

Sioux Falls Police Department

Partnering with the community to serve, protect, and promote quality of life!

Policy: Mobile Field Force and Civil Unrest	Related Policies:	Section #: 1000 Operations <hr/> Policy #: 1018 <hr/> Effective: 3/2021 <hr/> Page 1 of 5
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can be used as basis of a complaint by this department for nonjudicial administrative action in accordance with the laws governing employee discipline.</i>		
Policy Owner: USD		
Reference:		
Sensitivity Level: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Law Enforcement Eyes Only		

1. Purpose and Scope:

1.1 It is the Policy of the Sioux Falls Police Department to respond to critical incidents and potential or actual civil disturbances in order to maintain or restore a safe and secure environment for the benefit of the community and its citizens. In order to manage a civil disturbance effectively and attempt to minimize its scope, intensity and duration, while protecting lives, property and ensuring the community's right to peaceful assembly, the Sioux Falls Police Department will react rapidly with an organized Mobile Field Force.

2. Balancing Public Safety and Constitutional Rights

2.1. The Sioux Falls Police Department will enforce applicable State and local laws when individuals physically bar entrance to or exit from a facility or location to allow businesses and occupants to engage in lawful activity, even when those individuals are participating in a non-violent demonstration. The Sioux Falls Police Department also recognizes that non-violent demonstrations may be protected as First Amendment speech and as such protesters have the right to get their message out. It is the role of the Sioux Falls Police Department to maintain the rights of both sides, remain neutral and ensure that public safety is maintained. The Sioux Falls Police Department, as provided in Policy 601 Response to Resistance, requires that only force which is objectively reasonable will be used against demonstrators.

3. Agency Response:

3.1. While most protests and protesters remain peaceful, the Sioux Falls Police Department can expect to receive phone calls and questions about our role in the protest and what protesters can legally do. Some general rules apply as follows:

3.1.1. A Police Supervisor should establish, if possible, a spokesperson or leader of the protesters and work directly with that person to help ensure that protesters will follow agreed upon activities. Working proactively with this spokesperson can resolve many potential issues. A supervisor should meet with the protester and assure them that the Sioux Falls Police Department will remain neutral and advise which actions are permitted and which actions may result in criminal charges.

3.1.2. Protesters can picket on public property but can be arrested for trespassing on private property.

3.1.3. In locations such as churches and private residences, property owners may request protesters to leave their property.

3.1.4. Sidewalks in the public right-of-way are not private property. Protesters have a legal right to be on the public sidewalks; however, they are not allowed to block entrances to the facilities they are protesting.

3.1.5. Protesters have a legal right to yell as long as they are not violating any noise ordinance.

3.1.6. Protesters cannot block or interfere with vehicular or pedestrian traffic.

3.1.7. Protestors can hold or carry posters, even if they are offensive to some people.

4. Applications

4.1. The Mobile Field Force (MFF) concept can be used in a wide variety of situations. Most commonly, MFF concepts and tactics are used in civil disturbances and critical incidents; however, they can be used in any circumstance or incident where a large contingency of officers is used to manage an incident. The Sioux Falls Police Department enforces applicable state and local laws pertaining to non-violent protests.

5. Authorization and Activation

5.1. Based on a request from another agency, notification of a civil disturbance or critical incident or other appropriate incident, the following have the authority to activate and/or request a deployment of the MFF:

5.1.1. Chief of Police

5.1.2. Assistant Chief of Police

5.1.3. Division Commander

5.1.4. MFF Commander

5.1.5. SWAT Commander

5.1.6. On-duty Shift Commander or his/her designee

5.2. The requesting authority will notify the MFF Commander or his/her designee to deploy and/or activate the MFF. After notification the MFF Commander or his/her designee will notify Metro Communications and request a call-out of specific work units to form the MFF. The MFF Commander and his/her designee will determine which units will be notified to respond.

6. Chain of Command

6.1. In most instances the MFF will be deployed to assist Sioux Falls Police Department personnel with Agency events or incidents. The MFF may be deployed to assist another agency or as part of a multi-jurisdictional command with the approval of the Chief of Police. Under these circumstances, the Chief of Police or his/her designee will approve the MFF to work in the command structure of that agency or command. During the MFF activations and in keeping with Incident Command concepts, the following chain of command will be in effect:

6.1.1. Chief of Police

6.1.2. Assistant Chief of Police

6.1.3. Division Captain or designee responsible for the incident

6.1.4. Shift Commander or Lieutenant responsible for the incident

6.1.5. Incident Commander

- 6.1.6. MFF Commander
- 6.1.7. MFF Squad Leader

7. Personnel

- 7.1. A Mobile Field Force (MFF) is a contingent of MFF trained Officers and Sergeants led by the MFF Commander. The MFF may be supplemented by other units such as SWAT and K-9.
- 7.2. The MFF Commander is responsible for the overall tactical operation of the MFF.
- 7.3. A MFF Squad is the basic element of a MFF. Each squad will typically be led by a Squad Leader. The number of officers assigned to a team will vary depending on the mission. The number and mission of the teams will be decided by the MFF Commander.
- 7.4. Officers and Sergeants deployed as part of a MFF should be equipped and trained for their particular assignment prior to deployment.
- 7.5. Approved uniform for the particular mission will be at the MFF Commander's discretion. These include a standard patrol uniform or navy blue BDU pants and shirt.
- 7.6. Officers will wear the appropriate safety equipment issued by the Sioux Falls Police Department.

8. Progression of Force

- 8.1. A patrol supervisor or Shift Commander has a great deal of discretion when trying to address a large crowd. When making a decision on whether to activate the MFF for a large crowd response, the patrol supervisor or Shift Commander should consider the following three-tiered response/decision making matrix. This matrix provides examples for an appropriate response with contingencies built in for officer safety. Notwithstanding, all Responses to Resistance should conform to Policy 601, *Response to Resistance*.

8.1.1. Tier One:

- 8.1.1.1. Non-riotous, non-violent crowd that the patrol supervisor or Shift Commander feels can be impacted with the use of small team tactics. It is not necessary to activate a MFF to handle this type of crowd unless the patrol supervisor or Shift Commander feels the additional personnel are

necessary. Appropriate tools for use with this type of crowd might be individual OC dispensers or other target-specific tools.

8.1.1.1.1. The use of pyrotechnic chemical agents is not applicable for this tier.

8.1.2. Tier Two:

8.1.2.1. Large riotous and violent crowd absent an immediate concern that serious bodily injury or death is occurring. In this tier the patrol supervisor or Shift Commander should contain the area as best as possible and initiate a MFF callout. An emergency team should be formed in the event that an immediate rescue is needed. This crowd should be monitored and the Shift Commander should consider waiting for the formation of a MFF prior to dispersal of the crowd.

8.1.3. Tier Three:

8.1.3.1. Large riotous and violent crowd that has created an immediate concern that serious bodily injury or death may be occurring in the crowd. The patrol supervisor or Shift Commander is authorized to deploy or order the deployment of pyrotechnic chemical agents if appropriate and intercede with an emergency team to rescue the victim(s). Once the rescue has been completed, the officers should consider returning to containment positions and wait for the organization and deployment of the MFF.