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SUBJECT: MASS ARRESTS

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IACLEA STANDARDS: 17.1.2

CSU POLICE DEPARTMENTS SYSTEMWIDE OPERATIONAL GUIDELINE: Yes
(Portion of Event Management and Crowd Control Procedures)

APPROVED: Anne P. Glavin, Chief of Police

I. PURPOSE

The purpose of this policy is to specify those procedures that are to be utilized during a mass arrest or detention event arising from an incident on the California State University, Northridge campus.

II. POLICY

It is the policy of this department to ensure the safe and efficient arrest, detention and processing of subjects for various offenses in mass arrest situations, i.e., demonstrations, riots, etc.

III. DEFINITIONS

- A. Arrest: To deprive a person of his/her liberty by legal authority
- B. Arresting Officer: A sworn law enforcement officer who takes a person into custody, with or without a warrant.
- C. Booking: A procedure for admitting to a holding facility a person charged with an offense; includes searching, fingerprinting, photographing, medical screening, collecting personal history data, and inventorying and storing a person's property.
- D. Civil Disturbance: Situations that include riots, disorders, and violence arising from dissident gatherings and marches, rock concerts, political conventions, and labor disputes.
- E. Criminal Process: Those writs, summonses, mandates, warrants, or other process issuing from a court of law compelling a person to answer for a crime. The term

also includes process issued to aid in crime detection or suppression, such as search warrants.

- F. Custody: Legal or physical control of a person in an area or facility or while in transit; legal, supervisory, or physical responsibility for a person.
- G. Unusual Occurrence: Situations, generally of an emergency nature, that result from natural or man-made disasters, or civil disturbances.

IV. PROCEDURES

Policies and procedures for planning and managing special events and general crowd control fall within Department policy #08-S.O.-16 (Event Management and Crowd Control Procedures). The procedures set forth within this policy work in connection with the incident command and unified command system protocols set forth within Department policy #08-S.O.-019 (Unusual Occurrences: All Hazard Plans) and include activation of the command, operations, planning, logistics, and finance/administration functions associated with such an incident. These procedures are provided as a means to address events that progress to one involving large scale unlawful events (i.e., unlawful assemblies, riots, mass vandalism, looting, etc.) and have a likelihood of leading to mass arrests.

- A. Planning process during in-progress events with possible mass arrest situations
 - 1. When an in-progress large-scale event escalates to a level that dictates consideration of mass arrests, the Incident Commander shall confer with the on-duty command staff member (Captain of Patrol Operations, Lieutenant of Patrol Operations, Captain of Special Services, or designee in their absence) and police supervisors on-site to determine the approximate number of potential arrestees, and assess an individual and group temperament of those individuals, focusing upon any identified agitators. Upon arriving at that number and determining the key persons of concern, the Incident Commander shall configure his/her arrest teams of a size that will enable those officers to take custody of the individuals quickly and safely.
 - 2. Videotape of the incident areas shall be taken to provide an opportunity to identify potential suspects as well as to document changes in activity throughout the event and for use in police training.
 - 3. The Incident Commander shall pre-arrange the event deployment to allow for an expedient unification of officers from a variety of locations within the event, to be supplemented by all available field units supplied by the patrol shift supervisor.
 - 4. If numerous arrests are projected prior to the event, the Incident Commander shall ensure that the necessary transportation unit(s), with drivers, are immediately available to the event facility. He/she shall also advise off-campus mutual aid resources of the situation and advise of a possible mutual aid request in the event of a mass arrest situation. Mutual aid requests for outside agencies will be handled through notification to the Los Angeles Police Department and Los Angeles County Sheriff Department as directed per Department Policy/Procedure Number 05-O.A.-004: Memorandums of Agreement –LAPD and LASD.
- B. Notification and Arrest Procedures
 - 1. Concept

The basic concept of the mass arrest/detention procedure is that an exclusively designated group of officers, working together during large-scale arrests at major events, be primarily responsible for all aspects of the arrest process, from the point of arrest to release to another detention facility/agency, or via other legal protocol. Although this is often difficult to hold to during large Incident Command System (ICS) situations, the goal is to work towards not breaking the chain of arrestee identification and to not allow officers managing the event to be taken from their designated assignments that would weaken the overall deployment.

2. Notification Requirements
 - a. If they are not already on-scene, the Incident Commander shall notify the Patrol Operations Captain and Chief of Police.
 - b. The Chief of Police or her/his designee (which could be the incident commander until her/his arrival) is responsible for managing the department's public and media relations in mass arrest situations. This may involve notifying the department's Public Information Officer and the University Public Relations Director, at which time media relations will be handled per Department Policy/Procedure Number 05-S.O.-008: Media Relations.
 - 1) Press releases will be handled by the University Public Relations office, with assistance from the Chief of Police or her/his designee.
 - 2) Media representatives will be provided a gathering point in major incidents.
 - c. For all planned events where the possibility of civil unrest and mass arrests exists (e.g., demonstrations, rallies, protests, etc.), the Patrol Operations Commander, in consultation with the Chief of Police, is responsible for notifying those agencies designated as providing back-up support to CSU, Northridge Police Department (See Department Policy/Procedure Number 05-O.A.-004: Memorandums of Agreement – LAPD and LASD.) Additional "other agency" support personnel will be arranged or placed on "stand-by."
3. Arrest teams shall consist of the following staff (a total minimum staff of 14 is required):
 - a. arrest group leader;
 - b. two (or more) officer arrest teams;
 - c. one photographer;
 - d. a booking officer who maintains all booking records for the event;
 - e. one or more two-officer transportation teams;
 - f. two or more receiving officers at the designated booking/detention facility; and

- g. a videographer.
4. Arrest Groups shall have the following equipment:
- a. one digital camera;
 - b. one video camera;
 - c. one or more transportation vehicles; and
 - d. a mass arrest kit (a.k.a., MAK kit in a black Under Armor backpack) containing a stapler, paper clips, Sharpie pens, black ink pens, pencils, liquid paper, note pads, plastic clipboard, flexcuffs, safety cutter, bio-hazard “Tranzport” hoods, disposable gloves, field interview cards, bottled water, a Miranda Admonishment card, digital camera, unlawful assembly admonition card, and an arrest statement card. Four pre-assembled and sealed MAK kits are located in the special operations van ready for immediate use.
5. General Arrest Guidelines
- a. In selective (i.e., individual) arrest situations during heavily attended events, agitators should be identified and uniformed arrest teams should be utilized to arrest said individuals upon confirmation that a violation of law has been committed and only after being given approval by the Incident Commander to make the arrest.
 - b. In an unlawful assembly situation where mass arrests are probable, the following admonition shall be given utilizing an amplified loudspeaker (i.e., bullhorn) prior to making arrests. This admonition shall be made by a member of the command staff, or sergeant under exigent circumstances as authorized and directed by the Chief of Police or her/his designee. Law enforcement personnel are to be placed to the rear of a crowd to confirm and document hearing the transmission of the dispersal order.

“I am (peace officer’s name and rank), a peace officer of the State of California, and I represent the California State University Police Department. I hereby declare this to be an unlawful assembly, and in the name of the People of the State of California, command all those assembled at (specific location) to immediately disperse, which means to break up this assembly. If you do not do so, you may be arrested or subject to other police action. Other police action may include the use of less lethal munitions, chemical agents, police batons, tasers, or any force deemed necessary, which could cause significant risk of serious injury or pain to those who remain. Penal Code 409 prohibits remaining present at an unlawful assembly. If you remain in the area just described, regardless of your purpose, you will be in violation of Penal Code 409. The following routes of dispersal are available (describe routes). You have (reasonable amount of time) minutes to disperse.”

(Be sure to count off elapsed time, starting after three minutes have elapsed.)

Note: the above announcement shall be recorded via videotape (one to three minutes before/after) and the crowd should be provided with an unobstructed avenue of escape. Other methods which may be added to amplified sound include: loud speech; display of signage indicating unlawful assembly and dispersal; gaining the attention of the crowd and documenting affirmative responses of crowd members prior to the declaration of unlawful assembly; and acquiring multi-language capability.

- c. Prior to the ordering of mass arrests by the Incident Commander, the department commander or supervisor announcing the unlawful assembly order shall ask the agitators for voluntary arrests once the announcement is made. Volunteers for arrest often stop and desist agitation efforts, if any are being taken, and present themselves for arrest to show support for their cause and/or for media attention purposes.
- d. When possible, all arrests, once ordered by the Incident Commander or his/her designee, should be made by a police supervisor and arrest team members, so event officers may remain at their assigned posts.
- e. In the event that an officer is pulled away from his/her primary assignment due to circumstances requiring the immediate intervention and arrest of an individual, an arrest team shall assume custody of that arrestee and the arresting officer shall resume his/her assigned duties as soon as possible.
- f. When the Incident Commander makes the determination that a multiple arrest is to be made:
 - 1) He/she shall request the assistance of specially equipped officers assigned as arrest teams.
 - 2) He/she shall request the dispatch of a sufficient number of transportation units to the location to facilitate the most expeditious removal of the arrestees from the event, informing these units of:
 - a) the number to be transported;
 - b) the location of arrest and best route of access;
 - c) the name of the group (if any) upon which the arrests are to be made; and
 - d) the location at which transport vehicles should meet with arrest teams.
 - 3) He/she shall physically isolate those to be arrested from sympathizers and other demonstrators, using squads of officers and terrain features so that the arrest process can proceed deliberately and without danger to the officers.
- g. If necessary, a perimeter should be made around transportation units until they leave with the prisoners.

- h. Photographs of the arrestees shall be completed during the field pre-booking search at the department's detention facility.
 - i. Juvenile Arrests – If a large number of juvenile arrests are expected, the Incident Commander will notify the Sylmar Juvenile Detention Facility prior to the event, and provide the available intelligence information necessary to make an assessment of the number of impending arrests. Most juveniles will be able to be released to their parent(s) via a “release from custody” (RFC) citation within the 6 hours maximum restricted detention time set per the California Welfare Institutions Code.
6. The designated arrest supervisor and arrest team will physically arrest individuals, controlling and moving them through the isolated area(s) to awaiting transportation unit(s). Once in a safe and secure area, the arrestee(s) shall be verbally given the following arrest statement:
- “You are under arrest for violation of Penal Code Sections 407, 408, 409, 416, 602 and Title 5, Section 42353 of the California Education Code; unlawful assembly, refusal to disperse, trespassing and participating in an unauthorized demonstration/rally. If there is any resistance to arrest, including going limp, you will also be charged with a violation of the California Penal Code Section 148, resisting or obstructing a peace officer in the performance of his/her duties, and you will not be eligible for release on citation.”***
7. The arrest teams will, after securing one transport load of arrestees (dependant upon type of vehicle(s) available), deliver them to transportation officers for transport to the department's detention facility.
8. The number of officers needed to handle each arrestee shall be determined by the following factors:
- a. The number of arrestees; and
 - b. The amount of cooperation or resistance the arrestees present.
9. Processing
- a. Arrestees will be taken into custody by arrest teams.
 - b. Arrest team officers shall deliver arrestees to awaiting transportation officers and units.
 - c. If time constraints exist, transportation officers shall assist arrest team members with completion of arrest information and securing of any evidence.
 - d. The arrestee shall then be taken to the department's detention facility where he/she will be processed for the most immediately available release (or transportation to an LAPD or local medical facility) with consideration to the severity of the offense, condition of the arrestee, and expected conclusion of the event.
 - e. A personal property arrest envelope shall be used for holding personal items belonging to the arrestee, such as cash or other valuables.
 - f. The arrestee and the arrest team member shall be photographed together and the photograph shall be attached to the exterior of

the arrest envelope. If necessary, transportation officers shall carry extra supplies of restraints (i.e., flexicuffs) to provide arrest team members for future arrests.

- g. The arrest team will have its photograph taken with the arrestee prior to loading the arrestee onto the transportation unit. This photograph will then accompany the arrestee to the field booking facility and be retained with booking records until the arrest team prepares the report.
- h. Each arrest team squad leader shall ensure that each person arrested or detained by a member of his/her squad is photographed along with that member by the Event Photo Officer (Team).
- i. Each arrestee or detainee will be the subject of two digital photos.
 - 1) Arresting officer(s) shall sign and place the arrest date and time on the back of the field photo.
 - 2) At the department's detention facility, the Custody Officer (s) shall maintain the second photograph until release of the suspect.
- j. Arrestees shall be handcuffed either by department field arrest handcuffs or by the use of flexicuffs, behind the back, unless physical abnormalities or other conditions warrant a modified physical restraint of the suspect.
- k. Arresting officers shall be responsible for the initial pre-booking search of the arrestee prior to releasing the arrestee to the transportation officers. The transportation and field-booking officers at the field booking facility shall jointly perform booking searches and removal of personal belongings and property.
- l. Large items such as backpacks shall be retained for safekeeping until the arrestee's release (tagged and logged in accordance with evidence/property and detention facility booking procedures).
- m. Juveniles who are arrested during mass arrest incidents shall be photographed and handcuffed in the same manner as adults.
- n. During mass arrest situations where a juvenile (uninvolved) is under the guardianship of an adult being arrested, the juvenile shall be transported separately to the University Police Department where he/she will be constantly supervised until a responsible adult family member or other legal guardian arrives and takes custody of the juvenile, unless a responsible adult is available at the scene at the time of arrest who is able to take lawful guardianship and custody of the juvenile.
 - 1) Officers are reminded of the immediacy of exhausting event resources when an adult with exceptionally young children is to be arrested.
 - 2) Such an arrest may be detrimental to event deployment if there is likelihood that other family or adult guardians will not be available to assume custody of the child.
 - 3) In cases such as these, an adult arrestee may be considered for an expedited processing and release either

via California Penal Code 849b or on his or her own recognizance.

- o. For policies and procedures required when transporting prisoners, see Department policy #08-L.E.-009: Prisoner Transportation.
- p. An arrestee can be released via one of the following ways:
 - 1) Notice to Appear/Release from Custody (citation).
 - 2) Pursuant to P.C. 849 (B) 1 or 2.
 - 3) To the custody of the Los Angeles County Jail.
 - 4) To the custody of the Los Angeles Police Department.
 - 5) To the custody of Sylmar Juvenile Detention Facility (if a juvenile).
 - 6) To a parent or legal guardian (if a juvenile).
 - 7) To a medical facility, after completion of a citation or P.C. 849(b).
- q. Prior to release, all persons taken into custody shall be the subjects of a standard department records check and name verification to confirm the arrestee's true identity and determine if additional wants for the arrestee exists.

C. Confinement and Detention Facilities

1. At the scene of a mass arrest situation, the Incident Commander shall ensure that a secure pre-booking detention facility is prepared at the University Police Department, as well as advising LAPD and LASD jail officers of the possible transport of arrestees to their facility for booking. The Incident Commander should also initiate contact with the California Highway Patrol, Los Angeles Police Department, or Los Angeles Sheriff Department (as needed) to provide transportation via a prisoner transportation van/bus.
2. Once the arrestees arrive at the designated booking facility, they will be processed and transported to the Los Angeles Police Jail (Devonshire or Van Nuys Division) or Los Angeles Sheriff's County Jail (Lost Hills or IRC) as soon as possible.
3. The CSUN Police Department's detention facility shall be the primary detention area, as it is:
 - a. Local and immediately accessible to all areas of the campus;
 - b. Large enough for appropriate segregation of gender, age and offense (male/female, juvenile/adult, violent/non-violent);
 - c. Simple to access and regress from the facility, and for detention officers to monitor detainees;
 - d. And is immediately accessible from within the University Police Building.
4. Upon maximum intake of arrestees within the department's detention facility (according to Occupancy Fire Rating Approvals), LAPD Devonshire and Van Nuys Division Jails shall be notified of the need to transport arrestees to their facilities for processing.

5. The transportation officer(s) will transport all arrestees to the department's processing facility as approved by the Incident Commander.
6. Assigned Booking Facility Officers shall perform bookings or citation releases.
7. Citations:
 - a. If fewer than 250 persons are cited per day, the persons shall be cited to appear 30 days later, in groups of 25.
 - b. If more than 250 persons are cited per day, the persons shall be cited to appear 30 days later, in groups of 50.
 - c. Citations will be issued according to department policy and pursuant to Court stipulations.
 - d. Juveniles shall be released via current required formats, which shall include all Juvenile Court mandated forms.
8. Juveniles
 - a. If an exceptionally large number of juveniles are considered for arrest, the Incident Commander shall contact the Sylmar Juvenile Detention Facility and advise of the number of juveniles who will be considered for transportation due to lack of available legal guardians or the severity of the offense.
 - b. Juveniles will be segregated from adults as well as from opposite sex arrestees, utilizing the department's juvenile waiting rooms.
 - c. Departmental processing shall be the same as for adults.
 - d. Once processed, all juveniles who can be released at the University Police Department shall be released when their legal guardian arrives. Those juveniles who must be transported to the Sylmar Juvenile Detention facility shall be transported and released as soon as possible (not to exceed 6 hours of the time detained) once available personnel are identified and assigned by the Incident Commander.
9. Food, water, sanitation, and medical treatment
 - a. Arrestees will be afforded the opportunity to utilize restroom facilities. Department holding cells contain a sink, water fountain, and toilet accessories. If those detained within any other area of the department's detention facility need access to water or sanitation items, they must be escorted to the appropriate holding cell.
 - b. Because of the short duration of detention, provision of food should not be necessary. Arrestees will be provided water, if requested. In operations lasting beyond two hours, consideration will be given to providing field water locations utilizing supplies and equipment available for Emergency Management (EOC Storage).
 - c. Medical treatment:
 - 1) Any person injured or complaining of an injury shall be afforded medical treatment.

- 2) Depending on the type of injury, medical assistance shall be sought via paramedics by contact with Dispatch.
- 3) Documentation of all injuries shall be made by a supplemental RIMS report.

D. Evidence Collection

1. Any evidence collected shall be handled in the appropriate manner as outlined in Department Policy/Procedure Number 06-C.I.-003: Property and Evidence Packaging and Control, and Department Policy/Procedure Number 07-C.I.-004: Crime Scene Processing and the Collection and Preservation of Evidence.
2. An evidence envelope will be completed for any evidence collected. If the evidence is collected from an arrestee, full identification information regarding the source, as well as the location where it was collected, will be provided.
3. The department's detention facility's temporary storage lockers may be utilized to temporarily secure evidence, if necessary. This fact shall be included in the written report and efforts to move the evidence to the appropriate evidence lockers shall be made as soon as possible.
4. Whenever possible, photography or video of the crowd or incident area(s) will be made prior to beginning mass arrests in order to facilitate identification. Tapes, photographs, and other digital data shall be packaged as evidence.

E. Security

1. Perimeter and scene
 - a. Officers shall be assigned security responsibilities in the area affected by the action, as well as at the incident command post.
 - b. Perimeters shall be controlled in such a manner so as to limit access and prevent escalation.
 - c. Outside support departments will be the first consideration in handling perimeter assignments, leaving the actual arrests to CSUN Police Department personnel.
2. Detention Facilities
 - a. Detention facilities, which may or may not include temporary field booking areas, shall be secured by personnel who can observe the holding areas. If a field booking area is utilized, arrestees shall not be placed in an area where observation is limited.
 - b. Arrestees shall be released or transported to other detention facilities as soon as possible to limit problems that may create a breach in security.
 - c. Video taping of the detention area(s) can be conducted. The department's detention cells are video recorded.

F. Identification of Arrestees

1. Proper identification will be sought from all arrestees.
2. Arrestees who are unable to offer, or are unwilling to offer, satisfactory evidence of their identity so that a release from custody may be made, may be transported by the transportation team(s) to a Los Angeles Police or Los Angeles Sheriff's County Jail for processing and verification through the CAL-ID network via Livescan.
3. Photographs of every arrested person will be taken and a copy maintained by the department.

G. Defense Counsel Visits

1. Because arrestees will be expeditiously released or transferred, no stipulations for visits with defense attorneys need to be made.
2. Defense attorneys may be provided the department case number and information related to where the arrestee will be transported.

H. Court and Prosecutorial Liaison

1. The department's Investigations Unit will maintain liaison with prosecutors and courts in the event of a mass arrest situation.
2. An investigator will be assigned responsibility for filing any charges and providing evidence and information related to the case.

I. Event Incident Report

1. A Major Incident/After-Action Report shall be completed by the Incident Commander, who shall confer with field supervisors, arrest team squad leaders, transportation officers, and the booking facility supervisor prior to submitting the report.
2. The report shall include all incidents leading up to and prompting the arrests, the individuals arrested, disposition, and the amount of resources required from this department and from outside agencies.
3. In addition, all arrests and any use of force incidents involving CSUN Police Officers during mass arrest situations shall be documented on the Department's "Use of Force form" as directed within Department policy #08-L.E.-011 (Use of Force).
4. This Major Incident/After-Action Report will then be forwarded to the Chief of Police for review.

J. Interagency Agreements

1. Memorandums of Agreement have been established with the Los Angeles Police Department and Los Angeles County Sheriff Department for requesting and utilizing their assistance in any major incident, including public demonstrations and/or civil disobedience situations. (See Department Policy/Procedure Number 05-O.A.-004: Memorandums of Agreement – LAPD and LASD).
2. Timely notice shall be given to all involved agencies of impending major public events where the possibility of mass arrests exists. Notice should be given as early as possible.
3. The Chief of Police or her/his designee shall ensure that such information is provided so the associate agencies can prepare their own resources in support of our anticipated event and activities.

4. Notifications shall include the Los Angeles Police Department, Los Angeles Sheriff's Department, Los Angeles Unified School District Police, and California Highway Patrol as deemed necessary by the Chief of Police or her/his designee.