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Policing in City Hall Demonstration

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The Constitution of the United States guarantees to the people the right of public assembly and to petition their government for a redress of grievances. Over the years, Federal, State, and municipal courts have interpreted the first amendment literally. Today, it is a wise administrator who plans for an orderly gathering of petitioners rather than waste time and effort trying to prevent demonstrations.

The focal point for demonstrating against controversial policy, procedures, decisions, and nondecisions, whether involving public or private

institutions, is the seat of municipal government—city hall.

To most people, New York City is a skyline—high towers rising above a metropolis. Or it is the center of a swarming population of endless traffic, countless streets, enormous sums of money, and gigantic enterprises. Bigness is the overwhelming note, and yet, at the center of it all is the special pride of New Yorkers, the modest City Hall.

The first story of City Hall belongs to the executive arm of the municipality, with the mayor's office in the west wing and the city council president's

in the east wing. The legislative arm is on the second story, with the Board of Estimate on the west, and the city council on the east. The steps and Ionic columns provide an impressive entrance to the rotunda. It is on these steps that the mayor receives and honors distinguished guests and where celebrities who have been welcomed by the great New York tickertape parade are greeted.

The park surrounding City Hall is open to the public. Thousands pass through daily on their way to work, to shop, or to relax on their lunch hour. Chambers Street to the north is a busy

shopping center and attracts office workers from the skyscrapers on Broadway to the west and the Municipal Building to the east. The southern tip of City Hall Park abuts Barclay Street where southbound traffic from Centre Street and the exit ramps of the Brooklyn Bridge and F.D.R. Drive converge on Broadway. Centre Street is the main southbound artery, feeding commuter traffic from the bridge and drive to the Financial District.

The Manhattan South Area police command is not large compared to the other areas of the city but is certainly the most active. The territory it comprises stretches from the Battery to Central Park and is bounded east and west by the two rivers. Within the command are the largest entertainment center in the country, the United Nations, the financial capital of the world, the Madison Square Garden sports complex, the Government Center, Greenwich Village, the lower East Side, Chinatown, and other places of historical and cultural interest that attract millions of tourists annually.

Within the 10 precincts making up Manhattan South Area, the normal and extraordinary police problems are evident. Street crime is high—criminals are attracted to where the action is. The Times Square section presents enormous problems in public morals enforcement. Although the residential population is not high compared to other areas, the density is. Tenements and luxury apartments are separated by only a few blocks. The exclusive high-priced Fifth Avenue shops are within walking distance of the wineshops and cutrate stores of the slums.

To cope with these problems, the 10 precincts in the area have approximately 2,500 police officers. The 1st Precinct where the hall is located is allotted approximately 200. The precinct begins at the Battery and covers all streets and avenues river to river, north to Dover—Frankfort Streets. It then extends further north from a centerline of Broadway west to the Hudson River and uptown to Houston Street. It is shaped like a thumb.

The complement of the 1st Precinct is divided into three shifts for patrol. The men must give attention to a high burglary and auto-larceny rate on the late tour (1 a.m. to 8 a.m.), to larceny and robbery problems on the day and evening tours, and to traffic congestion between 7 a.m. and 7 p.m. In addition, patrol must be provided for the shopping areas of Nassau, Chambers, and Canal Streets for the peddler conditions engendering complaints from the storekeepers.

By far the busiest part of the 1st Precinct's day is between 7 a.m. and 7 p.m. This is when the area is alive with people, the vast majority of them transients who work, shop, and visit the area to view the cultural and historical monuments and places of interest. This is the peak traffic time, where assignments of police officers must be made to the major intersections to speed traffic on its way. This is when the financial district, the stock exchanges, the large banks, and insurance companies are open and attracting hordes of employees and customers. Battery Park must be policed year around to service the tourists attracted to historic Fort Clinton and the Statue of Liberty. It is a busy precinct, and the men work hard to

provide service for such diverse activities.

Out of its total complement, the 1st Precinct provides a detail of police officers for around-the-clock coverage of City Hall. The day detail can handle most of the ordinary events at City Hall—small gatherings of distinguished guests, award ceremonies, etc. If the ordinary, peaceful events are too large for the City Hall detail to handle, the Manhattan South Area Task Force is assigned as a backup unit. This organization was started in 1972 to provide a mobile arm to cover police operations. With a complement close to 90 men assigned to a 10 a.m. to 6 p.m. tour, the Manhattan South Area Task Force is specifically used to respond to spontaneous events that would tax the manpower of local precincts. Also, the task force is used at all major demonstrations, parades, disturbances, etc. The personnel are trained to handle these events.

Demonstrations

The Operations Office is the nerve center of the Manhattan South Area Command. Here the first notification of a demonstration is received, usually by telephone from police headquarters or by application from a group wishing to demonstrate or protest some action. The majority of the

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groups that demonstrate notify the police of their intention so that they can be provided with an orderly setting for their march. When the Operations Office receives word of an event, they verify its accuracy through department and outside channels.

The reasons for demonstrations are of little interest to the command. When the demonstration involves City Hall, orderliness must extend to the function of government itself—municipal officials must be allowed free access to their quarters and must be allowed to continue their work. Therefore, all plans center around these concerns and are drawn so that demonstrators adhere to prescribed lines of march, with as little disruption of government and private activities as possible.

Once notified that a demonstration is to occur at City Hall, the operations Office devises a plan. The details of the plan are contingent upon the size of the group, nature of the event, known facts as to attitude of protestors (militant or peaceful), the time of day or week, etc.

One of the most recent large demonstrations at City Hall involved the Chinese community protesting the proposed closing of the 5th Precinct. On first hearing of the demonstration, Manhattan South Area community affairs specialists contacted community leaders to find out the size of the demonstration and whether it would be peaceful. Then, the Intelligence Division was consulted about militant groups who might join the community members and try to create disturbances in violation of the law. Through all sources of information, it was determined that the demonstration would start in Chinatown at 9 a.m. (on a weekday) and about 15,000 marchers would walk to City Hall to voice their displeasure with the proposed closing of their precinct.

Before the eventful day, a conference of police officials and community leaders was held at Manhattan South Area, where guidelines for the demonstration were discussed. These conferences are important. They set the tone for the demonstration because it is here the public officials explain the rights of the demonstrators, the rights



Commissioner Michael J. Codd

of the public, and the peace-keeping role of the police. Manhattan South Area civilian legal advisers assist the commanding officer in preparing the agenda for this conference and participate in the conference itself by offering suggestions on legal matters. These advisers also help the staff prepare instructions for the police detail on the law of arrest and are present during the demonstration as aides to the area commander.

The community leaders appreciate the concern shown by city government at this level, and they usually cooperate in maintaining order during the demonstration. Also, this conference fleshes out the police plan, the community leaders appoint marshals and, in this instance, because of the language barrier, interpreters to work directly with police commanders.

When the size and demeanor of the group of protestors is known, the Operations Office sets a detailed plan in motion. In planning for the massive march of the Chinese community at City Hall, the known factor was size. There was also a possibility of militants infiltrating the march and causing trouble. This was of considerable influence in formulating the detail.

Manpower and Equipment

Before developing the plan further,

the Operations Office recommends to the commanding officer the number of men needed for the detail. The commanding officer then confers with other members of his staff, the executive officer, and the field control inspectors, particularly, to get their input. This is important because they will be his field commanders on the day of the event. He may also confer with the chief of operations, chief of field services, and chief of Inspectional Services Bureau (parent bureau for the Intelligence Division) regarding any last minute information received at headquarters that might change the complexion of the demonstration. When the area commander is satisfied that all available factors have been considered, then his decision as to the size of the detail is made, and the Operations Office is given the green light to proceed with the plan.

The first reservoir of manpower tapped is Manhattan South Area. The task force available force figures show close to 50 men for a weekday tour, and they are assigned to the demonstration. More men are selected from the 10 precincts in the area, but none are stripped below the minimum manning level.

The minimum manning level formula is used so that each precinct can maintain staff and operational capability to resolve local problems. Approximately 400 police officers are scheduled for 8 a.m. to 4 p.m. hours in the 10 precincts on a weekday. For Manhattan South Area to supply 300 men for a City Hall detail would deplete the precincts to the extent that essential police service could not be provided. Therefore, minimum manning levels have been set for each precinct based on size, the volume of work, total complement, crime, call for services, etc. As an example, the 1st Precinct has about 20 men available for a day tour. The minimum manning level is 1 ranking officer and

12 police officers. Of the 20 available men, 8 police officers can be assigned to the demonstration.

By this process, the area commands can generally provide 100 police officers to cover the demonstration. The balance will be requested from the chief of operations who selects police officers from other boroughs to fill the requirements.

Because there is also a need for specialized personnel and equipment not under the control of Manhattan South Area, a request is made to the chief of operations for: mounted, motorcycle, traffic, and emergency service personnel; photographers with equipment; trucks with barriers; tow wagons; and patrol wagons for prisoners.

Requests are also made to other agencies—transit authority to provide transit police personnel at subway stations in the area and to advise of traffic problems along bus routes; hospitals to have ambulances available for sick or injured; fire department to alert them of traffic congestion in the area; mayor's office so that an official, or the mayor himself, will be prepared to confer with the groups; and the Communications Division to have the headquarters truck and portable radios in place for the police commanders.

The Operations Office deals in many special problems in setting up the detail. Labor contracts have stringent provisions limiting the administrator's prerogatives in changing tours, working overlapping tours, and paying portal-to-portal and overtime wages. Usually, Operations Office personnel remain on alert waiting for approval of detail requests forwarded to the chief of operations. If requests come back with numerous changes, these officers must work beyond their scheduled tours to make the corrections, notify those concerned affected by the changes, and prepare the completed package for the field com-

manders.

The staff of the Operations Office must be experienced in determining manpower needs, in knowing the intricacies of labor contracts, in knowing what additional manpower and equipment is needed. The request sent to the chief of operations must qualify as completed staff work for it is on this request that the command will stand or fall. They cannot underestimate, even during a period of fiscal crisis, because the police detail could then be overwhelmed. They cannot overestimate, because the top command looks askance at wasteful practices and judges the state of command accordingly. So they must plan well, knowing that there is little margin for error.

The plan itself is designed to allow a peaceful march around the perimeter of City Hall. The marchers are organized at Chambers and Centre Streets and proceed south on Centre Street past City Hall Plaza to Barclay Street. Here, they loop northwest up Broadway to Chambers Street, then east on Chambers Street to Centre Street. Depending upon their reception by public officials and their own energy, they may make several circuits of the hall. When requested, police officials set aside Murray Street, between Broadway and Church Street, for a mass rally. Sound trucks are set up for speeches by community leaders and invited guests.

The Plan in Operation

Two hours before a demonstration is to begin, the police command group gathers in the headquarters truck parked at the east end of City Hall. Detail rosters are assigned to ranking officers after they are recorded in the headquarter's log. Once the sector and zone commanders have their assignments, they check out portable radios and survey the area to make sure the barriers are in place. A dou-



City Hall locale.

ble line of barriers completely circles the perimeter of the park at mass demonstrations, and additional barriers are placed at strategic walkways inside the park. This reduces considera-

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bly the manpower needed to police the demonstration adequately.

Standard procedures and nomenclature are used at all police operations to avoid confusion. The commanding officer of the area concerned, in this case Manhattan South, is in charge. The total area to be policed is divided into zones, each zone under the command of a ranking officer, usually an

inspector. The zones are further divided into sectors, commanded by deputy inspectors or captains, and the sectors are subdivided into posts under the supervision of sergeants.

The plan is flexible within the limits of zones and sectors. The Manhattan South Area Task Force is deployed as a group, under their own supervisors, with adequate transportation and communication facilities. Although assigned to a specific sector, they are on standby alert as a mobile reserve ready to move into any trouble spot on signal from the commanding officer.

Priority coverage is designated for City Hall itself. About 200 officers and supervisors are assigned in a ring around the park and at the entrances and walkways inside the park. A force of 20 officers guards the plaza and the steps leading to the hall. In addition,

part of the mounted detail is assigned to the rear and sides of the building. As long as the demonstration is in progress, this assignment remains fixed. Only the commanding officer's order can change it in any way.

Outbursts of violence on perimeter streets have been used in the past by militant groups as diversionary tactics to draw away from this primary coverage but without success. If the mobile reserve (Manhattan South Area Task Force) cannot contain these disturbances, special police radio code signals are transmitted for additional help. Within a short time, this message brings adequate reinforcement, not only from Manhattan, but from Brooklyn, Queens, and the Bronx. If the disturbance is not under control, the operations officer in the temporary headquarters vehicle requests the Cur-

rent Situations Desk, Office of Chief of Operations, for additional manpower. The Current Situations Desk is the coordinating unit of the police department for personnel deployment in emergencies. All area commands report their availability of personnel daily to this unit. In addition, the Current Situations Desk can draw on the facilities of police academy training sites and the outdoor range, where here usually are large groups of officers attending classes or range instructions.

In the past year, the Brooklyn Bridge has gained priority status for police coverage. A favorite tactic of militants is the sitdown or liedown on roadways and ramps, tying up traffic to the consternation of hornblowing motorists. So in the City Hall area this is a fixed detail, changeable only on the commanding officer's order.

Generally, an appropriate number of officers and supervisors are stationed along the roadways and walkways of the bridge proper and at the exit and entrance ramps. Part of the mounted and motorcycle details are held in reserve at the foot of the bridge, and tow wagons are parked strategically to remove stalled vehicles used as a ploy by the demonstrators. Hundreds of barriers are also strategically placed so that traffic can be cut off or diverted to bypass any demonstrators who succeed in getting on the bridge. A patrol wagon sits in waiting for the demonstrators arrested for blocking traffic.

The remainder of the police detail is assigned to any special demonstration or rally area. Some groups mass in Murray Street to listen to speeches by their leaders. More militant factions splinter off to specific targets of their ire. Although the main body may continue to picket the seat of power—City Hall—wildcat groups may converge on the Municipal Building, the Federal Office Building, the Hospitals Corp., the Human Resources Develop-

ment Agency, or other government agencies in the area. They are all close to City Hall, and the mobile reserve unit and/or Sector 5 (assigned to the rally area) personnel can be moved quickly by bus, patrol wagon, or radio cars and scooters, to contend with the troublemakers.

The temporary headquarters vehicle is the command post for the demonstration. It is equipped with telephones, radio receiving and transmitting gear, portable radios for ranking officers assigned in the field, bull horns, record books, stationery, etc. The Manhattan South Area operations lieutenant is in charge of the headquarters and, with his staff, coordinates all phases of the police operations for the commanding officer. This entails maintaining communications with the Current Situations Desk, other area commands affected, Traffic Division personnel, mounted detail, photo unit, and intelligence unit. Regardless of what unit a member is permanently assigned to, during this operation he is under the command of Manhattan South Area. His radio must be tuned to this frequency, and he must remain in touch with the command post.

On reporting to the command post, each zone and sector commander is given a package containing post location lists with maps, detail roster sheets, recapitulation sheet (indicates the number of men assigned from specific precincts), instruction sheet, and overtime slips. He then signs for a portable radio, tests it, and goes to a predetermined location to assemble his detail. This is approximately 1½ hours before the demonstration is scheduled to begin.

After assembling the detail, the sector commander calls the roll, instructs the men on their duties, and assigns them to posts under the supervision of a sergeant. The sector commander immediately reports any absentees to the command posts so that notifica-

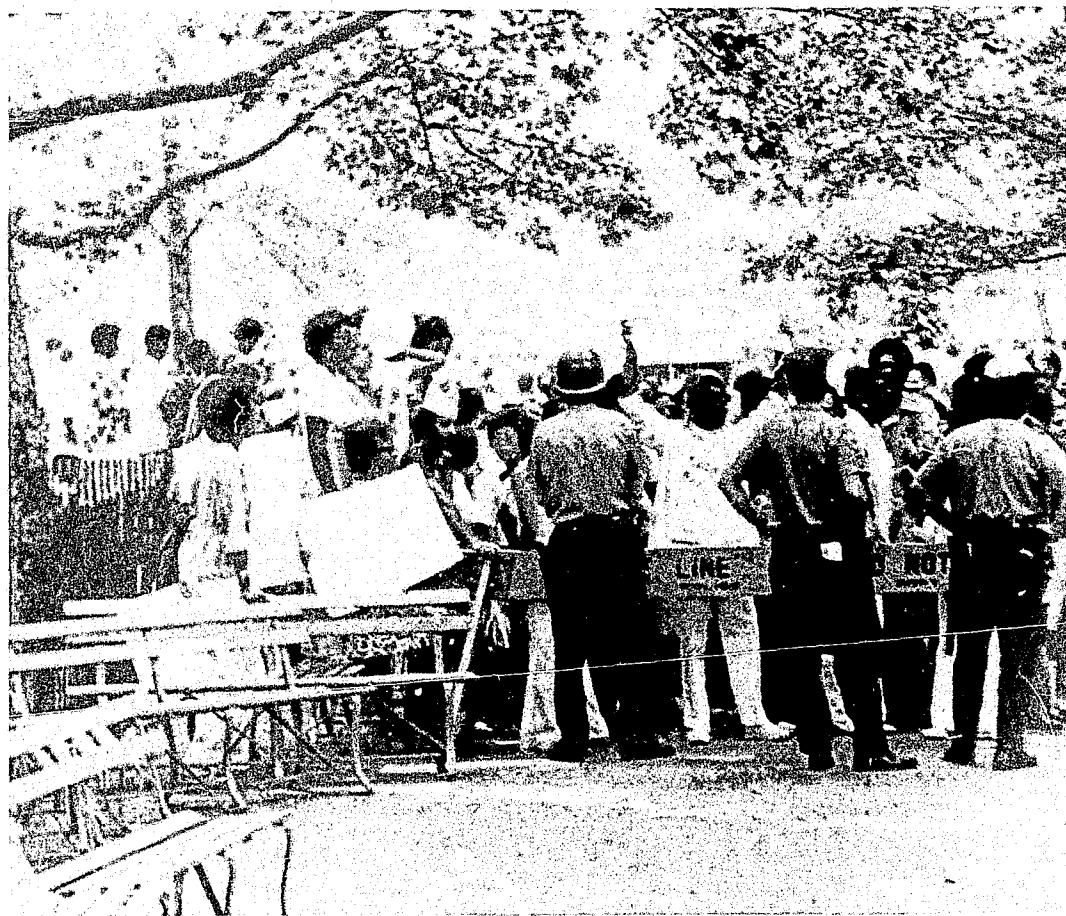
tions can be sent to the commands concerned.

The instruction period is devoted to the special problems expected at the demonstrations. The detail is briefed on the purpose of the protest, the anticipated reaction of the group (whether peaceful or militant), laws applicable to demonstrations, and department and area policy on mass arrests, illegal acts, warnings before arrests, removal procedures, arrest teams, arrest processing locations, etc.

Arrest Situations

Special mention must be made of department and area policy and enforcement of law at demonstrations. In normal police operations officers must, by the nature of their assignment, be allowed some discretion in handling incidents. They are trained to use judgment and commonsense in dealing with the public and to use tact and diplomacy in settling street disputes, family fights, and the like. Furthermore, they are given a measure of freedom to act on their own. Because of the distance they work from a headquarters base and because of the extended territory they must cover by radio motor patrol assignment, supervision, although not loose, cannot be provided in all instances.

At demonstrations, the opposite is true. Span of control is tight not only in personnel supervised, but also, in area covered. The sergeant must be with his men (not more than 10—often less than 5) at all times. Arrest situations are dictated and supervised by the sector commander, who must be present at the time. This policy has evolved from experience. The 1960's provided this city with a multitude of mass demonstrations protesting the Vietnam War. Court rulings placed strict limitations on police action and clearly delineated guidelines and procedures before arrests could be made. For example, the assumption that a



City Hall Park.

person knows or should know the law is not sufficient for an arrest of a group sitting in a roadway blocking

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traffic. The law must be explained to the protestors, and they must be given time to move after they have been warned that they will be arrested. Experienced police commanders understand these guidelines, but they must be repeated during the instruction period so that every officer knows what is expected of him. When arrest situations develop on the street, the sector commanders have access to the exper-

tise of the Manhattan South Area civilian legal advisers, as mentioned earlier in this paper. They are present at all demonstrations to advise the commanding officer and his staff on legal matters.

These instructions include the basic purpose in policing the demonstration; i.e., that the use of force or violence will not be tolerated, the paramount right of all individuals to use the streets will be fully protected, the police will remain neutral and enforce the law impartially and will prevent violations of law.

The specific sections of law spelled out for the protestors and police are the criminal trespass, criminal mischief, reckless endangerment, disorderly conduct, harassment, resisting arrest, riot, and unlawful assembly statutes of the New York State Penal

Law.

Police officers are also reminded to be courteous and use tact and diplomacy in correcting minor incidents. They are briefed on their assignments regarding the necessity to keep pedestrian and vehicle traffic fluid, the location and telephone number of the command post, the designated precinct for processing arrests, the availability of arrest teams upon request of the sector commander and to give attention to fire boxes to prevent false alarms of fire.

Police authority, generally delegated downward from the police commissioner to the officer on post, is more restricted at a demonstration. The commanding officer retains certain prerogatives which are not delegated unless he specifically and directly makes the delegation. Hence the

requirement that the sector commander must direct mass arrests. Only the commanding officer can give the order to use mounted patrol against a crowd. It is also his option to use arrest teams. In most cases, arrest teams are used because of the saving in manpower effected and the expertise of the officers designated. These men are a select group of specially trained task force personnel who have had vast experience in handling arrest situations. And, although the entire detail is instructed in the importance of recording the names and addresses of witnesses for presentation of evidence in court, the arrest team members are more likely to remember this important point during the heat of an incident.

Deployment of Manpower

It is the first-line supervisor's job, i.e., the sergeant, to escort his detail to their assigned posts. For the City Hall perimeter, this is a simple task, as not more than 50 paces separate one man from the next. The sergeant checks his area for any unusual conditions or problems, and then, he and his men await the arrival of the demonstrators. Some kindhearted sergeants have been known to give their men coffee breaks in the interval, but it behooves him to know where they are and to have them in place one-half hour before the start of the march.

All demonstrations have unique qualities; none develop or progress with a sameness that would allow for an inflexible scenario. Some offer physical violence, some verbal assaults to goad the police to action, others are relatively quiet. Many use civil disobedience—blocking roadways, bridges, tunnels, etc., to bring the officials to their knees. The plan must be flexible to cope with changing conditions, and the police commanders must be flexible and stable to insure maximum public safety and security.

Communications equipment pro-

vides a valuable tool to maintain this flexibility and stability. All ranking officers have direct access to the commanding officer through portable radios. They constantly keep the command post advised of the movement of marchers, surfacing problems, overcrowding, sitdowns, disturbances, splinter group diversions, etc. The commanding officer must make prompt and correct decisions in these field situations, and it is through this medium—the walkie-talkie—that he is supplied with current information to help him shape his decision.

Based on field reports, the commanding officer knows where to send reinforcements, which sectors to tap or bolster, when code signals should be transmitted for immediate help, when Current Situations should be called for outside manpower, etc.

At a recent demonstration, a splinter group of about 2,000 construction men stormed the ramps to the Brooklyn Bridge. Rapid communication from a sector commander alerted the command post so that mounted, motorcycle, and foot reinforcements were rushed to the scene. This was done without drawing from primary coverage around City Hall, and the situation was contained. Without the rapid and far-reaching communication equipment, all our plans could go awry, either by supervisors and their men abandoning fixed locations to do battle on the bridge or by inordinate delays in getting the mobile reserve into position.

The commanding officer at the scene of a demonstration must be more than just a field leader. The demonstrators are there for a purpose—usually to display their displeasure at an act of government. As the visible representative of this government, the commanding officer listens carefully to their complaint. If possible and within his purview of knowledge, he answers questions and grievances. Here he becomes a kind of mediator in the dis-

pute, especially if it involves a police matter, as the Chinese community march did.

Previously, the commanding officer conferred with higher authority for an overview of the problem. He learned that there was no definite closing date for the 5th Precinct Station House. The leaders, of course, wanted a firmer commitment, which the commanding officer could not give. But the request for this commitment was conveyed to the mayor's office. An official from the mayor's office met with leaders from the group to explain the city's financial plight. Although this did not solve the community's problem, it assuaged their feeling somewhat and beyond this the police commander could not go.

This particular protest lasted about 3 hours and broke up peacefully when the marchers returned to Chinatown.

Wrap-Up Procedures

At the conclusion of the protest, the commanding officer called his sector commanders to headquarters, gave them the dismissal order to relay to their men, and ordered part of the mobile reserve to patrol City Hall Park and vicinity until 5 p.m.

The wrap-up procedures were performed by the operations staff assigned to temporary headquarters vehicle. Current Situations Desk and the area were notified of the time of dismissal, the number of men returned to commands, and the provisions for continued patrol in the area.

The operations staff also controls the portal-to-portal and overtime requests by collecting the slips, verifying that the requests are correct, that they are signed by a ranking officer, and by forwarding the slips to the proper command.

When the commanding officer is satisfied that the situation is normal, he returns to his command, happy in the knowledge that all is right with the area at least until tomorrow. (U)

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