

A. PURPOSE. To protect life and property while rendering professional and neutral police services in order to ensure and protect the Constitutional liberties of all persons, including the right to lawful and peaceful exercise of free speech in a public place.

B. SPECIFIC RESPONSIBILITIES

1. When the Department is notified about any potential or actual dispute or protest, the recipient of the information shall notify the affected Service Area Commander.

2. The Service Area Commander or their designee shall:

a. Respond to the scene, verify the nature of the incident and identify:

(1) The name, business address, and telephone number of the employer or his designated spokesperson.

(2) The name of the president of the union, address of the union, and union telephone number or the organizer of the event.

(3) The type of business of the employer or boundaries of the event.

(4) The total number of employees and their work schedules if applicable.

(5) The total number of participants.

(6) The reason(s) for the dispute or protest.

(7) The date the strike was or is to be declared or length of the protest event.

(8) Nature of anticipated problems.

(9) Any additional intelligence that would assist the Department in determining the type of response. (i.e., number and deployment of pickets, hours of picketing, attempts to receive injunctive relief, private security, etc.)

(10) Determine if Department resources are necessary.

- b. Submit a detailed report to the Chief and Deputy Chiefs of police immediately with copies forwarded to all Service Area, Unit Commanders and Emergency Communication Supervisors.
 - c. Determine possession and use of special police equipment (helmets, air purifying respirators, etc.) by the responding personnel.
 - d. Contact the Investigative Unit Commander, if necessary, for the purpose of covertly deploying video and audio tape recording equipment, if the event may become disorderly or unruly.
 - e. Give a detailed report to the Chief and Deputy Chiefs of Police of all conditions at the scene during your shift, together with responses by the Department.
 - f. Not be prevented (or designated supervisor) by the content of this order from visually monitoring the scene or contacting the principals to obtain current information.
2. Police Department Personnel shall:
- a. Maintain the balance between protection of free speech and other expressive activity by all points of view with protection of life, property, and public health, safety, and welfare.
 - b. If possible, upon approach, gather information using DICV narration to record the event in accordance with MOP 8-12.
 - c. Respond, only if a violation of law and ordinances are reported or if a medical emergency exists. Enforcement considerations should include but are not limited to:
 - 1) Availability of resources
 - 2) Location and type of property
 - 3) Appropriate warnings given to identified leaders
 - 4) Time of day
 - 5) Whether a complainant been identified
 - 6) Warrant options
 - 7) Safety and traffic flow
 - d. Respond to requests for police service with at least two (2) patrol units and a patrol supervisor; only uniform personnel will respond.

- e. Render a professional appearance and strict neutrality.
3. Police Department Personnel shall not:
- a. Loiter at the scene and shall avoid any activity at the scene unless it is directly related to the response for police services pursuant to this order.
 - b. Arrest without the approval of a patrol supervisor, unless a felony has been committed and the police employee reasonably believes an arrest is justified to assist in maintaining order at the scene.
 - c. Enter picketed private property or cross union picket lines unless responding to a request pursuant to this order or discharging other actions related to protecting life and property.
 - d. Investigate, detain, harass, or discriminate against any person who is engaged in lawful public speech or expressive conduct in order to prevent the person from exercising his or her First Amendment rights or for the purpose of punishing or retaliating against such activities.

C. APPLICABLE MICHIGAN LAW

MCL 423.9f. Mass picketing of place of employment or unlawful threats or force obstructing work, ingress, egress, or use of public ways declared unlawful; picketing of residence barred; misdemeanor.

Section 9f. It shall be unlawful (1) for any person or persons to hinder or prevent by mass picketing, (unlawful) threats (or) force the pursuit of any lawful work or employment, (2) to obstruct or interfere with entrance to or egress from any place of employment, (3) to obstruct or interfere with free and uninterrupted use of public roads, streets, highways, railways, airports or other ways of travel or conveyance, (4) to engage in picketing a private residence by any means or (methods whatever): Provided that the picketing, to the extent that the same is authorized under constitutional provisions, shall in no manner be prohibited.

*Applies only to labor-management disputes.