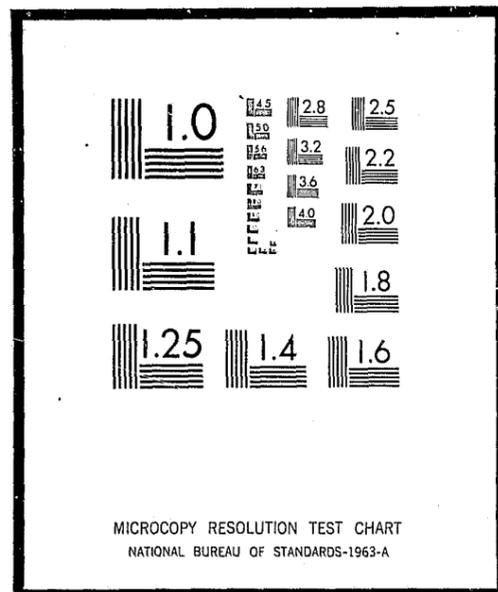


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## CIVIL DISORDERS AFTER-ACTION REPORTS

SPRING 1968

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## CHAPTER 1 - INTRODUCTION

The immediate national response to the assassination of the Reverend Martin Luther King, Jr., was an explosion of frustration-centered aggression which cost additional lives, immeasurable injury and tens of millions of dollars of property loss and damage. While the exact time and exact place of a riot may not be subject to objective, electronic or human forecasting, the certainty of disorder is all too apparent. This Nation should be devoting its energies and resources to meaningful action programs to reverse and eradicate the impact of social injustice. Instead it must divert those riches of labor to the erection of impregnable commercial fortresses and to the equipping of standing armies.

Our peace-keeping institutions are being turned from agencies offering a broad range of personal, protective services to domestic armies prepared to cope with insurrection. The tragedy of Dr. King's death continues to be manifested in many ways, not the least of which is the extent to which law enforcement's resources and energies have had to give increasing attention to the task of riot-fighting. Every hour spent on riot training, every dollar expended on tear gas and every additional effort devoted to disorder control represents time and strength which could and should be directed to tasks designed to better serve the vital needs of all citizens. This is the dimension of tragedy which defies measurement. Beyond this, the battle-line confrontation between police and looters serves only to further harden and polarize those bilateral prejudices which the Kerner Commission cited.

As the movement toward two societies--one black and one white--was accelerated by the senseless murder of Dr. King, the need for increased capability in the policies and procedures of disorder control grows. Few persons can quarrel with the fact that American police departments have responded swiftly and effectively in the past several years. The shift from person-to-person service agencies to tactical riot squads has been a new experience. The lessons from Watts, Detroit, Rochester and Newark have been learned well. Continued outbreaks of riots will do much to further enlarge the ability of the police and other support agencies to cope with mass violence.

Much has been written and more spoken about the level of cooperation which exists among law enforcement agencies. It is apparent that such a willingness to share and to assist has been the basis for the ability of many cities to maintain or to restore some semblance of order. For the most part, our police have eagerly sought and have willingly shared both the identification of problems and the knowledge of solutions. Without such cooperation, each city would have to "go it alone" and build its capabilities on its own experiences. Such an alternative would be disastrous from the view of both the peaceful and the violent.

As an immediate response to the outbreak of civil disorders following the death of Dr. King, Attorney General Ramsey Clark sought the assistance of the International Association of Chiefs of Police (IACP) to "ascertain from appropriate law enforcement and municipal officials facts concerning the development of and law enforcement agency response to real or threatened civil disorders during the period April 4, 1968, through April 15, 1968."

More specific details of the IACP's tasks were discussed in a Department of Justice meeting on April 15, chaired by Warren Christopher, Deputy Attorney General. At that time, an Advisory Committee was appointed by Mr. Christopher to assist the IACP in the development of an appropriate debriefing instrument which would be used for data collection purposes. The Advisory Committee consisted of the following persons:

Arnold Sagalyn, staff member, National Advisory  
Commission on Civil Disorders

Paul Bower, Department of Justice

John E. Ingersoll, Office of Law Enforcement  
Assistance, Department of Justice

Tom McTiernan, Department of Justice

John Van de Kamp, Department of Justice

In designing the orientation procedures as well as the debriefing techniques, the IACP called upon two knowledgeable social scientists, Gerald C. Bailey, Ph. D. and Arthur D. Kirsch, Ph. D.

During the week of April 15, following the meeting at the Department of Justice, the IACP staff developed the debriefing questionnaire, a 19-part instrument which was used as the basis for collecting information in the field. Also during that week, arrangements were made to bring together the field representatives who would do the actual debriefing work. Special mention should be made of the level of concern and dedication exhibited by these men and their departments. Most of them were drawn from cities which themselves had been involved in civil disorders following the death of Dr. King. Despite continued high levels of tension within those communities, they and their departments responded to our call for help, responsive to the heightened need to share knowledge and experience among many cities. With little more than 48 hours' notice, these men traveled to Washington for the beginning of a two-week program of indoctrination and data collection. The individuals who served as field representatives during this project as well as the police executive who released them from their normal duties are listed below:

Sgt. Manfred Werner Guenther, Kansas City, Missouri--  
Chief Clarence M. Kelly

Major Samuel Martin Harkey, Charlotte, North Carolina--  
Chief Jacob Goodman

James A.F. Kelly, Administrative Assistant, Charlotte,  
North Carolina--Chief Jacob Goodman

Lt. Daniel William Kriss, Fairfax County, Virginia--  
Chief William L. Durrer

Lt. Robert Louis Rabe, Washington, D.C.--  
Chief John B. Layton

Major Donald T. Shanahan, Baltimore, Maryland--  
Commissioner Donald D. Pomerleau

Lt. John Herbert Tighe, Miami Beach, Florida--  
Chief Rocky Pomerance

Major Fred B. Wright, Jr., Richmond, Virginia--  
Chief Frank S. Duling

Major Edmund Robert Wynn, Greensboro, North Carolina--  
Chief Paul B. Calhoun

Assistant Chief Henry E. Lux, Sr., of the Memphis, Tennessee, Police Department was recruited and traveled to Washington to serve as a field representative. Prior to the time he was scheduled to travel to visit several cities, he was recalled to Memphis to assume the position of Acting Chief of Police due to the retirement of Chief James C. Macdonald.

Following a one-day indoctrination program during which the field representatives were given instructions on debriefing techniques and involved in the final design of the debriefing instrument, the project was field tested in the Baltimore Police Department on April 23. Special gratitude is hereby expressed to Commissioner Donald D. Pomerleau and the officers of the Baltimore Police Department for their outstanding cooperation in this field testing effort. Lessons learned in this brief trial period were invaluable to the overall success of this project.

The field representatives were grouped into four teams with each team assigned the task of visiting two cities which had experienced disorders in mid-April 1968.

As in the case of the arrangements which resulted in the field representatives' assignment to this project, little advance time was available to arrange for the visits to the departments which were to be debriefed. Again, an indication of the depth of concern and the recognition of the degree of urgency was exhibited by the police executives of the eight cities which are the subject of this report. If this report is of value to this Nation's cities, it is because of the candid cooperation extended by these men and their departments. The departments covered in this debriefing project were as follows:

Kansas City, Missouri - Chief Clarence M. Kelly

Greensboro, North Carolina - Chief Paul B. Calhoun

Cincinnati, Ohio	- Henry J. Sandman, Director of Public Safety Chief Jacob W. Schott
Trenton, New Jersey	- Chief Louis F. Neese
Memphis, Tennessee	- Frank C. Holloman, Director of Police and Fire Acting Chief Henry E. Lux, Sr.
Pittsburgh, Pennsylvania	- David Craig, Director of Safety Superintendent James W. Slusser
Wilmington, Delaware	- Chief Paul J. Tidwell
Richmond, Virginia	- Chief Frank S. Duling

As each debriefing team conducted the various interviews, the field representatives dictated their observations and forwarded the dictation to the IACP office. The mass of data was then transcribed. Upon the completion of the field work, the representatives returned to Washington for a one-day meeting during which they exchanged and highlighted their experiences.

A fold-out summary table of the characteristics of the eight cities visited is provided inside the back cover of this report for convenient reference. In all of the cities included in this study, interviews were conducted with operational personnel, supervisors, command personnel, and municipal executives. Hundreds of pages of questionnaires, documents, and recording transcripts were produced and summarized for this report. In the final analysis, however, it should not be forgotten that this report reflects the recent civil disorders as they were experienced and reported by policemen. Those involved in the preparation of this report are convinced that it represents an accurate statement of these perceptions.

## CHAPTER II - COMMAND AND CONTROL

### Section 1 - Planned Systems for Command

Internal Command. All of the cities studied had prior plans for command and control in riot situations. In all but one city, these plans had been formalized and distributed throughout the department. With minor exceptions, systems for internal command were effective under the conditions existing in the various cities visited.

In most cases, the normal departmental chain of command was maintained during the disorder down to the level of operational tactical units. At the tactical unit level, however, there was often confusion resulting from the hasty organization and reorganization of operational groups. Patrolmen and first line supervisors received conflicting orders from different superiors and men were reassigned in the field without notification of their immediate supervisors. It is clear that at least some of the cities studied need to consider implementing procedures designed to insure tactical unit integrity while retaining the advantages of operational flexibility.

Continuity and succession in command was provided for in all of the disorder cities and no problems with this aspect of the command system were reported. Apparently most departments recognized the need to allow for relief of command personnel and for the briefing of their replacements. In cities not already doing so, some thought should be given to relieving command post personnel at staggered intervals to insure continuity of operations.

External Command. The command structures for external forces committed to riot control varied widely from city to city. While cooperation between various forces was generally reported as "good" there appears to be considerable misunderstanding regarding command in those situations where national guard troops are committed. In two cities the police reported that they were in command of combined operations while, in the

same cities, national guard personnel reported that their men were in command under such conditions. The fact that this confusion did not produce serious problems in the recent disorders should not be allowed to obscure the potential danger of such a situation and steps should be taken to designate command relationships.

Another potentially disruptive condition was noted in two cities where a "joint" command was reported, with authority apparently shared equally between the chief of police and the commanding officer of the state police forces. Such division of authority is questionable and it is doubtful if an arrangement of this type could be expected to function well in any intensive or extended civil disorder.

Mutual aid agreements, where utilized, appeared to work well, but the number of officers obtained was small and it would seem appropriate to review for possible revision the requirement that all local forces be deployed prior to requesting aid from either state police or national guard sources. The nature of contemporary civil disorders demands that localities mobilize for their own protection when rioting breaks out in their region and under these circumstances mutual aid is naturally limited by self-interest.

A note of caution should also be voiced in regard to the use of state police or highway patrol forces to assist local police in the control of disorders. Although as many as 250 state officers were diverted to one community during the recent series of riots, this deployment admittedly depleted the assistance capability of the state law enforcement agency involved. So long as only one city at a time in any state requires assistance, the state police may be an effective resource. Once civil disorders spread beyond one or two cities in a state, it is unlikely that state police will be able to respond to requests for aid.

Although, as noted elsewhere in this report, relationships with governmental officials were not uniformly satisfactory, all cities reported that governmental superiors

were in constant contact with police command posts and were immediately available for exchange of information or instructions. It appeared that in all cases, the communications channels were open, even though there may have been some question regarding the nature and consequences of decisions transmitted.

## Section 2 - Command Post Operations

Central Command Posts. All of the cities studied maintained a central command post or emergency operations center in the police headquarters building. There appeared to be a general recognition of the need for the presence, in the command post, of decision making personnel from participating law enforcement and support agencies. Almost all cities indicated that cooperation among these representatives was good. Several cities reported that command post facilities were inadequate and that larger, better equipped centers are being planned. Some of the more effective command post practices and procedures are discussed briefly below.

Adequate land line phone communications systems are essential. Phones in the command post should be provided with signal lights instead of audio indicators. In several command posts the large number of phones ringing made it impossible to tell which phones to answer and the noise level interfered substantially with routine operations. Use of call down phones, where appropriate, is recommended. Alternate lines and unlisted numbers should be available for use as necessary. In one city, command post numbers fell into the hands of reporters and others who subsequently tied up communications with unessential calls.

Radio receivers located in the command post should be equipped with headsets to reduce the noise level within the facility. Dispatching and routine communications should be accomplished outside of the command post proper.

Correct and timely decisions are the primary product of the command post and it should be organized and operated

in a manner to facilitate the decision-making process. Noise and confusion must be eliminated and, at the same time, the flow of essential information must be insured. Far greater use must be made of status boards and other information display devices to keep command post personnel informed of riot conditions and the availability of resources. Pin maps were used successfully to plot the direction and intensity of the disorder and their value would be further enhanced if such maps were retained beyond each 24-hour period so that cumulative comparisons could be made. The cost of maintaining a supply of pre-mounted maps is not great and should be included in command post planning.

Because of the presence in the command post of representatives of various agencies, it may be advisable to have complaint or other input reports prepared on multi-copy forms so that information can be disseminated more rapidly. Action copies should, of course, be clearly designated by color or other indicator.

Some of the cities visited had obviously been unprepared for command post operations during the disorders. Every department should develop a command post operating procedure and whenever possible, the command post should be maintained in an operational state, including the pre-stocking of necessary items of equipment and supplies. Costly items of equipment may be positioned at the time the command post opens, but delays resulting from a last minute search for maps, forms, writing materials, and other essentials are both undesirable and fully avoidable.

It is essential that an individual in the command post be charged with the responsibility for opening and maintaining a log documenting the progress of the disorder and the activities of the command post. Such a log should contain, by time and date, major incidents, police actions, decisions, changes in command, and any other matters relating to the operations. The log will enable decision makers to review events, will insure continuity of command, and will form the basis for departmental after-action reports. Several of the cities visited were unable to produce even rough statistics and it

is safe to assume that a few will not be able to prepare any meaningful after-action report as a basis for self-evaluation or improvement. In this regard, it seems appropriate to suggest that prior arrangements be made for the assignment of individuals to the tasks of disorder historian and disorder statistician. These posts might well be manned by non-police personnel obtained from qualified civilian volunteers.

A factor frequently neglected in command post planning was access control and security. It is essential that unauthorized or unneeded personnel be prevented from entering the central command post. Ideally, passes should be provided and access controlled by the individual designated as command post director. While members of the news media should be kept advised of disorder developments, it is usually unwise to permit them access to the command post. One community has provided a press room adjacent to the command post with a large glass window through which media personnel can observe the command post operation. A loudspeaker system is used to brief the newsmen and approved news releases and copies of documents are delivered directly to the news room or posted on the glass partition.

Perhaps the most difficult problem in command post access security is presented by various governmental officials and community dignitaries who are attracted to the operations center. One of the cities visited found it convenient to place command post access security in the hands of military or state police personnel who were better able to deny access to well-meaning but unauthorized local personnel. A sophisticated command post might include a separate briefing room for the diversion of legitimate but non-essential visitors.

A potential problem area noted during the study was a degree of confusion regarding the military command post. At least half of the cities reported that the military command post was separate from the police command post. In one city, the police reported that the military command post was at a separate location while the military reported that their command post was at the police department. In another

city the state police and military established a separate command post and for many hours there was no communication between their command post and the police operations center. It is difficult to determine to what extent this confusion is the product of a simple misunderstanding of terminology. Except in Pittsburgh, where there was relatively little integration of military and municipal police operations, the concurrent operation of two "command" posts would seem to be a contradiction of terms.

As noted earlier, there is a need to resolve the issue of command, but in any event, the central command post should be the center of operations for both police and military commanders, regardless of who is designated to head the total operation.

Field Command Posts. Only three of the cities studied reported the establishment of field command posts during the disorders. As might be expected, only the larger cities found it necessary to open any form of formal field command post and the remaining communities appeared to be satisfied with the command and control achieved directly from the central command post.

The field command posts established were located in a public high school, a canvas tent, and in a police field installation. The use of a canvas tent erected in a parking area presented some initial difficulties in the establishment of land line communications and in security from sniper fire which was directed toward the command post from adjacent buildings. One department began operating a field command post from a mobile van, but with the arrival of state police and national guard support, found that the mobile unit was much too small and transferred the command post to the police training center.

In planning for the installation of a field command post, three major points need to be considered. First, there must be provided rapid and reliable means of communication with the central command post. Delays in installing land line circuits under emergency conditions should be considered. Radio

communications do not always provide either the reliability or security necessary for the critical exchange of information and orders between the field and the central command post.

Secondly, security must be considered in the location of the field command post. Neither the tent nor any of the mobile vans observed during the study provided any degree of security against the very real danger of sniper fire. In addition to sniper fire, security against unauthorized access and the security of communications lines must be considered. In one city the field command post area was crisscrossed with land lines which had hastily been laid on the ground and left unguarded. Although as far as could be determined none of the field command posts established during the recent disorders was immobilized, the consequences of such an event should not be overlooked.

Finally, the field command post should be located within reasonable proximity of the disorder area. While there are advantages to separating the staging area and the field command post, such separation may well add to existing communications problems.

Considering the need for communications, security and proximity in establishing the field command post, departments should consider the possibility of pre-designating public school buildings as potential field command posts. Such facilities are generally located throughout the city and offer many advantages as command posts. For example, land lines could be installed in advance and necessary supplies and equipment pre-stocked. Grounds are usually well lighted and parking space is available. Classrooms, auditoriums, and gymnasiums could be quickly converted for emergency use. Limited medical facilities are present and existing first aid supplies could be augmented for emergency treatment of minor injuries sustained by police personnel working out of the field command post. It is even conceivable that existing tennis courts or other facilities could be converted for emergency field detention. Some schools even have automotive repair shops that could, with some prior planning, be utilized for minor repairs to police vehicles. The advantages of existing kitchens, locker

rooms, and utilities should be apparent. (Note: The recent surge in student-centered disorders should be considered in site selection. The potential for destruction of school property might provide greater reason for selecting intermediate rather than senior high schools.)

The most frequently mentioned difficulty encountered in connection with field command post operations involved communications with the central command post. Field commanders reported receiving conflicting orders from several superiors and, in some cases, orders for the deployment of forces that were not available. Orders to the field commander should come from a single source at the central command post and instructions should be based upon an accurate understanding of the resources available in the field.

Field commanders also expressed concern over difficulty in obtaining equipment and supplies. Additional planning is needed for the rapid processing and delivery of requisitioned materials. Normal departmental practices governing such requests need to be adjusted in disorder situations. For example, in one city a transport officer was assigned to the field command post to expedite the replacement and repair of rolling stock. His presence with a maintenance crew and spare parts facilitated minor repairs and prevented the loss of mobile units that otherwise might have been deadlined or returned to a central motor pool.

Section 3 - Deployment and Control of Forces

Basic Deployment Units. Although the cities studied each employed slightly different kinds of basic units, the common theme was the formation of small highly mobile tactical units with reliable communications systems. Although the ideal of communications and mobility was achieved in varying degrees, only one city reported the use of large units and this was apparently necessitated by a lack of police patrol vehicles. The following schemes for manpower deployment were noted in the cities visited during the study.

NUMBER OF CITIES	BASIC DEPLOYMENT UNITS
2	
1	
2	
1	
1	
1	

One city initially formed units of twelve officers transported by buses, but this practice was abandoned early in the disorder when it was discovered that the buses lacked the maneuverability to operate effectively under the congested traffic conditions encountered. An interesting phenomena was noted in that citizens in the riot area continued to react to the sight of a bus for several days despite the fact that the police were no longer using them.

A switch was made to 9-passenger station wagons with excellent results reported. Another community attempted to use paddy wagons to transport tactical units only to find that this required that either the team be locked in the rear of the truck or that the doors be tied open since paddy wagon doors are not designed to be opened from the inside. The potential danger in having officers locked inside the vehicle was recognized and light panel trucks were substituted for the paddy wagons.

Although all of the departments reported that they were satisfied with the basic deployment unit employed, several of the operational personnel interviewed suggested that the usefulness of the basic unit is enhanced if vehicles are manned below full capacity to allow for transporting prisoners without overloading the vehicles or leaving some of the police officers on foot in the riot area while prisoners are being transported. It was pointed out that under riot conditions there was often a need to remove one or more prisoners from the scene immediately without waiting for the arrival of a paddy wagon.

In an effort to solve the prisoner transportation problem, one city experimented with a special unit that they called a caravan. The caravan consisted of two three-man cars, two delivery vans for hauling prisoners, and two additional three-man cars that brought up the rear of the column. The major problem reported in connection with caravan deployment was that the prisoner vans were ordinary delivery vehicles and not constructed to hold prisoners. As a result, prisoners were often able to kick the van doors open without difficulty.

Almost without exception an officer was placed in charge of each vehicle in the basic deployment unit and an individual

was designated as commanding officer for the unit. When external support forces are integrated into the basic unit, the command relationships must be clearly spelled out. In one city the municipal police reported that their officers were always in charge of integrated units, while supporting personnel reported that the ranking officer, regardless of his parent organization, was always in charge of the unit.

The basic deployment units were controlled either from the central command post or from the field command post. When under the direction of the field commander from a field command post the most common method of communication was by walkie-talkie radio. When external support vehicles were involved a city police officer with a walkie-talkie radio was usually placed in each vehicle to provide communication with the field commander. While the use of walkie-talkie radios in the police communications system is discussed elsewhere in this report, it is nevertheless appropriate to mention at this point the conclusion of the interview teams that without the availability of walkie-talkie radio units most of the cities studied would have found it difficult to coordinate and control the activities of their own forces and impossible to work in any effective way with external support forces.

National Guard Deployment. Except in two cities where the national guard troops worked almost independently of the municipal police, the arrival of military support presented new problems in deployment and communications. These problems were solved, either according to prior plan or current improvisation, in the following ways:

<u>City</u> <u>Police</u>	<u>National</u> <u>Guard</u>	<u>Command</u>	<u>Command</u> <u>Communications</u>	<u>Cities</u>
1 Officer	20 Soldiers	Military	Walkie-talkie	1
1 Officer	15 Soldiers	Police	Walkie-talkie	1
1 Officer	3 Soldiers	Police	Walkie-talkie	2
1 Officer	2 Soldiers	Separate	Walkie-talkie Military radio	1

In addition to providing deployment units, military forces were reported as very useful in security of facilities and private property. In one city the national guard was used only to assist in the transportation of prisoners. Regardless of the role to be assigned to the national guard, the recent disorders illustrated the advantages of prior planning and coordination between military leaders and the police. Command post exercises should be conducted and military officers and noncoms should visit their alert plan cities to review the terrain and meet police counterparts. Valuable time can be saved if military personnel know well in advance where they are going and what they are going to do when they get there.

On the other hand, it would seem that police personnel in many cities could benefit from a better understanding of military operations. This is especially true if individual police officers are to continue to be assigned to work with groups of military personnel. Police, accustomed to direct and independent action, frequently found it difficult to understand the delay in military action and the refusal to act without specific instructions. In one case a police-military team took control of a building after using tear gas to flush out several snipers. The police wanted to pursue the snipers, but the military officer in charge of the unit refused to do so until he had checked with his superiors since his orders had only been to take and hold the building.

One recurring problem that could be eliminated by more effective police-military liaison is the absence of a common terminology. In integrated operations the language used by the two groups was often confused. Such terms as "secure," "force," and "deploy," among others, were misunderstood and occasionally produced confusion in field operations. It should be noted, however, that the problem of terminology is not confined to police-military communications. There also appears to be misunderstanding among various police agencies as to the meaning of some of the terminology of civil disorder control.

Field Assignment Criteria. All but one of the cities studied had adopted the policy of dispatching personnel in force only on the basis of actual reconnaissance reports from the field. In smaller cities the field commander visited the scene of the disorder and personally made decisions regarding the deployment of manpower. In the larger cities a mobile unit containing a supervisor responded to complaints and additional assistance was

predicated upon their evaluation of the situation. This practice included fire reports and helped to eliminate the time lost by fire equipment in responding to false alarms. The one city not employing a reconnaissance system for verifying complaints encountered a great deal of difficulty in making field assignments as initial reports often proved to be exaggerated, resulting in the deployment of an excessive number of units which were badly needed elsewhere. In this regard, it is suggested that helicopter reconnaissance might be expanded as a technique for providing swifter evaluation of crowd and fire conditions.

Those cities with effective intelligence systems were able to screen and verify incoming information and, in several instances, avoided deploying manpower unnecessarily. In other cases, the receipt of accurate intelligence resulted in the assignment of forces in time to prevent serious incidents. Ideally, unless large numbers of police are available, calls for service in the disorder area should be verified by reconnaissance and screened by intelligence personnel. Intelligence review can of course take place while the reconnaissance team is enroute to the scene. In disorders involving the heavy use of gunfire against police, it may be desirable to provide the reconnaissance teams with armored vehicles borrowed from a commercial armored car service or from military sources.

## Section 4 - Use of Force

One important aspect of control involves the levels of force authorized under various conditions during a civil disorder. There has been much discussion about the type and amount of force that should be employed by the police in restoring order under riot conditions, with advocates of restraint and proponents of greater force utilizing the national news media as a forum to debate the merit of their positions. The volume of such post-riot debate would suggest that there was great disagreement and confusion among police officers and police administrators as to the circumstances when force, especially deadly force, could or should be applied. This study clearly indicated that such was not the case. Police personnel at all levels knew and understood their department's policy on the use of force and, with the exception of two individuals, fully agreed with that policy.

Decision Level. Before examining in greater detail the nature and consequences of policy decisions controlling the use of force, it is necessary to understand at what level in the organization a decision to utilize the various forms of force can be made. Table I summarizes this information for the cities studied.

TABLE I  
DECISION LEVELS

	LOWEST LEVEL AT WHICH DECISION CAN BE MADE					
	Individual Officer	Supervisor	Command Officer	Chief of Police	Not Authorized During Recent Riots	Cities Reporting
Isolated Arrests	8					8
Mass Arrests	5	2	1			8
Canine Units*		1	1		6	8
Chemical Agents**	2	1			5	8
Fatal Force	8					8

\*For Crowd Control

\*\*Except Mace-Type Dispensers

Decisions involving isolated arrests and the use of fatal force are traditionally made by the individual police officer and there was no indication that any attempt had been made to transfer this discretion to a higher level during riot control operations. In the case of mass arrests, the decision was usually left up to the individual officer, but in actual practice, this decision would be made by the senior officer at the scene. In any event, the common practice was to advise officers not to attempt to arrest more persons than they could safely hold.

The decision to use police dogs in crowd control was made in only two cities and in one instance, the dogs were withdrawn immediately and in the other, they were not used extensively. In both cases, the decision to commit the dogs was made by supervisory or command personnel.

Only three of the eight cities studied used chemical agents other than the chemical mace type dispensers. Although several departments that did not use tear gas reported that the decision to do so would have to be made by a supervisor, only one of the cities using gas required supervisory permission. In the case of the chemical mace type dispensers, the decision to employ was always left up to the individual officer.

Use of Firearms. Although police in the United States are trained and equipped to apply several degrees of force, most of the current public controversy centers on the use of firearms--the resort to fatal force. It was the unanimous conclusion of the interview teams that, except for two departments which will be discussed in greater detail below, policies regarding the use of fatal force were clearly understood and generally endorsed by personnel at all levels of the police structure.

In the present study, police personnel interviewed were asked to select one or more of the following five statements that they felt best described their department's policy regarding the use of fatal force.

- (A) Use fatal force only as a last resort to prevent a direct and immediate threat to life.

- (B) Use fatal force to prevent the commission of other serious felonies such as burglary, arson, etc.
- (C) Use fatal force to prevent a fleeing felon from escaping but only after other means of effecting his arrest have failed.
- (D) Use fatal force to prevent a fleeing felon from escaping even though lesser means were not tried.
- (E) Use fatal force to stop persons from continuing to loot.

With the two exceptions noted below, all of the personnel interviewed agreed that the policy governing the use of force in effect in their department during the recent disorders was as follows:

6 Cities - Policy Statement A only.

2 Cities - Policy Statements A and C only.

The two exceptions to unanimous agreement were found, as might be expected, in the only two cities which had not reduced their firearms policy to written form. In both of these cities, operational personnel all agreed that the policy was best described by Statement A only, while the Chiefs reported that their policy was best described by Statements AB and ABC respectively. Irrespective of any confusion created by the failure of two departments to reduce their policy to written form, this study clearly suggests that for most officers most of the time, the "preventive" use of fatal force was never considered as a legitimate alternative under existing departmental policy or legislative guidelines.

Police Perception of Reaction to "Force" Policy. It is generally held that in a democratic society the development and execution of police policy is influenced to at least some extent by public opinion and by the attitudes of organizational personnel. If this is the case, it would be worthwhile to examine

the perceptions of the police as to both internal and external reaction to their policies and practices. In this study, 16 police officers of all ranks were asked to evaluate reaction to policy on the use of force. The following tables, II and III, reflect their responses. Unfortunately, the scope of the study did not permit the testing of these perceptions for accuracy, but in the final analysis the police, like others, are likely to react in terms of their own perceptions of opinion, regardless of the relative accuracy of such observations. Although the responses are grouped by type of fatal force policy in effect in the interviewee's city, it should be noted that the reactions were based on a general impression of the attitudes toward the police use of all degrees of force.

Not only did police personnel understand their department's policy regarding the use of fatal force, but all but two of the officers interviewed agreed that it was satisfactory and would not recommend any change in future disorders. The two dissents consisted of a patrolman who felt that he should be allowed greater discretion in the use of force and a captain who felt that more force was necessary. Both of the dissenters identified their departmental policy as best described by Statement A only.

Most of the interview teams agreed that the explanation for general police agreement regarding the use of force under riot conditions was to be found in the fact that no attempt was made to modify the fatal force policy under which police officers operate during routine operations. Only in one city were supplementary instructions issued, and these simply cautioned officers not to shoot looters. In short, the police use of fatal force is regulated by law and police are trained to comply with this law, whether under riot conditions or not.

Should special policy governing the use of force be established for riot conditions? Not according to the police administrators and command personnel interviewed during this study. Two patrolmen and one sergeant felt that additional force should be authorized during periods of civil disorder, but all of the other personnel contacted were satisfied with existing policies regarding the use of fatal force.

TABLE II  
STATEMENT "A" CITIES (6)

(A) Use fatal force only as a last resort to prevent a direct and immediate threat to life.

Interviews -- 14	During Disorder				After Disorder			
	Favorable	Unfavorable	Unknown	Mixed	Favorable	Unfavorable	Unknown	Mixed
Political Leaders	9	2	1	2	10	1	2	1
Operating Personnel	13	1			13	1		
Command Personnel	14				14			
Citizens in Riot Area	9	2	1	2	9	1	2	2
Citizens Outside Riot Area	9	4	1		9	4	1	
Businessmen	7	3	2	2	8	3	2	1
Mass Media	11	1	2		12	1	1	
TOTALS	72	13	7	6	75	11	8	4

TABLE III  
STATEMENT "AC" CITIES (2)

(A) Use fatal force only as last resort to prevent a direct and immediate threat to life.

(C) Use fatal force to prevent a fleeing felon from escaping but only after other means of effecting his arrest have failed.

Interviews: 2 1 Chief of Police 1 Assistant Chief	During Disorder				After Disorder			
	Favorable	Unfavorable	Unknown	Mixed	Favorable	Unfavorable	Unknown	Mixed
Political Leaders	2				2			
Operating Personnel	2				2			
Command Personnel	2				2			
Citizens in Riot Area		1	1			1	1	
Citizens Outside Riot Area	2				2			
Businessmen	2				2			
Mass media	1			1	1			1
TOTAL	11	1	1	1	11	1	1	1

Discretion in the Use of Force. It would appear that much of the misunderstanding surrounding the police use of force results from the fact that police have always exercised a great deal of discretion in the lawful application of violence. Departmental policies appear to be based upon what is legally permissible in the use of force, while individual officers on the street evaluate each situation and attempt to deal with the problems that arise within the scope of the general guidelines established by departmental policy and applicable law. For example, while departmental policy may permit the use of fatal force to prevent the escape of fleeing felon, the officer evaluates each situation and may decide to shoot or not to shoot depending upon many factors that cannot be anticipated by departmental policy.

The following quotation, taken from the report of a commanding officer who was in the field during the recent riots is typical of the position of most of the police officers and leaders interviewed during this study.

At one point, after jointly answering a looting call with members of the task force where several looters were arrested and one escaped empty-handed, the question was raised on using firearms to stop fleeing looters. It was my decision that, at this time, any shots fired would only add to the chaotic situation that we were facing.

There was simply too much police activity in the area. Since simply stopping the looter would cause a homicide, more equipment would have to be tied up and we would be involved, and would set into motion, our standard homicide procedures which could cripple, at this point, both our task force and caravan operation.

Also, up until this time, there had been no shots fired whatsoever and it could trigger a blood bath that would almost certainly involve innocent people who were trying to scurry to their homes and a series of "kids" who were simply out on the street watching all of the excitement.

All agreed that this seemed to be nothing but common sense. However, if a fire bomber was seen and could be stopped no other way, regardless of the circumstances, he would have to be shot.

Both opponents and proponents of police use of fatal force advocate essentially the same thing, the replacing of discretion with rigid procedures predesigned for each set of circumstances the officer might encounter. In times past, police were most commonly criticized for using deadly force, even when technically within the guidelines of the law. Following the recent disorders, police were chastized by another element which held that the police should have invoked deadly force whenever and wherever authorized by law. Both extremes in this contest have failed to recognize the essential nature of police discretion in the use of force and have consistently tended to ignore the real issue involved. Police have traditionally exercised discretion in the performance of their duties and must continue to do so, at least until the unlikely development of a policy that can anticipate every eventuality and reduce this vast store of data to a set of understandable rules. The real issue involved is not, therefore, the elimination of police discretion, but the selection, education and training of police personnel willing and able to make difficult and critical judgments under the most difficult of conditions. Admittedly, it is far easier to talk of disarming the police on one hand or to call for the automatic shooting of violators on the other than it is to face the complex challenges involved in the improvement of the police service in the United States.

## Section 5 - Restrictions on Civil Activity

General Restrictions. Riots of any magnitude create the need for restrictions on normal civil activities. These restrictions, which are essentially a form of control, played a major part in all but one of the disorders evaluated in this report. Table IV provides a summary of the restrictions imposed in the various cities and should be useful as a guide for communities currently planning for disorder control.

Although only one of the cities imposing civil restrictions closed the public schools, most of the departments reported that the schools were already closed for vacation or for memorial services when disorder broke out. The following excerpt from the report of one city suggests, however, the importance of the contribution of public school students to the disorder situation.

On Monday night, the school board of an adjoining community decided not to open their schools on Tuesday. In our city, the schools remained open, but some of the children decided to go to school and some didn't; the ones that didn't were roaming around during the day and apparently picked up some leadership. This was adult leadership. The students converged on \_\_\_\_\_ High School, where the problem originated, and the children who were in school joined the others and at this time, a decision was made to close the school. The assembled students then marched on City Hall and this was the activity that triggered the disorder in our city.

Emergency Legislation. Civil restrictions are normally imposed through the issuance of a proclamation based upon existing city ordinances and/or state statutes. The use of the term "normally" is inspired by the fact that one community imposed a curfew on the basis of a pending ordinance and did not, in fact, pass such an ordinance until after the disorder period. Copies of proclamations, local ordinances, and state statutes are attached as appendices to this report.

TABLE IV

## SUMMARY OF RESTRICTIONS ON CIVIL ACTIVITY

	Memphis	Wilmington	Richmond	Trenton	Kansas City	Greensboro	Pittsburgh	Cincinnati
General Curfew	yes	yes	no 1	yes	yes	yes	yes	yes
Liquor Purchases	yes	yes	no	yes	yes	yes	yes	yes
Ammunition Purchase	yes	no	no	yes	yes	yes	yes	yes
Gasoline Purchase (Except to gas tank)	yes	yes	no	yes	yes	yes	yes	yes
Permit for Public Meetings	yes	yes	no	no		yes	yes	yes
Closing of Schools	no	no	no	yes	no	no	no	no
Closing of Amusement Places	yes	no 2	no	yes	no 2	no 2	no 2	no 2
Restriction on Public Transportation	yes	no 2	no	no	no	yes	no	no
Use of Water by Public	no	no	no	no	no	no	no	no
Use of Citizen's Band Radio Equipment	no 3	no	no	no	no	no	no	no
Restriction of Private Aircraft Flights	yes	no	no	no	no	yes 4	no	no
Restrictions on Formation of Crowds and Groups	yes	yes	no	yes	yes	yes	yes	yes

1. Normal juvenile curfew remained in effect.
2. But curfew restrictions resulted in closing.
3. Under study for possible future action.
4. Imposed by CAA without request from civil authorities.

APPENDIXTITLE

A	Proclamation (Kansas City)
B	Proclamation (Greensboro)
C	Proclamation (Trenton)
D	Statute (Delaware)
E	Ordinance (Cincinnati)
F	Ordinance (Wilmington)

All of the police administrators and city officials interviewed expressed the opinion that existing laws under which general restrictions on civil action were based were adequate to permit the control of conditions encountered in their cities. Some reservations were expressed as to the legality of laws under which curfews were being imposed and in Wilmington, Delaware, the American Civil Liberties Union is reportedly challenging the constitutionality of the curfew restrictions in court.

Memphis, Tennessee, reported that the following statutes, which are attached as appendices to this report, were very valuable in dealing with disorder violations.

APPENDIXTITLE

G	Riots--Conspiracy, Participation, Aiding
H	Use, Possession, Manufacture, or Disposal of Fire Bombs
I	Looting
J	School Attendance

Wilmington, Delaware, found that the ordinances listed below were also very effective and copies have been attached as appendices to this report.

<u>APPENDIX</u>	<u>TITLE</u>
K	Storage of Firearms in an Approved Place by Those Engaged in Firearms Sales
L	To Prohibit the Possession of Firearms of any Other Deadly Weapon in Places Other Than A Person's Place of Residence or Place of Business
M	Requiring Those Engaged in the Business of Selling Ammunition to Provide for Its Safe Storage and to Prohibit Sales to Minors
N	Interference With Police and Fire Radio Broadcasts (with memo on Police Enforcement and Investigation)

Demonstration Restrictions. Restrictions on the assembly and movement of people during non-curfew periods presented particularly difficult problems in the recent disorders as there were requests for permission to hold memorial parades and meetings. The fact that many of the April disorders grew from demonstrations has reinforced the need for careful scrutiny of requests for permission to hold public gatherings.

Police administrators, who are best aware of the limited capability of their agencies to deal with masses of disorderly citizens, generally counsel against permitting meetings and parades during periods of community tension. Unfortunately, particularly during the critical early phases of civil disorder, municipal officials are often inclined to sanction demonstrations in the hope of avoiding further disorders. Even when such activities are requested and conducted by legitimate organizations, their policing may tie up already limited police resources and allow disorders to get out of control in other areas of the community.

In one city, police reported that they were able to contain the situation until Sunday. At 11:00 a.m. on Sunday, a church group announced their intention to march from the ghetto area into the downtown business sector. The group had no permit and the chief and his staff advised that the parade not be allowed to march. After some confusion, the city administration decided to permit the demonstration and large numbers of police were diverted from the disorder area to protect the downtown sector. The withdrawal of police forces from the disorder area was followed by heightened disorder activity in the lightly police disorder section.

In another city, demonstrations were permitted to march from five separate locations to converge at a central location. Following a mass meeting the demonstrators broke up into small groups to return to their neighborhoods and it was then that looting and arson began. Observers felt that even if such a demonstration was allowed it was unreasonable to expect the police to control five separate marches and that some form of transportation should have been arranged in advance to transport the participants out of the central area.

In the disorder that erupted from the demonstration in Memphis, it was observed that rioters were employing sticks, which had previously been used by marchers to mount signs, to smash the plate glass windows of business places. As a result of this experience, Memphis is reportedly considering an ordinance that would require that signs used in demonstrations be carried by the person rather than mounted on sticks. In another city, it was found that rioters were using city installed waste disposal cans to break store windows and steps were taken to remove these potential missiles from parade routes and disorder areas.

Gasoline Sales. All but one of the cities studied placed restrictions on the sale of gasoline, limiting distribution to

the delivery of gas into the tanks of automobiles and trucks. Although all of the cities reported that such restrictions were effective, in one city intelligence personnel observed the development of a pattern wherein the usual sales of \$.50 and \$1.00 worth of gasoline in Negro neighborhoods increased to full tank sales during the disorder. Many cars with full tanks were apparently used as storage in neighborhood garages, alleys, and streets, parking where the gasoline could be drained or siphoned off to make fire bombs.

Curfew Restrictions. With the exception of Richmond, all of the cities studied imposed a curfew on the movement of civilian personnel. Although curfew conditions varied in different cities, all of the personnel interviewed and the interview teams were unanimous in their designation of the curfew as the most effective device available to the police in the control of the recent series of civil disorders. Even in Richmond, where the curfew was not imposed, several of the police officers interviewed expressed the opinion that a curfew might have facilitated the movement of police units which frequently had difficulty maneuvering in heavy traffic. Table V summarizes the curfew restrictions imposed in the cities visited during this study.

TABLE V  
SUMMARY OF CURFEW RESTRICTIONS

	AREA COVERED	HOURS	BY AUTHORITY OF:
Memphis	City-Wide	7 am - 6 am	Mayor
	County		Sheriff
Wilmington	City-Wide	10:30 - 6:00 6:00 - 6:00 varied	Mayor
	County		County Executive
Trenton	City-Wide	8 pm - 6 am	Mayor
	3 adj. twps.		
Kansas City	City-Wide	varied	Mayor
	County		
Greensboro	City-Wide	7 pm - 6 am	Mayor
Cincinnati	City-Wide	7:00 - 6:00	Mayor
	Adj. comm.		
Pittsburgh	City-Wide	7:00 - 7:00	Mayor
Richmond	NONE		

It was agreed by all concerned that to be effective the curfew must be timely. Three of the cities studied felt that the curfew should have been imposed earlier in the disorder and a fourth city reported that the curfew was delayed intentionally until police officials felt that sufficient manpower was available to enforce it. Once again it would appear that political leaders are unwilling or unable to make the decisions that are often critical in the control of civil disorder.

- In one city the mayor and other officials resisted the imposition of a curfew and, even after looting and burning had started, continued to attempt to "talk" the Negro community out of the riotous behavior. Intelligence sources subsequently reported that while officials were speaking to one group of Negroes a second group was looting and burning a short distance away.

Police continued to attempt to get a curfew imposed before dark, but were unsuccessful. Three press conferences were held between 6:00 p.m. and 10:00 p.m. and each time the mayor procrastinated, saying he had no comment to make. Finally, by 10:30 when sniper fire had started and fires were beyond the control of the fire department, a curfew was imposed. Observers agreed that the delay in imposing the curfew played a large part in making possible the destruction that followed.

- In another city, a curfew was not imposed until almost 48 hours after the beginning of their civil disorder. The police administrator in that city now believes that the curfew should have been announced at least a day earlier.
- In a third city visited, both command and operational personnel had nothing but praise for the effectiveness of the curfew and they were equally unanimous in their belief that even further injury and damage could

have been avoided if the curfew had been imposed 24 hours earlier.

Not only is it important that the curfew be imposed early in the disorder, but experience has indicated that whenever possible the hours of the curfew should be standardized. Curfew hours changed daily and tended to confuse the population and increase enforcement problems. To achieve its purpose, the curfew should begin before darkness and end after dawn.

The time required for dissemination of information on restrictions to the public should be taken into account when a curfew is first considered. In several instances police found that people in the streets were honestly unaware of the fact that they were in violation of the law and in such cases it was necessary to grant reasonable extensions before arrests were made.

All of the cities which imposed curfews relied upon the discretion of individual police officers in enforcing such restrictions. Two cities used a system of identification cards, but these systems did not work well and in each case, they fell back upon the judgment of the officer on the street. Although police were generally liberal in this regard, in a few cases arrests for curfew violations were made on an arbitrary basis which resulted in the confinement of law abiding citizens who had legitimate reasons for being on the street. The rough edges of curfew enforcement could easily be eliminated by the development of training programs and policies on this topic.

Besides their effectiveness in controlling civil disorder--in one city the first 17 persons arrested for curfew violations were armed--the most surprising aspect of restrictions on civil activity during the recent riots was level of cooperation and support received from the general public in abiding by these unusual restrictions. At least as perceived by the police, large numbers of people from the disorder neighborhoods and the community at large, respected the curfew and thereby contributed substantially to efforts by the police to control the riots.

## CHAPTER III - OPERATIONS

### Section 1 - Mobilization

The Call-Up System. For half of the departments studied, the recent disorders did not provide a full opportunity to test their mobilization plans. Four of the eight cities reported that they were partially mobilized when their riots began and the other four departments were certainly aware of the potential for disorder presented by the assassination of Dr. King. From the various stages of partial mobilization or alert posture, all of the cities were able to field 50% of their strength within half-an-hour and even the slowest department fielded 60% of its strength within 90 minutes. Well within three hours all departments were up to full mobilization strength.

All of the departments visited utilized the pyramid call-up system or some variation on that plan. Two departments utilized automatic dialing devices to expedite notifications. It would seem that nobody was really satisfied with the pyramid call-up system, but no alternative has been developed. A frequent source of difficulty was the failure of personnel to keep communications systems notified of changes in address and phone number. Call-up rosters should be tested, at least on a sample basis, frequently. It is difficult to imagine that one of the communications manufacturers could not devise automatic equipment that could quickly make and record emergency calls to police personnel. If perfected, such a device could also be used to alert business places and even community leaders.

Decision to Mobilize. The timeliness of the decision to mobilize the police is no less critical than the ability to respond to such a decision. One of the traditional principles of disorder control is the rapid deployment of significant numbers of trained and equipped police. The recent riots once again verified the basic soundness of this principle. The deployment of police in sufficient strength to gain control of civil disorders in the "brush

fire" stage depends upon the response time of the police and the ability of leaders to make the decision necessary for such a commitment.

In one city, the director of public safety, who had been ill at home during the period since the assassination, came to work on Monday morning and immediately terminated the department's state of mobilization. This move, apparently made in the interest of economy, was opposed by the chief of police and his entire staff and was made with knowledge of reliable intelligence information that disorders were about to begin in the city.

It is estimated that this untimely demobilization left only 7% of the officers on the street to police the city. During the early evening hours, a mob of militant Negroes stormed police headquarters and were finally turned back by a lieutenant armed with a shotgun. This action initiated the burning and looting that followed in the city.

The chief of police countermanded the order of the director of public safety and remobilized the police department.

Use of Civilians. As nearly as could be determined, only Greensboro employed police reserves during the riots and all 64 of their reserve personnel were used in the field. The use of a civilian reserve force to assist in performing routine administrative tasks to free sworn personnel for street duty was not reported by any of the cities visited. The experience of one city, however, would sound a note of caution regarding the emergency reassignment of critical personnel. In this department, the regular dispatchers were relieved for street duty and replaced with limited duty personnel with somewhat less than satisfactory results. This should not, however, obscure the fact that there are a wide range of administrative tasks that could be

performed by civilian volunteers during emergency periods and this sort of resource should probably be explored by police officials.

Mutual Aid Agreements. All of the riot cities received aid from other police agencies which was utilized as indicated in Table VI. Even though aid was predicated on a written agreement in only three cities, the results were reported as generally satisfactory. As mentioned earlier, there is a pressing need to re-evaluate the requirement that exists in many states for full commitment of local and state police prior to the assignment of national guard troops. The need for immediate response with maximum strength may well require an early activation of national guard forces without the delays imposed by calling for and deploying mutual aid manpower.

Immediate Response Units. Six of the cities studied had a riot control task force available for immediate assignment. These units varied in size from 25 to 90 officers, according to the size of the particular department. As a general rule, these units were retained as a mobile strike force throughout the period of the disorder.

Assembly and Assignment. Upon being recalled to duty, police officers usually reported to a central mobilization area or to the police headquarters where they were checked in, briefed, and assigned to the riot area as a response team. As in past disorders, men were assigned to teams as they arrived at the mobilization point and frequently found themselves working for supervisors they did not know and assigned to areas that were unfamiliar. The size of the response teams formed seemed to depend to a large extent upon the kind of transportation and communications available. Command and staff personnel had generally been given advance mobilization assignments and had little difficulty making the transition to emergency status.

TABLE VI  
MUTUAL AID AGREEMENTS FOR  
CIVIL DISORDER CONTROL

CITY	ASSISTANCE REQUESTED	WRITTEN AGREEMENT	SUMMARY OF EMPLOYMENT OF SUPPORT RECEIVED
Memphis	Yes By Chief of Police	No	Officers of Tennessee Highway Patrol, Arkansas State Police, and Shelby County Sheriff's Office were integrated into operational units.
Wilmington	Yes By Chief of Police	No	Delaware State Police were used in teams, with one city officer, to patrol certain sections of the city. 159 State Police Officers were used.
Richmond	Yes By the Mayor	Yes	250 Virginia State Police were integrated with city police patrols or performed security assignments.
Cincinnati	Yes By Chief of Police	Yes	Police officers from adjoining communities were used primarily for security assignments.
Trenton	Yes By the Governor	Yes	New Jersey State Police assumed responsibility for patrol of certain areas of the city.
Kansas City	Yes By Chief of Police	No	220 State Police assumed responsibility for patrol of one area of the city. Sheriff's officers and personnel from adjoining communities assisted by responding to call for service outside of the riot area.
Greensboro	Yes By Chief of Police	No	45 North Carolina Highway Patrolmen and 6 Guilford County Deputy Sheriffs responded and were assigned to perimeter roadblocks.
Pittsburgh	Yes By Supt. of Police	No	State Police, County Police, and Sheriff's Officers were assigned to the immediate perimeter of the riot area. State Police also performed patrol and security assignments in downtown area.

None of the departments studied reported any difficulty with security of assembly areas or problems with parking of officers' vehicles. Several cities, however, experienced difficulty in the issue of emergency equipment at the assembly area. These problems arose mainly from a lack of planning for accountability and the shortage of equipment discussed elsewhere in this report.

Routine Police Services. As indicated in Table VII, six of the riot cities reported that they had been able to maintain "normal" police service in those areas of the community not directly affected by the disorders. If this report is accurate, a possible explanation for the ability of the police to continue routine service would be the decline in calls for service that have been noted during periods of disorder and the restrictions imposed on normal criminal activity by the provisions of the curfew. Those cities that limited their services reported full cooperation from the public and very little resentment evidenced by complainants when the situation was explained to them.

TABLE VII  
DELIVERY OF ROUTINE POLICE SERVICES  
DURING CIVIL DISORDERS

CITY	LEVEL OF SERVICE PROVIDED	PROVIDED BY
Memphis	Normal	Patrol Division
Wilmington	Normal	Detectives
Richmond	Normal	Detectives in marked cars
Cincinnati	Normal	Patrol Division
Trenton	Normal	Patrol Division
Kansas City	Emergency calls only, citizens asked to make reports in person to nearest police station.	Patrol Division with assistance of mutual aid forces.
Greensboro	Emergency calls only	Detectives and other Personnel
Pittsburgh	Normal	Patrol Division

Section 2 - Field Operations

Disorder Control Tactical Planning. At least six of the cities visited during this study had written plans containing guidelines and instructions for tactical operations. These plans had received internal distribution as follows:

<u>Number of Cities</u>	<u>Distribution</u>
2	All personnel
1	Command personnel only
2	Command & Supervisory personnel only
1	Personnel were allowed to see only the portion of the plan that pertained to their emergency assignment.

As a matter of policy it is strongly recommended that all personnel in a department be furnished with a copy of the emergency disorder plan. In cities where this was not the practice it was common to find that patrolmen and occasionally sergeants had never the operational plan for the disorder and had no concept of what they were supposed to do or how they were expected to do it. This situation was not found in interviews conducted in those departments that made distribution of their operations plan down to the patrolman level. While the requirement of security for police plans is often exaggerated, sensitive portions of the plan could easily be classified and their distribution limited accordingly. The kind of information required at the operational level is not likely to be of a sensitive nature and it should not be withheld from the personnel who will ultimately be responsible for its implementation.

All of the departments contacted had had an opportunity to test their operational plans either through a previous disorder situation, a training exercise, or both. Unfortunately, many of the training exercises had been conducted only by the tactical unit and the other members of the department entered the disorder period without having had an opportunity to practice the implementation of the tactical plan.

Over half of the cities included in this study had been able to send observers to other departments during periods of civil disorder to learn the strategy and tactics being employed. The remaining cities had participated in regional and national seminars and conferences at which they had the opportunity to exchange information on riot control techniques with other jurisdictions. All departments reported that the knowledge gained through such visits and conferences had been of great assistance in preparing and modifying their operational procedures.

Crowd Control. For the purpose of this study the techniques of crowd control were distinguished from those procedures employed to deal with the newer problems of looting and arson. Certain measures are appropriate in both situations and this division is an organizational one, designed primarily to permit a separate and closer examination of what appear to be newer and more serious problems.

Crowd control techniques used in the recent riots can be divided into four categories: (1) Chemical Agents; (2) Dogs; (3) Surveillance; and (4) Traditional Tactics. In the following paragraphs, each of these categories will be briefly examined in relation to its use during the recent civil disorders.

(1) Chemical Agents. As indicated in Table VIII, only three of the departments studied employed tear gas during the riots, and of these, only one reported using gas to minimize looting of unsecured premises. Another city

used gas to dislodge snipers from buildings, but opinion within the department was divided on the merits of this application. Unfortunately, the number of cities covered in this report that used gas was too small to permit an accurate evaluation of the value of chemical agents in riot control.

All of the cities employing tear gas reported that it was effective. In other cities, command personnel tended to report that gas was "not necessary" while operational personnel were inclined to believe that it would have been very useful and many could not understand why it had not been used. Any assessment of the usefulness of chemical agents will have to be firmly based upon further research in those cities where it was extensively used during the recent series of disorders. In the meantime, the following comments regarding the use of gas that were recorded during this study are offered for whatever value they may have for planning purposes.

- Tear gas grenades currently stocked by many departments are inflammable and therefore cannot be used to deny access to unsecured premises.
- One city has placed gas in every patrol car, but retains the departmental supply of gas masks at the headquarters building.
- Reports received of gas grenades being thrown back at the police by members of the crowd.
- Shotgun grenade launchers tended to misfire frequently.
- Another city issued only six gas grenades to each platoon. This did not permit the use of gas in a sufficient concentration to be effective.
- Patrolmen in one of the cities that used gas extensively had never been trained in its use.

- To fire tear gas projectiles from any distance and hit a window requires a great deal of skill. Where this sort of weaponry is employed, police will require much more extensive training than is presently being conducted.
- One city reported success with the use of smoke grenades in combination with tear gas.

At least six of the cities employed the chemical mace type dispensers and nine out of the ten officers interviewed rated the dispenser as very effective. In one case, the dispensers enabled a team of officers to fight their way out of a large mob of rioters who were resisting their effort to arrest two men who had been leading a group of looters. Although the prisoners were lost in the struggle, the dispensers cleared a path that permitted the officers to escape from a dangerous situation.

TABLE VIII

EVALUATION OF CHEMICAL AGENTS

<u>City</u>	<u>Comments on Use</u>
Memphis	Deny access to areas: Effective Disperse groups: Effective
Kansas City	Deny access to areas: Effective Disperse groups: Effective Facilitate arrests: Effective Minimize looting: Effective
Greensboro	Disperse groups: Effective Clear snipers from buildings: Mixed Evaluation

(2) Police Dogs. Table IX summarizes the use of police dogs during the recent riots. Again, there is insufficient data to evaluate the usefulness of the technique. Those

cities that used dogs, both in crowd control and in other roles, reported that they were very effective even though they may have generated some resentment among the Negro population.

TABLE IX

## USE OF POLICE DOGS IN RIOT CONTROL

CITY	CROWD CONTROL	BUILDING SEARCH	PATROL	POINT SECURITY
Pittsburgh	No	Yes	No	No
Memphis	No	No	No	No
Wilmington	No	Yes	No	No
Richmond	No	No	No	Yes
Cincinnati	No	Yes	No	No
Trenton	Yes	Yes	Yes	Yes
Kansas City	No	No	Yes	Yes
Greensboro	No	No	No	No

(3) Surveillance. One of the most highly rated techniques emerging from the recent riots was the use of helicopters in support of police operations. They were

used in six of the eight cities visited, always with enthusiastic support from personnel at all levels. In addition to routine crowd control, the helicopters were utilized for the following tasks:

- Spot looters and direct their arrest.
- Coordinate ground activities, including the effective deployment of manpower.
- Keep fleeing autos under observation until arrests could be made.
- To illuminate large areas and roof tops at night.
- To spot fires and verify fire reports prior to the dispatching of equipment.
- Psychological control of mobs at night. Helicopters flew without lights and rioters, who could only hear the sound, never knew if they were being watched or not.

Only one community reported any difficulty with sniper fire directed at the helicopter and in this case the pilot was issued a flak jacket and the floor of the aircraft was covered with steel plate for protection. In Memphis, national guard aircraft was used, but in most of the other cities, the helicopters were leased from private owners. The cost of leasing was estimated in one community at approximately \$95 an hour. The helicopter observer was normally equipped with a walkie-talkie radio for communications with ground forces.

Another useful surveillance technique reported was the use of police observers stationed in high buildings to provide the command post with information on the movement and activities of crowds and to spot fires at an early stage. In most cases, the observers were provided with walkie-talkie radios for communication, but one city is now in the process of pre-wiring rooftop observation posts with ring-down phone jacks. The land line communications system will not only be more reliable, but will release the walkie-talkie radio units, which are always in short supply, for use elsewhere.

(4) Traditional Tactics. Following the 1967 riots, there was considerable debate regarding the usefulness of the traditional riot control doctrine which had evolved over the years and which borrowed heavily on military experience. In an effort to establish the relevancy of such doctrine to contemporary disorder control, an inventory of many of the traditional concepts was prepared and in each city a field commander was asked to evaluate each item in terms of his recent riot experience. The results are indicated in Table X.

While in no way conclusive, the evaluation of standard tactics by field commanders in the eight cities studied suggests that most of these tactics are still being employed and are rated as "effective". The trend would seem to be toward decisive and rapid police action with less emphasis on trying to communicate and reason with riotous groups. Extreme displays of force such as firing over the heads of rioters and mounting bayonets on weapons as well as "bluffing" techniques are generally seen as not appropriate. The results of this inquiry support the opinion of the debriefing teams that the police, as the product of accumulated experience, have developed a very low level of confidence in the ability of minority group leaders to influence or control the course of contemporary civil disorders. Events such as those described below, that were reported by law enforcement officials during the recent riots, did little to reinforce police faith in minority group leadership.

- In one city, April 8 was designated as "Black Monday" by militant Negro leaders in honor of Dr. King. A memorial service was planned in the predominantly Negro neighborhood and it was requested that all white police officers be withdrawn from the area for a 2½ hour period during the service. A small number of Negro police officers would be allowed to remain in the area.

The Negro leaders also demanded that all roads and highways leading to the Negro neighborhood be blocked off completely and

TABLE X  
EMPLOYMENT AND EVALUATION OF STANDARD TACTICS

	Tactic Used			Tactic Not Used				Unknown or No Opinion
	Effective	Doubtful	Ineffective	Not Appropriate	Not Prepared To Use (Not Planned)	Lacked Necessary Resources	Reason Not Given	
1. Rapid dispersal of crowds at the moment they form.	6			1		1		
2. Arrest of overt and covert leaders in crowds.	5			2			1	
3. Prohibit rioters from regrouping or reorganizing.	8							
4. Isolate the riot area by excluding unauthorized persons and vehicles.	6	2						
5. Make a show of force by committing a formidable number of uniformed officers to riot area.	7						1	
6. Disperse innocent bystanders and sightseers from riot site and surrounding area.	8							
7. Order crowd formations to break up and disperse over loudspeakers.	5	1	2					
8. Assign men in citizens' dress to rear of rioting group to assure that command to disperse was heard.			1	3		1	2	1
9. Repeat commands to disperse over loudspeaker in language commonly used in riot areas.	3	1		3			1	
10. Assign manpower to periphery of riot area to look for and prevent new outbreaks of violence.	8							
11. Allow individuals to escape from crowds but not to join or return to the crowd.	7					1		
12. Assign manpower to intersections of streets and alleys to prevent formation of crowds.	6			1			1	
13. Establish and mark out critical points or warning lines beyond which rioters are prohibited from passing.	3			5				
14. Disperse rioters in the general direction of their own residential areas.	6			1				1
15. Choose dispersal areas as close as possible to the site of the riot.	4	1		2				1
16. Seal off undesirable escape routes for rioters.	6			2				
17. Provide security for critical facilities along dispersal routes.	7			1				
18. Open dispersal route prior to any advance against the crowd.	4			4				
19. Permit the rioters access to more than one route of dispersal.	5			3				

TABLE X (Continued)

3.14

	Tactic Used			Tactic Not Used				Unknown or No Opinion
	Effective	Doubtful	Ineffective	Not Appropriate	Not Prepared To Use (Not Planned)	Lacked Necessary Resources	Reason Not Given	
20. Utilize leaders of minority groups to personally appeal to rioters to disperse.	2		3	1	1			1
21. Utilize respected members of minority groups to dispel false rumors.	5			2		1		
22. Distract the attention of crowds of rioters from their leaders by giving commands to crowd over loudspeaker.	2	2	1	2			1	
23. Broadcast continuously authoritative pre-recorded messages to crowds of rioters to obey the law and disperse.	2	1		1	2		2	
24. Direct commands to disperse over loudspeakers at the edge or margins of crowds.	5	2	1					
25. Assign undercover men to infiltrate crowds in an effort to identify leaders and agitators, and learn plans.	7	1						
26. Use motion picture and candid cameras in as conspicuous a manner as possible to photograph individuals and crowds.	5			1		1		1
27. Announce over loudspeaker the next course of action which will be taken.	4	1	2	1				
28. Utilize the element of surprise whenever possible.	7				1			
29. Concentrate available force on the main body or front of the mob.	6		1	1				
30. Utilize part of manpower to disperse marginal members of a crowd at rear positions.	4			4				
31. Hold a reserve force out of sight of rioters for immediate emergency deployment.	7						1	
32. Use wedge, diagonal, and line formations for moving crowds.	5			2			1	
33. Clear buildings in an orderly manner from top down or bottom up.	5			1			2	
34. Utilize hand signals to order the formation and movement of squad formations.	4			2			2	
35. Avoid making arrests for minor violations.	7	1						
36. Avoid making arrests in such a way as to make a martyr of an arrestee.	7	1						

TABLE X (Continued)

3.15

	Tactic Used			Tactic Not Used				Unknown or No Opinion
	Effective	Doubtful	Ineffective	Not Appropriate	Not Prepared To Use (Not Planned)	Lacked Necessary Resources	Reason Not Given	
37. Make arrests with certainty and swiftness avoiding verbal exchange with arrestee or crowd.	8							
38. Assign a team of men to make an arrest rather than one man.	8							
39. Utilize portable recording equipment to record statements of leaders and agitators.	5				2		1	
40. Utilize radio monitoring devices and recording equipment when rioters are known to use radio communications.	4			1	1			2
41. Assemble groups of impartial witnesses to view the behavior of rioters and police.		2		2	2		1	1
42. Utilize youth groups as patrol units to reduce tension in riot area.	1			2	1		3	1
43. Fire warning shots above the heads of rioters.	1			3	1		3	
44. Utilize fire by selected marksmen to eliminate snipers.	4	1		3				
45. Keep vehicles out of critical area in a secure location.	5	1		1			1	
46. Whenever possible, assemble forces before the assembly of rioters.	7			1				
47. Limit number of cars responding to "officer needs help" calls until request is verified.	8							
48. Provide unlisted telephone numbers for field observers to use during emergency situations.	5			3				
49. Carefully screen incoming telephone calls for police service for validity.	5			1				2
50. Mix minority group officers in with other officers as much as possible.	7			1				
51. Employ special squads of men made up entirely of minority group officers.	3	1		2	2			
52. Utilize air patrols to perform reconnaissance and surveillance missions in the riot area.	6			1		1		
53. Employ manned roadblocks and barricades to control the movements of rioters and onlookers.	7			1				
54. Use directional and warning signs within the riot area.	2			3	1		2	
55. Employ bayonets mounted on shotguns.				3	2	1	2	

TABLE X (Continued)

Tactic Used			Tactic Not Used				Unknown or No Opinion
Effective	Doubtful	Ineffective	Not Appropriate	Not Prepared To Use (Not Planned)	Lacked Necessary Resources	Reason Not Given	
			5			3	
			2	1	2	3	
6		1		1			
8							
8							
3			1	2	1	1	
3	2		3				
5			2			1	
6			2				
8							
5			2	1			
8							
4			3			1	
			6	1		1	

no traffic allowed during the memorial period. They also demanded that all businesses within the area be closed.

Against the recommendation of the chief of police, the political leadership of the city decided to approve the demands of the militants. All white police officers were withdrawn and a Negro lieutenant with a handful of Negro officers were left to police the neighborhood.

The memorial period was scheduled to begin at 4:00 p.m. and last until 6:30 p.m. At 5:55 crowds, many of whom had attended the memorial service, began smashing windows and looting stores. This initiated the rioting and looting that followed in the city.

- In another city, Negro leaders assured the city government that they could prevent disorder in their community if all police were withdrawn and not permitted to return to the Negro neighborhood until they had been disarmed. The police in this city were actually withdrawn and relieved of their weapons. While this action was being completed, rioting broke out with accompanying looting and arson. The unarmed police were ordered back into the riot area and refused to go.

The chief of police reportedly countermanded the orders of the mayor and rearmed the police and deployed them for riot control.

Looting and Arson Problems. One of the major characteristics of recent riots has been the frequency of reports of looting and arson. Table XI provides a summary of frequency, scope and targets of looting in the eight cities studied. In some cases, a percentage breakdown of targets was available and this information is included. In each city, personnel interviewed were specifically asked if there was any evidence that looted merchants had been especially severe or exploitive in

their business practices with Negroes and all replied in the negative.

Field operations personnel in each of the eight cities were also asked for their opinion, based on actual observation, of the age, race and area of residence of those persons who engaged in looting activities. The reported observations are presented in Table XII. In almost all of the cities that suffered major looting activity there is a widespread belief among police officers that while in most cases windows were smashed by the young, militant Negroes, the actual looting was accomplished by the older persons.

TABLE XI

## SUMMARY OF LOOTING ACTIVITY

	FREQUENCY	SCOPE	STORES LOOTED	SQUARE MILES AREA	TYPICAL TARGETS	TARGET OWNERSHIP	
						% BLACK	% OTHER
Greensboro	Rare	Suburban	3	1½	Jewelry Shop Cleaners Wig Shop		100
Kansas City	Occasional	"Ghetto"	85	25	Grocery Liquor Drug Clothing	25	75
Trenton	Constant to Occasional	Downtown	46	unknown	Liquor 3% Department 3% Clothing 50% Grocery 17% Drug 2% Other 25%	Unknown	Unknown
Cincinnati	Occasional	"Ghetto"	25	½	Liquor Pawn Clothing Drug Grocery	2	98
Wilmington	Occasional	"Ghetto"	unknown	unknown	Liquor Appliance		100
Richmond	Frequent to Occasional (Mostly Vandalism)	Downtown some Suburban	50	4	Grocery Hardware		100
Memphis	Frequent	"Ghetto" some Suburban	275	2	Liquor 25% Pawn 5% Clothing 7% Grocery 25% Drug 3% Other 35%	5	95
Pittsburgh	Constant	"Ghetto"	75	unknown	Liquor 24% Grocery 22% Clothing 4% Shoe 5% Drug 3% Other 17%		100

TABLE XII  
 LOOTING PARTICIPANT DATA\*  
 (Figures are estimated percentages)

	AGE			RACE		RESIDENCE	
	JUVENILES (Under 18)	YOUNG ADULTS (18-24)	ADULTS	NEGRO	NON-NEGRO	RIOT AREA	OUTSIDE RIOT AREA
Greensboro	Unknown - looting was not a problem						
Kansas City	15	45	40	98	2	95	5
Trenton	40	55	5	100		10	90
Cincinnati	50	50		98	2	60	40
Richmond	60	40		100		90	10
Wilmington	55	35	10	90	10	Unknown	
Memphis	30	50	20	100		90	10
Pittsburgh	5	45	50	100		95	5

\*Based on Visual Estimates Made by Field Personnel

All of the departments visited indicated that it was their policy to arrest looters whenever such arrests could be safely made. There are several operational conditions that might cause an officer to avoid making an arrest, but this can hardly be considered as representing a policy of "condoning looting" as is often charged. Conditions that might result in a decision not to arrest might include:

- Insufficient manpower - not sufficient police strength to arrest and hold the prisoner.
- Shortage of transportation - the officer may feel that it is unwise to arrest persons when there is no way

to transport them immediately to jail. By doing so, he would be immobilized guarding the prisoners until he could arrange their removal from the scene.

- Lack of evidence - the presence of persons on the streets carrying merchandise often does not provide sufficient evidence for an arrest and successful prosecution. Police in one city report that they were forced to release a large group of arrested "looters" when merchants stated that they had "given" the merchandise to the rioters.
- Confusion of instructions - police may not understand the policy of their department. In one city, patrolmen reported that all they know about their department policy on looting was what they read in the newspapers.

It was the consensus of opinion among the cities studied that the key to control of looting was manpower and the enactment of a curfew early in the disorder. In the smaller cities where the scope of the problem was limited and sufficient forces were assembled, looting was contained through the simple expedient of stationing police in front of business places. In Richmond, for example, state police were posted six per block as soon as they arrived and thereafter looting fell off sharply.

On the other hand, in the larger cities where the problems were more extensive, both in terms of number and dispersal, the police encountered extreme difficulty in establishing and maintaining control of looting. The following excerpt from a report of a field commander during the recent riots provides a good summary of problems that were common in the larger cities.

It was in this area also that we were to experience the tactic that was to give us the most problems, not only this night but in the nights to follow. It was simply a guerilla tactic of sweeping in behind our units, breaking additional windows and then leaving.

. . . The tactical unit then began to make sweeps on \_\_\_\_\_ Avenue, having continuous difficulty in the area of the \_\_\_\_\_ Hotel, where again, people would rush into this building and as the tactical unit swept by, pour out onto the street into the rear of the tactical unit, a very dangerous situation.

. . . Our unit surrounded the store and arrested as many looters as we could lay our hands on. Again, this was difficult because of the tremendous crowds that gathered any time that arrests were made.

. . . It was my feeling that we were unable to guard the stores whose windows had been broken and that left us in a serious tactical position.

One city reported success in reducing the size of crowds that gathered at the scene of incidents by not permitting police, fire or other emergency equipment to use sirens. It was discovered early in the disorder that the use of sirens attracted crowds which, in turn, interfered with emergency activities. As mentioned previously, another city used gas to discourage the further looting of stores that had been broken into and several cities reported excellent results from the use of helicopters to spot looters and assist in the arrest of looters. But beyond this, the universal recommendation for control of looting was the immediate deployment of sufficient manpower to saturate disorder areas.

Unfortunately few police agencies can field the amount of manpower that they consider necessary to effectively control looting. Several police officials that were interviewed during this study expressed the opinion that even under optimum conditions, the first night would belong to the looters, with police and support groups building up to an effective level of control after six to twelve hours if timely decisions were made regarding the call-up of external forces and the issuance of a curfew proclamation.

Information regarding the arson problem is not as easy to come by as is looting data. While a looted store is a looted store, it may be impossible to determine how much arson is involved in a burned out block. Table XIII reflects the arson data that was available in the cities studied. The shortage of this information is, itself, a reminder that police and fire departments need to cooperate more closely in the evaluation and control of riot-connected fire incidents.

TABLE XIII  
SUMMARY OF ARSON ACTIVITY

CITY	FREQUENCY	SCOPE	FIRES CONFIRMED	TYPICAL TARGETS
Greensboro	Rare		35	Hotel - Residence - Laundry - Grocery - Construction Site
Kansas City	Frequent	"Ghetto"	94	Liquor 25% - Drug 25% - Grocery 25% - Other 25%
Trenton	Occasional	"Ghetto"	169	Not Reported
Cincinnati	Frequent	"Ghetto"	83	Pawn Shops - Department Stores - Clothing - Drug - Residences
Richmond	Constant	"Ghetto" and Downtown	176	Not Reported
Wilmington	Frequent	City-Wide	Not Reported	Liquor - Grocery - Clothing - Vacant Houses
Memphis	Occasional	"Ghetto"	Not Reported	Liquor - Drug - Grocery - Department Store - Furniture
Pittsburgh	Frequent	"Ghetto"	386	Grocery Stores - Drug - Residences - Service Stations - Schools - Tavern - Other Businesses

From the standpoint of control, most departments would employ essentially the same tactics against arson that they recommend for control of looting - patrol saturation and curfew. In fact, several officials reported that it was their observation that arson almost always followed, and seldom preceded, the looting of a business place. For these officials, the best way to prevent arson would be to either prevent looting or to guard looted premises.

There is evidence of rapid improvement in fire bomb technology. From the crude and largely ineffective coal oil in coke bottles in Memphis, the art has progressed to a relatively sophisticated use of thin glass beer bottles loaded with a mixture of laundry detergent and gasoline. Law enforcement intelligence sources in North Carolina are disseminating information on an even more advanced incendiary device in the hands of Negro militant groups, all of which suggests that the arson problem will continue to plague police agencies.

Administrators should consider the possibility of installing fire extinguishers in all police vehicles and giving personnel training in their use. While the police should not become fire fighters, experience has indicated that they may be in a position to save lives and property during civil disorders if they are equipped to extinguish fires in their early stages.

Unlike looting, arson is almost always seen as a reprehensible and dangerous offense by all segments of society. Social disapproval of the arsonist long ago was translated into relatively severe legislation in most states and with the addition of restrictions on the manufacture or possession of incendiary devices, riot-connected arson activities may ultimately be reduced through the action of an aroused judicial system willing to invoke the sanctions of existing law and public policy.

All but one of the cities studied reported that they were generally satisfied that existing laws were adequate to deal with looting and arson problems. The dissenting city felt that it needed a law prohibiting the possession of fire bombs. Police

officials interviewed were not as uniformly enthusiastic about the manner in which existing laws were enforced by the courts. In any event, there was a wide variation among cities in sentencing policy of the courts, ranging from one year sentences for curfew violations in one city to no curfew prosecutions in another.

In most of the communities visited the police have apparently given little thought to the extent to which merchants and businessmen might contribute to the defense of their own property during periods of civil disorder. In at least six cities, it was reported that store owners armed themselves with shotguns and remained to protect their property. Although several were almost shot by police when they ventured outside their stores to see what was going on, most cities indicated that armed owners who remained on their property were usually successful in avoiding looting and arson. In one case, however, what was described as an accidental discharge of a shotgun by a Negro guard resulted in the death of a woman and may have contributed to the disorder when the rumor was spread that the woman had been shot by the police.

The subject of self-defense of property during periods of civil disorder should be reviewed at an early date and a policy position taken by police and other public officials. If shotgun wielding owners or guards are to be encouraged to remain in their stores, the police should provide firearms training and see that such individuals are aware of their legal status. Police must also be aware of where such personnel are stationed and they should be provided with some highly visible form of identification.

More realistically, police should take the lead in making positive recommendations to business owners regarding the use of various physical security devices such as steel shutters and gas dispensing alarm systems. There is undoubtedly a role for self defense of property during riots and the police and other responsible individuals in the community should start immediately to define that role so that citizens and their police can approach future disorders in a spirit of mutual respect and understanding.

Sniping Incidents. Five of the cities visited experienced verified sniper activity during the recent disorders. A total of six law enforcement, fire and national guard personnel were wounded by sniper fire, but none of the injuries were fatal. Table XIV summarizes the information reported as sniper incidents.

TABLE XIV  
SNIPER INCIDENTS

	SNIPER REPORTS	SNIPER VERIFIED	OFFICIALS INJURED		OFFICIALS KILLED		CIVILIANS INJURED	CIVILIANS KILLED
			BY SNIPER	OTHER	BY SNIPER	OTHER		
Cincinnati	none	none	0	12	0	0	10	2
Richmond	1	1	0	12	0	0	8	0
Greensboro	13	13	1	5	0	0	2	0
Trenton	none	none	0	38	0	0	22	1
Pittsburgh	1	none	0	48	0	0	44	0
Memphis	12	2	1	17	0	0	30	3
Kansas City	161	25	4	25	0	0	77	6
Wilmington	8	3	0	2-3	0	0	10(est.)	0

In most cities, the police were not prepared to deal effectively with sniper attacks. All too frequently the police allowed themselves to be immobilized for long periods, crouching behind cars and buildings and attempting to dislocate snipers by massed fire instead of isolation and maneuver. Experience has indicated that snipers must be isolated and neutralized rapidly if they

are to be captured at all. Success was reported in the use of military armored personnel carriers and borrowed commercial armored cars for moving police attack units into positions where sniper positions could be assaulted.

Where employed, anti-sniper teams are going to have to receive more and better training for their specialized task. Current military doctrine in this area appears to be sound and could serve as the basis for police training programs.

Felony Investigation in Disorder Areas. In all of the cities studied, the responsibility for the preliminary investigations continued to be assigned to the patrol division under riot conditions. Follow-up investigations were typically conducted by teams of investigators who usually were able only to handle the most serious complaints such as shootings and very violent assaults. It was a common practice to put detectives in uniform and assign them to routine patrol in outlying areas to relieve patrol personnel for riot duty.

Considering that patrolmen operating under disorder conditions can hardly perform the routine preliminary investigation of serious felonies and considering the great difficulty experienced in obtaining court convictions of those arrested during a riot, it would seem appropriate to consider a somewhat different role for investigative personnel in such emergencies. For example, detectives could be assigned to three-man teams that would be dispatched into the riot area to assist patrol officers in the collection and preservation of information and evidence in connection with felony arrests. Such teams might be made up of a photographer, a detective with a portable tape recorder and a third officer armed with a riot gun to provide security for the team.

Whatever scheme is devised to meet local requirements, the current failure to obtain convictions demands that investigative personnel be assigned a more central role in disorder activities. The patrol of outlying areas could more profitably be assigned to support forces, a skeleton patrol force, or even to a police reserve unit.

### Section 3 - Fire Service

Riot oriented fire and rescue operations present great stresses on the fire service. Operating in a hostile environment and confronted with massive conflagrations, fire departments must adapt to the situation in a manner which provides the optimum service plus the protection of fire fighters and equipment.

Each city examined in the Civil Disorder Debriefing encountered stresses on their fire departments far exceeding the normal called-for services. In many instances, the physical methods of fire ground operations were changed. Due to the high number of called-for services and the limited number of fire apparatus, the normal fire fighting tactics could not always be initiated.

Certain basic problems, those of communications, food, mobilization, etc., are common to both fire and police units and will be covered in other areas of this report. The scope of this report will include those areas which might fall under the categories of operations, protection and security, relative to what went right and what went wrong.

Role. The specific roles of the fire service did not change to any great extent during the disorder. Their scope of operations remained in the areas of fire fighting, rescue and first aid. There were certain instances in which fire department equipment, such as ladders and electrical generators were used to assist the police. In such instances, the firemen did not physically encounter the rioters, but acted in a capacity of logistical support for the police. The use of high pressure hose lines for crowd control was not encountered. It was generally felt that fire service involvement in a civil disorder should be limited to the protection of life and property from fire and related occurrences. Two of the cities covered in the debriefing indicated the possibility of a dual role for their firemen. The Cincinnati, Ohio Fire Department has a system in which selected firemen are to function as armed guards. Their duty is to protect firemen and equipment until the task can be turned over to

the military or the police. The Wilmington, Delaware Fire Department personnel have police powers, but were not armed, nor did they act as a police auxiliary during their disorder. In all the cities covered, it was felt that fire fighting was the primary role of the fire service, and generally agreed that firemen should not serve in a law enforcement capacity, nor engage in combat with rioters. It was felt that firemen should not be permitted to carry weapons

Shifts and Manpower. The work shifts were modified in most cities to provide a maximum fire department response throughout the duration of the disorder. The day was divided into two 12-hour shifts, incorporating the strength of the department into these two shifts. Leave and days-off were cancelled in order to bring in all personnel. In some departments, the platoon which was not on duty remained at their respective fire stations, while other departments permitted their off-duty personnel to go home. (The governing factors to determine this would evidently be the severity of the disorder, accessibility of the fire station and the curfew). The psychological effects of sustained riot duty encountered in the Los Angeles Watts Riot indicate that, if possible, off-duty personnel should be permitted to go home. The ability to divorce oneself from the commotion related to the disturbance, to get a hot meal at home and to check on the welfare of his family can do a lot to reduce fatigue. Suggestions were made to increase the normal number of men responding on the apparatus. (Example: 9 men per unit, rather than the normal 5). This is due to the increased number of fires and the limited amount of equipment available for each fire. Normal response assignments were reduced, thus increasing the burden on fewer men.

Fire Alarms. Fire alarms were received by normal means with the inclusion of the command post and emergency communications center. Street Box alarm appeared to be a major source of false alarms and created a major problem. In the majority of cities contacted, apparatus was not permitted to respond directly to the scene of an alarm. Fire alarms were checked out by either the police or by a fire department officer (Battalion, Deputy or Assistant Chief) to determine if there is a fire and if so, is it safe for fire units to enter the area. The request for a specified response was then given by this unit. In the cities with major disorders, fire units were not dispatched to unsecured locations.

Units dispatched to unsecured locations frequently met the greatest amount of harassment and on occasion were stoned.

Protection. All cities indicated a major reduction in incidents or harassment of firemen and damage to fire equipment when military or police personnel accompanied or rode on the apparatus. The mere appearance of military or police personnel seemed to provide the necessary security. All cities indicated that police or military protection was afforded to fire stations, evidently protecting them without incident. Fire fighting operations were also protected by military or law enforcement personnel. This protection was seen as affecting various areas of fire operations. The public was protected by being kept from the area and fire ground operations could be carried on without harassment by rioters. The latter was important to the fire crews because it permits them to devote their entire attention to the fire. Incidents of confirmed sniping at firemen were recorded in a few cities. What appears to be the best policy relating to sniper fire, is for the units involved to take cover, notify the police and remain under cover until the sniper has been removed.

It is suggested that all personnel riding the apparatus or on the fire ground wear their protective clothing at all times. (Helmet, running coat and boots). This equipment affords the maximum available protection from objects thrown by rioters as well as insures their normal fire ground use. Apparatus and men most frequently encountered thrown objects while responding to fires. Exposed personnel, riding on the rear of pumpers, side or tillers seat of truck companies appeared to be the prime targets for thrown objects.

To protect men riding the equipment from the thrown objects, a number of departments have developed and equipped their apparatus with protective covers. The Wilmington, Delaware Fire Department has used electrical conduit pipes as a frame around the cabs and other positions on which the firemen use to stand when moving on the equipment, and for tiller men on truck companies. The frames were covered with heavy

mesh wire, thus affording the greatest amount of protection to the individual from thrown objects. This was so satisfactory that all of the fire equipment has been so equipped in Wilmington.

The majority of departments removed and stored all exposed small tools and appliances on their apparatus. Equipment which could not be stored in compartments on the apparatus was left at the fire station. The problem of stolen equipment and fire equipment used against the firemen was thus reduced or eliminated.

Response. The recommendation for "silent response" came from a number of cities. It was felt that the tactic of not using sirens on fire calls paid off by reducing the number of spectators converging to the scene of fires and eliminating the excitement caused by responding apparatus. In such instances, mutual aid companies were advised to respond to the very outer most limits of the riot area, running red light and siren, and then proceed into the riot area, without red lights or siren. The question of the use of red lights still remains somewhat in doubt as a result of a shortage of information on the subject. What information is available indicates that the same rule might easily apply in this case as was used governing the use of sirens.

Mutual Aid. The request for mutual aid companies was determined by the severity of the riot and the number of fires encountered. The use of requested mutual aid equipment appeared to have been governed by the above conditions. If possible, the mutual aid companies were placed as fill-in equipment to cover areas depleted in fire protection due to riot duty of normal covering apparatus. In cities with widespread arson and fires beyond the capability of the cities' fire services, mutual aid companies were used in the riot areas.

Cities requesting mutual aid received rapid assistance due to previously formulated mutual aid pacts with the surrounding jurisdictions. The importance of an updated mutual aid agreement, relative to civil disorders, cannot be stressed enough.

The immediate response of requested assistance from surrounding jurisdictions can only be insured through pre-planning and mutual aid agreements.

Military Reserve and National Guard. The call-up of fire fighters to serve with their guard or reserve units did not appear to hamper the effectiveness of the fire service. One city indicated that their fire and police bureaus have an agreement with the Commanding General of the National Guard that whenever the Guard is called up, especially for the use in a disturbance in that city, members of the police and fire bureaus will be excused from the call-up. They will report to their normal bureau - police or fire - as the case may be, for service there.

From all indications, the assistance and cooperation from military units acting in a security support capacity to the fire service was excellent in all respects.

The question of whether to have military personnel actually ride on the fire apparatus or have them convoy the fire equipment in their own vehicles seemed to a matter of preference. The dictating factor would be the severity of the riot and the degree of hostility directed against the fire service. Reports indicate that military troops riding on the apparatus do afford the maximum amount of protection and thus reduce the incidents of direct aggression against men and equipment. In areas where incidents of aggression against firemen are relatively minor, the use of military escort vehicles, responding to fire scenes, with the fire apparatus appears to be sufficient.

Civil Disturbance Plans. The need for a codified "Civil Disturbance Plan" was evident. A number of the departments contacted had developed such plans previously and rendered them operational during their cities' disturbances. "The purpose of a Civil Disturbance Manual is to expand Standard Operating Procedures in the event of actual civil disorder, severe unrest with threat of disturbance, or threat of unrest. The manual should include the place responsibilities within the scope of fire department chain of command."

It should be remembered that "most responses made by Fire Department personnel and equipment are of an emergency nature and for this reason, Fire Department responsibility in time of civil disturbances is, in general, the same as in normal times - the protection of life and property.

"The need for mutual aid from other fire departments and other agencies should be determined as quickly as possible and the request made immediately. As in most emergencies, time will be of the essence."

Arson. Departments interviewed stated that there appeared to be a pattern as to the type and location of places burned during their riot. White owned business establishments in predominately Negro districts appeared to be the prime targets for arsonists. Businesses were frequently looted and then burned. Instances were recorded where fires, previously extinguished by the fire department, had been restarted by arsonists. In one city, a lumber yard was burned supposedly because it was supplying materials to board up buildings in the riot areas. There were some accounts of private residences being burned, but these were relatively small proportionally to the large number of businesses.

Overview. In general, the protection of firemen, fire apparatus and fire stations by the police and military was excellent during the recent civil disorders following Dr. King's death. The working relationship between the police and fire departments seems to have been strengthened. One department cited a need for better police protection of men and apparatus during the early stages of the disorder, prior to the arrival of military units.

All departments agreed that the fire department role in civil disorders should not be changed in any way. As one chief stated "he and his men are there to fight fires. They are not policemen and do not want, or expect, to act as such."

## CHAPTER IV - SUPPORT

### Section 1 - Information

Intelligence Collection and Evaluation. A community's ability to act effectively and appropriately in the face of a mounting or on-going disorder depends in large measure upon the quality and quantity of information available to those who must direct the allocation of resources. Beyond this obvious command system need for valid information relating to current situations is the role which information plays in stimulating or quieting the citizens in the disorder area. Many individuals respond to information without regard to its validity. Information with face validity--such as that received from the news media, officials or acknowledged community leaders tends to be regarded more highly and thus can more effectively determine behavior than can unverified rumors. While these comments are all too obvious, the problems of obtaining, verifying and countering information continue to be severe problems in disorder situations.

The sources of information available to a police department have a major bearing on the amount and type of information or intelligence upon which its actions are based. Where sources are nonexistent or unused, the decision process suffers. In contrast, the establishment of working relationships with many diverse groups within the community offers a broader--though not necessarily more reliable--range of reaction and data. A common problem which persists to the detriment of both the control and prevention functions is the paucity of sound extra-departmentally centered intelligence. This conditions stems apparently from one of two important factors. They are:

1. The spontaneous, unorganized pattern of civil disorders which precluded the collection of intelligence on the plans and actions of organized groups.
2. The inability of the police to infiltrate revolutionary groups for the purpose of producing an official awareness of plans for triggering and tactics for sustaining civil disorders.

If the former condition continues to prevail and disorders spring up spontaneously, intelligence efforts necessarily will remain meager and ineffective.

If, on the other hand, disorders are organized, planned and sparked by anarchists, the need to develop intelligence channels becomes a critical one. Lacking sufficient evidence to say that one or the other condition prevails, the assessment of the intelligence function continues to be a difficult task.

In the cities studied, intelligence sources utilized ranged through all of the involved official agencies to unsubstantiated rumor. The patterns of source and reliability as assessed by police officials is shown in Table XV. The crude attempt to order the sources in terms of the quality and quantity of intelligence information produces a pattern which underlines the traditional reliance upon established and reliable informants. It would seem that the unorganized nature of the disorders was a key element in that group intelligence was less prominent than on the scene observations of regular police officers.

Particularly effective techniques cited by various officials included:

- . . . access to news media photographs
- . . . use or normal police informants
- . . . previous assistance rendered to deprived persons such as helping them to find jobs resulted in their willingness to assist police by offering relevant information
- . . . prior liaison with hotel and motel operators who alerted police of arrival of known or suspected agitators
- . . . use of undercover officers in crowds

A problem encountered by one or more departments was:

- . . . inability to infiltrate due to fact that black officers were too well known

TABLE XV  
INTELLIGENCE SOURCES AND RELIABILITY

SOURCE	Cities	RELIABILITY FACTORS AND WEIGHTS				RELIABILITY INDEX (based on -8 to +40 scale)
		+5	+4	+1	-1	
		Very Reliable	Mostly Reliable	Doubtful	Inaccurate	
Police at Scene	8	6	2			38.0
Regular Police Informants	8	3	4	1		32.0
FBI	7	4	2	1		29.0
Undercover Police in Crowds	6	5	1			26.0
Minority Group Leaders	7	2	3	2		24.0
Regional Intelligence Groups	6	3	2	1		24.0
Community Relations Unit	5	3	2			23.0
Minority Group Members	6	3	1	2		21.0
Citizens at Scene	6	1	2	3		16.0
National Guard	4	2	1	1		12.0
Other City Agencies	4	0	2	2		10.0
Interested Citizens	6	1	1	2	2	9.0
Juvenile Unit	3	1	0	2		7.0
News Media	5	0	1	3	1	6.0
Rumors	6	0	0	1	5	4.0

NOTE: Each of the following was mentioned once:

State Police (very reliable); Military Intelligence (very reliable); Criminal Element (mostly reliable).

A typical example of the intelligence dilemma facing police is the issue of riot leadership. When asked to comment upon their assessment of leadership among rioters, the officials interviewed tended to cite the lack of any clear evidence of prior planning among agitators. Three cities felt that the disorders were entirely spontaneous. The remaining five showed limited awareness of any premeditated disorder planning or stimulation.

A college campus in Greensboro was the focal point of the disorder and students were readily identified as the central participants in that community. In Trenton, high school students similarly were the primary source of difficulty. In both cases, disorders sprang from collectivities which formed in response to Dr. King's death.

In the cities which noted any form of emerging leadership, it was evidenced as follows:

Number of Cities Reporting Riot Leadership

Local militants - 4  
 Out-of-town militants - 3  
 Students - 2  
 Federal poverty program workers - 4  
 Religious leaders - 2

The nature of the leadership effort varied from initiating disorderly conduct to attempting to stop the riot. In two cities, the two extremes of activity were noted for the same people, e. g., in Cincinnati, religious leaders were reported to have encouraged rioting at one point while later they were seen to try to stop rioting.

News Media. While the intelligence value of news media personnel and stories appeared to be negligible, the manner in which the police perceived the news coverage of the disorders was noteworthy. With the exception of minor incidents involving individual newsmen, the cities studied rated both the collection and reporting of news by all forms of media to be better in comparison with previous disorders. Local newspaper, radio and

television coverage was singled out for high praise while national or other outside media were occasionally cited for inaccuracy and lack of judgment.

Responding to the questions relating to the reasons for improved news-police relationships, officials frequently mentioned prior meetings among media and officials. These meetings were responsible for developing appropriate guidelines relating to delayed releases, verification procedures, "pool" coverage and the like. The heightened awareness of the media's critical role in calming communities was mentioned frequently. In short, the media appear to have recognized and responded to the need to set aside unwholesome competition in favor of public safety.

Rumors. Of the eight cities visited, only one indicated that the quantity of rumors was higher than during other disorders. Five of the cities felt that rumors played an important role yet only two established rumor centers, both being set up through normal communications facilities by means of telephone routing.

All of the departments utilized their existing Intelligence units for tracing and attempting to prove or disprove rumors.

The news media role in relation to rumors was mixed, even within a single community. One reported that the news media "helped to spread" and "helped to combat." Two other cities reported that the news media helped to spread rumors while three others indicated that they helped to combat them. Two cities reported that the media had no impact upon the rumor problem.

The vagaries of the rumor problem is further evidenced by the fact that five cities indicated the lack of evidence of deliberate starting of rumors while all eight cities were able to provide examples of major rumors encountered. Examples of the rumors which were known to have been widespread are the following:

- . . . Memphis would be burned down
- . . . police were using heavy weapons
- . . . police had shot a Negro woman
- . . . water supply was going to be poisoned
- . . . police beat prisoners
- . . . truckload of dynamite coming into city
- . . . Negro community leader would be killed
- . . . Stokely Carmichael was coming to town--  
(This was reported in two cities. In one  
of the cities, the report was provided by a  
hotel owner who reported a phone call  
requesting a room reservation.)

The obvious recommendation regarding rumors would be the creation of a central rumor center where all inquiries would be handled. The use of the broadcasting industry seems particularly suitable for providing the public with factual data. The rumor center should be closely related to the command post. Wide dissemination by radio, television and newspapers should be given for a single phone number which the public may use for reporting or for verifying rumors.

## Section 2 - Community Resources

The police, confronted by full-scale disorders must mobilize the support of a wide range of public and private community resources. Such assistance is essential and must be planned and coordinated to be effective. The study of recent disorders suggests that the police have only begun to tap the vast potential of community resources. The process must be accelerated if communities are to minimize suffering and loss in future disorders.

To maximize community support, the development of disorder control plans should involve representatives of all potential contributors. When roles are assigned and duties defined in advance, cooperation is more easily achieved under difficult conditions. Such planning and coordination must also involve other municipal departments. Experience has indicated that intra-governmental relationships can present the greatest source of difficulties in coordination during emergency periods.

The following table summarizes the community resources utilized in the recent disorders and evaluates the contribution of each as seen by the police.

TABLE XVI  
UTILIZATION AND EVALUATION OF  
COMMUNITY RESOURCES

AGENCIES OR RESOURCES	EVALUATION			
	GOOD	FAIR	POOR	NOT USED
a. <u>Community services agencies</u> (Salvation Army, Red Cross, Welfare Department, etc.) Provided food and coffee. Salvation Army provided vehicles to deliver food into the field. Y.M.C.A. supplied towels in Trenton and food was served by a volunteer kitchen group.	4			4
b. <u>Airlines</u> Airline security people gave police information relative to controversial persons arriving at the airport during the riot. Richmond rented a helicopter from a private police garage.	2			6
c. <u>Garages</u> (Tow trucks, batteries, tires) Private garages handled the overflow from the police garage.	2			6
d. <u>Civil Air Patrol</u>				8
e. <u>Heavy-duty construction equipment</u>				8
f. <u>Private guard agencies</u>	1			7
g. <u>Citizen-band radio operators</u> Monitoring citizen-band channels and spotting and alerting police of fires		2	3	3
h. <u>Churches and Ministers</u> Ministers in Kansas City took curfew violators to churches and held them during the night for appearance in court the next morning. Richmond, Va. ministers asked the people to avoid violence. Wilmington churches provided emergency food and shelter for displaced persons.	4	1		3

AGENCIES OR RESOURCES	EVALUATION			
	GOOD	FAIR	POOR	NOT USED
i. <u>Cab Companies</u> Cab companies were asked to be on the lookout for fires and notify the police if any were found		1		7
j. <u>Bus Companies</u> In Kansas City, the bus company transported officers from the district station out to the field command post.	1			7
k. <u>Probation and Parole Officers</u> In Memphis, probation and parole officers interviewed juveniles and probation violators who were arrested.	1	1		6
l. <u>Gas Company</u> Provided own security force plus emergency service.	4			4
m. <u>Electric Company</u>	5			3
n. <u>Telephone Company</u>	6			2
o. <u>Water Department</u>	3			5
p. <u>Streets Department</u>	4			4
q. <u>Lighting Department</u> (request to turn off street lights.)	5			3
r. <u>Sanitation Department</u>	4			4
s. <u>School Officials</u> Provided school facilities for police and military use, also for intelligence	5			3
t. <u>Hospitals and Medical Personnel</u>	5			3
u. <u>Private Ambulances</u>	3			5
v. <u>Private Buildings</u> (hotels, motels, warehouses, stores, garages) Housing for State Highway Patrolmen.	4			4

### Section 3 - Processing of Arrests

The problems of arrest and processing are not dissimilar to problems arising in other areas of disorder control. The police are confronted with a situation far beyond that for which they are equipped and trained. Facilities geared to normal, routine operations are inadequate to handle the influx of prisoners, complaints, and required services. Time elements are suddenly compressed by the urgent need to keep a maximum number of police officers on the street to deal with the disorders in progress and standard procedures for arrest, processing, and investigation often make unacceptable demands upon the time of operational personnel.

To overcome or reduce the "time loss" aspects of arrest processing during a civil disorder certain alternative processes can be employed. Such alternatives, while not recommended for normal police activity, can be built into emergency procedures so long as the basic criteria of legality and subsequent prosecution are retained.

Mass Arrests. The problem of mass arrests seems to center around two sub-problems, prisoner handling capacity and the identification of arrested persons with specific violations of the law. Seriously out-numbered and thinly spread law enforcement personnel confronted by massive disorder and lawlessness must make arrests when possible, but the practicality of arresting large groups of people often becomes difficult or impossible. Even when police can safely make arrests in large numbers, such volume frequently taxes prisoner handling facilities to the point of inefficiency and confusion.

The need to have the arresting officer return to the street from the booking area as soon as possible is critical. Under difficult conditions field personnel are often tempted to arrest violators in large numbers just to remove them from the disorder area, with little thought to subsequent prosecution. While this expedient appears to solve an immediate problem for the police, it results in serious

legal problems and severe criticism of control operations. The practice of arresting and removing large numbers of largely unidentified rioters just to "get them off the street" was found in the recent riots to create more problems than it solved.

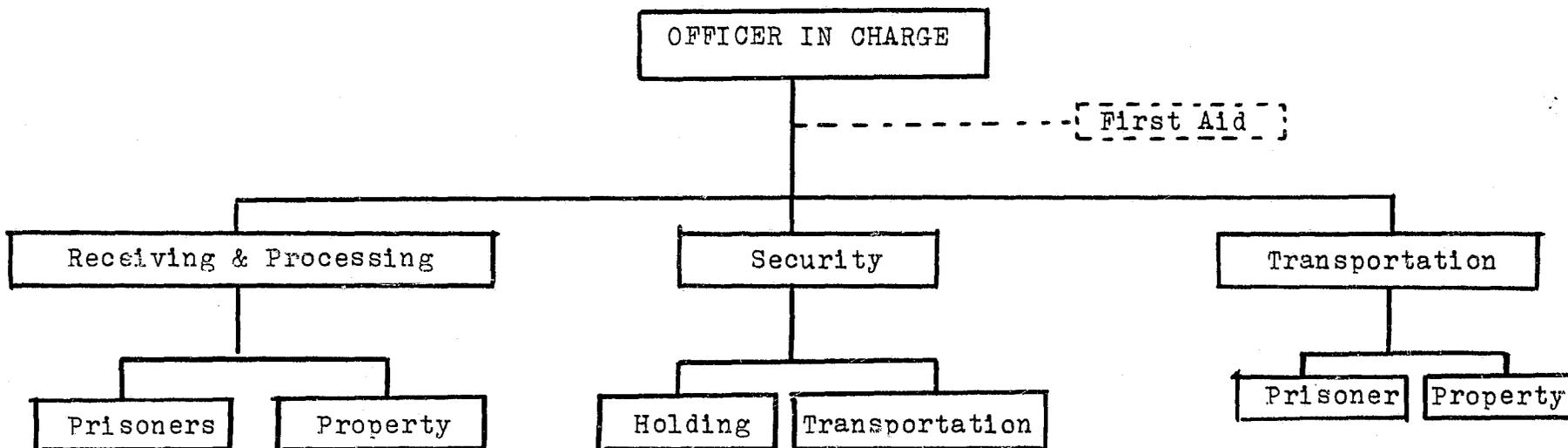
Other cities with major disorders required arresting officers to accompany their prisoners to the central booking station at the city or county jail for processing in the normal manner, using the standard booking forms and procedures. Although the arresting officer was lost from duty on the street for lengthy periods under this system, a much more satisfactory rate of post-riot convictions was obtained. Another alternative for handling prisoners seems to have been the most effective. This system involved the use of field booking station or stations.

Field Booking. The principle function of field booking is to provide the fastest and most efficient method of prisoner handling and return of the arresting officer to duty at the scene of the disorder. The field booking process incorporates a number of time-saving arrest, processing, and transporting features that should be used only during disorder periods.

The field booking station consists of a reasonably secure location adjacent to the disorder area where police officers can deliver and process prisoners. A public or private building with telephone communications is suitable and radio communications are desirable but not absolutely necessary. The field booking station should be provided with a minimum of equipment to facilitate movement as disorder patterns change. Recommended essential equipment includes:

- Polaroid-type cameras with film and portable light source
- Arrest holding memos
- Handcuffs
- Evidence containers
- Office supplies

ORGANIZATION OF FIELD BOOKING STATION



Processing Teams (as needed)

1 Photographer

1 Recorder

The station should be manned by a staff of police technicians and, when available, military personnel to guard and transport prisoners. Some consideration might be given to assigning a first aid team to each booking station to treat minor injuries of police officers and prisoners.

In the first step of field processing the arresting officer brings his prisoner to the field booking station where a photograph of the officer and prisoner is taken. The photograph, which should be made with polaroid-type equipment, will include any evidence seized during the arrest. While the photograph is being taken, the prisoner or the arresting officer should hold a card with the assigned case number displayed in large figures.

After the photograph has been taken, the arrest holding memo should be filled out if this has not been accomplished earlier. The arrest holding memo is an abbreviated arrest form which is described in the portion of this section entitled Arrest Reporting. Upon completion of these steps, the arresting officer retains his copy of the arrest holding memo, is issued additional handcuffs as required, and is released for return to street duty. A second copy of the arrest holding memo is attached to the photograph and accompanies the prisoner and his personal property to the central booking facility. The third copy of the memo is attached to the evidence container which holds all evidence seized in connection with the arrest.

In cases of curfew violations, certain deviations from these procedures may be applicable. One city indicated that the arresting officer did not have to accompany the violator into court because the courts were willing to accept the arrest form in lieu of the actual appearance of the officer. In these instances, it may be adequate for the officer to fill out the arrest memo at the scene, retain his copy, and turn the prisoner over to roving jail wagons or patrol cars for transportation to either a field booking station or the central facility.

Another procedure for processing arrests for minor offenses would be the use of the summons or citation in lieu of actual taking into custody. Under riot conditions, however, the emphasis is

upon the removal of violators from the streets and in all of the cities studied the policy was to book all violators, regardless of the nature of the offense. There were instances where persons arrested and released on bond were subsequently rearrested in the riot area for continued violations. Under these conditions the police are not likely to look favorably upon the use of citations or summons under emergency conditions.

Arrest Reporting. The standard arrest forms used by field personnel are somewhat limited in adaptability and are often too time consuming during periods of civil disorder. Officers cannot easily be spared from the field to complete the lengthy standard form or forms for every arrest they make. Thus a number of departments have developed short arrest forms or arrest holding memos. These forms are applicable in most arrests resulting from the disorder, but it is recommended that the standard form be used and the normal booking procedure be followed in certain major offenses. A person arrested for homicide, sniping, or arson should be processed in the normal manner regardless of the time involved.

When the short arrest form is used, personnel at the central booking facility should be able to complete the details of the standard form when the prisoner is brought in from the field. The standard form, with the accompanying short form, should provide all necessary information. The short arrest form should contain the minimum amount of information required to identify the prisoner with his specific offense and with the arresting officer:

- Name of the person arrested
- Arrest or case number
- Offense
- Location of offense
- Date and time
- Brief details of arrest

- Name and number of arresting officer (s)
- Space for thumbprint
- Space for information regarding evidence transfer

A form similar to the one pictured below might be modified for use by departments seeking a short arrest holding memo. The memo should be printed on carbon impregnated paper to provide an original and two copies. The forms should be pre-numbered with an "R" designation following each number to identify the arrest and evidence as riot connected.

The Arrest Holding Memo will consist of three pages. The front of all three being identical to the page noted below:

ARREST HOLDING MEMO IACP  
FORM 00.1

VIOLATION						BOOKING NO. 000000-R	
NAME (PRINT) (Mr., Mrs., Miss. First - middle - last)							
RESIDENCE ADDRESS							
DATE	MONTH	DAY	YEAR	TIME	RACE	AGE	
LOCATION OF ARREST							
ARRESTING OFFICER (Signature)						NO.	
1.						RIGHT INDEX	
2.							
DETAILS OF ARREST (Explain injuries received prior to, or during, arrest)							
EVIDENCE / PROPERTY							
RECEIVED BY						NO.	
UNIT RECEIVING PRISONER						TIME	
TRANSPORTING OFFICER (Signature)						NO.	



Control of Evidence. Cities experiencing major civil disorders with accompanying mass arrests have indicated serious problems in the control of evidence and property. The problems of evidence control are paralleled to those of arrests. Due to the volume of evidence and the relatively short time that an officer can be spared to fill out the necessary evidence or property forms, much evidence was collected which could not be identified with specific cases. To solve this problem, a number of different methods were developed.

In Trenton, all evidence was turned over to an evidence team. They were responsible for recording, tagging and storing all evidence taken during the disturbance. The evidence teams maintained control of all evidence until it was called for by the courts. Pictures of all evidence were taken with the arrested persons and the arresting officer. This picture was attached to the arrest report. Evidence teams worked out of each field booking station.

In other cities experiencing lesser disorders, the arresting officer maintained control of his own evidence. This appears to be impractical in the situation in which a large number of arrests are effected.

The use of evidence bags, which can be stapled shut marked with a case number, and property receipt attached, should be considered.

The volume of evidence and found property was, in many cases, too great for the property room to handle or store. Other handling facilities were utilized such as warehouses, basements of police buildings, etc. The important factor is to have all evidence at a central location, well marked and separated from other evidence.

Prisoner Transportation. Transportation problems developed in all of the cities experiencing major disorders. A serious shortage of prisoner transportation vehicles resulted in delays in the removal of prisoners from the riot scene and frequently sharply

limited the number of arrests that officers could make in connection with the disorders. To some extent, this shortage of transportation can be avoided by planning to utilize commercial vehicles and busses and by borrowing prisoner wagons from adjacent jurisdictions and state correctional institutions. Military support forces can often assist in transporting prisoners as well as providing necessary security.

The transporting of juvenile prisoners remains a time consuming problem as the majority of cities studied have laws or regulations restricting the transportation of juveniles to special juvenile bureau cars or regular patrol cars. Departments should consider the possibility of suspending such restrictions during periods of civil disorder to permit the transportation of juveniles in patrol wagons, jail vans, or other prisoner transportation vehicles.

Detention Facilities. Cities encountering a massive prisoner influx reported that their city detention facilities were inadequate to process and hold persons arrested during the disorders. To handle overflow they made use of county jails, work farms, or makeshift detention facilities. The use of these secondary facilities, which were often some distance from the central booking station, created new problems in transportation and record keeping.

When secondary detention facilities are utilized, it is advisable to place prisoners selectively whenever possible. Persons arrested for felony violations should be confined at the city jail with persons arrested for lesser offenses being confined in less secure temporary facilities.

In many cities it was found to be impossible during peak periods to photograph and fingerprint all incoming prisoners. To reduce the strain on identification facilities, only persons arrested for major violations were printed and photographed in several cities. Those departments using polaroid-type camera systems at the field booking station appear to have overcome this problem when used in conjunction with the short arrest form. Even though

a polaroid-type photograph is made at the field booking station and a thumbprint is placed on the short arrest form, routine identification photographs and full fingerprinting should be completed at the central booking facility as soon as time permits.

Another problem encountered at the central booking facility was the inability to check the records on all or even a majority of prisoners processed. Most cities indicated that they checked their records for outstanding warrants and wanted notices only in those cases where such a search was specifically requested. In other cities, a record check was made on the arrested person after he appeared in court for the preliminary or bail hearing. The limiting factor appeared to be the availability of personnel in the records section.

With a minimum of planning and organization it should be possible to make routine records checks on all felony arrests during periods of heavy prisoner influx, with a more thorough check made on other prisoners at a later date, but prior to release from confinement.

Prisoner Services. In all cities there appeared to be sufficient legal assistance to handle all persons who requested aid. In several cities every person tried, even in misdemeanor cases, was assigned an attorney. Legal counsel was usually made available through the cooperation of the courts and the local bar association. Representatives from the public defender's office were often in court or stationed near the detention section to provide defense assistance for any person who could not afford to hire counsel.

Advising prisoners of their rights appeared to present no major problem during the disorders as officers on the street did not have time to interrogate prisoners nor did the field booking or transport personnel. In the majority of cities the arresting officers advised the prisoners of their rights immediately upon arrest, while in other cities this was accomplished at the detention facility or prior to any interrogation.

Prisoners feeding was accomplished in most cities without major difficulty. Jail kitchens and school cafeterias were used to prepare food, in many instances for prisoners, refugees and police alike. Assistance was often obtained through civilian defense channels. Advance planning and coordination should eliminate, in the future, the use of sworn personnel to prepare food during emergency periods.

Medical treatment for sick and injured prisoners was handled in a number of different ways in the cities studied. In those cities where medical facilities and the services of a physician were available in the jail, prisoners were treated on location. Patients requiring more specialized treatment were sent to the local hospital and returned to jail as soon as possible. In communities where medical service was not available at the detention facility, prisoners requiring medical attention had to be sent to the local hospital by ambulance. This created an extra drain on manpower as officers had to accompany the ambulances and stay with prisoners until they could be returned to detention. Emergency disorder control plans should include provisions for administering as much medical service as possible within the detention facility. Both police manpower and ambulance equipment are at a premium during civil disorders and both should be conserved.

Court Processing. The efficiency of the courts was sharply limited during the disorders. Prisoners were separated from their records, arresting officers still in the field could not appear in court, and evidence did not find its way to court at the proper time. Insufficient record keeping and arrest procedures brought prisoners before the court who could not be related to specific violations or arresting officers.

Various methods were employed to gear legal machinery to cope with the problems imposed by the civil disorders. One city, which used the county jail for detention, made arrangements to have the county judges appointed to try the cases of arrested persons. Since the county court was located at the rear of the jail, the transportation and security problem was reduced considerably. In other cities, all prisoners were taken to court immediately after arrest

to have bail set. If they could not make bail, a trial date was set and they were sent to the county workhouse for detention.

The practice of releasing prisoners on bail during curfew hours created additional problems for the police. When the prisoners, bonded and released, reached the streets, they would often be stopped by officers for curfew violation. The officers stopping the person would then have to call in to ask for verification of the release and this tied up the radio system, the court, and the police in verifying the release. Even when the release was verified the officers had to determine whether or not the individual was on his way to his home which, to further complicate matters, was usually in the riot area. A similar problem was created by persons coming to the detention facility or court to post bond for prisoners. It was also a violation of curfew for such persons to be at large on the streets and more time and equipment was tied up in verifying their actions. The advisability of releasing prisoners during curfew periods is a matter that should be discussed by law enforcement and court officials when civil disorder control plans are being formulated.

#### Section 4 - Reporting

Maintaining adequate records of routine as well as unusual incidents and conditions during disorders has presented a difficult problem for many departments.

The majority of departments visited indicated that they did not issue orders changing or modifying their routine reporting procedures at the onset of the disorders. Organizational shock caused most reporting systems to bog down from the very beginning of the crisis period. Arrest, incident, and damage report forms normally used by the police in their routine patrol duties were too lengthy to be completed by police officers who were attempting to restore order during a full riot situation and property receipts and requisitions were seldom completed for the same reasons.

Cincinnati increased the efficiency of their reporting system by having the reporting officer place a capital letter R as a suffix to all offense serial numbers reported during the period of the riot. They also placed the capital letter R as a suffix to all the arrest numbers used during the period of the riots. All offense reports and arrests with the suffix R were immediately photostated and copies prepared for release for department personnel involved in reporting and keeping of records dealing with the period of the riot.

A number of departments maintained a running disorder log throughout the disturbance. It was found to be a most valuable document both during the riot and in its debriefing. One officer stationed in the command post should keep a chronological log of all events, requests and orders, noting their source, time and date.

To evaluate the actions of the police department during the disorder and to determine the success or failure of plans, tactics, equipment and procedures, a number of cities are in the process of writing after-action reports. Staff critiques appear to offer one of the best methods for developing the after-action document. In this type of critique, each officer is

requested to write a narrative report of his factual experiences or actions and an evaluation of procedures, drawbacks, and problems that he encountered during the disorder. This critique, coupled with a transcript of all radio communications and the disorder log, should provide sufficient data for critically self-evaluation of the actions and efficiency of the department in dealing with the disorder.

It is recommended that departments re-evaluate their reporting procedures and attempt to develop special reporting instruments that can be used during a disorder with a minimal time loss involved in their completion. The legality of such forms, relative to their admissibility in court should be evaluated, and as brief a form adopted as possible. A disorder log should be considered and designated individuals briefed in its function. Once again preplanning, training and constant evaluation will insure a more efficient reaction to disorder situations by the police.

# CONTINUED

## 1 OF 2

## Section 5 - Communications

One of the most troublesome problems which departments encountered in recent disorders was the inadequacy of telephone and radio equipment to handle the tremendous volume of traffic. Additional problems have been identified in terms of compatibility of equipment between and among city police, state police, and the military.

It should be remembered that, although a city is involved in a civil disorder of various proportions, the routine daily police services must be provided to some extent to areas which are not involved in the riot. Communications must be maintained with units on nonriot duty as well as units committed to the disorder.

In most instances, mutual aid units did not have communication equipment on the policy frequency of the city experiencing the disorder. The need to communicate efficiently with these units is obvious.

External Phone Communications. A number of departments experienced an overloading of their telephone circuits between the public and the police department. This overload was mainly limited to the first night of the riot and was generally corrected immediately by the installation of additional circuits into the department.

One department, which presently has over 22 trunk lines coming into the communications center, indicated that the volume was so great that almost no imaginable increase in trunk lines would have solved the problem. Memphis stated that they had five unlisted telephones for use only by police personnel and if a similar situation should develop, an extra ten unlisted trunk lines would be added. As well as an increase in the number of lines coming into the complaint desk or communications center, riot conditions will also dictate an increase in communications personnel to handle the increased volume. Additional space must be available with phones and other necessary equipment.

Internal Phone Communications. The inadequacy of internal departmental telephone communications created problems for a number of the cities contacted. The main weakness was that there were just too many calls, especially out to the field stations. Pittsburgh had twenty lines open for inter-departmental communications and found it necessary to increase this number by 50%. The additional ten lines gave them the overload capacity that they needed.

Another answer to this problem was utilized by Kansas City and Greensboro. Direct line or ring-down phones, which were installed between various positions, would ring at the opposite terminal immediately after the phone was lifted. Such lines were installed between the communications center and such important points as the command post and the jail. The use of these direct lines appears to offer a satisfactory solution to the overloading of existing circuits. Kansas City rented their lines to the field command post on a day-to-day basis and they can be reopened in approximately 30 minutes, using the existing wires.

The cooperation of the phone companies with the departments experiencing disorders was highly praised. Emergency phone installations were handled immediately by the phone companies which made every effort to provide all possible assistance and service.

Radio Channels Between Command Post and Field Units. In a number of departments, the increased volume of radio communications taxed their existing frequencies and created delays in transmissions and reception of messages. The number of frequencies being utilized by various cities for disorder oriented communications varied from one to four. In most instances, walkie-talkies or other portable hand transceivers were on a separate frequency from the mobile units in radio cars.

One city with four existing radio channels experienced an overload caused by car-to-car communications. In the future, they will attempt to keep the four-channel-system intact by directing all communications through the communications center.

Another city experiencing a disorder had only one frequency available and this channel was shared by disorder related communications and by normal operating traffic as well. With the addition of walkie-talkie units on this frequency, a great deal of confusion was experienced. To rectify this problem, they are attempting to obtain the use of at least one additional frequency.

Walkie-Talkie Radios. Each department contacted praised the value of their walkie-talkie radios and cited the need for additional units. Memphis stated that their handi-talkies were an indispensable part of the operations and indicated the advisability of obtaining these units with at least a two-channel capability. It was felt that by utilizing two channels the operator with the hand unit would have the flexibility to use the command channel as well as a special frequency which would be for unit-to-unit direct communications. This arrangement would eliminate much of the unnecessary traffic on the command channel. It is suggested that, if possible, the communications center should monitor and regular communications on the second or unit-to-unit radio channel.

Greensboro indicated that handi-talkies presented a problem in that they could not be heard by the communications center at times due to the relatively weak signals produced by this type of portable unit. To rectify this problem, the city is installing four satellite receivers, stationed in different quarters of the city. These unmanned stations would pick up and retransmit signals from even a one watt transmitter.

To reduce a problem of incongruent frequencies and the volume of communications on a single channel, one city is preparing to have three basic frequencies on their portable radios. A single frequency will be strictly for riot use, the second will be for intelligence and the third will be for regular patrol communications.

One city stated that they had a number of walkie-talkies with a special secret frequency which was used strictly for intelligence, by intelligence units. This frequency is controlled in the command post and cannot be received by the patrol units in the field. From all indications, this frequency was not monitored by outside individuals and proved to be highly useful.

Police - Military Communications. The problems of developing communications between the city police and military units is fairly evident. The same basic problems and subsequent solutions apply to communications with all mutual aid assistance forces which do not operate on the same radio frequencies. Military frequencies are not congruent with those of municipal law enforcement. To overcome this problem, cities encountering disorders have developed a number of systems. In Greensboro and Richmond, a policeman with a walkie-talkie was assigned to each military unit to coordinate their activity. In other cities, military dispatchers sat beside police dispatchers and relayed their messages at the communications center. The most efficient way to coordinate military and civil activity appears to be by use of the walkie-talkie radios as was done in Greensboro and Richmond.

Through preplanning and a careful evaluation of existing communications systems, much of the confusion caused by frequency overloading can be eliminated. With sufficient hand transceivers available, the effectiveness of mutual aid assistance can greatly be enhanced and their power brought to bear more quickly.

Communications Center. The physical facilities of the communications center are very important. To effectively and efficiently handle the stresses of riot oriented communications, a separate and independent communications center should be considered. Space should be provided for the battery of phones necessary for efficient operations. Bells should be replaced by lights which flash so the noise and confusion as to what phone to answer will be disruptive. Radio operators should wear head sets to eliminate the noise from a number of speakers. If possible, radio dispatchers should be in separate booths to avoid confusion. Sufficient maps, recording equipment and personnel should be on hand to operate the center. One city reported that communications center security is maintained by internally locking doors with bullet proof material over the glass portions. They also have an emergency generating system capable of sustaining the communications center for a period of three weeks without additional gasoline supplies.

In Pittsburgh, units were identified by code words to confuse any individuals or groups that might be monitoring their communications. Everyone was referred to by a color designation. For example, sniper teams were called for by their color designation. Thus, no one other than police officers knew exactly what type unit was being deployed.

Communications Security. Wilmington was the only city which indicated any problems with jamming. The details of their experience are superficial. From all details available, the jamming unit was operating from an automobile and was difficult to detect. Other than this one instance, no jamming was reported.

Instances of interference with police communications from the outside was not experienced in many cities. Kansas City stated that at the beginning of their disturbance one walkie-talkie was taken from one of their patrol cars. The stolen radio was used later in the disorder to transmit profane language, but apparently the operator did not know how to jam the frequency. This happened occasionally for the first two days of the riot and then there was no further interference.

The Federal Communications Commission will, to the limits of their manpower and equipment, assist any city requesting such aid to locate and prosecute persons jamming any frequency. Radio waves, even if of the relatively short range type, not going out of the boundaries of the state of their origin, are deemed to be in interstate commerce, thus giving the FCC jurisdiction.

Greensboro utilized the services of a local citizens band radio club to assist them in monitoring the citizens band channels for possible subversive activity. These men are not police, have not received background checks and have not been accepted by the police. They monitored the citizens bands 5 and 14. The result of this monitoring led to the discovery of planned activity against the rioters by a few white citizens.

### Section 6 - Equipment

The main problem encountered in the area of equipment was that of availability of various items. Gas masks, frequently out-dated, were in locked store rooms and in insufficient numbers. Field personnel experienced delays in obtaining needed protective and defensive equipment. Lack of training in the use of riot control equipment, weapons and gas caused further problems. Training in such areas as the number of rounds of ammunition to load into a specific type of weapon can prevent delays and jamming under combat conditions.

Once again, as in most areas of riot control, pre-planning and training can save the police valuable time and ground. The demand for additional equipment, such as gas and ammunition should be taken into consideration and planned for prior to the event of an actual disorder.

Personnel Protective Equipment. All cities contacted indicated that protective equipment of various types and quantities was utilized by the men in the field. The need for such equipment is evident. Large crowds of hostile people throwing objects at police officers, frequent hand to hand combat with persons resisting arrest, and isolated incidents of sniping illustrate the need for various types of protective equipment.

One city reported that protective equipment was not issued at the onset of the incident because they did not want to present the image of over reaction to the public. They have since decided that in the future protective equipment will be issued and employed long before the situation becomes critical.

One of the major problems was the inaccessibility of stored protective equipment. It was difficult, and in some instances, impossible, to get this equipment out to the men in the field when it was needed. It is recommended that each officer be issued all needed equipment before he goes

into the field for riot duty. Items, such as helmet and face shield, should be part of the officer's standard equipment so that it can be adjusted to the officer's head and kept in the trunk of his patrol car when he is on duty and in his locker when he is off duty or on foot patrol. Other items of equipment should be readily available for immediate distribution.

Protective head gear appears to be the most important item of protective equipment. A helmet, generally of plastic or fiberglass construction, incorporating a chin strap appears to be the most widely accepted. Various optional protective additions are recommended for use with the standard helmet. Ear and temple guards can be added to afford additional protection. A clear plastic face shield is a valuable investment and will provide maximum visibility with a minimum of distortion if a good quality shield is purchased. The Wilmington police reported that when badly scratched, the plastic face shield distorts vision, especially at night. Because of the scratches, the officers would have to move their entire helmets up to get a clear view of the scene. For this reason, it was recommended that the plastic shield be mounted on a swivel arrangement so that it could be moved up and down. The face mask also interfered with the line of vision when an officer would attempt to sight down the barrel of a rifle or shotgun.

One of the officers interviewed indicated that after prolonged periods of an hour or more, eye strain would develop from looking through the scratched face shield. It is recommended that an additional supply of face shields be maintained for immediate replacement purposes. The effectiveness of a helmet and face shield cannot be emphasized enough. They afford the officer with a maximum amount of protection both physically and psychologically. Like many other items of riot equipment, most of the cities studied indicated that at the onset of the disorder, a sufficient number of helmets was not available.

The color of the helmet is important. If a white or light colored helmet is used, a black coverlet or beret should be designed and used to cover the helmet at night. Reports indicate that the white helmets stand out at night

and make excellent targets. In cities where white helmets were used, officers frequently painted them black to reduce their visibility.

The new light-weight military flack jackets are excellent body armor and might possibly be obtained through the Army in event of a pending disorder. As one officer pointed out, "Even though they did not have very much sniper fire, those damn bricks hurt like hell when they hit you on the chest." He believed that one of these light-weight flack jackets would offer welcome additional body protection.

Another suggestion made in Trenton was the use of protective shields against thrown objects. The shield offers a blocking type of protection which regular body armor lacks.

If possible, every man on the street during civil disorders should be equipped with a light-weight, bullet-resistant, vest as an added safety feature. The major problem with much of the body armor owned by the police and available on the market is its inhibiting weight.

Gas masks represent one of the most critical items in the riot control arsenal. As one officer stated in reference to gas masks, "They didn't have enough of them to go round, and what they had were old and wouldn't work." As a result, in this particular city, it was impossible to use any gas although it would have been effective.

A majority of the departments interviewed cited the need for additional, better and more readily available gas masks. The lack of gas masks, or the inability to get them into the hands of the men in the field, has created many evident problems. The effects of CN or CS gas on unmasked police officers is identical to those effects felt by the rioters. A number of officials interviewed pointed out the desirability of all men being issued gas masks and trained in their use prior to periods of tension and disorder. For most of the cities studied this was clearly not the practice.

One important consideration when purchasing or reviewing gas masks in stock is the fact that the military is now equipped with and using CS gas, which is a more concentrated and powerful gas than is the older CN gas, found in most police arsenals. Many of the masks now in police possession and on the market are ineffective in areas where CS gas is concentrated. It is very likely that the police will also adopt CS gas in the near future and is therefore recommended that new masks for use with CS gas be obtained to replace existing equipment.

All masks should be designed to facilitate speaking for command and direction. Frequent instances were reported of face masks becoming fogged due to the officers' breathing. The fogging on the inside of the face piece or lens greatly reduces the officer's vision and consequently his effectiveness. To reduce the fogging, various commercial compounds were spread on the inside of the face mask, but with little reported success. It is suggested that the manufacturers of the various masks and military chemical defense specialists be contacted in an effort to assist departments in overcoming this problem.

Both Kansas City and Memphis cited the need for a different, riot orientated, uniform for police officers. In Memphis, most of the officers purchased a dark colored zipper jacket to reduce their outward visibility and to afford additional body protection. They suggested the possible adoption and use of dark coveralls as a standard riot uniform. The use of insignas and patches which are not of a highly visible material should be considered for this type of clothing.

Communications. The majority of cities indicated the need for more portable walkie-talkie type of radios. Trenton, Memphis and Kansas City all saw the need for the men in the field to remain in constant contact with headquarters. Each crew or possibly every other man, if not each officer, should have a handy-talkie radio. This would also help to solve the communications problem between the State Police, military units and the City Police.

Transportation Equipment. The transportation of police officers and large numbers of prisoners placed a great burden on the transportation facilities within the police department. In a major disorder, the existing equipment will not be sufficient to handle the burden and additional equipment must be obtained.

Vehicles normally used to transport prisoners very likely will not be able to handle the volume of prisoners from mass arrests. To overcome this problem police departments have utilized various civilian vehicles. Cincinnati and Richmond both used regular buses, from a commercial source and from the school board, to transport prisoners. Wilmington received van-type vehicles from the State Board of Corrections and additional cars from Hertz Rent-a-Car and International Harvester dealers with whom they have a standing working agreement. Station wagons have proved the most efficient vehicle for transporting police officers, when they are working in teams of 6-8 officers. Airport limousines were suggested as a possible task-force vehicle, transporting up to eleven officers.

The use of jail wagons or vans for transporting police officers into a riot area has produced some problems. If the rear doors are closed to afford the maximum protection for the officers inside, the possibility exists that they can become trapped in the rear, if something should happen to prevent the driver from opening the door to let them out. To overcome this problem, one city tied the doors open but were partially dissatisfied, because the personnel in the rear were exposed.

Both Pittsburgh and Richmond praised the success of helicopters working to co-ordinate and spot for the police on the ground. They stated that the helicopter had done a fine job. Coming in from low levels, the observer in the helicopter was able to spot looters and check out fires. He could observe groups forming, and as soon as a group was formed, they could deploy men into the area to disperse these groups quite effi-

ciently. At night, the helicopter was able to light up large areas when it was necessary, and they felt that this was a great asset.

In Richmond, clearance was gained for the helicopter to fly over the city at night with its lights out. The observer could spot the crowds, notify the command post and continue its observation to the extent that the police feel that it was a major contributing factor to the disbandment and discouragement of many groups of rioters.

The use of the helicopter appears to be a very important factor in the control of civil disorders. It should be remembered that the helicopter, hovering over an area while observing and illuminating, presents a formidable target and is easier to hit than is a conventional aircraft. Thus the advisability of some armor plating and flack suits for the 'copter crew should be considered.

Food. The problem of feeding the men on duty was felt by most of the departments encountering a riot. Each department utilized a different system of preparation and transportation of the food. What appears to be of major importance is that every man should be fed a hot meal during his tour of duty. The number of meals which an officer is to be fed during his tour of duty depends on the length of his tour, but proper feeding is essential to the morale and endurance of control forces.

Memphis permitted their men to use regular restaurants during the non-curfew hours, so daylight feeding was no problem. During the curfew, the problem increased since all places were closed. Box lunches and donuts were distributed after dark, but proved to be no substitute for a hot meal. Apparently the American Red Cross would not supply coffee or food, nor would they allow the police to use their equipment to prepare meals. As mentioned previously, school cafeterias in non-trouble areas could be used for police-feeding and food preparation.

In Kansas City, the Salvation Army fed the department and were said to have done an admirable job, staying open 24 hours a day during the disorder period. The Salvation Army mobile food trucks went out into the field delivering hot food to the men on the street. The same co-operation was experienced by the Wilmington police department, which had additional praise for Salvation Army assistance.

One department attempted to bring the men in from the field to feed them, but found that the transportation and depletion of men from street duty created additional problems.

All cities experienced some difficulty in supplying police personnel with properly prepared hot food. Officers in cities with major riot experience look back with disgust at the endless cheese or luncheon meat sandwiches that they ate day after day. A steady diet of cold sandwiches does very little to promote morale. The use of a private food service and accepting free food from private individuals is risky under conditions of major disorders. The police must develop plans that include hot meals delivered to men in the field during the critical periods of civil disorder.

Weapons. The use and deployment of riot control weapons is a highly controversial issue. Each department cites the need for riot control weapons and the majority feel that additional weapons should be obtained and personnel trained in their use.

Shotguns still remain the major riot control weapon. All departments indicated that they use a 12-gauge shotgun for riot control work. Many departments believe that each officer should be equipped with a shotgun, with specialists carrying rifles for anti-sniper assignments. The appearance of the riot shotgun is a strong psychological deterrent and provides the officer with an effective close range weapon.

The availability of the shotguns was in some cities a problem. Units which generally carry shotguns as standard equipment in their cars were able to display and bring them to immediate use when the situation warranted their appearance. Departments storing all shotguns in a central arsenal experienced critical delays in getting them into the field.

Evidently the most popular ammunition for riot use is the 12-gauge 00 Buck shot. Kansas City cited the need for the issuance of rifled slugs for use against snipers, in addition to the buck shot.

The use of slings on riot shotguns was emphasized by Kansas City. They feel that slings on all shotguns would aid in the ease of handling and sighting. In cases where officers were required to put on gas masks they found that they had to hold the shotgun between their legs or lay the weapon on the ground. If they had the slings, they could shoulder their weapons and use both hands to put on the masks or perform other tasks.

The majority of departments indicated that they used various types of rifles for anti-sniper control work. A number of different weapons were used, some with scopes. The 30-30 carbine and the military M-1 carbine are two of the most popular rifles. The use of the M-1 carbine was recommended due to its rapid fire power (semi-automatic) and its mid-range cartridge. The need for and use of scoped hunting rifles was cited in sniper control, with both 30-06 and .222 caliber rifles mentioned as applicable for this function. The main drawback to many high-powered rifles is the range of their projectiles.

The use of personal rifles for riot control and specifically anti-sniper use was brought out by Kansas City. They feel that this is an undesirable situation, in that some of the rifles are too powerful and have too much range. They also feel that some officers might borrow unfamiliar weapons that they could neither utilize correctly nor to good advantage. When a number

of different rifles are used, the problem of spare ammunition becomes critical. With department-owned weapons, a supply of the proper type of ammunition can be kept on hand and distributed with less difficulty.

Various attitudes have been indicated with regard to the use of automatic weapons. From most indications, the use of automatic weapons is limited to anti-sniper squads and then only to specifically trained personnel to supply covering fire and to pin down a sniper with a volume of fire. The danger and apparent reason that many departments do not use automatic rifles, is that of the reduced accuracy of a weapon delivering a rapid rate of fire and the chance of innocent people being hit. It is also more difficult to train personnel in the accurate use of automatic rifles.

Incidents of the actual use of machineguns by police were not encountered in this survey.

Gas Equipment. Gas appears to be one of the most effective and promising riot control weapons. Throughout the interviews the use of gas and its effectiveness has been described with much interest. At present, the majority of departments are using CN gas in various types of delivery systems, with grenades and tear gas rifle projectiles the most widely used. The military has discontinued the use of CN gas and has developed the more effective CS gas. Police officers, who have observed the use of the military CS gas during riot situations, have gained a great respect for it and many are attempting to purchase supplies of the CS gas.

Greensboro described how rioters picked up the tear-gas grenades with wet towels and threw them back. To overcome this problem in the future, they are planning to use triple-chasers.

Many of the departments contacted indicated that field personnel were issued the "Chemical Mace" or some other type of hand gas dispenser. The use of these small dispensers has gained wide attention and is believed by many to be one of the most effective police weapons against individual rioters.

APPENDIX **A**

PROCLAMATION OF EMERGENCY

I, Klus W. Davis, Mayor of the City of Kansas City, Missouri, by virtue of the power vested in me by the provisions of Article I (47) of the Charter of the City of Kansas City, Missouri, Section 480 of the Charter of the City of Kansas City, Missouri, Section 4.8 of the Alcoholic Beverage Code of the City of Kansas City, Missouri, and Section 26.41 of the Code of General Ordinances of the City of Kansas City, Missouri, do hereby declare and determine that due to mob action and civil disobedience a state of emergency exists within the City of Kansas City, Missouri:

And I do hereby order and direct the following emergency regulations to be effective immediately, to-wit:

1. It is hereby ordered that from the date and time of this proclamation and until the issuance of a proclamation determining a state of civil emergency no longer exists.
  - a) The sale, distribution, dispensing or giving away of any firearms or ammunition or other weapons of any character whatsoever shall be discontinued;
  - b) Any and all establishments or businesses or any portions thereof engaged in the sale, distribution, dispensing or giving away of firearms, ammunition or other weapons of any character whatsoever shall be closed;
  - c) The sale, distribution or giving away of gasoline or other liquid flammable or combustible products by any businesses, establishments or persons whatsoever in any container other than a regular gasoline tank properly affixed to a motor vehicle shall be discontinued.
2. The following businesses are hereby ordered closed from 5:00 o'clock p.m., April 11, 1968 to 6:00 o'clock a.m., April 12, 1968:
  - a) Taverns
  - b) Retail and wholesale liquor establishments
  - c) Gasoline service stations
3. A curfew is hereby ordered from 7:00 o'clock p.m., April 11, 1968 to 6:00 o'clock a.m., April 12, 1968, for the entire city and all persons

other than law enforcement officers and personnel, conservators of the peace, firemen and persons gainfully employed going to and from work shall remain off the streets and away from public places during the period of said curfew.

4. All regular and auxiliary police and conservators of the peace are hereby ordered to report for duty assignment immediately.

THIS PROCLAMATION is issued in conformance with the obligations imposed on the Mayor by virtue of the Missouri State Statutes, Sections 542.150, 542.160 and 542.170.

BE IT FURTHER PROCLAIMED THAT the City Manager, all city officials, including all city firemen, all regular, special and reserve police officers and all persons designated by the Chief of Police, are hereby constituted conservators of the peace and subject to the orders and control of the Chief of Police. These persons are authorized to take all steps, use all necessary force, and employ all other measures necessary to relieve the emergency and prevent injury to the health, safety and welfare of the people of this City caused by such riotous or other unlawful conduct.

DATE AND TIME: April 11, 1968 at 11:30 a. m.

/S/

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Klus W. Davis, Mayor

APPENDIX

**B**

PROCLAMATION

WHEREAS, the City Council of the City of Greensboro has duly adopted an ordinance providing that when there exists within the City a state of emergency, extraordinary measures are authorized to cope with any widespread illegal activity endangering the lives, safety and property of persons within the City of Greensboro; and

WHEREAS, by ordinance duly adopted by the City Council of the City of Greensboro, the Mayor is authorized to proclaim the existence of such a state of emergency to all citizens and to impose a curfew for the protection of the lives and property;

NOW, THEREFORE, I, Carson Bain, Mayor of the City of Greensboro, do hereby proclaim that:

I.

A state of emergency exists within the City of Greensboro.

II.

All persons shall, from and after 7:00 p. m. on this the 6th day of April, 1968, observe a curfew and remain in their homes, offices or businesses during the hours from 7:00 p. m. until the hour of 6:00 a. m. each day until such curfew is terminated by further order of the Mayor.

III.

This curfew shall apply to all of that area lying within the corporate limits of the City of Greensboro.

IV.

All persons are, during the existence of the aforesaid emergency, admonished not to violate any ordinances of the City of Greensboro, or any laws of the State of North Carolina or of the United States, and particularly to observe the provisions of the emergency ordinance adopted by the City Council on the 5th day of September, 1967, as amended authorizing the imposition of this curfew and limiting travel and forbidding the sale of certain items at all times such as explosives, firearms, ammunition, intoxicating beverages, gasoline or any other similar petroleum products or any other inflammable substances; provided, that gasoline may be placed in the tank of a motor vehicle for

purposes of transportation of such motor vehicle.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Greensboro to be affixed, this the 6th day of April, 1968.

/S/  
Carson Bain, Mayor

## APPENDIX

**C**PROCLAMATION

TO ALL CITIZENS AND PERSONS WITHIN THE CITY OF TRENTON, AND TO TO ALL DEPARTMENTS, DIVISIONS AND BUREAUS OF THE MUNICIPAL GOVERNMENT OF THE CITY OF TRENTON.

WHEREAS, pursuant to the powers vested in me by the laws of 1891, Section 21, App. A:9-40, et seq.; N.J.S.A. 40:48-1 (6); N.J.S.A. 40:69A-40, et seq.; N.J.S.A. 2A:126-4, et seq., and by Ordinances adopted by the City of Trenton, I have declared a local disaster emergency exists within the City of Trenton; and

WHEREAS, the aforesaid laws authorize the promulgation of such orders, rules and regulations as are necessary to meet the various problems which have or may be presented by such emergency;

NOW, THEREFORE, IN ACCORDANCE with the aforesaid laws, I do hereby promulgate and declare the following regulations to be in effect until such time as it is declared that such an emergency no longer exists in the City of Trenton, which regulations shall be in addition to all other laws of the State of New Jersey and of the City of Trenton:

There shall be no movement of vehicular traffic in the City of Trenton between the hours of 8 p.m. and 6 a.m. of the following day, except for the movement of police, fire, and such other vehicles as may be permitted by me and other authorized officials.

There shall be no vehicular traffic within such areas of the City of Trenton as I may from time to time designate and at such hours as I shall designate during periods other than the hours expressed in regulation No. 1 aforesaid.

No person shall remain in or upon the public streets, ways or places of the City of Trenton within the hours of 8 p.m. and 6 a.m. of the following day, except as authorized by me or other designated officials.

All persons licensed under the Alcoholic Beverage Control Law to dispense alcoholic beverages or for on premises consumption shall cease operation of their businesses during the existence of this emergency except that hotels may remain open for the service of food and supplying other accommodations to their guests.

The sale of gasoline is hereby prohibited except when dispensed directly into the tank of a vehicle.

No person other than State Police, local police or any other law enforcement person shall carry, hold or possess in any motor vehicle, carriage, motorcycle or other vehicles, or carry on or about his clothes or person or otherwise have in his possession, or under his control, alcoholic beverages, narcotics, firearms or explosives of any kind during this emergency.

The local police, State Police are hereby directed or ordered or requested to take any and all measures requisite to quell disturbances and outbreaks of violence to secure areas within the City of Trenton to prevent and deter actual threatened harm to persons or property and generally to take all actions necessary to implement and effectuate these regulations.

/S/  
 \_\_\_\_\_  
 Carmen J. Armenti, Mayor  
 and  
 Disaster Control Director of the  
 City of Trenton

Dated: April 10, 1968

AN ACT TO AMEND PART II, TITLE 20, DELAWARE CODE, RELATING TO CIVIL DEFENSE BY CONFERRING ON THE GOVERNOR ADDITIONAL POWERS TO REGULATE AND RESTRICT ACTIVITIES OF PERSONS DURING A STATE OF EMERGENCY PROCLAIMED BY HIM; AND TO PROVIDE CRIMINAL PENALTIES FOR VIOLATION OF EMERGENCY DIRECTIVES OF THE GOVERNOR OR FOR THE COMMISSION OF OTHER ACTS DURING THE STATE OF EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. § 3102, title 20, Delaware Code, is amended by adding thereto the following definitions:

"State of Emergency" means an emergency proclaimed as such by the Governor pursuant to § 3125 of this title.

"Governor" means the Governor of this state, or in case of his removal, death, resignation or inability to discharge the powers and duties of his office, then the person who may exercise the powers of Governor pursuant to Article 3, Section 19 of the Constitution.

Section 2. Chapter 31, title 20, Delaware Code, is amended by adding thereto a new subchapter to read:

SUBCHAPTER II. ADDITIONAL POWERS OF GOVERNOR  
 DURING STATE OF EMERGENCY.

§ 3125. Proclamation of State of Emergency

(a) In addition to the powers conveyed upon the Governor by § 3105 of this title, the Governor, after finding that a public disorder, disaster or emergency exists within this state or any part thereof which affects life, health, property or the public peace, may proclaim a State of Emergency in the area affected.

(b) The proclamation of a State of Emergency and other proclamations issued under this subchapter shall be in writing and shall be signed by the Governor. They shall then be filed with the Secretary of State.

(c) The Governor shall give as much public notice as practical through the public press of the issuance of proclamations pursuant to this subchapter.

(d) The State of Emergency shall cease to exist upon the issuance of a proclamation of the Governor declaring its termination.

§ 3126. Restrictions which the Governor may impose during a State of Emergency; conflict with other laws

(a) The Governor during the existence of a State of Emergency, by proclamation, may prohibit:

(1) Any person being on the public streets, or in the public parks or at any other public place during the hours declared by the Governor to be a period of curfew.

(2) a designated number of persons as designated by the Governor, from assembling or gathering on the public streets, parks, or other open areas of this state, either public or private;

(3) the manufacture, transfer, use, possession or transportation of a Molotov Cocktail or any other device, instrument or object designed to explode or produce uncontained combustion;

(4) the transporting, possessing or using of gasoline, kerosene, or combustible, flammable, or explosive liquids or materials in a glass or uncapped container of any kind except in connection with the normal operation of motor vehicles, normal home use or legitimate commercial use;

(5) the possession of firearms or any other deadly weapon by a person in a place other than that person's place of residence or business except for law enforcement officers;

(6) the sale, purchase or dispensing of alcoholic beverages;

(7) the sale, purchase or dispensing of other commodities or goods, as designated by the Governor;

(8) the use of certain streets, highways or public ways by the public; and

(9) such other activities as he reasonably believes should be prohibited to help maintain life, health, property or the public peace.

(b) In imposing the restrictions provided for by this subchapter, the Governor may impose them for such times, upon such conditions, with such exceptions and in such areas of this state he from time to time deems necessary.

§ 3127. Conflict with other laws

(a) Whenever the restrictions imposed pursuant to this subchapter are more restrictive than are required by any other statute, local ordinance or regulations, the provisions of the restrictions imposed pursuant to this subchapter shall govern.

(b) Whenever the restrictions of any other statute, local ordinance or regulations are more restrictive than the restrictions imposed pursuant to this subchapter, the provisions of such statute, local ordinance or regulations shall govern.

§ 3128. Penalties

Except wherein specific penalties are prescribed in this subchapter, whoever violates any provisions of this subchapter or any provisions of a proclamation issued pursuant to this subchapter shall be deemed guilty of a misdemeanor and shall be punished in the discretion of the court.

§ 3129. Destruction of property or injury of persons during State of Emergency penalty; liability for conduct of another

(a) During a State of Emergency, whoever maliciously destroys, or damages, any real or personal property or maliciously injures another shall be guilty of a felony.

(b) Whoever is found guilty of violating this section shall be imprisoned for not less than 3 years, nor more than 10 years.

(c) No person found guilty of violating this section shall be eligible for probation or parole during the first 3 years of his sentence.

(d) Any person over 16 years old who violates the provisions of this section shall be prosecuted as an adult.

(e) A person is guilty of an offense under this section committed by another person when:

(1) acting with the state of mind that is sufficient for commission of the offense, he causes an innocent or irresponsible person to engage in conduct constituting the offense; or

(2) intending to promote or facilitate the commission of the offense he:

(i) solicits, requests, commands, importunes, or otherwise attempts to cause the other person to commit it; or

(ii) aids, counsels, or agrees or attempts to aid the other person in planning or committing it; or

(iii) having a legal duty to prevent the commission of the offense, fails to make a proper effort to do so; or

(f) In any prosecution for an offense under this section in which the criminal liability of the accused is based upon the conduct of another person pursuant to this section, it is no defense that:

(1) the other person is not guilty of the offense in question because of irresponsibility or other legal incapacity or exemption, or because of unawareness of the criminal nature of the conduct in question or of the accused's criminal purpose, or because of other factors precluding the mental state required for the commission of the offense; or

(2) the other person has not been prosecuted for or convicted of any offense based on the conduct in question, or has previously been acquitted thereof, or has been convicted of a different offense or in a different degree, or has legal immunity from prosecution for the conduct in question.

APPENDIX E

CITY OF CINCINNATI

AN ORDINANCE NO. 172-1968

Adopting supplementary Article XVIII of the Administrative Code entitled "Public Danger or Emergency" in order to better define and authorize the actions and procedures necessary to deal with man-made and natural disasters and emergencies.

WHEREAS, it is advisable to establish as part of the Administrative Code a clear statement of the powers of the various City officials and the procedures to be followed and authority to be exercised by them in times of riot or other public danger and emergency; and

WHEREAS, the establishment of such procedures and authority is necessary in order to assure that during the time of public danger or emergency the law will be enforced firmly with justice and equality; now, therefore:

BE IT ORDAINED by the Council of the City of Cincinnati,  
State of Ohio:

Section 1. That Article XVIII of the Administrative Code, entitled "Public Danger or Emergency" is hereby ordained to read as follows:

ARTICLE XVIII

Public Danger or Emergency

Sec. 1. Purpose. The purpose of this Chapter shall be to better define and authorize actions and procedures to be taken by the City Manager, the Mayor, and other officers of the City of Cincinnati in time of public danger or emergency. Nothing herein shall be interpreted as limiting the authority of the Mayor or City Manager to take any appropriate action in time of public danger or emergency which he is authorized to take under any other provision of the Code of Ordinances, the City Charter, the Statutes or Constitution of the State of Ohio, or the Laws and Constitution of the United States of America.

Sec. 2. Definitions.

A. "Public Danger or Emergency" shall mean:

1. A riot, as defined in any degree by the Ohio Revised Code, any civil disturbance, disorder, or other occurrence that constitutes a clear and present danger to the health, safety and property of the citizens of the City of Cincinnati, or substantially impairs the functioning of the City government and its ability to protect the lives and property of the people; or
2. Any natural disaster or man-made calamity, or clear and present danger thereof, including but not limited to flood, conflagration, cyclone, tornado, earthquake, or explosion within the corporate limits of the City of Cincinnati resulting in the death or injury of persons or the destruction of property to such an extent that extraordinary measures must be taken to protect the public peace, health, safety, or welfare.

B. "Absence" shall include incapacity of the Mayor, Vice-Mayor, or City Manager or inability to make immediate contact with the Mayor, Vice-Mayor, or City Manager.

Sec. 3. Duties of the City Manager. In time of public danger or emergency until the Mayor, or in his absence the Vice-Mayor, assumes the duties of commanding the police, maintaining order and enforcing the law under Section 1 of Article III of the Charter, the City Manager shall perform such duties and shall immediately proceed to take all action necessary to preserve and protect the public peace and the lives, persons, and property within the City of Cincinnati that are endangered or potentially endangered by the factors constituting such public danger or emergency.

He shall establish and put into effect procedures whereby circumstances or events which constitute a public danger or emergency or which are likely to be productive of a public danger or emergency shall be immediately reported to him by members of the departments under his authority and control. Upon receipt of any information of circumstances or events which may constitute an actual or potential public danger or emergency, he shall immediately

convey such information to the Mayor, or in the absence of the Mayor, to the Vice-Mayor. Thereafter, he shall convey such information to all other members of Council as soon as is practicable. He shall establish procedures to be used in his absence for so notifying the Mayor, the Vice-Mayor and the members of City Council. He shall continue in his efforts to contact the Mayor or Vice-Mayor in accordance with the provisions of this Article even though he proceeds to act in their absence.

The City Manager shall establish procedures for taking positive action through all the appropriate departments of the city under his jurisdiction to control and suppress riots and to protect the public peace and the lives, persons and property within the City of Cincinnati in times of emergency and shall keep the Mayor informed in detail as to these plans and preparations. He shall consult with the Mayor in regard to the formulation of such plans and preparations for the purpose of providing a course of action that can be pursued effectively and expeditiously by the City under his direction or the direction of the Mayor. The City Manager and the Mayor shall keep the Vice-Mayor informed of all plans and procedures for dealing with public dangers or emergency, in preparation for the possibility of the Vice-Mayor assuming such duties in the absence of the Mayor. In the absence of the Mayor and the Vice-Mayor, he shall be authorized to proceed to take any action he deems necessary under the provisions of this Article and to exercise their powers as set forth herein.

Sec. 4. Notice to Governor and Sheriff. It shall also be the duty of the City Manager and the Mayor to convey to the Governor of the State of Ohio information which may come to them concerning existing or potential public danger or emergency in the City of Cincinnati which might require assistance from the militia, national guard, or other State forces. It shall also be the duty of the City Manager and the Mayor to convey to the Sheriff of Hamilton County any information which relates to his duty to preserve the peace throughout the county, when such breach of peace or potential breach of peace is related to a public danger or emergency as defined in this Chapter. The City Manager or Mayor may seek and obtain military assistance from the Governor of the State of Ohio or from the Federal Government and law enforcement assistance from the Sheriff whenever such assistance is necessary to support the actions of the Police Division.

Sec. 5. Proclamation of Emergency. When the Mayor, or in his absence the Vice-Mayor, or in the absence of both the Mayor and the Vice-Mayor, the City Manager determines that a public danger or emergency as defined in this article exists, he shall forthwith proclaim in writing the existence of the same and the time of its inception and shall issue proclamation thereof to the public through the news media and such other means of dissemination as he deems advisable.

Prior to issuance of the proclamation as provided for above and prior to assuming command of police as provided for in Section 6 of this Article, the Mayor, or in his absence the Vice-Mayor, shall to the extent that time and the availability of the persons listed herein permit, confer and consult with the Safety Director, Police Chief, Fire Chief, Members of Council and other persons conversant with the circumstances that then exist.

Sec. 6. Mayor May Assume Command. In time of public danger or emergency, as defined and proclaimed above, the Mayor, or in his absence the Vice-Mayor, is hereby authorized and given the consent of City Council to take command of the police, maintain order, and enforce the law under the provisions of Article III, Section 1 of the Charter of the City of Cincinnati and to do all things necessary or advisable in regard thereto. He may exercise any power or authority granted to mayors, administrative heads of cities or police chiefs by the laws of the State of Ohio.

Sec. 7. Emergency Orders. The City Manager, or the Mayor, if he has assumed command as provided in Section 6 above, or the Vice-Mayor, if he has assumed command in the absence of the Mayor, may, as he deems advisable in the interest of the public peace, health, safety or welfare and in regard to the specific area or areas of the city imperiled by the public danger or emergency or the city as a whole, as he deems advisable, make and enforce orders to do any or all of the following:

A. Prohibit or limit the number of persons who may gather or congregate, or prescribe conditions under which such persons may gather or congregate, upon the public highways or public sidewalks or any outdoor place, or in any theater, restaurant, place of public assembly or commercial establishment to which the public has access;

- B. Restrict or prohibit movement within, above, or beneath the area or areas which, in his judgment, are imperiled by the public danger or emergency;
- C. Suspend operations at municipal airports;
- D. Establish a curfew during such hours of the day or night as he deems advisable and prohibit persons from being out of doors during such curfew.
- E. Prohibit or restrict the retail sale, distribution, or giving away of gasoline or other liquid flammable or combustible products in any container other than the gasoline tank properly affixed to a motor vehicle.
- F. Order the closing of gasoline stations and other establishments engaged in the retail sale, distribution or dispensing or giving away of liquid flammable or combustible products.
- G. Prohibit or restrict the sale, distribution, dispensing or giving away of any fire-arms or ammunition of any character whatsoever.
- H. Order the closing of any and all establishments or portions thereof engaged in the sale, distribution, dispensing or giving way of fire-arms and/or ammunition.
- I. Prohibit or restrict the carrying or possession on the public streets or public sidewalks or in any public park or square or any other public place a weapon or any object intended to be used as a weapon including but not limited to fire-arms, bows and arrows, air rifles, sling shots, knives, razors, broken bottles, fire bombs, missiles of any kind, clubs, blackjacks, billies, chains or similar items.
- J. Prohibit or restrict the retail sale, distribution, dispensing or giving away of acids, caustics, or any chemicals or other substances capable of being used singly or in combination to cause injury or damage to persons or property.

Sec. 8. Additional Assistance for Police and Fire Divisions. The City Manager is authorized to contract with other governmental agencies and firms and corporations providing security or fire services for the furnishing of additional police and fire protection during times of public danger or emergency. Such agreements may be reciprocal in nature.

Sec. 9. Duration of Emergency. The public danger or emergency proclaimed in accordance with above procedures shall exist until the officer declaring such emergency shall determine that the event or occurrences constituting the public danger or emergency no longer exist, provided that, such duration shall not extend beyond two weeks from the time of its proclamation unless extended by action of City Council, and further provided that City Council may, at any time it determines that the public danger or emergency no longer exists, declare it is to be at an end.

Sec. 10. Authorization of City Departments to Act. The various departments, divisions of the City of Cincinnati and the personnel thereof are hereby authorized to exercise whatever powers and authority are necessary in order to carry out the orders of the Mayor, the Vice-Mayor, or the City Manager issued in time of public danger or emergency as set forth in this Article.

Sec. 11. Criminal Offenses in Time of Public Danger or Emergency. No person, in time of public danger or emergency, shall knowingly fail to obey any lawful order of the City Manager, the Mayor, or the Vice-Mayor issued under the authority of this Article.

No person, in time of public danger or emergency, shall knowingly fail to obey the lawful order of any police officer, militiaman, fireman, member of the National Guard or other authorized person acting under orders or authority issued under the provisions of this Article.

No person, in time of public danger or emergency, shall knowingly interfere with any person lawfully acting under authority granted by this Article or under any lawful order issued under the provisions of this Article.

No person shall knowingly in any way interfere with any police officer, militiaman, fireman, member of the National Guard or any other authorized person who in time of public danger or emergency is engaged in the protection and preservation of life,

person, property, or the public peace.

Whoever violates any provision of this section shall be fined not more than five hundred dollars or confined in the workhouse not more than six months, or both.

Nothing in this section shall be interpreted as preventing prosecution of a person under any other Ordinance of the City of Cincinnati or Law of the State of Ohio.

Sec. 12. Unconstitutionality, Severability. Should any section of this Article or any part of any section be declared to be unconstitutional or invalid, such decision shall not affect the validity of other sections or any part thereof not so declared unconstitutional or invalid and the remainder of this Article shall remain in full force and effect as though the portion declared unconstitutional or invalid did not exist.

RELATING TO PUBLIC SAFETY AND GENERAL WELFARE,  
AUTHORIZING THE MAYOR TO FIND AND DECLARE A STATE OF  
EMERGENCY.

THE ORDINANCE

SECTION 1. The Mayor of the City of Wilmington is empowered and authorized, whenever he finds that the City, or any part thereof, is in imminent danger of suffering civil disturbance, disorder, riot or other occurrence which will generally, seriously, and substantially endanger the lives, safety, health or property of the public, to proclaim and/or declare a STATE OF EMERGENCY and to do all things necessary to place in effect any or all of the following measures throughout the City or any part thereof:

- a) To prohibit or limit to ten (10) or more the number of persons who assemble or gather in a group on public streets, parks, or other open areas, either public or private, except for recreational purposes at a usual or customary place;
- b) To prohibit the sale, transfer, possession, or use of gasoline, kerosene or combustible, inflammable, or explosive liquids or materials in containers of any kind;
- c) To establish a curfew; and to prohibit any person from being on the public streets, in public parks or in any other public place during the hours declared by the Mayor to be a period of curfew; except for those persons who are caused to be in public places by reason of their employment or a private emergency involving health, safety or protection of property;
- d) To halt or restrict access or egress, on foot or by vehicle, upon public highways to or from the City or any part thereof; and to halt or restrict the movement of trains, automobiles, buses, trucks or other vehicles into, within or from the City;

- e) To require the closing of taprooms and bars, and to prohibit the sale or service of alcoholic beverages in any taproom, bar, hotel, restaurant, club or other establishment.

SECTION 2. The STATE OF EMERGENCY declared by the Mayor shall exist for the period set forth in the proclamation or declaration but not in excess of sixty-one (61) days. However, the STATE OF EMERGENCY may be extended for additional periods of sixty-one (61) days; and the Mayor may terminate the STATE OF EMERGENCY, or modify its provisions prior to the time set forth in his declaration or proclamation.

SECTION 3. Any person who violates any prohibition established by the Mayor in a declaration of a STATE OF EMERGENCY, under the authority of this Ordinance, shall be fined not more than Five Hundred Dollars (\$500.00) and may be imprisoned not more than ninety (90) days.

SECTION 4. If any provision of this Ordinance, or its application to any person, or circumstance, shall be held invalid, the remainder of the Ordinance, or the application of the provision to other persons or circumstances, shall not be affected.

## APPENDIX

**G**Riots--Conspiracy, Participation, Aiding

PUBLIC CHAPTER NO. 484

SENATE BILL NO. 1169

AN ACT to prohibit persons to engage in riots, to conspire to cause riots, to interfere with or injure Policemen, Firemen, Ambulance Attendants, or Government Officials, while in the performance of their duties during a riot or the threat thereof and to provide for penalties for the violation of the provisions of this Act.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That the following words and phrases when used in this Act shall have the meaning respectfully ascribed in this Section:

A. A RIOT is a public disturbance involving an act or acts of violence by one or more persons who is or are part of an assemblage of three or more persons, which act or acts shall constitute a breach of the peace, or an immediate danger or shall result in damage or injury to persons or property.

B. "INCITE TO RIOT, TO ORGANIZE, PROMOTE, ENCOURAGE, PARTICIPATE IN OR CARRY ON A RIOT" is the urging or instigating or leading others to riot.

C. POLICE OFFICER shall include members of the Tennessee State Highway Patrol, Sheriffs; Deputies Sheriff, Constable, Municipal and Metropolitan Government Policemen and members of the State Militia.

D. FIREMEN shall include persons employed for the purpose of combating fires by Metropolitan and Municipal Governments and private fire-fighting organizations.

E. AMBULANCE ATTENDANTS shall include persons operating an ambulance or employed to render aid or service to injured persons, in connection therewith.

F. GOVERNMENT OFFICIALS shall include elected or appointed public officials whose duties involve the maintenance of law and order or the investigation of criminal activities.

SECTION 2. BE IT FURTHER ENACTED, That any person participating in a riot as herein defined or who shall incite others to riot or who organizes, promotes, encourages, or participates in a riot shall be guilty of a felony and, upon conviction, such persons shall be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) or confined in the penitentiary for not less than one year nor more than five (5) years or both.

SECTION 3. BE IT FURTHER ENACTED, That any person who enters into a conspiracy with one or more persons to cause, incite, or organize a riot shall be guilty of a felony and, upon conviction, such persons shall be fined not less than One Hundred Dollars (\$100.00), nor more than One Thousand Dollars (\$1,000.00), or confined in the penitentiary for not less than one year nor more than five (5) years or both.

SECTION 4. BE IT FURTHER ENACTED, That any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with a Police Officer, Firemen, Ambulance Attendant, or Government Official while he is engaged in the performance of his official duties during a riot or any threat thereof, shall be guilty of a felony and upon conviction, thereof, shall be confined in the penitentiary for not less than one (1) year nor more than five (5) years. Provided nothing herein shall bar the prosecution of any person under other applicable criminal laws.

SECTION 5. BE IT FURTHER ENACTED, That the provisions of this Act are hereby declared to be severable. If any of its sections, provisions, words, sentences, clauses, phrases, or parts be held unconstitutional or void, the remainder of this Act shall continue in full force and effect, it being the legislative intent now hereby declared that this Act would have been adopted even if such unconstitutional or void matter had not been included therein.

SECTION 6. BE IT FURTHER ENACTED, That this Act shall take effect from and after its passage, the public welfare requiring it.

PASSED: March 25, 1968

S/S  
\_\_\_\_\_  
SPEAKER OF THE SENATE

S/S  
\_\_\_\_\_  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

APPROVED: March 28, 1968

S/S  
\_\_\_\_\_  
GOVERNOR

## APPENDIX

**H**Use, Possession, Manufacture or Disposal of Fire Bombs

PUBLIC CHAPTER NO. 535

HOUSE BILL NO. 1207

AN ACT to provide that malicious injury, or the attempt of malicious injury, to persons, structures or personal property, by the use of fire bombs, shall be a felony and to provide punishment therefor; to provide that possession, manufacture or disposal of a fire bomb shall be a felony, and to provide punishment therefor; to define the term "fire bomb"; and for other purposes.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, That any person who willfully and maliciously sets fire to, burns, damages or destroys any dwelling, business house, building, outhouse, or any other structure, by the use of a fire bomb, shall be deemed guilty of a felony and upon conviction, shall be punished by confinement in the State Penitentiary for a period of time, not less than five (5) years, nor more than fifteen (15) years.

SECTION 2. BE IT FURTHER ENACTED, That any person who willfully and maliciously sets fire to, burns, damages or destroys any personal property in excess of the value of Twenty-five (\$25.00) Dollars, by the use of a fire bomb shall be deemed guilty of a felony, and upon conviction shall be punished by confinement in the State Penitentiary for a period of time not less than five (5) years, nor more than fifteen (15) years.

SECTION 3. BE IT FURTHER ENACTED, That any person who shall willfully and maliciously injure another by means of a fire bomb, with intent to cause death or great bodily harm, shall be guilty of a felony, and upon conviction shall be punished by confinement in the State Penitentiary for a period of time not less than five (5) years, nor more than fifteen (15) years.

SECTION 4. BE IT FURTHER ENACTED, That any person who willfully and maliciously attempts to destroy any property as described in Section 1 and Section 2, or to injure another as described in Section 3, by throwing, rolling, dropping, projecting a fire bomb toward or adjacent to such property or other person with the intention to eventually set fire to, burn, damage, injure or destroy such property or person, shall be guilty of a felony, and upon conviction shall be punished by confinement in the State Penitentiary for a period of time not less than two (2) years, nor more than five (5) years.

SECTION 5. BE IT FURTHER ENACTED, That any person who possesses a fire bomb, or any flammable, combustible or explosive material or substance or any device in an arrangement or preparation, with intent to willfully and maliciously use such material, substance or device to set fire to, burn, damage or destroy any property or person mentioned in this act, shall be deemed guilty of a felony, and upon conviction shall be punished by confinement in the State Penitentiary for a period of not less than two (2) years, nor more than five (5) years.

SECTION 6. BE IT FURTHER ENACTED, That except as authorized by law or regulations of the State Fire Marshal, any person who possesses, manufactures or disposes of a fire bomb shall be deemed guilty of a felony, and upon conviction shall be punished by confinement in the State Penitentiary for a period of not less than two (2) years, nor more than five (5) years.

(a) For the purposes of this subdivision, "dispose of" means to give, give away, loan, offer, offer for sale, sell or transfer.

(b) This Section shall not prohibit the authorized use or possession of any material, substance or device described herein, or in Section 5, by a member of the Armed Forces of the United States, or by firemen, police officers, or law enforcement officers authorized by the properly constituted authorities; nor shall Section 5 or Section 6 hereof prohibit the use or possession of any

APPENDIX     Looting

PUBLIC CHAPTER NO. 480

HOUSE BILL NO. 1234

AN ACT to define the crime of looting and to fix a penalty therefor.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. A person commits looting when he knowingly without authority of law or of the owner enters any home or dwelling, or upon any premises of another, or enters any commercial, mercantile, business or industrial building, plant or establishment, in which a normal security of property is not present by virtue of a hurricane, fire or vis major of any kind or by virtue of a riot, mob, or other human agency and obtains or exerts control over property of the owner.

SECTION 2. A person convicted of looting shall be imprisoned in the penitentiary for not less than one year nor more than 15 years.

SECTION 3. The fact that a person may be subject to prosecution under this Act shall not bar his prosecution or punishment under the statutes relating to larceny or burglary, or under any other statute or ordinance to the extent that such would otherwise be permitted in the absence of this statute.

SECTION 4. This Act shall take effect from and after its passage, the public welfare requiring it.

PASSED: March 20, 1968

S/S  
\_\_\_\_\_  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

S/S  
\_\_\_\_\_  
SPEAKER OF THE SENATE

APPROVED: March 27, 1968

S/S  
\_\_\_\_\_  
GOVERNOR

APPENDIX     School Attendance

PUBLIC CHAPTER NO. 568

HOUSE BILL NO. 1829

AN ACT to make it a misdemeanor for any person to urge, incite or assist any child of the age of eighteen (18) years or under, who is registered as a student at any public or private school, to leave the child's school while the school is in session, or to not attend the school when the school is in session; and for any person to aid, assist, instruct or urge any other person to do any act which would be a violation of this Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. It is a misdemeanor for any person to urge, incite or assist any child of the age of eighteen (18) years or under, who is registered as a student at any public or private school, to leave the child's school while the school is in session, or to not attend the school when the school is in session, for the purpose of participating in a public protest demonstration or breach of the peace.

SECTION 2. It is a misdemeanor for any person to aid, assist, instruct or urge any other person to do any act which would be a violation of this Act.

SECTION 3. This Act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 3, 1968

S/S  
\_\_\_\_\_  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

S/S  
\_\_\_\_\_  
SPEAKER OF THE SENATE

APPROVED: April 4, 1968

S/S  
\_\_\_\_\_  
GOVERNOR

STORAGE OF FIREARMS IN AN APPROVED PLACE BY THOSE ENGAGED  
IN FIREARM SALES.

THE ORDINANCE

SECTION 1. Meanings of firearms: Firearms mean any rifle, pistol, revolver or shotgun capable of propelling a projectile by means of an explosive material or charge.

SECTION 2. Dealer Means:

- a. any individual
- b. firm, association, partnership, or corporation engaged in the business of:
  1. Selling firearms
  2. Purchasing firearms for resale
  3. Conducting a gunsmith or firearms repair business. (Whenever used in any clause prescribing and imposing a penalty, the term "Dealer" as applied to any partnership means the partners or members thereof, and as applied to any corporation shall include the officers thereof.)

SECTION 3. (a) That during the hours they are not regularly open for business, dealers shall store all firearms in accordance with the following requirements:

1. No firearms shall be displayed in windows;
2. All firearms must be placed in an approved safe, vault or properly secured storeroom.

(b) Before promulgating any regulations designed to carry out the intent and purpose of this Ordinance, the Department of Licenses and Inspections shall consult with the Police Department.

SECTION 4. That any dealer may comply with the requirements of this section by providing an approved steel safe wherein any firearms may be stored and locked during non-business hours.

SECTION 5. That no dealer shall receive a permit to store firearms unless he:

- a. Complies with the provisions of this section and regulations issued pursuant thereto;
- b. Pays an annual fee of Twenty-Five Dollars (\$25.00).

SECTION 6. (a) Any dealer who violates the provisions of this Ordinance shall be advised in writing by the Department of Licenses and Inspections of the nature of the violation, and shall be required to comply with the provisions of this Ordinance within the period indicated in such notice, provided that in no case shall the time permitted for such compliance exceed 60 days.

(b) Each day that any dealer fails to comply with the requirements of this Ordinance, or to make the changes indicated in any notice of violation, after the period allowed for such compliance has expired, shall constitute a separate violation of this Ordinance.

SECTION 7. Penalties: Any person violating the provision of this Ordinance shall, upon summary conviction, be subject to a minimum fine of One Hundred Dollars (\$100.00) and a maximum fine of Five Hundred Dollars (\$500.00), or to imprisonment not exceeding ninety days, or both, for such offense.

APPENDIX     **L**    

TO PROHIBIT THE POSSESSION OF FIREARMS OR ANY OTHER DEADLY WEAPON IN PLACES OTHER THAN A PERSON'S PLACE OF RESIDENCE OR PLACE OF BUSINESS.

THE ORDINANCE

SECTION 1. The Mayor of the City of \_\_\_\_\_ is empowered and authorized, whenever he finds that the City, or any part thereof, is in imminent danger of suffering civil disturbance, disorder, riot or other occurrence which will generally, seriously, and substantially endanger the lives, safety, health or property of the public, to proclaim and/or declare a STATE OF EMERGENCY and to prohibit the possession of firearms or any other deadly weapon by a person in a place other than that person's place of residence or business.

SECTION 2. The STATE OF EMERGENCY declared by the Mayor shall exist for the period set forth in the proclamation or declaration but not in excess of sixty-one (61) days. However, the STATE OF EMERGENCY may be extended for additional periods of sixty-one (61) days; and the Mayor may terminate the STATE OF EMERGENCY, or modify its provisions prior to the time set forth in his declaration or proclamation.

SECTION 3. Any person who violates any prohibition established by the Mayor in a declaration of a STATE OF EMERGENCY, under the authority of this Ordinance, shall be fined not more than Five Hundred Dollars (\$500.00) and may be imprisoned not more than ninety days.

SECTION 4. The provisions of this Ordinance shall not apply to members of the Armed Forces of the United States of America, \_\_\_\_\_ National Guard or any Law Enforcement Officers.

APPENDIX     **M**    

REQUIRING THOSE ENGAGED IN THE BUSINESS OF SELLING AMMUNITION TO PROVIDE FOR ITS SAFE STORAGE AND TO PROHIBIT SALES TO MINORS.

THE ORDINANCE

WHEREAS, the free accessibility which the minors have to ammunition, creates a menace to the preservation of public peace, safety, health, morals and welfare.

SECTION 1. That ammunition is defined as any material used in discharging any type of firearm or any projectile discharged by said firearm.

SECTION 2. That a minor is defined as any person under the age of 18 years.

SECTION 3. (a) That any person engaged in the business of selling ammunition shall be required to comply with the following:

1. during business hours no ammunition may be displayed on any open counter or in any other place readily accessible to the public;
2. during non-business hours ammunition shall not be displayed in windows;
3. a storage space, steel vault or steel safe approved by the Police and Fire Departments of a sufficient size to hold all the ammunition held for sale in any place in which ammunition is sold.

(b) No person shall sell, give or deliver any ammunition to minors; provided, that this Section shall not apply to ammunition supplied by a parent or guardian to his child or children, for lawful purposes.

(c) No person shall sell any ammunition which can be used in pistols, revolvers or other hand guns unless the purchaser produces satisfactory written identification and registers his name and address.

(d) Before promulgating any regulations designed to carry out the intent and purpose of this Ordinance, the Department of Licenses and Inspections shall consult with the Police Department.

SECTION 4. That no person shall sell any ammunition unless he first receives a license from the Department and that no person shall receive a license unless he:

- (a) complies with the provisions of this Section and the regulations issued pursuant thereto;
- (b) pays an annual fee of \$10.00.

SECTION 5. Any person who violates the provisions of this Ordinance shall, upon summary conviction, be subject to a minimum fine of One Hundred Dollars (\$100.00) and a maximum fine of Five Hundred Dollars (\$500.00), or to imprisonment not exceeding ninety days, or both, for each offense.

INTERFERENCE WITH POLICE AND FIRE RADIO BROADCASTS

THE ORDINANCE

WHEREAS, effective Police and Fire Radio Communication is vital to the protection of the lives, health and property of the people of this City from criminal activity and public disorder.

SECTION 1. (a) The interference with any police or fire radio broadcast by any person is prohibited.

(b) The manufacture, sale, ownership, possession or transfer of any radio transmitter, converter or any electromagnetic-wave radiation device of any nature or type which is capable of interfering with police or fire radio broadcasts by any person is prohibited.

(c) The alteration of any radio transmitter or converter in any manner or by any means so that the transmitter, converter, or electromagnetic-wave radiation device is made capable of interfering with police or fire radio broadcasts by any person is prohibited.

SECTION 2. Any radio transmitter, converter, or any electromagnetic-wave radiation device that is capable of or interfering with police and fire radio broadcasts; or any device or attachment that is capable of converting a receiver or converter so that it is enabled to interfere with such broadcasts shall be presumed to be used for such purpose.

Any police officer is empowered and authorized to impound such transmitter, converter, electro-magnetic-wave radiation device, attachment or device, as the case may be, until the owner thereof arranges for such transmitter, converter, or electro-magnetic-wave radiation device to be equipped or altered so that it will not be capable of interfering with police or fire radio broadcasts; or in the case of an attachment or device so that it will not be capable of altering transmitters or converters, and electro-magnetic-wave radiation devices so as enable them to interfere with said broadcasts.

If the owner of such impounded transmitter, converter, electro-magnetic-wave radiation device, attachment or device does not make such arrangements as aforesaid, within a period of thirty days, such impound radio instrument shall be destroyed.

SECTION 3. The provisions of this Ordinance shall not apply to any Law Enforcement Agency nor to any news media.

SECTION 4. Every person who violates any provision of Section 1 of this Ordinance shall be fined not more than Five Hundred Dollars (\$500.00) and may be imprisoned not more than ninety (90) days.

SECTION 5. If any provision of this Ordinance or its application to any person, or circumstance, shall be held invalid, the remainder of the Ordinance, or the application of the provision to other persons or circumstances, shall not be affected.

POLICE ENFORCEMENT AND INVESTIGATION

(a) Any police officer observing, hearing or having knowledge of any radio receiver or converter capable of receiving or interfering with police or fire radio broadcasts in any motor vehicle where the device is permanently attached shall:

1. Place owner and operator under arrest and conduct him and the vehicle to the Police Station.
2. Notify the Radio Shop who will dispatch a service man to remove the receiver, converter from the vehicle.
3. Issue a receipt for the receiver which shall be treated as any other evidence that is seized, and shall be placed in the Record and Identification Division.

(b) Where a converter of any type is being used in the above manner and is not attached to the vehicle and can be removed by the arresting officer without the assistance of the Radio Shop then the converter alone shall be impounded by the officer following the same procedure as outlined above.

NOTE: The mere possession of any converter of any type that can be used with any regular broadcasting radio to receive police and fire radio broadcasts, whether or not it is being used in conjunction with a broadcasting radio in a vehicle, on foot, or in any other manner is a violation of the Ordinance, and possessor is subject to arrest and the converter to confiscation.

(c) The arresting officer shall:

1. Conduct a complete and thorough investigation.
2. Inform the defendant that he has thirty (30) days from the date of arrest to have the impounded receiver altered or re-equipped so that it will be rendered incapable of receiving or interfering with police or fire broadcasts.

3. To retrieve his property for this purpose he must present to the assigned officer a Notarized Form or Affidavit from an authorized radio/electronics dealer indicating that such alteration will be done in accordance with the requirements set forth in the Ordinance. The return of the defendant's property only be made after final Municipal Court disposition.

If this provision of the Law is not complied with in that period of time the receiver shall be considered forfeit.

In the event that the defendant is sentenced to a period of incarceration where he would not personally be able to fulfill the requirements necessary for the return of this property he then may authorize another person as his Agent.

THE PATROL LIEUTENANT SHALL SUPERVISE ALL ARRESTS AND INVESTIGATIONS OF THIS TYPE.

ORDINANCE NO. 242 - 1967 re: MUTUAL ASSISTANCE ACT.

"Authorizing the City Manager to enter into an agreement with the Board of County Commissioners, the Village of Addyston, the Village of Amberley, the Village of Arlington Heights, the Village of Blue Ash, the City of Cheviot, the Village of Cleves, the City of Deer Park, the Village of Elmwood Place, the Village of Evendale, the Village of Fairfax, the City of Forest Park, the Village of Glendale, the Village of Golf Manor, the Village of Greenhills, the Village of Harrison, the Village of Indian Hill, the City of Lincoln Heights, the City of Lockland, the Village of Loveland, the Village of Maderia, the Village of Mariemont, the City of Milford, the Village of Montgomery, the City of Mt. Healthy, the Village of Newtown, the Village of North Bend, the City of North College Hill, the City of Reading, the City of Sharonville, the City of St. Bernard, the City of Silverton, the Village of Springdale, the Village of Terrace Park, the Village of Woodlawn, the City of Wyoming, Anderson Township, Colerain Township, Columbia Township, Crosby Township, Delhi Township, Green Township, Harrison Township, Miami Township, Springfield Township, Sycamore Township, Symmes Township and White-water Township providing for a mutual police assistance among the several communities, etc.

WHEREAS, it has become increasingly necessary for the communities in Hamilton County to provide more police protection; and

WHEREAS, Cincinnati desires to take an active part in providing more police protection for its citizens; - - -"

Passed: June 14, 1967 A.D., 1967

## INSTRUCTIONS FOR FIRE PERSONNEL

(Wilmington, Delaware)

1. GENERAL INSTRUCTIONS

- a) Under no condition is a member or members to report to an area where fires are in progress on their own initiative.
- b) Changes in operating personnel at a fire or relief of area personnel shall be made in Task Groups only. Do not send one company home before the others, even if it can be spared. Companies working in a riot area shall keep together. Avoid having companies or individual members become isolated from the main group. Do not leave an engineer or other member by himself in a remote or exposed position. Avoid using hydrants which will place a group not in a line-of-sight position with the other groups.
- c) The actions of a mob can be very ugly, both physically and in its attitudes. Although we are almost universally regarded as public benefactors, you can expect to become the object of enmity and vilification, both oral and physical. There may be attempts to do you bodily harm.
- d) At times of severe physical attack or if gunfire is encountered when adequate protection is not available, you are directed to report by radio and withdraw from the scene. Re-entry into such areas will be made when it has been made reasonably safe by Police and Military.
- e) It will be the duty of the man in charge of the assignment to account for the safety of all companies involved, keep the tower informed of activity and ask for necessary help or get out.
- f) If an emergency can be handled and equipment withdrawn, see that all companies move out at one time as a group.
- g) If all apparatus cannot be withdrawn he shall place men on apparatus that can leave the scene, keeping all men together, don't forget the radio mike. It may be necessary for the Marshal to leave the scene

on an apparatus. The Marshal should attempt to remove his Staff car by placing it in the center of a group during withdrawal from the scene. Above all, keep all apparatus and men together for maximum protection. A Marshal and companies, involved in a disorder situation, shall properly protect themselves.

- 1) Members shall refrain from any overt or indiscreet actions which might precipitate or add to existing hostile conditions.
  - h) An injury, of a serious nature, to fire personnel takes priority over fire considerations. A man seriously injured should receive adequate attention and be moved from the scene.
2. a) Fire fighting operations must, of necessity, be kept flexible, and methods used to fight the fire must be tailored to fit the conditions as they exist at the time.
  - b) It is to be remembered that under serious conditions with multiple fires in progress the major attack should be from the front of the building. Companies should remain on the main streets and avoid side streets and alleys.
  - c) The primary objective is to confine fires to the buildings of origin by the rapid use of heavy fire streams. Particular note should be taken of the beneficial effects of aerial ladder pipes. They should prove their worth for top cover protection, for deep penetration and heavy volumes of water. Keep men off the ladder, they are excellent targets for snipers.
  - d) There will be a change in fire fighting techniques in that large hose streams will be more extensively used to cover the exposures and control the main body of fire. Water loss will be considered as less important than extinguishment. Overhaul will be dispensed with at this time. When the fire is sufficiently under control or extinguished, the Group Commander will notify the Fire Tower he is available for new orders. The paramount items of importance will be the saving of lives and preventing fires from becoming conflagrations beyond our control.
  - e) It may be necessary for a group to proceed directly from one fire to another, and the officer in charge will have to survey the situation and analyze the importance of individual situations, even to establishing priority ratings on fires for response. The Group Commander will call for help, as the situation indicates.

- f) Some rekindles will occur. It would be impractical, under numerous fire situations, to make a thorough overhaul effort to extinguish smoldering fires and hidden sparks. Some of these will require repeat response, but the main purpose here is preventing the major blazes from becoming conflagrations, and to reduce the overall fire threat, at any given moment.
  - g) After the situation clears up and mob action ceases, there will be much surveillance of fire scenes and general assistance to persons and property, but it is expected that this will be accomplished under more favorable conditions and removed from hostile mob conduct.
  - h) The Chief and Assistant Chiefs will necessarily retain the use of their Staff cars, but will not take them into active riot areas. Maximum mobility and ready means of communication via radio by these officers is prerequisite to maintaining the close liaison that is absolutely necessary if we are to coordinate our efforts.
  - i) It will be necessary to constantly evaluate conditions to be able to maintain the fluidity and flexibility necessary to the operation. This will enable the coordinated agencies to expand or contract their efforts, according to their needs at the time. It will also promote proficiency for the control of mob vandalism and containment of the fires.
  - j) Be alert for flying objects when responding and while on the scene. Remove your Task Group and return to quarters as quickly as possible after gaining control of the fire.
3. a) Early in the morning, about 8:30 A. M., manpower reports on the first and second days after Recall shall be made. At this time, when necessary, detailing of manpower to establish company balance will be made by Fire College personnel. Men are to keep the assignments for the duration of the Recall.
  - b) After initial manpower adjustments (after first and second days), further adjustments shall be made by Division Chiefs and Marshals, with detailing to accomplish highest performance.
4. a) Additional precautions to be taken are as deemed advisable in regard to the Fire Administration Building property and its civilian personnel.
  - b) Upon leaving their regular stations, all move-up companies shall make a maximum effort to provide for the security of our property. All doors and windows shall be closed and locked, lights and stoves extinguished, etc. Armed guards will be provided, as previously described.

- c) Move-up companies whose personnel have their private automobiles parked on our property or in the vicinity of their station will necessarily leave their autos behind when they move up. DO NOT PARK THE AUTOMOBILES IN THE FIRE STATION. This action would result in an additional hazard to the building if it were fired, and would also concentrate a number of automobiles in a small restricted area to provide a more inviting target.
  - d) All companies scheduled to move up will take with them all necessary fire clothing, boots, company diary, etc. Equipment normally carried on the running board of exterior of apparatus will be stored inside of pumper. Where possible, all exposed equipment on trucks will be stored in the compartments.
  - e) EACH APPARATUS SHALL HAVE READILY AVAILABLE THE DRY POWDER EXTINGUISHERS, FOAM EXTINGUISHERS AND WATER PUMP CANS. It is possible that some elements may fire bomb the apparatus. The best protection is the use of an easily reached extinguisher that can be directed immediately upon the fire.
  - f) Fire stations that may be within the perimeter section will be abandoned by the companies affected. Companies will move to predesignated locations on the outside of the action area. The abandoned quarters will be used and secured by Police and/or National Guard units for specified purposes.
5. All equipment on the apparatus should be firmly secured or placed in compartments to prevent theft or malicious damage. If equipment is damaged, lost or stolen and it is not feasible to apprehend the person responsible, take the necessary steps to replace same.
- Damage to apparatus or major equipment that would disable a company to the extent that they were no longer operationally effective must be reported immediately. All possible efforts must be exerted to maintain the fire fighting capability of all Task Groups by replacement of damaged or disabled apparatus and equipment.
6. If a person or persons should be well known to members and area inhabitants and could exert influence to glean valuable information, by all means use them for this purpose.

**END**