

General Order

Houston Police Department



ISSUE DATE:

September 19, 2017

NO.

600-26

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 600-26, dated July 10, 2015

SUBJECT: LABOR DISPUTES

POLICY

The department shall monitor labor disputes to ensure the constitutional right to assemble, preserve the peace, and enforce local, state, and federal laws.

This General Order applies to classified employees only.

1 PRIMARY CONSIDERATIONS

Classified employees are to treat labor disputes as situations requiring special restraint and judgment. Generally, enforcement efforts shall be concentrated on law violations affecting life, property, and the right of access.

Classified employees shall maintain a neutral posture and avoid the appearance of law enforcement bias toward management or labor. This includes, but is not limited to, activities such as parking on company property or accepting food or refreshments from either side.

Classified employees shall avoid actions that could incite riot conditions (e.g., arresting picketers on the scene for minor violations). Ordinarily, technical violations of a regulatory nature, such as picketing and labor laws, shall not be enforced through on-scene arrests. Officers shall not make on-scene arrests for minor violations unless authorized by a supervisor and after consultation with the District Attorney's Office.

When a serious violation occurs in the presence of an officer, the officer shall address the incident promptly. The security of all involved is the primary consideration. The officer shall consult with a supervisor and the District Attorney's Office in determining the most appropriate course of action.

An allegation of a serious violation not occurring in the presence of an officer shall be investigated as any other incident. In these instances, if warranted, it is preferable to make an arrest away from the strike location after acquiring a warrant. Supervisory authority must be obtained before making an on-scene arrest in these situations.

2 PATROL OFFICER RESPONSIBILITIES

Patrol officers shall be responsible for doing the following during labor disputes:

- a. Take action necessary to immediately preserve the peace and prevent the destruction of property.
- b. Request that the dispatcher send a supervisor to the scene.

- c. Request additional units if necessary.

3 PATROL SUPERVISOR RESPONSIBILITIES

After arriving at the scene of a labor dispute, the patrol supervisor shall assess the situation and ensure that Special Operations Division, Criminal Intelligence Division (CID), and Command Center personnel are notified. Information shall be forwarded to Special Operations Division personnel by means other than an unsecured radio channel (e.g., mobile computing device [MCD], telephone, secured radio channel, or in person).

The patrol supervisor is responsible for ensuring enough officers respond to the labor dispute to control the scene until relieved by Special Operations Division. Additionally, the patrol supervisor is responsible for authorizing officers to make arrests at the scene of the labor dispute. Supervisors may set up temporary headquarters if conditions require. Facilities of management or labor are not to be used as temporary headquarters.

4 COMMAND CENTER RESPONSIBILITIES

When notified that a labor dispute necessitates a police response, a Command Center supervisor shall immediately notify the Special Operations Division, CID, and the department's Office of Legal Services.

5 SPECIAL OPERATIONS DIVISION RESPONSIBILITIES

The Special Operations Division shall be responsible for coordinating the department's response to labor disputes. Depending on the extent and nature of the dispute, Special Operations Division personnel shall be responsible for doing the following during labor disputes:

- a. In conjunction with CID personnel, meet with both management and labor representatives as soon as possible to explain the Houston Police Department's position and procedures in labor disputes.
- b. Provide uniformed police officer visibility.
- c. Provide any necessary tactical response, such as crowd control, traffic control, and arrests of law violators.
- d. As necessary, produce recordings of the events for evidentiary or training purposes.

6 CRIMINAL INTELLIGENCE DIVISION RESPONSIBILITIES

CID shall be responsible for monitoring labor disputes for intelligence purposes. CID shall be responsible for doing the following during labor disputes:

- a. Ensure the Command Center knows that a labor dispute is ongoing. CID shall provide the

location of the dispute, name of the involved company, identity of the involved labor group, and an estimate of the number of participants.

- b. In conjunction with Special Operations Division personnel, meet with both management and labor representatives as soon as possible to explain the Houston Police Department's position and procedures in labor disputes.
- c. Maintain a neutral position while acting as a law enforcement liaison between the City of Houston and both the labor and management sides of the dispute.
- d. Conduct investigations as necessary and in compliance with divisional SOPs.
- e. Notify the department's Extra Employment Office that a labor dispute exists and provide the location of the dispute.
- f. Notify the Command Center when the labor dispute has concluded and provide any significant information relevant to the disposition of the event (e.g., arrests, incident numbers, injuries to participants).
- g. Complete all reporting documents according to divisional SOPs.
- h. Develop, maintain, and adhere to divisional SOPs regarding the appropriate use of covert operations.

7 OFFICE OF LEGAL SERVICES RESPONSIBILITIES

The HPD Office of Legal Services shall provide legal advice to the commanders of Special Operations Division and CID during labor disputes.

8 RELATED GENERAL ORDERS

500-01, **Effecting Arrests and Searches**

500-02, **Handling and Transporting Prisoners and Other Persons**

500-14, **Class C Misdemeanors**

600-17, **Response to Resistance**



Art Acevedo
Chief of Police