and feeding, and the location of an aid station.

Effective operations plans are a result of carefully considering all available control equipment, services, personnel, and community relationships.

A. Aircraft

Consideration should be given to the possible use of either fixed-wing aircraft or helicopters in support of riot control operations. Aircraft can extend the capability of the police commander to observe, communicate, and control. The use of mechanical riot control agent dispersers mounted in helicopters can materially assist the police commander in large scale riot operations. If aircraft is not immediately available to a police agency, planning should include provision, if possible, for aircraft support from another agency or should be included within the National Guard support plan.

B. Press Relations

The riot control plans of a police agency must include dealings with the press so that sensational reporting may be discouraged, rumors dispelled, and misunderstandings corrected before further community tensions are created. Through such a program, the agency can give news media factual data that will properly portray police problems, unusual events, criminal activities, and police accomplishments. Such a press relations plan should provide for:

A press relations officer, preferably one who maintains liaison with the various media representatives on a personal and daily basis, and who knows their attitudes and whether they are reliable.

A press relations center or room where dispatches are released and inquiries answered. This will help prevent newsmen from roaming throughout the headquarters and bothering everyone with questions.

A system whereby community leaders, identified in the intelligence system as willing to assist the police, can be contacted and their assistance enlisted in making appeals to the populace.

The police press relations plan must be coordinated with releases from other municipal governmental agencies, especially during periods of tension.

A community relations program, maintained as an integral part of the agency operations, can serve a valuable purpose in maintaining liaison with the community.

C. Liaison

Liaison with law enforcement agencies in nearby jurisdictions should be arranged and kept up to date as part of any riot control plan. This includes liaison with state agencies and the National Guard. A system should be worked out whereby assistance can be obtained from these agencies if and when needed. The necessity for making such arrangements in advance as part of the plan is obvious since it is recognized that the early phases of a riot are the most crucial. This is discussed in further detail in Sections VII and VIII.

D. Manpower

Plans must contain provisions for deploying sufficient men to the right place at the right time; this is referred to as the manpower plan. Although quelling a riot is the first concern of the police, essential service must continue in the areas affected by the riot. The plan should be flexible enough to provide for rapid reinforcements as the gravity of the situation dictates, and must provide a system for redeploying or relieving the men at the scene of operations. A procedure for the notification, recall, and mobilization of off-duty members, and optional provisions for extending the length of tours or increasing the number of workdays should be included. A separate section of the plan should provide for assigning of personnel from outside agencies. The manner of using personnel from cooperating adjacent law enforcement agencies should be arranged and specific tasks assigned to them. They should be used, where possible, on the periphery, manning police lines to isolate the affected area, controlling traffic at detour points, maintaining security of key facilities, and similar duties. This will free local police to concentrate their maximum effort on the actual riot scene and continue enforcement in the areas not affected by the riot.

When activity within the riot area appears to be increasing beyond the control capability of the local agency and organized, trained riot control units, such as the National Guard, are committed to the scene to assist, specific duties should have been previously arranged and assigned to them. It should be remembered that the National Guard is a military organization, providing military aid to civil authorities. It operates under its own system of command and police officers should never undertake to give orders to individual members or subordinate units of the Guard, but should operate through its chain of command. Once the area is cleared, the National Guard should be withdrawn from the scene as rapidly as possible and become a ready reserve force, performing patrol and security missions, preferably in conjunction with civilian law enforcement officers.

E. Chain of Command

Commanders who will be responsible for implementing the plan should be selected in advance and the portion of the plan for which they will be responsible should be designated. A clearly delineated chain of command must be established. Overall command control must be vested in one individual to

insure a unity of effort, in both the planning and operational phases. Conflicting plans and directives result in confusion and possibly in an unsuccessful operation, leading to a more widespread and disastrous riot. There can be only ONE boss in a riot control situation!

F. Proclamations

Planning must also provide for the issuance of a proclamation regarding curfew restrictions, curfew areas, and the curtailment of the sale of liquor, small arms, and ammunition. These proclamations should be put in written form and should be prepared and signed; the individuals authorized to direct their implementation should be designated in advance.

G. Command Posts

A tentative location should be selected for use as a command post or field headquarters in the functioning of the plan. The portions of the geographical area where a riot would be most likely to occur can generally be identified sufficiently to make possible the selection of a site for this purpose. Plans should then be developed for staffing and equipping the command post with a minimum of delay. A command post should be located where a clear view of the demonstration can be maintained, but preferably hidden from view.

V. ORGANIZATION AND TRAINING

A. Organization

If the manpower resources of the agency permit, there should be a special riot squad or riot control unit. This unit should be highly trained in riot control techniques and methods and should be repetitively trained in riot control formations. Such a unit should be among the first to be dispatched to the scene so that it can be used to present a "show of force" in suppressing the disorder and dispersing the crowd. The early phases of a riot are the most crucial; 20 additional men, organized and equipped and responding in 30 minutes, may be worth more in terms of containing and suppressing a riot than 100 men arriving two hours later. In addition, the utilization of such a specially trained unit can, with its display of disciplined teamwork, serve as a catalyst for other police at the scene.

Perhaps the most vexing problem confronting local authorities is how to organize their forces and resources for this type of duty. Factors to be considered include: manpower availability, specialized equipment, time for training, and the funds to finance these operations. Planning must be within the bounds of organizational restrictions; the planner must have full knowledge of his capabilities and limitations. When a riot squad or riot control unit is possible, such a unit is recommended.

When considering what type of organization to adopt, let us first analyze our purpose. The primary mission assigned to police is PREVENTION; therefore, emphasis should be directed toward PREVENTING the riot. When prevention fails, control inevitably must follow. In riot control, the police mission is three-fold: CONTAIN, ISOLATE, DISPERSE. The riot must be contained, or held, to the affected area; the area must be isolated from the

rest of the community; and the riot must be suppressed and the mob dispersed. The ideal plan would be to have sufficient manpower available at the outset to put all three phases into operation simultaneously. If this is not possible, getting manpower at the focal point of the critical area in sufficient numbers to start dispersal tactics must be the prime consideration.

The vast majority of literature pertaining to riot control operations is based, in varying degrees, on the military concept, military tactics, and military formations. The military concept, tactics, and formations are sound for a military unit. They are not, however, necessarily sound or readily adaptable to the police role in riot control operations. The military possesses the basic ingredients which make its concept and operation sound: manpower and equipment.

How, then, should the police agency organize? Basically, the organization will be that which is required to accomplish the three missions assigned.

First, the police must CONTAIN the riot; that is, it must be held back and not permitted to expand its boundaries. Emphasis here is placed on the rapid dispatch of patrol cars and police officers to designated checkpoints on the perimeter. This is strictly a defensive tactic, employed to prevent any ingress or regress to the riot area. Because of the necessity for prompt action, a suggested method of organization would be to designate specific individuals or units for each shift of the day.

Second, the police must ISOLATE the riot. This is accomplished by establishing a special zone completely surrounding the critical area from which all unauthorized traffic is diverted by directing it elsewhere at checkpoints on the perimeter of the special zone. The special zone is considerably larger than the critical (CONTAINED) area, and its purpose is to provide a place where responding personnel and equipment may function in preparation for whatever tactical movements are necessary. Within the special zone should be staging or assembly areas, detention facilities, first-aid stations, the field command center, parking areas, and food and shelter areas for police officers. Only authorized personnel are permitted in the special zone, thereby preventing the curious from joining the disorderly, and affording an area for assembling forces and conducting the suppression operation. This mission of controlling ingress and regress to the special zone could well be assigned to forces from an adjacent law enforcement agency.

Finally, DISPERSE the mob and suppress the riot. This is the offensive action aimed at destroying the mob's organization, breaking its will to resist, and restoring law and order. Speed and decisiveness, coupled with an impressive show of force, should pervade this tactical situation. The force is composed of the riot squad (if one is available) and/or units organized on a reserve basis, with each member previously assigned a particular function or position on the riot unit which corresponds to his regular work shift. In the special zone, these individuals receive their riot equipment, assemble into unit organization, and prepare to go into action. All of this is accomplished out of sight of the mob. Once organized, they are moved quickly to the critical area; the first impression given the mob is of a

well-organized, adequately equipped, highly disciplined force advancing in formation with a resolute purpose. Organization for this phase of the operation will be indirectly discussed in Chapter VII, for, as was stated previously, the organization is based on the strategy and tactics to be employed.

B. Training

The prime advantage of police over the mob in a riot is that the police use disciplined manpower which has been trained for the job. Untrained volunteers or auxiliaries should not be used. To try to suppress a mob or quell a disturbance, before it reaches the dimensions of a riot, with an untrained body of police would be to turn loose a mob in uniform against a mob in civilian clothes. Success is often determined by the discipline and training of the police. The plan for training personnel of the agency should be based on the responsibilities that the members are to discharge. This training must be intensive and continuing and must reach all who will be involved when the plan is put into action. At both recruit schools and in service schools, stress must be placed upon a disciplined response to orders, maintenance of an objective attitude, and the need for teamwork of a very high order. Courses of instruction should embrace individual tactics, as well as unit- and multiple-unit tactics.

He should receive intensive training with the equipment he may be assigned to use in a riot situation. He must become familiar with his gas mask, not only to insure that he knows how to wear it properly, but to become acquainted with the physical problems when wearing it, such as the limited vision and difficult breathing. He should receive training in the art of communication, specifically with portable radio equipment, be trained in the use of all auxiliary equipment, and should be thoroughly indoctrinated in agency policy concerning the use of his service weapons (or other assigned weapons) in a riot situation.

In regular police training the officer is taught to act and react as an individual. For riot duty, this must be expanded to cause him to act as a member of a team. He must understand the part he plays in the overall plan or strategy and must realize the importance of his contribution to the success of the operation. Emphasis must be placed on the importance of his conduct as an individual; misconduct on the part of one officer may jeopardize other individuals and the entire operation. The officer must be thoroughly conversant with the department's long-range plans and the part he plays in them so that he will have confidence in his ability to effectively carry out his assignments. He must know his authority and its limits. He must know what legal tools are available to him and when to use them.

It is obviously impossible to recommend any specific training course that will suffice for all departments. There are certain criteria, however, which would serve as guidelines for the law enforcement executive or training officer in devising an adequate course. The first step would be formulation of the major objectives of the training. Next, the curriculum should be developed with careful consideration being given to both subject matter and method of teaching. Finally, some provision should be worked out for evaluating the results of the training. The major objectives of the training should include at least the following:

1. Greater understanding of the sociological, cultural, and psychological factors underlying the development and actions of mobs.
2. Development of an effective, functioning unit which can be quickly mobilized to prevent or control outbreaks of violence.
3. Physical training of police officers, to include riot control formations. In addition to disciplined teamwork, riot control activity requires physical stamina and agility.
4. Complete training in the use of all weapons. Each member should be trained in use of various types of chemical agents.
5. Members should be trained in the use of all types of communication facilities.

All personnel should be trained to secure evidence properly, with particular emphasis on the need for a full documentation of the facts and circumstances of an arrest. A riot scene is a place of confused, fast-moving action, and an arresting officer cannot rely on his ability to recall, when the case goes to trial, the conditions under which he took the enforcement action, so he should take notes to refresh his memory. This may be accomplished by devising a departmental arrest card, which the arresting officer will complete at the time of arrest and deliver, with the prisoner, to the detention facility or mobile prison van at the scene. By using this method, a memorandum of the arrest is made without the arresting officer being absent from the riot scene for an extended period. This may be further documented by photographing the arresting officer with the arrested individual.

Training should also include provision for the rehearsal of plans. Although it is not feasible to excuse all officers from regular duties, it is advisable to conduct rehearsals of planned operations. These exercises are referred to as a CPX (Command Post Exercise). In such exercises, only key personnel participate with previously planned situations injected at designated times. These situations will require certain command actions and/or decisions, test the communications system, and familiarize key personnel with emergency operations procedures.

VI. THE CITY PLAN

Listed below are some suggested guidelines for the consideration of individuals charged with emergency planning. The points enumerated are not all-inclusive, as it is recognized that each department will have different requirements and problems which must be resolved on an individual basis. The suggestions, therefore, must be tailored to the needs of the particular law enforcement agency. Finally, any plan, if it is to be placed into effective operation, must be readily available at all times to those individuals having the responsibility of implementing it.

A. Chain of Command

1. Each department should have an established chain of command consisting of the Chief of Police, his immediate assistants, and other key personnel who will implement the program. The home addresses and telephone numbers of each individual should be listed.
2. Personnel so assigned should be mature and experienced. They should be well aware of their responsibilities and assignments and should have the proper temperament to earn the confidence of their men.

B. Command Posts

1. A list of potential command post sites should be made, based on a survey of possible trouble areas.
2. The following information concerning each of the potential command sites should be obtained;
 - a. Primary and secondary routes of travel to the site.
 - b. Communication facilities available.
 - c. Medical facilities in the vicinity.
 - d. The names, addresses, and telephone numbers of individuals to be contacted concerning the availability of such facilities.
 - e. Consideration should be given to a portable or temporary command post.

C. Personnel

1. A list of personnel designated for riot control assignments should be prepared. Such a list should include information concerning their duty assignments (location and shift), their residence addresses and telephone numbers.
2. A system of notification for personnel should be established.
3. A plan for transporting personnel to the trouble areas should be included.
4. A program for periodic briefing of personnel concerning their specific assignments should be considered.

5. Information should be available concerning the identities of personnel trained, with the type of riot control training given. It is most important that individuals with technical training (communications, photography, etc.) be listed.

D. Communications

The plan should cover the following items:

1. List of available technical equipment for riot squad use.
2. List of operators available.
3. Emergency broadcast systems.
4. Availability of telephone services and procedures to be utilized.

E. Supplies and Equipment

Planning should include the possible need for emergency supplies in the event the riot extends over a considerable period of time. The source of such supplies should also be identified, together with the names, addresses, and telephone numbers of individuals who can make them available when needed.

1. Arrangements should be made to assure that automobile supplies, which might deteriorate in storage, can be obtained in an emergency. It is not necessary to keep on hand large supplies of tires, tubes, batteries, etc., if these can be obtained locally on an emergency basis.
2. A sufficient quantity of medical supplies should be maintained to meet daily needs; however, consideration should be given to locating additional supplies and equipment on an emergency basis. Personnel trained in first aid should be listed so their services can be used if needed. Consideration should be given to determining the availability of additional medical personnel, ambulances, hospital facilities, etc., for emergency use.
3. The location of riot control equipment should be listed, together with the names of persons designated to utilize it. It should be adequately maintained and periodically inspected so that it will meet the needs of emergency situations.

F. Control of Business

1. Based on a physical survey of potential trouble areas, it would be wise to list business establishments handling

firearms, ammunition, alcoholic beverages, and items which could be utilized by rioters as weapons. The list should include establishments such as pawnshops, hardware stores, liquor stores, gun shops, gas stations, etc. During a riot it may be necessary to assign personnel to guard such places to prevent looting.

2. A policy should be established as to whether or not such business establishments will be ordered closed during a mob or riot situation.

G. Apprehension, Identification, and Detention

Include information concerning the conditions under which rioters will be arrested, a system of proper identification for prosecution purposes, and the location of facilities suitable for detention.

H. Liaison

List organizations and agencies with which liaison has been established and which will be utilized during emergency situations, together with the names, addresses, and telephone numbers of key representatives of such organizations. Such liaison may be vital in order to obtain needed intelligence data and to otherwise operate effectively in emergency situations.

I. Practical Considerations

Some of the practical considerations that should be included in the City Plan are:

1. If the plan for riot control is for a large metropolitan area, the city should be broken down into districts. Sectionalized and detailed maps should be obtained or made for each area, and curfew areas should be outlined.
2. It is difficult to move a large, organized group of men into an area quietly, quickly, and with little advance notice; however, this should be done, if at all possible, to have the advantage of surprise. In each area, a location should be selected as a possible staging site. Here the riot control squad may be organized, briefed, and formed into units in preparation for moving into the immediate riot area. The staging area should be centrally located, but established at a sufficient distance from the scene of the disorder to avoid premature contact. A large open area is desirable to allow the group to assume combat formations with ease. Side streets should then be used to move to the riot scene, permitting the element of surprise; this can be used to the advantage of the law enforcement agency.
3. Means of transporting the riot control equipment and personnel should be planned well in advance. Police

equipment, such as squad cars and patrol wagons, may be used for this purpose. Buses and other public transportation could be borrowed from transportation companies. If this is done, it would be wise to check with the transportation company to determine if there will be insurance coverage for the vehicles used. Exactly how the riot control group is to be transported should be determined beforehand so that this important part of the plan can become operative immediately when needed.

4. It perhaps would be wise to transport the officers into the staging area several units at a time, so that, if they are intercepted en route to the staging area by a section of the mob, there would be less disruption of the police operation.
5. The riot control group should move into the staging area with the basic riot control equipment. All vital equipment should not be loaded on one vehicle since it could be intercepted or delayed. After the men and equipment are organized in the staging area, they can move into the disturbance area as a squad or in units, depending on the method of handling.
6. Prior to any physical action, a preliminary estimate should be obtained by intelligence sources concerning the riot group as to size, purpose, and intensity. Leaders should be identified and it is well to have available for use on the scene photographs and descriptions of instigators of violence who are connected with the group.
7. When the situation becomes tense, local authorities must decide whether to close liquor stores, as well as bars and restaurants, which serve liquor in the riot vicinity. Also, consideration may be given to closing gas stations from which mob members can obtain the ingredients for incendiary bombs. Other precautions that should be considered include appropriate action relative to potential sources of weapons, such as baseball bats or axe handles, and places where guns and ammunition can be acquired.
8. Plans should be put into effect for halting or detouring automotive and foot traffic around the riot area. Public transportation should also be controlled. Roadblocks should be set up and riot control units placed to insure that no reinforcements reach the rioters.
9. Summaries of local laws and ordinances which could possibly be violated by rioters should be prepared and distributed to all law enforcement personnel. Officers should be refreshed on laws dealing with the civil liability of mob members, loitering, prevention of enforcement of the law, disturbing

residences, intoxication, assault and battery, etc. Special ordinances have been passed in some areas giving officers the authority to deal directly with any developing riot situation.

10. A public information officer should be provided by the law enforcement agency to deal directly with the press concerning the riot situation. The public information officer should deal with the news bureaus, local papers and radio and television stations to cope with rumors and to enlist their cooperation in lessening emotional news coverage which incites and inflames the public. A special press room may be set up at the agency's headquarters for the press to be briefed on developments. An understanding should be reached concerning the use of camera crews and reporters at the scene of the riot. Individual officers should not make statements to the news media. The utmost caution should be exercised by all officers to avoid giving information to unauthorized persons.

VII. ASSISTANCE FROM OTHER MUNICIPAL, COUNTY, AND STATE RESOURCES

Past experience has shown that riots can reach proportions which are beyond the capabilities of local law enforcement agencies. When this happens, it is necessary to reinforce the local police with additional resources in both personnel and equipment. Realizing this, prior arrangements should be made to provide the assistance required. Procedures should be established, command relationships agreed upon, jurisdictional and legal authority aspects determined, and any financial considerations clearly defined. Such agreements should be included in the City Plan with the established procedures outlined in detail for the information of all concerned.

Assistance from other municipal resources could include, but are not to be limited to, the Fire Department, Health Department, Public Utilities (water, gas, electric), and Highway or Street Department. In addition to planning for assistance to the Police Department, agreements should be made regarding any assistance the police may be required to provide these organizations. Examples of the type of assistance that should be considered include: traffic control and escort for emergency vehicles, physical protection of individuals (firemen, linemen) from rioters or snipers, and physical protection of equipment or facilities.

Assistance available from county and state resources should also be determined and provided for in advance. This determination may be made in terms of specific numbers of personnel and/or amounts or types of equipment, or may be an agreement whereby the type and amount of assistance may be determined at the time of the request. The importance here is on the procedure for requesting, and authority to grant, the assistance. Individual agreements between municipalities and specific county or state agencies are acceptable, but they do not insure assistance to all municipalities or jurisdictions when needed unless those entities have initiated prior individual agreements. The recommended method is to design a state-level assistance

plan, such as the Law Enforcement Mutual Aid Plan of the State of California. This plan is designed to facilitate the mobilization, organization, and operation of law enforcement resources within the State to most effectively minimize the effects of natural or other disasters, including riots. Although the specific procedures established may not be suitable to all states, the basic policies relative to providing assistance from all resources located within the state are sound and adaptable to all states.

The California Plan is a combined civil-defense, natural-disaster, and civil-disturbance operational plan. As all three of these disasters require some type of outside assistance to local police, this Plan is feasible for other states.

A sound State-Aid Plan should be formulated to accomplish the following:

1. To provide for the coordination of the dispatch and use of law enforcement personnel and equipment whenever a local law enforcement agency requires assistance from any other jurisdiction.
2. To provide for the coordination of law enforcement planning, operation, and mutual aid on a state-wide and intrastate basis, and to relate such plans to the overall state plan.
3. To provide a system for the receipt and dissemination of information, data, and directives pertaining to law enforcement services between local law enforcement officials, state, and Federal agencies.
4. To prescribe a procedure for the inventory of all law enforcement personnel, facilities, and equipment throughout the entire state.

Under certain circumstances, it may be advisable for two or more states to form mutual assistance agreements. This would be appropriate where large, adjoining metropolitan areas cover two or more state jurisdictions. It would also be beneficial where a densely populated state is bordered by one or more sparsely populated states, where most of the population is centered in one or two metropolitan areas and state law enforcement resources are minimal. Such agreements need not be limited to civil disturbance assistance but may include other areas, such as civil defense and various types of disasters.

Such a regional compact has been initiated in the New England area - the New England State Police Compact. This Compact provides a basis for the cooperation and emergency assistance to the state police of one state by the state police of another state. Although the New England Compact is limited to State Police assistance, agreements between states could be expanded to involve other state resources, including National Guard units (unless precluded in an individual State Code). If interstate compacts are envisioned for providing military aid to civil authorities, the laws of the host state should confer

the same powers, privileges, and immunities to personnel in the National Guard of the cooperating state as are enjoyed by members of the local National Guard.

VIII. FEDERAL AID

Under the Posse Comitatus Act it is unlawful, except in cases and under circumstances expressly authorized by the Constitution or Acts of Congress, to use any part of the Army or the Air Force to execute the laws. Additionally, Federal law prohibits any member of the Armed Forces or other person in the civil, military, or naval services of the United States from ordering, bringing, keeping, or having under his authority or control any troops or armed men any place where a general or special election is being held, unless such force is necessary to repel armed enemies of the United States.

The protection of life and property and the maintenance of law and order within the territorial jurisdiction of a state are the primary responsibilities of state and local authorities. Use of Federal forces in civil disturbances under current statutes will occur only --

1. After state and local authorities have utilized all their own forces and are unable to control the situation, or
2. When the situation is beyond the capabilities of state or local authorities, or
3. When state and local authorities will not take appropriate action.

Within the military services, the Army has primary responsibility for providing assistance to civil authorities during civil disturbances. The authority for the employment of Federal forces is found in the Constitution under one of the following legal statutes:

1. To aid state authorities at the request of the state - Title 10, USC 331 (basis is Article IV, Section 4 of the Constitution).
2. To enforce the laws of the United States - Title 10, USC 332 (basis is Article II, Section 3 of the Constitution).
3. To protect the civil rights of citizens within any state - Title 10, USC 333 (basis is the XIV Amendment to the Constitution).

Federal troops are employed as a part of the military power of the United States and act under the orders of the President as Commander in Chief. Army troops assisting civil authorities remain under the command of, and directly responsible to, their military superiors. They cannot be placed under the command of an officer of the state defense forces or an officer of the National Guard not in the Federal service, or of any state,

local, or Federal civil official. Commanders of Army troops, however, may, with the consent of the governor or other appropriate official of the state, direct the activities of the state defense forces and National Guard forces which are not in Federal service.

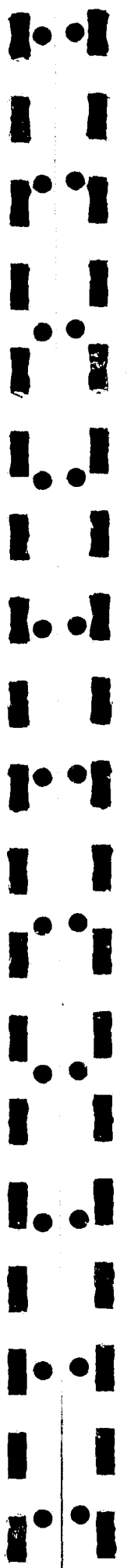
Application for Army assistance should be made by the legislature of a state or the governor when the legislature cannot be convened and should be directed to the President. This procedure, while seemingly involving excessive delay, insures that state officials have the opportunity to employ all state resources prior to requesting Federal assistance. With today's efficient communication systems, there is little reason to fear that this procedure would be unduly delayed. If, however, delay occurs, the local Army commander has authority to respond to such an emergency. This authority is intended to cover such contingencies as sudden and unexpected invasion, insurrection, or riots endangering public property of the United States. An officer of the Army in command of troops may take appropriate action, before the receipt of instructions, as the circumstances of the case reasonably justify.

The ultimate mission of the Army in civil disturbances is to maintain or restore law and order, and then to assist state and local law enforcement officers to resume their normal roles.

It should be emphasized that, even in those areas which involve Federal rights or functions, the primary duty to keep the peace rests with state and local officials. Use of Federal officials to keep the peace has, in general, occurred only when it became clear that state and local officials were unable to or unwilling to discharge their responsibilities.

By precedent, in addition to the Armed Forces, the other means employed by the Federal Government to suppress domestic violence is use of United States Marshals. In the exercise of this power the United States Marshal may appoint deputies, (28 USC 542). He may "command all necessary assistance to execute his duties." The law, 28 USC 547 (b), permits summoning a posse comitatus in the ancient manner of the sheriff (he may not, however, so employ the Armed Forces, as previously discussed).

In addition to the employment of United States Marshals and the Armed Forces (active Army) to enforce the laws of the United States in any state or territory, the President is empowered to call into Federal service such of the militia of that state or other states, as he considers necessary to enforce laws or to suppress rebellion. When such militia are called into Federal service, they, like the active Armed Forces, are employed as a part of the military power of the United States and act under the orders of the President as Commander in Chief.



CHAPTER VII

POLICE OPERATIONS
DURING A RIOT

I. INTRODUCTION

At times individuals and groups have abandoned orderly procedures and have resorted to violent demonstrations, riots, and destruction of life and property. Violent or otherwise, illegal actions which jeopardize lives and property cannot be justified or condoned, regardless of the objectives or provocations. Moreover, uncontrolled violence does not solve problems; it only increases bitterness and sows seeds of future disorders. The old adage, "An ounce of prevention is worth a pound of cure," is applicable to disturbances and riots. However, when prevention fails, police must be prepared to apply the cure, regain legal control, and maintain law and order. By so doing, they are executing their sworn duty to preserve the public peace and insure the protection of life and property.

Police techniques in suppressing a riot will be a prime factor in a successful operation or a possible cause of a recurring riot situation. The effective suppression of a riot requires an organized plan of action. The actual suppression of the riot begins with a specific plan of action, followed by the rapid execution of the plan; finally, the execution of the plan must be firm, but fair and impartial. Firm execution is not synonymous with brutal or inhumane actions. Only the minimum force necessary to accomplish the mission should be employed. The premature application of excessive force will only contribute to the danger, aggravate the mob, and instill in the individual a deep-rooted hatred of police.

The basic tactical principles to employ are: rapid dispersal of the mob, arrest of the leaders and individuals committing criminal acts, and prevention of regrouping. These tactics are based on one sound and simple principle: TO CONTROL THE MOB, FIRST CONTROL THE INDIVIDUAL. Through rapid dispersal, the leaders and perpetrators of criminal acts (the hard core) are separated from the curious, the hesitant, and the "borderline" individuals. The more rapidly the latter types are dispersed, the less chance there is for them to become violent and aggressive. When these individuals have been removed, the easier is the task to identify and arrest the true offenders.

II. RIOT CONTROL PRINCIPLES

Certain principles are basic in the execution of riot control operations. Their proper application is essential to the exercise of command and the effective conduct of the tactical police mission. Each principle is vital in itself but is related to the other principles. The degree of application of any specific principle will vary from situation to situation.

A. Principle of the Objective

The basic objectives of riot control operations are destroying the mob organizations, breaking its will to resist, and preventing a regrouping. Police operations must move toward these objectives by the most rapid and direct means. The ultimate objective is the restoration of law and order.

B. Principle of the Offensive

Offensive action is necessary to achieve results and to maintain freedom of action. It permits the police commander to exercise initiative

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and impose his will upon the mob; to set the pace and determine the course of operation; to exploit the mob's weakness; to take advantage of rapidly changing situations; and to meet unexpected developments. Good police intelligence is of the utmost importance. A defensive stand may be forced upon the police commander, but it should be adopted only as a temporary measure for the purpose of economizing forces in an area in which a decisive action has not been concluded or used as a delaying tactic until the offensive can again be regained. The initial action of isolating the riot area could be considered a temporary defensive measure.

C. Principle of Mass

Superior power can result from the most effective combination of police strength and carefully selected measures of force. Correct application of the principle of mass, in conjunction with other principles of riot control, may permit numerically inferior police forces to achieve desired results.

D. Principle of Economy of Force

Skillful and prudent use of force will enable the police commander to accomplish the mission with minimum expenditure of resources; although this principle tends to be in conflict with the principle of mass, it could also be considered as complementing this principle. Massing a minimum force into an organized unit (i. e., Show of Force), rather than piecemeal commitment of individual officers on the scene, actually combines the aim of these two principles.

E. Principle of Maneuver

Maneuver is an essential ingredient of force. It contributes materially in exploiting successes, in preserving freedom of action, and in reducing vulnerability. The object of maneuver is to dispose a police force in such a manner as to place the mob at a relative disadvantage and thus achieve results which would otherwise be more costly in men and material. Successful maneuvering requires organization flexibility, administrative support, and command and control. It is the antithesis of permanence of location and helps to avoid stereotyped patterns of operation.

F. Principle of Unity of Command

The decisive application of necessary force requires unity of command. Unity of command assures unity of effort by the coordinated action of all police forces toward a common goal. While coordination may be attained by cooperation, it is best achieved by vesting a single commander with the requisite authority. However, this should not prevent other commanders or lower echelon supervisors from making field decisions.

G. Principle of Security

Security is essential to the preservation of force. Security is achieved by measures taken to prevent surprise, to preserve freedom of action, and to deny to the mob information concerning the police force. Since risk is inherent in riots, application of the principle of security does not suggest undue caution

and avoidance of calculated risk. Security frequently is enhanced by bold seizure and retention of the initiative, which denies the mob the opportunity to interfere.

H. Principle of Surprise

Surprise can decisively shift the balance of power. Through surprise, success out of proportion to the effort expended may be obtained. Surprise is achieved by striking a mob at a time, place, and in a manner to which it is not prepared to react effectively. Factors contributing to surprise include speed, deception, application of unexpected force, effective intelligence and counterintelligence, including communications security, and variations in tactics and methods of operation. The sudden appearance of a small, organized, properly equipped force at the scene will often accomplish the purpose.

I. Principle of Simplicity

Simplicity contributes to successful operations. Direct, simple plans and clear, concise orders minimize misunderstanding and confusion. The simplest workable plan or course of action is best.

III. CONTAINING AND ISOLATING THE AREA

As soon as police units are committed to an area experiencing disorder, police commanders should act to confine the disorder. This isolating action is critical in preventing growth of the disorder and the possible development of tumultuous conditions beyond the control of the police. Individuals not involved in the disorder must be denied access to the affected area. Contagion from the disorderly area can be a serious problem to the police commander. Curiosity seekers are also detrimental to police operations and must be prevented access to the area.

The containment and isolation phase is not necessarily a time-consuming step prior to taking action to suppress the riot or disorder. If at all possible, this phase should be taken in conjunction with the advance with force into the affected area. The important thing for the police commander is not to overlook or downgrade this action. It prevents reinforcements from reaching the rioters, and prevents the rioters from escaping into another area of possible operations.

The measures employed to deny ingress to the affected area will vary, according to the area (terrain), size of the disorder, attitude of the rioters, attitude of individuals in the adjacent areas, and the possibility of other "anti" or "pro" groups attempting to enter the affected area. Good police intelligence, planning, and operations will provide the police commander with this necessary information. The following are some of the measures that may be employed to accomplish the containment and isolation action:

A. Patrols

Patrolling the boundaries and points of ingress and egress into the affected area reduces the opportunity for unauthorized individuals to circulate in the area adjacent to the disorder. It can prevent assembly of individuals by dispersing them before they congregate, and can provide the commander

with timely information of possible problem areas and movement of the rioters or other groups. Patrolling is effective in coping with individuals and groups of two or three persons. Motorized patrols cover distances rapidly and have good communications. Foot patrols are effective for detailed reconnaissance of an area and when population movement is heavy. Their range of operations is limited, and they must be provided with adequate communications and equipment. Foot patrols should be coordinated with the motorized patrol. Air patrols perform reconnaissance and surveillance missions of the entire disturbed area; they also have a psychological effect on the rioters due to their ability to hover, observe, and photograph, plus the possibility they may release a chemical agent on the mob. With proper planning, helicopters may be employed to photograph the area; monitored at police headquarters, they give the police commander on-the-spot views of any portion of the affected area. Water patrols may be employed if the affected area is accessible through navigable waters.

B. Roadblocks and Barricades

Roadblocks and barricades help channelize movements of people, block routes, prevent assembly of crowds, and isolate the affected area. To be effective, they should be manned by trained personnel and their positions must be defensible. The police commander must decide the amount of manpower to devote to this mission. Planning should include provisions for rapid release of police officers with replacement by reserve personnel. This type of assignment is especially suited for National Guard personnel. Barricade equipment may be prefabricated, such as that made from wire, rope, wood, or steel, or consist of improvised items, such as trains, trucks, buses or other vehicles. Whatever is to be used should be determined in advance so the proper equipment is at the proper location. Roadblocks should be clearly marked with warning signs posted in advance of the obstacle; approaches should be lighted during hours of darkness. Roadblocks at vehicular approaches must be designed to deny passage to large or high-speed vehicles. An effective method would be to cross-park several heavy vehicles perpendicular to the curb on opposite sides and at 25- to 50-foot intervals. The "weaving" traverse of this obstacle would accommodate slow-moving vehicles but would prohibit high-speed access through it. In addition, the vehicles would provide some measure of protection for personnel manning the roadblock.

C. Search and Seizure

It may be desirable for police to conduct early search and seizure operations to prevent or to limit the use of weapons by rioters and to take known agitators into custody. In addition to weapons, these operations should include confiscation of flammable materials, explosives, communications devices, propaganda material, and any other destructive items to which the mob might have access. If police intelligence indicated the existence of lines of communication being used by the mob, they should be located and cut. By tracing such lines to their sources it may be possible to capture mob leaders, documents or other equipment.

D. Curfews

The adoption of curfews assists police in isolating the affected area. Law-abiding citizens of the community will normally comply with curfew

regulations. The ordinance imposing curfew regulations should be specific and should include provisions for curtailing the sale of intoxicating beverages, firearms and ammunition, and other sensitive items that could add to further civil disorder. If the disorder extends over a period of time, a pass system may be initiated to identify persons and to control their movements into and out of the affected area.

E. Police Security Measures

In most cases the rioters will outnumber the police. The rear and flanks of police units will be subject to surprise attack. Police assembly areas will be vulnerable, as will the various supply points, field command headquarters, temporary detention facilities, aid stations, etc. To prevent surprise attack and insure a secure operational and administrative base of operations, security forces must be provided. Although these forces will be relatively small, they must be capable of self-defense and be equipped with adequate communications. Canine units could be employed in this role.

IV. QUELLING THE RIOT

A. Types of Riots

Riots or mob disorder will generally follow one of two patterns - the conventional or the insurgent. The conventional riot involves a large group of individuals, under the stimulus of intense excitement or agitation, congregated in a relatively limited, easily defined area. There is leadership, and emotion rules as a kind of collective hypnosis. At the proper time, this mob moves as one to vent its rage on some selected object. The insurgent group, although started through an assemblage of a group of individuals, does not move as one body to a specific object; it reverts to "guerrilla" or "hit-and-run" tactics to accomplish its purpose. Leadership and organization are much more refined in this group, and planning by the insurgent leadership is more detailed and scientific. In this group, the initial mob action may be only a smoke screen for the looting, plundering, or planned destruction that is to be done by designated individuals and/or small groups.

Although the basic principles of riot control are valid in both circumstances, the police field commander will not necessarily employ the same control measures. In the conventional riot situation, the initial police action normally consists of blocking a mob along a selected line short of its objective, placing necessary roadblocks, presenting a display of police strength, issuing an order directing the people to disperse and leave within a prescribed time, and insuring an avenue of escape for them. As the mob retires, police follow, continually breaking the mob into smaller and smaller groups.

The insurgent riot situation may take several forms. Upon the initial show of force by the police, the mob may immediately and rapidly disperse in all directions, and commence burning, looting and other destructive acts. It may retain all characteristics of the conventional mob, moving hesitatingly as the police begin directing them down planned avenues of escape. The purpose of the mob is to commit as much of the police manpower as possible to the movement of the mob and at the same time to permit individuals and small groups to begin the acts of burning, looting, and

destruction in other areas. This is the smoke-screen tactic that the police commander must be alert to detect as early as possible.

B. Show of Force

Regardless of the tactics the mob employs, the best recourse of the police commander initially is the rapid and impressive display of police power and resolve. This is the Show of Force. The purpose of this tactic is to convince the mob of the ability of the police to maintain law and order and to disperse the mob with physical force if necessary. If the mob is so persuaded, it will disperse. If it does not, the next step is for the police commander to give the order to disperse; such an order should not be given until the commander has sufficient force to back up his order. Never bluff! Officers who participate in a show of force must be well disciplined so they will follow orders to the letter, stand firm in the face of abuse, and not lose their heads. The law enforcement authority must be ready, if necessary, to apply sufficient force to promptly overcome resistance. Well-disciplined men, properly uniformed and equipped, quickly and efficiently taking their posts in a purposeful and determined manner, will discourage many would-be rioters.

The Show of Force should not be a piecemeal commitment of police officers or an officer-by-officer buildup as they arrive on the scene. This force should be formed out of sight of the mob; its arrival on the scene should be a surprise to the mob and, when first observed, should be a well-disciplined, organized unit, properly clothed and equipped.

C. Remove Leaders

To remove the leaders is to strike at the heart of the disorder. A leaderless group is a bewildered and confused one which does not function effectively. The leaders who supply the initiative, the rallying symbols, and the force of emotional enthusiasm, should be taken in hand and restrained. In removing the leaders, police should be concerned with agitators on both sides. In any event, those who are creating the disturbance should be repressed. When and how to remove the leaders is a crucial decision the police commander must make. Improper action and excessive force to effect such an arrest could precipitate a riot. The leaders could be hoping for police action to remove them, just for this reason. The police should not create a martyr.

Depending on the situation, it may be advisable at the time to only identify and photograph the leaders, hotheads, demagogues, psychopaths and others, making the arrest later out of sight of the public. This identifying and photographing of such persons should be as detailed and complete as available equipment will permit, including tape-recording their speeches if at all possible. Such a tactic should not be considered an indication of police weakness; it is a display of discretion and sound judgment on the part of the police commander. Trained leaders will be quick to recognize the impact of this police tactic, and knowledge of what will ensue may be sufficient to cause them to depart the scene rather than face possible court action. Without violence, the police will have accomplished their purpose - removal of the leaders.

When a formidable Show of Force fails to quell the riot or disperse the mob, police must be prepared to employ other measures to restore law

and order. This is accomplished by the use of force, riot control formations, and implementing other countermeasure operations. These will be discussed in detail in the succeeding sections of this chapter.

D. Use of Photography

The use of camera equipment is often overlooked as a riot control technique. It serves several distinct purposes: to document the action for future reference and study in order to better instruct and train personnel; to provide evidence in the event prosecutive action is instituted against mob participants; as a psychological deterrent in discouraging participation in mob action; and to help identify unknown participants. Also, having mob violence photographically documented makes possible an objective study of what has occurred. Sometimes photographs viewed later may reveal circumstances vastly different from impressions gained in the heat and excitement of the action itself. The films, upon study and analysis, may disclose areas where preventive action could have been taken; tactics which were not as effective as others; inadequate communications; misplacement of personnel; weaknesses or oversights in planning or execution of maneuvers; and other factors of significance for future guidance.

In the event prosecution is instituted against persons participating in mob violence, photographs, especially movies, constitute excellent evidence. It is indeed difficult for a defendant to refute the evidence a photograph provides of his presence and participation in the riot. There is much truth in the statement that a photograph is worth a thousand words. One glance at a photograph can convey a picture that words could never describe.

Many persons will feel safe while participating in a riot if they think their personal involvement will remain unknown, and that they will not be singled out from other participants. If they think they will be identified as participants, they have a tendency to withdraw because of a feeling of fear, anxiety, shame, embarrassment, or guilt. In short, they do not want to be identified with the unlawful violence and, realizing the camera will reveal their participation, they are deterred. The camera, therefore, can be of great assistance in controlling a mob if the individuals in it know they are being photographed.

The variety of useful photographic equipment is so extensive it would serve no purpose to discuss individual types of cameras. If the situation requires concealed cameras, there are numerous types of disguised cameras ranging from cigarette lighters and chewing gum packages to larger cameras concealed in clothing, packages, brief cases, suitcases, trunks, and many other devices.

E. Follow-up Measures

When the riot has been suppressed or the mob dispersed, the police task is not completed. Planned, positive measures must be taken to prevent regrouping or a recurrence of riotous activity. Some methods that may be employed to accomplish this task include: mobile units patrolling the area, a system of guards on fixed posts, roving foot patrols, and a system of communications. These procedures place law enforcement personnel in constant

view of the public and provide liaison through a communications system which enables reserve and support groups to be called up immediately if necessary.

V. EMPLOYMENT AND APPLICATION OF FORCE

The basic rule, when applying force, is to use only the minimum force necessary to effectively control the situation. Unwarranted application of force will incite the mob to further violence, as well as kindle seeds of resentment for police that, in turn, could cause a riot to recur. Ill-advised or excessive application of force will not only result in charges of police brutality, but also may prolong the disturbance. The major portion of persons constituting a mob may be law-abiding citizens who have been driven or led to participate in a lawless act because of their belief in a cause.

For many, the mere appearance (Show of Force) of police who represent law and order will be sufficient to bring them to their senses and they will obey the order to leave peaceably. The application of force by degrees will, in turn, cause more to realize their error and they, too, will depart. Applying force by degrees insures that the maximum force employed to restore order was applied to the most violent and lawless individuals only. The degrees and the order of the application of force should be decided in advance of the operation, and preferably included in the plan. All officers involved in the operation must be aware of these degrees and must know when each is to be applied and by whose authority. This is not meant to imply that police should not meet force with greater force; it does mean that unnecessary bloodshed must be avoided whenever possible.

Within the military establishment, the following is the priority or sequence of force applied:

1. Unload rifles with bayonets fixed and sheathed.
2. Unload rifles with bare bayonets fixed.
3. Tear Gas (CS & CN).
4. Loaded rifles with bare bayonets fixed.

A similar priority of force should be decided by each police agency, based upon the weapons and equipment available to that department for use in riot control duty.

There are numerous items of equipment available to the police for use in controlling riots. The following is a discussion and analysis of some of the more common items and techniques:

A. Firearms

The most extreme action which a law enforcement officer can take in any situation is the use of firearms. Under no circumstances should firearms be used until all other measures for controlling the violence have been exhausted. Above all, officers should never fire indiscriminately into a crowd or mob. Such extreme action may result in injury or death to innocent

citizens and may erupt into a prolonged and fatal clash between the officers and the mob. The decision to resort to the use of firearms is indeed a grave one. Such a decision must be based upon a realistic evaluation of the existing circumstances. Among the important considerations, of course, are the protection of the officer's own life, as well as the lives of fellow officers, and the protection of innocent citizens. A basic rule in police firearms training is that a firearm is used only in self-defense or to protect the lives of others.

The firing of weapons over the heads of the mob as a warning is objectionable. In addition to the possibility of injuring innocent persons by ricocheted bullets or poorly aimed shots, the firing may only incite the mob to further violence, either through fear or anger. At best, this is a bluffing tactic and a basic rule when dealing with a mob is NEVER BLUFF.

The possibility of receiving sniper fire cannot be overlooked. A sniper must be dealt with rapidly and severely. If permitted to operate, a sniper will not only pin down the police force but will remain a threat to human life - both police and citizens. To effectively handle a sniper, it may be necessary to employ a countersniper, equipped and trained in the use of high-powered, telescopic-equipped rifles. Police officers, crouched behind any means of protection available and firing their service revolvers or shotguns aimlessly at a building or rooftop, are endangering lives and, at the same time, are prevented from accomplishing their mission.

B. Bayonets

The mere presence of a bayonet in the hands of an officer has a deterrent effect. This does not mean that a bayonet should be used as a night stick or baton; if used, it should be a part of the weapon and is appropriate for use with the standard shotgun. If a special unit, such as the Riot Squad, is to be used and is equipped with shotguns, the bayonet is effective in the Show of Force and when engaged in the standard riot control formations.

C. Fire Hoses

Water from fire hoses may be effective in moving small groups, in moving groups on a narrow front, or in defending a defile or roadblock. Water has been used in the recent past and has a psychological, as well as a physical effect. Water may be employed in two ways; as a flat trajectory weapon utilizing pressure, or as a high trajectory weapon akin to heavy rainfall. The latter method is especially effective during cold weather. If water is used in such ways, a harmless dye can be mixed into the stream for possible later identification of the rioters. Employed as a flat trajectory weapon, utilizing the pressure to physically move individuals, serious injury or death can result. The decision to employ water, in one or both methods, should be arrived at during the planning phase and should be based on the discretion of police and community officials.

D. Dogs

Some police departments have found that dogs are an asset in police work. Dogs also serve to protect the officer. However, both the dogs and

handlers must be well trained and disciplined. Use of dogs to confront the demonstrators has sometimes produced resentment and ill feeling on the part of the public in general. Dogs can be employed effectively at roadblocks and by foot patrols operating in an area previously cleared of rioters. However, as a general rule, dogs should not be used when confronting the mob, particularly during the Show of Force phase when their presence could serve to furnish the spark that would ignite the riot.

E. Horses

As with dogs, use of horses, on some occasions, has resulted in ill feeling on the part of the public. However, horses may be effectively employed on the periphery to control spectators and prevent their entry into the troubled area. If a situation has seriously deteriorated and it is necessary to eject leaders from the midst of the mob, horses employed in a diamond formation may be used to escort the arresting officers through the mob and to provide security for them during their return to police lines. Horses may also be used effectively in blocking positions to control the movement of the mob. Under no circumstances should horses be used to "charge" the mob.

F. Batons

The baton is an adaptable instrument which can be used as an offensive or defensive weapon. It must, however, be used properly and judiciously to obtain the desired results and, at the same time, avoid criticism of the police officer and the agency he represents. When facing a crowd or mob, the baton should be held with both hands, the palm of the right hand down and the palm of the left hand up with the hands close to the ends. The baton should be used only in an emergency, and when blows are struck, it should be with the intention of stunning or temporarily disabling, rather than inflicting injury. Blows to the head should be avoided. The baton used as an extension of the arm is generally more effective than when used as a bludgeon, or club. Officers equipped with the baton must be thoroughly trained in its use, including the manual of the baton performed in unison as a unit or team.

G. Chemical Agents

Law enforcement agencies have two objectives when using chemical agents in riot control situations. The first is to prevent violence by the rioting group, and the second is to disperse the crowd with minimum hazard to the individuals in the mob and to the officers engaged in the operation. Prior to the use of chemical agents, it must be established that the mob has an avenue of escape; if not, panic could result. Chemical agents, properly employed, provide the police commander with a distinct advantage; they can negate the numerical superiority the mob has over the police force. They are the most effective and most humane means of achieving temporary neutralization of a mob with a minimum of personal injury. Chemical agents should not be used or threatened to disperse demonstrators who are not in fact endangering public safety and security.

VI. PROTECTIVE EQUIPMENT

When force is applied, it must be realized that force has been used by the rioters. Precautions must be taken to afford the police officer as much protection as possible. The following constitute some means that should be considered for the protection of the individual:

1. Gas Masks. Officers are no more immune to the effect of gas than is the mob.
2. Helmets. The head is one of the most vulnerable areas of the body, and it must be afforded protection from clubs and similar weapons and thrown missiles.
3. Goggles or Visors. In addition to solid objects, liquids such as lye and acid may be thrown during mob actions. Goggles or visors will provide a measure of protection against such liquids.
4. Body Armor. Snipers and other armed individuals within the mob may use weapons to kill or injure police. Body armor is also useful for foot patrolmen operating in the tension area recently cleared by police.
5. Gloves. When using the shotgun with bayonet or the police riot baton, gloves will help protect the hands from the effect of counterblows or flying objects.
6. Shin Guards. Especially valuable for police in riot control formations are shin guards which protect the lower leg from objects, such as broken glass, that are hurled at the oncoming formation.
7. Boots. Used for the same reasons as the shin guard and in preference to low cut shoes, boots also offer more protection when having to traverse debris. Also, they are more comfortable and provide more support than shoes during prolonged periods.
8. Shields. The shield may be used to protect against hurling objects and club-type weapons. It may also be used at roadblocks, barricades, and for officers stationed on the periphery of the area to prevent entry.

VII. RIOT CONTROL FORMATIONS

Fear often develops among members of a mob who find themselves in the path of an advancing, armed, determined, and organized force of uniformed officers. Development of fear is the psychological intent of riot control formations.

Training in riot control formations is essential to the development of a smooth, effective police team; prior to this training, an organizational plan must be adopted. Riot control formations require unit action, not

action by a group of individuals. The organization adopted should be developed along military lines, i. e. , squads, platoons, companies, and battalions. Military riot control formations represent widely accepted uniform standards in general use by civilian law enforcement agencies.

A. Squad

The number of men used to make up a squad and platoon will depend on the number of men available. Generally, squads should consist of not less than eight nor more than twelve men. One member should be designated as the squad leader and another as the assistant. A system being used in one metropolitan police department is an eight-man squad consisting of personnel assigned regularly to patrol duties. When the alert is sounded, personnel assemble at a designated point out of view of the impending trouble area. Equipment is secured and a squad assembles in two units, each unit consisting of four men and a patrol sedan. A sergeant is in one vehicle and is the designated squad leader. The next senior officer is designated the assistant squad leader and rides in the second vehicle. Units thus formed are committed as squads, platoons, etc. , depending on the amount of force considered necessary. Their spontaneous, organized arrival at the scene accomplishes the Show of Force, and the units are prepared to deploy in various riot control formations.

B. Platoon

A platoon should consist of three or four squads. The chain of command within the platoon is the same as in the squad, with the addition of a platoon leader (normally a lieutenant). An assistant platoon leader will be designated, preferably not one of the squad leaders. Depending upon the resources available, the platoon headquarters could also consist of a messenger, radio operator, cameraman, and other specialists, such as an antisniper marksman. Three platoons form a company and three companies a battalion.

C. Formations

The types of riot control formations most commonly used are the line, the echelon (right or left), the wedge, and the diamond. The line, as an offensive formation, is used to move mobs back or across an open area or up a city street. As a defensive formation, it is used to hold mobs or deny access to restricted streets or areas. The echelon (or diagonal) is a purely offensive formation used to direct mobs into either open or built-up areas. It may also be used to move mobs away from a building or from one side of the street to the other. The wedge is generally used as a striking force and is used to penetrate and split the mob. The diamond, an innovation of the wedge, provides all-around security and is used to enter the mob (to effect an arrest, for example).

The basic weapons during operations using these formations are the rifle or shotgun with bayonet fixed, or the police riot baton. Formations should not be attempted using the service revolver or the bare hands as the only "pushing" weapon.

During riot control formations, rapid and uniform response to commands is essential. The noise and confusion at this moment will be intense, and re-

liance on normal voice commands would be foolhardy. The portable bullhorn can be effectively employed to raise the volume of the normal voice. Not an alternative, but an additional method to relay commands is the use of hand and arm signals.

The various riot control formations and arm signals are described and illustrated, with detailed information concerning their use and training techniques, in several authoritative publications. Numerous military training films in riot control formations have been produced.

D. Vehicles

To counter the rioters' use of vehicles against police formations, it may be advantageous to use vehicles along with officers on foot in riot control formations. The vehicles should be located at the apex or center of the formation, where they can be quickly maneuvered to block the oncoming vehicular assault on the formation. Vehicles should be used only in conjunction with officers on foot and the officers should walk near the front corners of the vehicles to prevent rioters from attacking the sides and rear of the vehicles. Additional information concerning the use of vehicles may be found in pertinent literature on riot control formations.

VIII. COUNTERMEASURE OPERATIONS

When applying the various principles, tactics, and techniques to suppress or control a riot, judgment and discretion must be used. Based on the area of operation, personnel involved, and the tactics being employed by the rioters, the police commander must choose a course of action and decide the force to apply.

A. Downtown

Riots usually occur in business districts, industrial areas, and around key facilities. Special countermeasures need be considered prior to employing force to move the mob or clear the area. Police should secure control of rooftops on both sides of the street. In addition to denying rioters access to this vantage point from which they may throw lethal objects at the riot control force, the rooftops provide the police excellent observation points and positions from which chemical agents can be delivered against the mob. Side streets must be secured along the desired route of withdrawal to insure that the movement is canalized. They must also be secured to deny reinforcements from reaching the mob. When rioters employ hit-and-run or guerrilla tactics and persist in returning to the cleared area, a system of "Street Sweeps" should be initiated. When cleared, the street is secured by positioning a force at the street corners and, if necessary, by patrols roving within the block.

Consideration should be given to positioning small, well-equipped mobile reaction forces, capable of instantaneous response to a guerrilla attack, within the immediate vicinity. Where possible, these units should be transported in special vehicles (modified trucks or Military-type vehicles) providing as much protection for the individual as possible and containing excellent communications. Some provision to protect the vehicles at the scene must be made. In connection with "Street Sweeps," a building that might contain rioters should be cleared systematically from the top floor down to the ground level. This permits use of a minimum number of police and allows the rioters

an avenue of escape from the building. During "Street Sweeps" operations, vehicles should be used in conjunction with the foot forces to provide protection against rioters using vehicles to break police formations. When snipers are prevalent, police response to them must be positive and instantaneous.

B. Residential Areas

Operations in residential areas are essentially the same as those for business areas. Security may become an additional problem, as the distance between houses is normally greater than between buildings elsewhere in the community.

C. Barricades

Barricades erected by rioters are designed to impede effective police action. If rioters defend a barricaded position, the use of chemical agents is generally an effective means of neutralizing the position. The barricade itself can be removed by manual labor, by a bulldozer, or by burning. Police should assume that barricades by rioters are booby traps, possibly wired or stocked with explosives, and should exercise caution in removing them.

D. Looting

Looting and other destruction may be prevalent in other areas of the community, especially near the periphery of the riot area, with the riot activity used as a smoke screen for these tactics. "Flying Teams," consisting of a squad of properly equipped police officers, can be effectively employed to counteract this activity. They should be equipped with shotguns and chemical weapons. Within the riot area, similar teams may be employed, either on foot or with vehicles. If foot teams are employed, they must be provided with communications and an adequate logistical support.

E. Vital Buildings

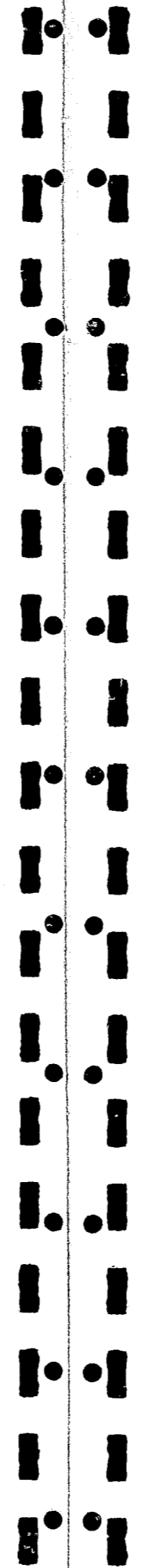
Vital installations such as public utilities, government buildings, hospitals, banks, and industrial plants are usually protected by security forces and burglary devices. If all access points are besieged by rioters and it appears that penetration will be effected, additional measures must be employed immediately. If a penetration has been effected, police forces must gain entry, secure sensitive areas, and initiate action to remove rioters. CAUTION: Never use chemical agents in the vicinity of a hospital.

F. Teamwork

Hand-to-hand fighting or individual combat must be avoided as far as possible since police officers are almost always outnumbered. An officer alone should never attempt to handle a rioter. This is wasteful use of police manpower and merely stimulates the ugly tendencies of the crowd. Riot control requires teamwork, not individual heroics. Take photographs for use in later arrests if at all possible, thus avoiding a confrontation with the rioter if one is not advisable under the circumstances, or if it is not essential that the agitator be removed immediately.

G. Post Riot Control

When the riot has been suppressed, positive action to prevent a recurrence is necessary. Saturating the area with police patrols day after day, night after night, will soon deplete police manpower. Furthermore, it will not necessarily correct the situation; conversely, it may further aggravate it. Police and all other community agencies must be quick to show positive action to correct the source of trouble and re-establish normal relations in the area. If the community had tried and had failed to prevent the riot, additional emphasis and some revised planning must be immediately initiated to prevent a recurrence.



CHAPTER VIII

STATE NATIONAL GUARD
ASSISTANCE
TO LOCAL AUTHORITIES

I. INTRODUCTION

The tax structure of our cities and counties does not permit maintenance of reserve police manpower sufficient to handle riots of great magnitude. Even in lesser riots and large demonstrations, police manpower must be diverted from its principal duty of providing adequate police protection to all areas of the jurisdiction served.

It is, therefore, essential that a secondary source of well-trained, controlled, and disciplined manpower be available to assist local authorities in the control of riots and demonstrations which are obviously or potentially beyond the capabilities of the local police forces. This legal and historical source is the state National Guard.

The Constitution of the United States grants to the states the right to organize and train a militia to provide for the security of both the state and the United States. The Constitution, however, does not discuss the authority of a state with reference to the use of its own militia. The Federal Government has, to a certain extent, preempted this authority. An early U. S. Supreme Court case, *Houston v. Moore*, 5 Wheat 1, 5 Led 19, 31 (1820), established the authority of a state to use its own militia for the purpose of suppressing insurrections within state boundaries only if the Federal Government had not already committed the same troops for national purposes. The court also indicated that state use of its own militia is controlled by state constitution with the exception that the U. S. Constitution preempts state control whenever there is a conflict.

Thus, it can be concluded that the Governor or other appropriate state official may employ the National Guard of the state to provide military aid to the civil authority in accordance with state law, unless the National Guard has been ordered into active Federal service. The organized militia has been employed in civil disturbance actions by both Federal and state authorities many times since the founding of the Republic.

State use of the National Guard in civil disturbances began with some regularity in Southern States after 1867, as active Army troops were removed and state governments used state forces to combat disorders arising as the result of the reconstruction. During the Summer of 1877, in the widespread labor disturbances which became known as the Great Railroad Strike, 45,000 state troops participated in efforts to restore law and order in major cities from Baltimore to St. Louis during the two-week period. State use of the National Guard in disturbances in the recent past began with the use of troops by the Governor of Arkansas in 1957 during school integration problems. More recently, over 12,000 troops were used in connection with rioting in the Watts area of Los Angeles in August, 1965.

II. PLANNING

The Area Control Headquarters will publish a plan assigning tasks to various subordinate units. As in all planning, a unit is not assigned only one mission, as the unit must be prepared to act in numerous situations. If a riot occurs in one area, the unit may be assigned a security mission at a key public utility. If the riot erupts in another area, the unit may be involved in

a riot control mission. This flexibility in planning permits maximum utilization of minimum resources.

In each plan, and in each contingency, it is essential that the command structure be spelled out in detail. The Governor may place the National Guard or any part thereof under the direction of any state or local officer he designates. However, it must be remembered that if the state National Guard is federalized and said forces are employed by the Federal Government to furnish assistance to authorities in domestic civil disturbances and disasters, the military commander is subject to no authority except that of his superiors. Federal troops used in aid of civil authorities will be under the command of, and directly responsible to, their military superiors. They cannot be placed under the command of an officer of the state defense forces, or of the National Guard not in the Federal service, or of any state, local, or Federal civil official.

During the planning, it is essential that necessary legal spadework be done. Of particular importance is the legal status and liability, under state law, of individual National Guardsmen employed in riot control activities by the state.

Each battalion and company unit which may be involved in riot control duty has a detailed alert plan, based upon the alert plan of the next higher unit. The alert plan provides an orderly process by which the unit is brought to a state of operational readiness to enable it to perform its assigned missions promptly and efficiently. It includes procedure for notifying individuals to report to the Armory, a verification of the alert order, actions to be taken by the units' sections and individuals, and any other pertinent instructions, such as uniform and equipment required (if clothing is not stored at the Armory) and other administrative details. This alert plan should be thoroughly understood by each individual in the unit. Each individual must know his duties, those of his immediate superior, and the unit's assignments.

Normally, the tasks of a military force during civil disturbances will be to assist local authorities to restore and maintain order. This is usually accomplished by troops dispersing unauthorized assemblages and patrolling the disturbance area to prevent reassembly. During operations to restore order in a large center of population, some troops may establish roadblocks or area blocks, others may disperse crowds, release riot control agents, patrol, or may be used as security forces or reserves. It should be noted that a riot, at least initially, will not cover the entire area of a city. Properly contained and controlled, a riot will never spread throughout the entire area. Policing of the entire city must continue and this function should be performed by the local police agency, not state National Guard or other support forces sent to assist the local authority. The state National Guard should be employed in the immediate vicinity of the riot area, or engaged in security assignments at places such as key utility facilities, important buildings, or other potential targets for the rioters. The successful execution of such tasks will depend to a large extent upon planning, thorough training, adequate intelligence information, a sound tactical plan, coordinated action by individuals and units, and a sound system of command coupled with aggressive leadership.

The Adjutant General of each state should designate those state National Guard units that will support a specific city plan. Prior to designating any unit,

there must be a city plan, as this will serve as the basis for determining the amount and type of support required. The state Adjutant General will further designate the senior commander for the area and specify one unit as the Area Control Headquarters. This commander and control headquarters will initiate planning and coordination with local authorities. Each will insure the existence of mutually supporting plans and will initiate revisions in existing plans as needs become apparent.

Proper planning provides for action to be taken before, during, and after disturbances. Two situations will never be exactly the same. Just as the individuals and organizations involved vary, so will the physical and geographical locations and the objectives of the demonstrations differ. These are special problems that must be considered in the development of a plan by local authorities.

Every local plan to control large demonstrations and potential riots should include means whereby the state National Guard can best assist local authorities, and how they can be prepared to reinforce local police in a minimum amount of time. Training and rehearsal of the plan are equally important.

Local authorities, particularly the local police agency, should be familiar with the geographical details of their city. Industrial centers are especially important. Police authorities know potential trouble areas and have knowledge of the agitators in a particular neighborhood and the community's power structure. They are also familiar with the location of arms, equipment, and supplies which, if unguarded, may be seized. Public utilities and stores of fuel are also possible targets for rioters, as their destruction or capture could appreciably assist the rioters or result in the disruption of essential services to the entire community. These are all probable trouble areas and a tentative plan must be prepared for each. Planning for probable disturbance operations is conducted by each level of authority. Each successive plan in this chain must complement and support the plan of the previous level. It is upon the overall city plan that the state National Guard forces will prepare their plan.

There may be a tendency on the part of some local authorities, upon the arrival of the state National Guard, to relax and let the Guard commanders take charge. This should be cautioned against as generally the National Guard commander will not have detailed knowledge of the community and its problems. Local leaders must not assume that they are relieved of the riot control problem, but must continue to vigorously direct the actions of state and local forces in order to rapidly resolve the conflict. If the command and control does pass to another official, the planning must include detailed provision for this transfer and the responsibilities should be clearly delineated.

Police agencies often inquire about the availability of National Guard equipment, on a loan basis, for use in riot control. National Guard equipment is issued by the Federal Government for the express purpose of training the National Guard and cannot be loaned to law enforcement agencies. National Guard equipment may be used only by the National Guard in either state or Federal assignment.

III. APPLICATION FOR STATE AID

Application by local authorities for state aid should be made directly to the Governor. The cost involved in the use of state National Guard forces should be considered in planning activities. Review of the provisions of state laws should be made to determine whether municipal, county, or state funds will defray the costs of National Guard use in state service. In this phase of planning, it is essential that individuals be designated by name or position to request state assistance and that individuals also be designated by name or position to authorize use of state aid. This delegation of authority will save time and preclude unnecessary delay in obtaining permission to alert the state National Guard. Procedures established and individuals designated to implement them should be explained in detail in the agency's notification alert plan. Also included in that plan should be the authorized command structure. A previously designated command structure is necessary to avoid confusion and conflicting instructions during the operational phase. Finally, the plan should include the assignment of certain materials to specific geographical areas. A well-prepared and rehearsed plan insures a successful operation.

Individuals concerned with requesting and approving state National Guard assistance must understand the difference between ALERTING the state National Guard (or elements thereof) and COMMITTING the state National Guard. Planning should also be accomplished with a clear understanding of these two situations. Alerting the National Guard merely gives advance notification and permits the Unit(s) to begin actions required to reach the desired state of readiness. Commitment involves actual engagement, and is accomplished in conjunction with the issuance of a Proclamation or Executive Order by the Governor, or when so directed by an authorized official.

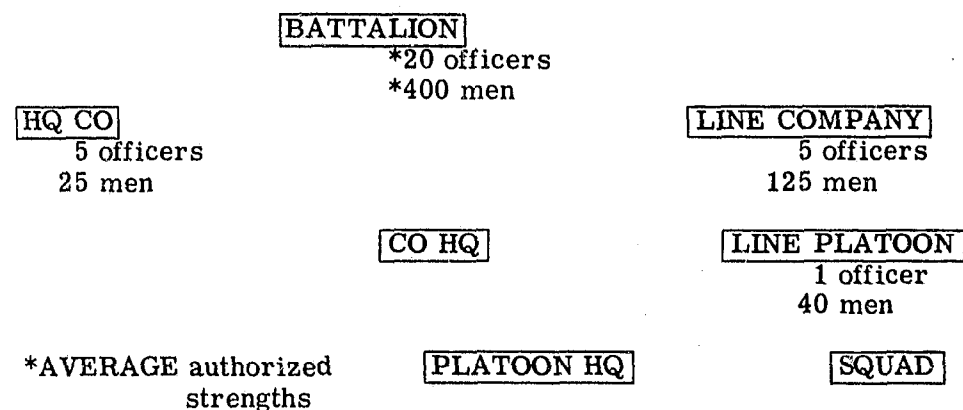
Certain legal processes must be complied with prior to or in conjunction with, calling of the state National Guard, or any portion thereof, to state duty. The procedure may vary among the states. It is customary, however, for the Governor to issue an Executive Order or Proclamation whenever he orders the National Guard into state service for duty of this nature.

To preclude undue delay in providing assistance, a procedure whereby certain specified key officials may request and authorize use of the state National Guard is recommended. This procedure should be documented in the appropriate plans and other legal documents, and be supported by duly executed legal documents. Individuals authorized to request National Guard support should include the chief executive officer of the city and the Police Commissioner and/or Chief of Police. Although such requests would be directed to the Governor, or, in his absence or temporary unavailability, the Lieutenant Governor, the State Attorney General, State Adjutant General or State Commissioner of Police should be empowered to authorize commitment of forces. Only when properly authorized and directed may a unit implement its alert notification plan. The time required to assemble the individuals and prepare to move to the troubled area will vary with the units; a minimum of six hours should not be considered excessive. Plans should include alert and assembly time needed; requests for state National Guard assistance should consider this time factor.

IV. NATIONAL GUARD UNITS

National Guard units are located in each state. It is normal to find a preponderance of units in or adjacent to metropolitan areas. This is fortunate as metropolitan areas are most likely locations for riots. These units, located in or immediately adjacent to a metropolitan area, should be designated to assist local police. These are the units that will prepare specific plans based on the city plan.

National Guard units are military units and are organized into squads, platoons, companies, battalions, brigades, and divisions. Although strengths will vary according to the strength authorization assigned to the unit by the National Guard Bureau, and organizational structures may vary slightly, depending on the type unit (i. e., Infantry, Artillery, Military Police), the following chart shows a typical military organizational structure:



Brigades are composed of two or more battalions, and in each division there are three brigades. An average division has nine battalions, plus support units varying in size up to and including battalions. Military commanders assign tasks to units, not individuals. When planning for state National Guard assistance, local police agencies should determine the strengths of the assigned units and understand their organizational structure. Only by this method can the police planner gain an understanding of the capabilities and limitations of the supporting forces.

In addition to the Army National Guard, discussed above, Air National Guard resources should be considered in planning the allocation of state National Guard forces. While Air National Guard units are not organized as ground combat formations, their members have had basic military training and they can be used as a disciplined military force if the situation warrants. The Air National Guard is organized into Groups, which are broken down into Squadrons; Squadrons are further divided into Flights. Since Squadrons vary widely in strength, depending on whether they are organized as mission Squadrons, supply Squadrons, or consolidated maintenance Squadrons, the basic unit of Air National Guardsmen to be used should normally be the Group, with a strength of about 600 men. Each Group has a 16- to 20-man Air Police Unit which could perform valuable service in conjunction with local police.

V. RELEASE OF NATIONAL GUARD

In addition to procedures essential to requesting and obtaining assistance from the state National Guard, certain procedures are necessary for the release of the state National Guard. Requests for such release should be a joint decision by local authorities and the Area Military Commander, and should be directed to the Governor. This release from state duty may not apply to all units at the same time. When the riot has been controlled and local law enforcement agencies become capable of maintaining law and order, troops and other law enforcement agencies should be withdrawn - at least out of public view. This will tend to relieve tension in the area of operations and in other areas as well. Employment of state National Guard forces and other law enforcement agencies for an unwarranted period could result in a recurring riotous situation fostered by such charges as "Martial Law," "Police State," and similar accusations.

APPENDIX A

Some Federal Criminal Statutes Which May Be Violated During Riot and Domestic Violence

Rebellion or Insurrection

Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and shall be incapable of holding any office under the United States. Title 18, U. S. C., Section 2383.

Seditious Conspiracy

If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined not more than \$20,000 or imprisoned not more than twenty years, or both. Title 18, U. S. C., Section 2384.

Mutiny, Riot, Dangerous Instrumentalities Prohibited

Whoever instigates, connives, willfully attempts to cause, assists, or conspires to cause any mutiny or riot, at any Federal penal or correctional institution, or without the knowledge or consent of the warden or superintendent, conveys into such institution, or from place to place therein any tool, device, or substance designed to cut, abrade, or destroy the materials, or any part thereof, of which any building of such institution is constructed, or any other substance or thing designed to injure or destroy any building, or any part thereof, of such institution; or

Whoever conveys into such institution, or from place to place therein, any firearm, weapon, explosive, or any lethal or poisonous gas, or any other substance or thing designed to kill, injure, or disable any officer, agent, employee, or inmate thereof, or conspires so to do--

Shall be imprisoned not more than ten years. Title 18, U. S. C., Section 1792.

Destruction of Motor Vehicles or Motor Vehicle Facilities

Whoever willfully, with intent to endanger the safety of any person on board or anyone who he believes will board the same, or with a reckless disregard for the safety of human life, damages, disables, destroys, tampers with, or places or causes to be placed any explosive or other destructive substance in, upon, or in proximity to, any motor vehicle which is used, operated, or employed in interstate or foreign commerce, or its cargo or material used or intended to be used in connection with its operation; or

Whoever willfully, with like intent, damages, disables, destroys, sets fire to, tampers with, or places or causes to be placed any explosive or other destructive substance in, upon, or in proximity to any garage, terminal, structure, supply, or facility used in the operation of, or in support of the operation of, motor vehicles engaged in interstate or foreign commerce or otherwise makes or causes such property to be made unworkable, unusable, or hazardous to work or use; or

Whoever, with like intent, willfully disables or incapacitates any driver or person employed in connection with the operation or maintenance of the motor vehicle, or in any way lessens the ability of such person to perform his duties as such; or

Whoever willfully attempts to do any of the aforesaid acts--
Shall be fined not more than \$10000 or imprisoned not more than twenty years, or both. Title 18, U. S. C., Section 33.

Assaulting, Resisting, or Impeding Certain Officers or Employees

Whoever forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in Section 1114 of this title while engaged in or on account of the performance of his official duties, shall be fined not more than \$5,000 or imprisoned not more than three years, or both.

Whoever, in the commission of any such acts uses a deadly or dangerous weapon, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both. Title 18, U. S. C., Section 111.

Protection of Officers and Employees of the United States

Whoever kills any judge of the United States, any United States Attorney, any Assistant United States Attorney, or any United States Marshal or Deputy Marshal or person employed to assist such marshal or deputy marshal, any officer or employee of the Federal Bureau of Investigation of the Department of Justice, any post-office inspector, any officer or employee of the Secret Service or of the Bureau of Narcotics, any officer or enlisted man of the Coast Guard, any officer or employee of any United States penal or correctional institution, any officer, employee or agent of the Customs or of the Internal Revenue or any person assisting him in the execution of his duties, any Immigration officer, any officer or employee of the Department of Agriculture or of the Department of the Interior to enforce any Act of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any employee of the Department of Agriculture designated by the Secretary of Agriculture to carry out any law or regulation, or to perform any function in connection with any Federal or State program or any program of Puerto Rico, Guam, the Virgin Islands of the United States, or the District of Columbia, for the control or eradication or prevention of the introduction or dissemination of animal diseases, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty in, the field service of the Bureau of Land Management, any employee of the Bureau of Animal Industry of the Department of Agriculture, or any officer or employee of the Indian field service

of the United States, or any officer or employee of the National Aeronautics and Space Administration directed to guard and protect property of the United States under the administration and control of the National Aeronautics and Space Administration, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under Sections 1111 and 1112 of this title. Title 18, U. S. C., Section 1114.

Conspiracy to Commit Offense or to Defraud United States

If two or more persons conspire either to commit any offense against the United States, or to defraud the United States, or any agency thereof in any manner or for any purpose, and one or more of such persons do any act to effect the object of the conspiracy, each shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

If, however, the offense, the commission of which is the object of the conspiracy, is a misdemeanor only, the punishment for such conspiracy shall not exceed the maximum punishment provided for such misdemeanor. Title 18, U. S. C., Section 371.

Conspiracy to Impede or Injure Officer

If two or more persons in any State, Territory, Possession, or District conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof, or to induce by like means any officer of the United States to leave the place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties, each of such persons shall be fined not more than \$5,000 or imprisoned not more than six years, or both. Title 18, U. S. C., Section 372.

Prisoners in Custody of Institution or Officer

Whoever escapes or attempts to escape from the custody of the Attorney General or his authorized representative, or from any institution in which he is confined by direction of the Attorney General, or from any custody under or by virtue of any process issued under the laws of the United States by any court, judge, or commissioner, or from the custody of an officer or employee of the United States pursuant to lawful arrest, shall, if the custody or confinement is by virtue of an arrest on a charge of felony, or conviction of any offense, be fined not more than \$5,000 or imprisoned not more than five years, or both; or if the custody or confinement is for extradition or by virtue of an arrest or charge of or for a misdemeanor, and prior to

conviction, be fined not more than \$1,000 or imprisoned not more than one year, or both. Title 18, U. S. C., Section 751.

Assault on Process Server

Whoever knowingly and willfully obstructs, resists, or opposes any officer of the United States, or other person duly authorized, in serving, or attempting to serve or execute, any legal or judicial writ or process of any court of the United States, or United States Commissioner; or

Whoever assaults, beats, or wounds any officer or other person duly authorized, knowing him to be such officer, or other person so duly authorized, in serving or executing any such writ, rule, order, process, warrant, or other legal or judicial writ or process--

Shall, except as otherwise provided by law, be fined not more than \$300 or imprisoned not more than one year, or both. Title 18, U. S. C., Section 1501.

Influencing or Injuring Officer, Juror or Witness Generally

Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any witness, in any court of the United States or before any United States Commissioner or other committing magistrate, or any grand or petit juror, or officer in or of any court of the United States, or officer who may be serving at any examination or other proceeding before any United States Commissioner or other committing magistrate, in the discharge of his duty, or injures any party or witness in his person or property on account of his attending or having attended such court or examination before such officer, commissioner, or other committing magistrate, or on account of his testifying or having testified to any matter pending therein, or injures any such grand or petit juror in his person or property on account of any verdict or indictment assented to by him, or on account of his being or having been such juror, or injures any such officer, commissioner, or other committing magistrate in his person or property on account of the performance of his official duties, or corruptly or by threats or force, or by any threatening letter or communication, influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice, shall be fined not more than \$5,000 or imprisoned not more than five years, or both. Title 18, U. S. C., Section 1503.

Obstruction of Court Orders

Whoever, by threats or force, willfully prevents, obstructs, impedes, or interferes with, or willfully attempts to prevent, obstruct, impede, or interfere with, the due exercise of rights

or the performance of duties under any order, judgment, or decree of a court of the United States, shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

No injunctive or other civil relief against the conduct made criminal by this section shall be denied on the ground that such conduct is a crime. Title 18, U. S. C., Section 1509.

Contempts Constituting Crimes

Any person, corporation or association willfully disobeying any lawful writ, process, order, rule, decree, or command of any district court of the United States or any court of the District of Columbia, by doing any act or thing therein, or thereby forbidden, if the act or thing so done be of such character as to constitute also a criminal offense under any statute of the United States or under the laws of any state in which the act was committed, shall be prosecuted for such contempt as provided in Section 3691 of this title and shall be punished by fine or imprisonment, or both.

Such fine shall be paid to the United States or to the complainant or other party injured by the act constituting the contempt, or may, where more than one is so damaged, be divided or apportioned among them as the court may direct, but in no case shall the fine to be paid to the United States exceed, in case the accused is a natural person, the sum of \$1,000, nor shall such imprisonment exceed the term of six months.

This section shall not be construed to relate to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States, but the same, and all other cases of contempt not specifically embraced in this section may be punished in conformity to the prevailing usages at law. Title 18, U. S. C., Section 402.

Transportation of Dynamite, Powder and Fuses

- (a) Any person who knowingly transports, carries, or conveys within the United States, any dangerous explosives, such as and including, dynamite, blasting caps, detonating fuses, black powder, gunpowder, or other like explosive, or any radioactive materials, or etiologic agents, on or in any passenger car or passenger vehicle of any description operated in the transportation of passengers by any for-hire carrier engaged in interstate or foreign commerce, by land, shall be fined not more than \$1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from a violation of this section, shall be fined not more than \$10,000 or imprisoned not more than

ten years, or both: Provided, however, That such explosives, radioactive materials, or etiologic agents may be transported on or in such car or vehicle whenever the Interstate Commerce Commission finds that an emergency requires an expedited movement, in which case such emergency movements shall be made subject to such regulations as the Commission may deem necessary or desirable in the public interest in each instance: Provided further, That under this section it shall be lawful to transport on or in any such car or vehicle, small quantities of explosives, radioactive materials, etiologic agents, or other dangerous commodities of the kinds, in such amounts, and under such conditions as may be determined by the Interstate Commerce Commission to involve no appreciable danger to persons or property: And provided further, That it shall be lawful to transport on or in any such car or vehicle such fuses, torpedoes, rockets, or other signal devices as may be essential to promote safety in the operation of any such car or vehicle on or in which transported. This section shall not prevent the transportation of military forces with their accompanying munitions of war on passenger-equipment cars or vehicles.

- (b) No person shall knowingly transport, carry or convey within the United States liquid nitroglycerin, fulminate in bulk in dry condition, or other similarly dangerous explosives, or radioactive materials, or etiologic agents, on or in any car or vehicle of any description operated in the transportation of passengers or property by any carrier engaged in interstate or foreign commerce, by land, except under such rules and regulations as the Commission shall specifically prescribe with respect to the safe transportation of such commodities. The Commission shall from time to time determine and prescribe what explosives are "other similarly dangerous explosives," and may prescribe the route or routes over which such explosives, radioactive materials, or etiologic agents shall be transported. Any person who violates this provision, or any regulation prescribed hereunder by the Interstate Commerce Commission, shall be fined not more than \$1,000 or imprisoned not more than one year, or both; and, if the death or bodily injury of any person results from a violation of this section, shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

Explosives; Illegal Use or Possession; and, Threats or False Information Concerning Attempts to Damage or Destroy Real or Personal Property by Fire or Explosives

- (a) As used in this section -
"commerce" means commerce between any State,

Territory, Commonwealth, District, or possession of the United States, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory, or possession of the United States, or the District of Columbia;

"explosive" means gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuzes (other than electric circuit breakers), detonators, and other detonating agents, smokeless powders, and any chemical compounds or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities, or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of the compound or mixture or any part thereof may cause an explosion.

- (b) Whoever transports or aids and abets another in transporting in interstate or foreign commerce any explosive, with the knowledge or intent that it will be used to damage or destroy any building or other real or personal property for the purpose of interfering with its use for education, religious, charitable, residential, business, or civic objectives or of intimidating any person pursuing such objectives, shall be subject to imprisonment for not more than one year, or a fine of not more than \$1,000, or both; and if personal injury results shall be subject to imprisonment for not more than ten years or a fine of not more than \$10,000, or both; and if death results shall be subject to imprisonment for any term of years or for life, but the court may impose the death penalty if the jury so recommends.
- (c) The possession of any explosive in such a manner as to evince an intent to use, or the use of, such explosive, to damage or destroy any building or other real or personal property used for educational, religious, charitable, residential, business, or civic objectives or to intimidate any person pursuing such objectives, creates rebuttable presumptions that the explosive was transported in interstate or foreign commerce or caused to be transported in interstate or foreign commerce by the person so possessing or using it, or by a person aiding or abetting the person so possessing or using it: Provided, however, That no person may be convicted under this section unless there is evidence independent of the presumptions that this section has been violated.
- (d) Whoever, through the use of the mail, telephone, telegraph, or other instrument of commerce, willfully imparts or conveys, or causes to be imparted or conveyed, any

threat, or false information knowing the same to be false, concerning an attempt or alleged attempt being made, or to be made, to damage or destroy any building or other real or personal property for the purpose of interfering with its use for educational, religious, charitable, residential, business, or civic objectives, or of intimidating any person pursuing such objectives, shall be subject to imprisonment for not more than one year or a fine of not more than \$1,000, or both.

- (e) This section shall not be construed as indicating an intent on the part of Congress to occupy the field in which this section operates to the exclusion of a law of any State, Territory, Commonwealth, or possession of the United States, and no law of any State, Territory, Commonwealth, or possession of the United States which would be valid in the absence of the section shall be declared invalid, and no local authorities shall be deprived of any jurisdiction over any offense over which they would have jurisdiction in the absence of this section. Title 18, U. S. C., Section 837.

Government Property or Contracts

Whoever willfully injures or commits any depredation against any property of the United States, or of any department or agency thereof, or any property which has been or is being manufactured or constructed for the United States, or any department or agency thereof, shall be punished as follows:

If the damage to such property exceeds the sum of \$100, by a fine of not more than \$10,000 or imprisonment for not more than ten years, or both; if the damage to such property does not exceed the sum of \$100, by a fine of not more than \$1,000 or by imprisonment for not more than one year, or both. Title 18, U. S. C., Section 1361.

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