

**SAN DIEGO POLICE DEPARTMENT
ORDER**

DATE/TIME: APRIL 5, 2024 1645 HOURS
NUMBER: OR 24-13
SUBJECT: DISPERSAL ORDERS FOR UNLAWFUL ASSEMBLIES
SCOPE: ALL MEMBERS OF THE DEPARTMENT
DEPARTMENT PROCEDURE AFFECTED: 4.17

Portions of this document are deemed by the San Diego Police Department to be records of security procedures and are exempt from disclosure under the California Public Records Act (CPRA), Government Code Section 7923.600.

In the interest of maintaining uniformity, the San Diego Police Department is changing its unlawful assembly announcement to follow the verbiage put forth by the California POST's Guidelines for Crowd Management, Intervention, and Control, along with the San Diego County Sheriff's Department, as it relates to dispersal orders at unlawful assemblies.

Effective immediately, the following unlawful assembly announcement verbiage will now be used:

“I am (your name and rank), a peace officer of the City of San Diego. I hereby declare this to be an unlawful assembly, and in the name of the People of the State of California, I order all those assembled at (give specific location) to immediately disperse, which means to break up this assembly. If you do not do so, you may be arrested.

You may also be subject to other police action including the use of kinetic energy projectiles and chemical agents, which include CS Tear Gas, OC Pepper Spray, 40mm sponge rounds, irritant filled projectiles, and 12 gauge beanbag rounds. Use of these devices could result in serious injury.

Penal Code section 409 prohibits remaining present at an unlawful assembly, which means you must leave the area I just described. If you remain in the area just described, you will be in violation of Penal Code section 409. The following routes of dispersal are available (provide evacuation routes). It is approximately XXXX hours, and you have XX minutes to leave the area.”

“Yo soy (name and rank) un oficial del departamento de policia de San Diego. Por la presente declaro que esta es una asamblea ilegal y en el nombre del gobierno del estado de California, les ordeno a todos aquellos reunidos (give specific location) que se retiren inmediatamente. Usted puede moverse (give specific locations and best route). Si no hacen eso, ustedes seran arrestados.

Otra accion del policia podria incluir el uso de fuerza que podria infligir dolor significativo o causar lesiones graves. Ejemplos de esta fuerza podrian incluir proyectiles de energia cinetica, agentes quimicos irritantes que incluyen, esparcidor lagrimante, aerosol de pimienta, proyectiles de esponja, proyectiles llenos de irritante pimienta, y cartuchos calibre 12 llenos de sacos con proyectiles.

Codigo Penal, seccion 409 prohíbe permanecer en una asamblea ilegal. Si permanecen en la zona que acabamos de describir, independientemente de su proposito, usted estara en violacion del Codigo Penal 409. Las siguientes rutas de dispersion estan disponibles (provide routes). Tiene (reasonable time) minutos para dispersar.”

Sworn personnel are reminded that the use of kinetic energy projectiles and chemical agents shall not be used to disperse an assembly, protest, or demonstration, except as authorized by Section 13652 of the California Penal Code. **All sworn members of the Department shall comply with the requirements and standards set forth in Penal Code section 13652 (DP 4.17, Section X.A.).**

This unlawful assembly announcement supersedes all other versions, and they shall be discontinued from use by Department personnel. Department Procedure 4.17, the current Mobile Field Force Guide and other training materials provide guidance on addressing unlawful assemblies and will be amended to reflect this change.

If there are any questions regarding this amendment, please contact CIMU (~~Deleted – records of security~~) or CIMU Sgt. (~~Deleted – records of security~~).

Please read at squad conferences and give a copy to all personnel.