# Police Chief

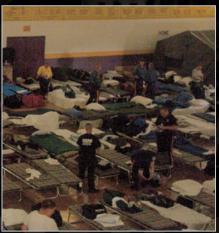
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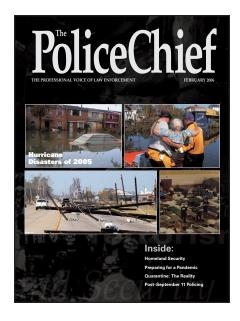
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# PoliceChief FEBRUARY 2006 VOLUME LXXIII VOLUME LXXIII, NUMBER 2

The official publication of the International Association of Chiefs of Police, Inc.

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Graphic Design and Production TGD Communications, Alexandria, Virginia

Richard J. Ashton, William Grady Baker,  $David\ Bostrom, Jennifer\ Boyter, \underline{Carolyn}\ Cockroft,$ Beth Currier, Elaine Deck, John Firman, Jack Grant, Larry Haynes, Kim Kohlhepp, Nancy Kolb, Rick Larson, Phil Lynn, Jerry Needle, Laura Nichols, Tom Robey, Paul Santiago, Vincent Talucci, David Tollett, Nancy Turner, Gene Voegtlin/Editorial Advisors

> Howe & Hutton, Ltd./Legal Counsel http://www.policechiefmagazine.org

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The Police Chief (ISSN 0032-2571) is published monthly by the International Association of Chiefs of Police, 515 N. Washington St., Alexandria, VA 22314-2357, USA; 703-836-6767; fax: 703-836-4543. Periodicals postage paid at Alexandria, Virginia, and additional mailing offices. Subscription rate of \$25 to IACP members is included in annual membership dues of \$100; subscription rate to nonmembers is \$25 per year, domestic and foreign. Single copy, current issue, \$2.50; back issues, \$3, except April Buyers' Guide issue, \$12.50.

POSTMASTER: Send address changes to the Police Chief, 515 N. Washington St., Alexandria, VA 22314-2357, USA.

NOTE: New subscriptions and changes of address require six to eight weeks to process. Subscriptions begin with next available issue; for backdated subscriptions, place separate order for back issues desired. IACP will not be responsible for replacement of an issue if not notified of nondelivery by the 15th of the third month following the month of issue. Please check address label and promptly mail any necessary changes.

Articles are contributed by practitioners in law enforcement or related fields. Manuscripts must be original work, previously unpublished and not simultaneously submitted to another publisher. No word rate is paid or other remuneration given. Contributors' opinions and statements are not purported to define official IACP policy or imply IACP endorsement.

Printed in the USA



BPA business publication membership granted September 1991

**ARTICLES** 

- Pandemic Influenza and Bird Flu: State and Local Law Enforcement Preparedness By David B. Mitchell and Elizabeth Olsen
- **Quarantines: The Law Enforcement Role**
- Operation LEAD: New Jersey's Statewide Response to Louisiana in the Aftermath of Hurricane Katrina By Rick Fuentes and John Hunt
- **Hurricane Rita: Lessons Learned** By Donald D. Dixon

# SPECIAL FOCUS: HOMELAND SECURITY

- Post-September 11 Policing in Suburban America By Dennis M. Rees
- **Community Policing and Homeland Security** By Stephen Doherty and Bradley G. Hibbard
- Homeland Security: Common Sense Measures to Safeguard Your Community By Roger L. Kemp
- Law Enforcement Online: The National Alert System By Lesley G. Koestner
- Consuming and Applying Research: Evidence-Based Policing By Carl J. Jensen III

#### **COLUMNS**

- President's Message: Time to Review the IACP Constitution and Rules By Mary Ann Viverette
- Chief's Counsel: Should Law Enforcement Agencies Apologize for Mistakes? By Kim Wright and Randy Means
- Legislative Alert: House, Senate Approve Budget Reconciliation Bill with Digital TV Deadline By Jennifer Boyter
- From the Director: Tactical Information Sharing System By Thomas D. Quinn

#### **DEPARTMENTS**

**Advances & Applications** 

104 IACP News

**New Members** 

**Product Update** 

106 Highway Safety Initiatives

102 Index to Advertisers

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# PRESIDENT'S MESSAGE

# Time to Review the IACP Constitution and Rules

For more than 112 years, the IACP has been a leader in the law enforcement community in the United States and around the world. Our association has often been on the cutting edge of the policing profession, fostering cooperation among law enforcement agencies, researching new technologies, and developing new training protocols and procedures.

The IACP's ability to function at this high level is due, in large part, to the guidance and structure provided to the leadership and staff through the IACP Constitution and Rules. This vital document forms the backbone of our association, and sets forth the general philosophies of the IACP and the specific rules that govern its operations.

One reason that the constitution and rules play such a central role in the IACP's success is that they have been frequently subjected to a thorough examination in order to ensure that they remain clear and consistent with the desires of the membership.

The last comprehensive review of the IACP Constitution and Rules took place in 2001, during the presidency of Bruce Glasscock. As a result of that review, which focused primarily on the nine articles of the constitution, the membership had the opportunity to vote on 10 proposed amendments at the annual IACP conference in Toronto.

This year, I have asked IACP Parliamentarian Ed Mosca, chief of police in Old Saybrook, Connecticut, to lead a comprehensive review of the 35 rules that not only govern the day-to-day business operations but also dictate the function and structure of the association's various committees, sections, and divisions.

Joining Chief Mosca in this task are the other members of the IACP Constitution and Rules Committee.

- Colonel Carl Baker, Chesterfield County, Virginia, Police Department
- Chief Michael Carroll, IACP fourth vice president, West Goshen Township, Pennsylvania, Police Department
- Chief John M. Clark, Burlington Northern Santa Fe Railroad Police Department, Fort Worth, Texas

- Tom Driessen, IACP international vice president, director, National Crime Squad of the Dutch Police
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- Chief Stephen White, Doylestown Township, Pennsylvania, Police Department
- Chief Carl Wolf, IACP vice presidentreasurer, Hazelwood, Missouri, Police Department
- Chief Jimmy Fawcett, IACP fifth vice president, Farmers Branch, Texas, Police Department

These individuals have been selected for this committee because of their long association with the IACP, their exposure to its operating principles, and their dedication to ensuring



Chief Mary Ann Viverette Gaithersburg, Maryland

its future success. The committee is a strong team, and our combined efforts over the next several months will provide the association with a solid and dependable review of the IACP Constitution and Rules.

It is important to note that this process has not been undertaken to overhaul the IACP Constitution but to improve the processes by which the membership and the association conduct business. Both substantive and nonsubstantive changes will be considered. Reviewing all items will help to guarantee that sound, contemporary, meaningful operations are at work, without impediments, in support of our association's expanding goals.

The committee's first meeting, held in mid-January, included reviewing and discussing the committee's mission, constitution, and amendment requirements and organizing and assigning tasks to committee members. Over the next several months, the committee will be working closely with IACP staff and the association's many divisions, sections, and committees to solicit their input and recommendations for changes to the rules that govern their operations.

It is critical that the general membership also play a role in this vital review process. As the preamble to the IACP Constitution makes clear, the ultimate authority in the IACP is its membership. As the review process continues, the views and suggestions of the membership are important, and I strongly urge you to participate in the review and revision of the association's governing document.

To help you in this regard, the constitution may be accessed through the IACP's Web site at www.theiacp.org. We have also set up a special e-mail address where you may send IACP your suggestions and comments: constitution@theiacp.org.

Our association and policing have changed considerably since IACP was founded as a national organization in 1893. We now represent more than 20,000 members in 102 countries, and our steady growth continues. IACP is your association, and we want to hear your voice as we chart our course for the future. You are invited and encouraged to participate in this historical endeavor. �

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# Should Law Enforcement Agencies Apologize for Mistakes?

By Kim Wright, J.D., Managing Attorney, Healers of Conflicts Law & Conflict Resolution Center, Asheville, North Carolina; and Randy Means, J.D., Police Legal Advisor

W hen we were children, our parents taught us to apologize when we hurt someone. We understand the power of saying "I'm sorry."

Lawyers, on the other hand, typically tell clients to admit nothing and never apologize. They may believe they are saving their clients from liability, but anecdotal evidence and recent research suggest they are wrong.

An apology for wrongdoing can reduce the potential for litigation and liability and also help maintain or restore public trust. Refusing to admit wrongdoing may cause greater problems than the wrongdoing itself. Most agree that public officials would be better off if they simply admitted their transgressions, apologized, and sought forgiveness. In recognition of these principles, some law enforcement agencies have developed standard operating procedures for use of apology and expressions of regret as risk management tools.

#### Anecdotes

A police chief in the Northeast visited bereaved parents to offer expressions of regret and condolences after their daughter was struck and killed by a police vehicle responding at excessively high speed to a call for service. After that visit, the parents decided a lawsuit was unnecessary. They felt there was no need to teach police a lesson because police "know they were wrong" and "a lawsuit won't bring our daughter back." Their desire for revenge against police abated.

A West Coast sheriff personally went doorto-door to apologize to residents for the hail of police gunfire that endangered residents during an effort by officers to stop a vehicle in their neighborhood. Many residents thank him for doing the right thing. Anger gave way to forgiveness and support for law enforcement.

The parents of a young boy on whom police used an electronic control weapon said, "All we want is an apology, but if we don't get it we're going to sue."

#### Data

Data arising from empirical research also suggests that an apology can prevent loss. Much of that data relates to the reduction of medical malpractice liability.

Doctors around the country are discovering that leveling with their patients and apologizing are effective tools for lowering their malpractice claims. A recent Associated Press story reported that, since 2002, hospitals in the University of Michigan Health System have been encouraging doctors to apologize for mistakes.1 Their annual attorney fees have since dropped by two-thirds, from \$3 million to \$1 million, and malpractice lawsuits and notices of intent to sue have fallen by half, from 262 filed in 2001 to about 130 per year.

Jonathan Cohen, a law professor at the University of Florida's Levin School of Law, was an early researcher in the apology arena. He spoke in 2000 about the Veterans Affairs hospital in Lexington, Kentucky, which adopted the policy of apologizing in 1987 after some big malpractice cases. Among VA hospitals, it went from having one of the highest net legal costs to having the one of the lowest net legal costs.2

Health care providers who apologize to patients for things that go wrong in their care or the care of relatives are not just doing the right thing; they're doing the right thing for business, according to Kathryn Johnson, a registered nurse and the director of risk management at the University of North Carolina's health care system. In Essentials of Physician Practice Management, she identifies studies that show that litigation by patients was reduced when providers were forthcoming about mistakes they'd made and took responsibility for them, especially smaller mistakes.3 Patients whose caregivers communicate with them honestly and consistently are more likely to feel that their providers act in good faith, are more forgiving of their human errors, and are less likely to want to punish them with lawsuits. Hospitals across the country are adopting similar policies.

The evidence is not limited to medical malpractice. In 2002 the National Law Journal reported that Toro, the lawnmower manufacturer, had adopted a revolutionary policy.4 After an accident was reported to the company, a product integrity specialist, not a lawyer, made contact with the injured party, expressed the company's condolences, and initiated an investigation to discover the cause of the accident. An engineer went with the product integrity specialist to look at the equipment that caused the injury, and where appropriate the company took steps to improve the equipment to prevent future injuries. In twothirds of the cases, the product integrity specialist resolved the matter without legal intervention. Almost all remaining cases resolved in mediation. According to the article, Toro reported that for 1992 to 2000, with more than 900 product liability claims referred to the program, legal costs per claim (attorney fees and litigation expenses) fell 78 percent, from

an average of \$47,252 to \$10,420. The average resolution amount for the period dropped 70 percent, from \$68,368 for settlements and verdicts to \$20,248.

In 2000 California passed a law barring the introduction of apology-like expressions of sympathy ("I'm sorry that you were hurt") but not fault-admitting apologies ("I'm sorry that I hurt you") after accidents as evidence of fault. Other states are now debating proposed apology legislation, including bills that would exclude from evidence even faultadmitting apologies.5

#### **Other Considerations**

According to Aaron Lazare, author of On Apology, apologizing can be motivated by strong internal feelings such as empathy for another or the distress of guilt and shame.<sup>6</sup> In such cases, the person issuing the apology seeks to restore and maintain his own self-esteem.

Other motivating factors are external. We may, for instance, want to affect other people's perceptions, perhaps to induce forgiveness. People who don't apologize often say they don't do so because they fear the reactions of the people to whom they apologize, or they are embarrassed and ashamed of the image they would have of themselves as weak, incompetent, or in the wrong.

Lazare points out the healing benefit of the apology to both parties, the harmed and the one causing the harm. The apology fulfills several possible psychological needs for the offended party. Among them: restoration of self-respect and dignity, a sense of connection and shared values with the other person, a sense of safety in the relationship, assurance that the offense was not his fault, and sometimes the sense that the offender is suffering from the harm.

The results for the person issuing the apology can be more dramatic. The apology often restores the person's self-esteem and dignity, allows him the opportunity to make reparations, and reconnects him with the other person. If this is true for people, perhaps it is also true for organizations, including law enforcement agencies.

As Dr. Steve Kraman, former chief of staff of the VA hospital in Kentucky, points out: when you've done wrong, apologizing is just "the right thing to do."

#### A Final Note

This column deals primarily with situations where there has in fact been a wrongdoing. In such cases, admitting fault and offering a sincere apology may be beneficial for the wrongdoer, notwithstanding conventional legal wisdom to the contrary. Even where a person or organization is not at fault but nonetheless has caused injury or other harm, sincere expressions of regret—but not apology-—may likewise be useful. The term apology is sometimes inaccurately used to describe all expressions of sympathy or regret. A greeting

card that bears the message "I'm sorry for your loss," for instance, expresses condolences but not an apology. �

An earlier version of this column appeared in the North Carolina State Bar Journal. It has been adapted by the authors for publication in the *Police Chief* with the journal's permission.

Lindsey Tanner, "'Sorry' Seen As Magic Word to Avoid Suits," Associated Press, November 8, 2004.

<sup>2</sup>Jonathan R. Cohen, "Apology and Organizations: Exploring an Example from Medical Practice," working paper, February 25, 2005, http://ssrn.com/ abstract=238330, January 23, 2006.

3Kathryn Jackson, "Risk Management," in Essentials of Physician Practice Management, edited by Blair Keagy and Marci Thomas (San Francisco: Jossey-Bass, 2004).

<sup>4</sup> Peter Aronson, "How Not to Be Sued: Lawnmower Maker Toro Moves Quickly to Mollify Victims of Accidents," National Law Journal (June 24, 2002).

<sup>5</sup>Ionathan R. Cohen, "Legislating Apology: The Pros and Cons," working paper, August 2001, http://ssrn.com/abstract=283213, January 23, 2006.

<sup>6</sup>Aaron Lazare, On Apology (Oxford University Press, 2004).





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# House, Senate Approve Budget Reconciliation Bill with Digital TV Deadline

# By Jennifer Boyter, IACP Legislative Analyst

n December 21, the Senate narrowly passed a budget reconciliation bill (S. 1932) by a vote of 51-50, with Vice President Dick Cheney casting the tiebreaking vote. The \$39.7 billion budget savings package includes provisions that set a February 17, 2009, deadline for the nation's digital television transition. But the Senate slightly altered the budget bill, so it must return to the House for a final vote. The House will take up the bill after it reconvenes January 31.

The deadline in the final version of the bill largely splits the difference between the House and Senate versions. The House bill had included a December 31, 2008, deadline, while the Senate's deadline was April 7, 2009.

The bill will require television broadcasters to relinquish their analog frequencies by the deadline and switch over to digital signals. A portion of the recaptured spectrum (24 megahertz) will go to public safety groups to enhance radio communications. The Federal Communications Commission (FCC) will then auction off the remainder of the vacated spectrum, which is expected to garner an estimated \$10 billion in revenue for the federal government.

The IACP has long supported legislation that would assign much-needed spectrum to the public safety community so that interoperability between agencies can be achieved. In response to this critical need for additional radio spectrum, in 1997 Congress directed the FCC to make 24 megahertz of spectrum (currently used by television channels 63, 64, 68, and 69) available for use by public safety agencies.

Unfortunately, the legislation was linked to the transition of television stations on those channels from analog to digital signals, and there is currently no specific deadline by which this spectrum will be available for public safety use.

In addition, the bill will direct \$1 billion of the revenue from the sale of the spectrum for state and local grants to improve the interoperability of first-responder communications systems. This is what was allocated in the Senate version, and it is \$500 million more than the

House bill. It will also direct \$43.5 million to make upgrades to the nation's 911 emergency phone network. This represents a significant cut from the Senate's proposed funding of \$250 million.

In addition, it would allocate \$156 million to fund programs aimed at establishing a national alert system for disasters and a tsunami warning system. This is a cut of \$94 million from the Senate version.

The bill was considered as part of a deficitreduction package under a process known as reconciliation, a fast-track procedure used to package and quickly pass tax changes or cuts in entitlement programs.

Congressional committees receive reconciliation instructions to trim certain amounts from their entitlement programs. Once the committees make their recommended cuts, the reconciliation bill is packaged by the Budget Committee and sent directly to the House and Senate floor for an up-or-down vote. There is little opportunity to amend the bill, and it cannot be filibustered in the Senate.

These provisions were included because of the large amount of revenue that will be generated by the sale of the vacated spectrum.

# **Congress Sends Human Trafficking** Bill to President

On December 22, Congress sent President Bush a bill (H.R. 972) to strengthen the nation's current human trafficking law and authorize new funds for investigation and prosecution of domestic trafficking within the United States. The bill will provide \$361 million over the next two years to combat human trafficking. This includes funding to the Federal Bureau of Investigation and the Department of Homeland Security to combat both domestic and international trafficking.

In addition to reauthorizing appropriations for antitrafficking programs in the United States and abroad, the bill targets specific scenarios where additional initiatives are needed to combat the trafficking problem, such as in peacekeeping missions. For the first time, the law includes provisions geared toward reducing the demand for commercial sex in the United States and preventing human trafficking of U.S. citizens.

The bill incorporates legislation (H.R. 2012) that seeks to decrease the demand for prostitution, which fuels sex trafficking. It creates a \$50 million grant program for local law enforcement to establish or strengthen programs to investigate and prosecute acts of severe forms of human trafficking; to investigate and prosecute people who engage in the purchase of commercial sex acts; to educate persons charged with, or convicted of, purchasing or attempting to purchase commercial sex acts; and to educate and train law enforcement personnel in how to establish trust of people subjected to trafficking and encourage cooperation with prosecution efforts.

The bill also provides grants to establish and expand assistance programs for victims of sex trafficking, and authorizes a pilot program to provide shelter, counseling, and assistance in developing living skills for youth victims of trafficking in the United States.

The bill also allows law enforcement to use statutes prohibiting money laundering, racketeering, and civil and criminal forfeiture against traffickers. In addition, the Department of Justice is directed to conduct a biennial analysis of trafficking and commercial sex acts statistics. It also strengthens antitrafficking measures by allowing prosecutors to bring federal contractors and government employees who work overseas, as well as members of their households, back to the United States to face charges of violating human trafficking laws.

#### Day on the Hill

The IACP will hold its biannual Day on the Hill March 7. The Day on the Hill gives IACP members the opportunity to meet with their representative and express their views on the needs of the law enforcement community and to advance the IACP's legislative agenda. This year's Day on the Hill is scheduled to coincide with the midyear meetings of the IACP Division of State Associations of Chiefs of Police and the IACP Legislative Committee. If you are interested in joining us in this important endeavor, please call the IACP legislative staff, or for more information visit the IACP Web site at www.theiacp.org . �



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Circle no. 25 on Reader Response Card

# Where do the good ideas come from?

*In this column, we offer our readers the opportunity to learn about* and benefit from — some of the cutting-edge technologies being implemented by law enforcement colleagues around the world.



Photography courtesy of ARINC Inc.

## Orlando Deploys Mobile **Command Center Featuring ARINC Interoperability System**

ARINC Inc. announces that Orange County, Florida, and the city of Orlando have taken delivery of a new mobile communications vehicle featuring the AWINS radio interoperability system from ARINC.

Orlando's urban area command post, built by MBF Industries of Sanford, Florida, will connect day-to-day and emergency communications to serve the citizens of Orlando, Orange County, and the surrounding counties of Brevard, Lake, Seminole, Osceola, and Volusia. AWINS is designed to link all types of emergency radio systems in use by public safety agencies. The new Florida vehicle is engineered to interconnect 13 different emergency radio systems, phone systems, and data networks used by Orlando, Orange County, and nearby jurisdictions.

Inside the custom-designed 45-foot command vehicle are nine computerized consoles where radio operators can monitor emergency messages and link separate local radio systems together with the click of a mouse. The system is designed to allow them to instantly connect police and fire personnel, law enforcement, county government, and national agencies to talk together as needed.

"We saw how much the first mobile AWINS system helped local emergency agencies and the National Guard after Hurricane Katrina in New Orleans," said Orange County Sheriff Kevin Beary. "That helped convince us AWINS interoperability would be a real asset here, both for day-to-day operations and for our next emergencies."

The AWINS vehicle used in the aftermath of Hurricane Katrina was funded by a grant from the U.S. Department of Homeland Security and operated by an emergency department from Anne Arundel County, Maryland. The Florida vehicle was funded by a DHS urban core grant awarded for the core city of Orlando and core county of Orange.

AWINS technology is designed to handle all types of modern communications, including land mobile radio, Voice over Internet Protocol telephone, cellular, live video, and satellite links. It is engineered to complement existing radio systems and infrastructures and give user communities the ability to communicate readily without sacrificing their current investments in radio equipment.

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## Florida County Partners with **Communications International** to Install Radio System

Communications International Inc. announces that the company has been awarded a contract by Flagler County, Florida, to install an 800-megahertz public safety radio communications system. The five-site seven-channel digital trunked system is designed to be interoperable with the Florida's Statewide Law Enforcement Radio System (SLERS), which provides direct interoperability with adjoining counties, including Volusia and Palm Coast. The project began in August 2005 and is scheduled for completion at the end of June 2006.

"As the catastrophic events around the nation of the past year have proven, the proper design, installation and maintenance of a public safety radio communications system is crucial for firstresponders around the country and especially in Flagler County," said Doug Wright, emergency services director for Flagler County. "We are enthusiastic to embark on this project with the experienced designers, technicians, and service personnel of CII as we work together to provide the residents of Flagler County with the best radio communications tools and services available and in time for the next hurricane season."

CII will install and maintain the M/A-Com's EDACS digital radio system in Flagler County. EDACS carries voice and data on a single system platform. ProVoice digital technology is designed to combine the functionality and reliability of EDACS with state-of-the-art voice coding techniques to provide the best possible audio quality and security in two-way radio systems.

The implementation of the environmentally friendly Flagler County project requires the development of only two new tower sites, both in Bunnell, Florida. The first is a 100-foot monopole tower at the new Flagler County emergency operations center and a second guyed tower replacing an existing older tower at the Flagler County sheriff's operations center. The remaining four sites are to be constructed at existing tower locations throughout Flagler County. �

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# Pandemic INFLUENZA and Bird FLU The State of Delaware State and Local Law Enforcement Preparedness

The purpose of this article is to provide a state and local law enforcement perspective on pandemic influenza, specifically Avian Influenza H5N1 (bird flu). The article includes a brief history of bird flu, an account of Delaware's 2004 experience with bird flu in poultry farms, a discussion of Delaware's Pandemic Influenza Plan and Legal Authority, and effective communications needs. The intended audience is police chiefs and other law enforcement executives. The article concludes that state and local police chiefs need to develop plans that address the many issues and ongoing law enforcement concerns surrounding this particular type of threat.

By David B. Mitchell, J.D., Secretary of Safety and Homeland Security for the State of Delaware, Superintendent (Retired) of the Maryland State Police, and Chief of Police (Retired) in Prince George's County, Maryland; and Elizabeth Olsen, Attorney at Law and Policy Advisor, Delaware Department of Safety and Homeland Security

Since the early 1900s there have been three flu pandemics in the United States that resulted in a significant loss of human life.1 Many health officials agree that it is only a matter of time before the next influenza pandemic hits in the United States and most predict that the consequences will be severe.

Since 1997, the bird flu, or avian influenza H5N1, has achieved national and international notoriety as a vexing and lethal virus with the potential to produce devastating consequences in pandemic proportions. Over the last three years, approximately 150 million birds throughout Asia and Europe have died or been slaughtered as a result of the spread of the H5N1 virus in the avian population. Of even greater significance is the fact that approximately 147 people in Indonesia, Vietnam, Thailand, Cambodia, and Turkey have been infected by the virus

and 78 of those infected have died.

There have been no reported cases of human-to-human transmission of the H5N1 virus, as most of the people infected were directly infected from close contact with a bird carrying the virus in what is called a bird-to-human transmission. But there is considerable and justifiable concern over the H5N1 avian influenza virus and its potentially lethal effect on humans. The H5N1 flu virus, like most flu viruses, can mutate rapidly, regenerate quickly (days instead of weeks), and manifest itself as something as generic as a cough, sore throat, fever, muscle soreness, eye infections, respiratory distress, and pneumonia or a combination thereof. A person who has become infected with

H5N1 flu virus will most likely not realize the extent of his or her illness and contagiousness. It is impossible to stockpile a vaccine against the virus until it actually mutates into a form tailored for humanto-human transmission. For these reasons, national, state, and local officials should proactively develop a preparedness and emergency response plan in anticipation of an outbreak.

The U.S. Department of Health and Human Services' (HHS) Pandemic Influenza Plan, published in November 2005, outlines the U.S. pandemic preparedness response to a human-tohuman outbreak of the H5N1 avian influenza inside U.S. borders.<sup>2</sup> It recognizes the important role state and local law enforcement agencies have in the overall success of the plan and offers detailed guidance to local law enforcement regarding their involvement in the execution of their state and local pandemic influenza plans. Notwithstanding, the plan admittedly does not provide answers to many of the questions raised by local law enforcement regarding their roles in a pandemic flu situation. In his article "The Pandemic Influenza Plan: Implications for Local Law Enforcement," Lee Colwell underscores the plan's caveat that it does not have all the answers for local law enforcement and that "each community must develop its own plan in order to be prepared."3

#### **Avian Flu Outbreak** in Delaware

On February 5, 2004, the Delaware Department of Agriculture (DDA) received notification that a flock of chickens on a commercial poultry farm in Delaware tested positive for avian influenza and a second Delaware poultry farm tested positive approximately five days later. At the time of the initial outbreak, the Delaware Emergency Management Agency (DEMA), a division of the Delaware Department of Safety and Homeland Security, already had in place the Delaware Emergency Operations Plan (DEOP) for emergencies arising from natural or human-made disasters. Further, the Delmarva Poultry Industry Inc. (DPI), a nonprofit industry association, had already created an emergency disease task force in response to an avian influenza outbreak that occurred in the early 1980s in Lancaster, Pennsylvania. Although neither flock was infected with the highly pathogenic H5N1 influenza virus, the Delaware Department of Agriculture immediately implemented its emergency support functions under DEOP and convened the DPI Emergency Disease Task Force.

Because the transmission of the avian flu virus remained a bird-to-bird transmission,



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Figure 1. Cumulative Number of Confirmed Human Cases of Avian Influenza A/(H5N1) Reported to World Health Organization

10 January 2006

Date of	Caml	bodia	Ch	ina	Indo	nesia	Thailand					
onset	cases	deaths	cases	deaths	cases	deaths	cases	deaths				
2003	0	0	0	0	0	0	0	0				
2004	0	0	0	0	0	0	17	12				
2005	4	4	7	5	16	11	5	2				
2006	0	0	1	0	0	0	0	0				
Total	4	4	8	5	16	11	22	4				

# Figure 1. Continued

<sup>a</sup>Total number of cases includes number of deaths. WHO reports only laboratory-confirmed cases.

In Avian Influenza: Situation in Turkey: Update 3, the World Health Organization reports that tests conducted in Turkish laboratories have confirmed that country's 15th case of human infection with the H5N1 avian influenza virus (www.who.int/csr/don/2006\_01\_10a/en/index.html [January 10, 2006]).

#### Source:

www.who.int/csr/disease/avian\_influenza/country/cases\_table\_2006\_01\_10/en/print.html.

Date of	Tur	key <sup>b</sup>	Viet	Nam	Total						
onset	cases	deaths	cases	deaths	cases	deaths					
2003	0	0	3	3	3	3					
2004	0	0	29	20	46	32					
2005	0	0	61	19	93	41					
2006	4	2	0	0	5	2					
Total	4	2	93	42	147	78					



it was determined that the Delaware Department of Agriculture would be the managing agency. The Delaware State Police, in conjunction with local private security officers, were immediately mobilized to assist the DDA in

- setting up a quarantine of the infected farm,
- setting up a barrier to prevent reporters and other curiosity seekers from trespassing onto the farm, and
- providing lines of communication between the DDA, the press, and the public about the status of the crisis.

Although only two farms were affected, local law enforcement had their hands full. Despite the quarantine order and admonitions by DDA that it was necessary to stay away from the infected farms to prevent the spread of the virus, reporters attempted to enter the quarantined area through any means available. Some flew helicopters to gain access to the farms; others trespassed at night with night vision equipment to photograph poultry, houses and growers. As difficult as it may have appeared then, in the end, the DDA, in part through the support of state and local law enforcement, contained the avian flu virus to the two farms in Delaware.

What lessons can we glean from the outbreak of February 2004 and how can we incorporate those lessons so that they are meaningful and effective in a pandemic flu situation? We now know, if we didn't already, that quarantine and isolation will not necessarily win the complete cooperation of those who are subjected to the quarantine and isolation or those who are excluded. The outbreak of February 2004 did not require cooperation between the Delaware State Police and local and municipal law enforcement because the infected farms were already within state jurisdiction. In a pandemic flu situation, however, cooperation between the local jurisdictions through the phases of the pandemic will be necessary. Officials should answer the following questions now: Who will be in command of the quarantine and isolation in the event of a pandemic? Under what legal authority will law enforcement act? How far will that authority extend?

#### The Delaware Emergency **Operations and Pandemic Influenza Plans**

The Delaware Emergency Operations Plan provides state and local law enforcement guidance in emergency situations involving natural or human-made disasters. Pursuant to Emergency Support Function 13 under the DEOP, the Delaware State Police is the primary agency in command of security and law

enforcement in the event of a state of emergency arising from natural or manmade disasters. Before the declaration of a state of emergency, quarantine and isolation orders will be enforced by the municipal or county law enforcement agency responsible for providing police service to the jurisdiction in which the natural or human-made disaster has occurred. The respective state police troop will provide support services to deal with the event as it unfolds if the local agency asks for the assistance. Should the situation escalate, mutual aid agreements between the local jurisdictions and the state police may come into play. In addition, Delaware has enacted the Intrastate Mutual Aid Compact, which permits state and local law enforcement to cross in-state jurisdictional lines to provide or receive aid from neighboring local jurisdictions (20 Del. C. Chap. 32). An agreement to assist between one jurisdiction and another jurisdiction need not be approved by DEMA and may either be verbal or written in nature (20 Del. C. Sec. 3206).

Once the governor has declared a state of emergency, or the DEMA activates the Delaware Emergency Operations Center, and the Delaware State Police becomes the primary agency to coordinate law enforcement resources and to establish a task force composed of representatives from each of the local law



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# http://pandemicflu.gov/

# The official U.S. Government Web site for information on pandemic flu and avian influenza

enforcement agencies affected by the disaster or event. It is the job of the task force commanders to coordinate their emergency law enforcement response, their allocation of resources, and their assignments of personnel. Furthermore, the task force must prioritize its supporting roles in other emergency support functions (ESFs) under the DEOP.

In conjunction with the DEOP, Delaware's Pandemic Influenza Plan, issued in September 2005, provides that the Delaware State Police shall act as a supporting agency in the way of crowd control, traffic control for vaccination clinics, enforcement of quarantine and isolation orders and directives, and transportation of shipments of vaccines to designated receiving sites.

So how does the law enforcement role under the Delaware Emergency Operations Plan and Pandemic Influenza Plan translate into a realistic, practical, and effective application of state and local law enforcement resources? The Delaware Plan recognizes four escalating periods of an influenza pandemic: the inter-pandemic period, the pandemic alert period, the pandemic period, and the post-pandemic period. Delaware determines its planning and response to each period as it emerges.

Inter-pandemic Period: At press time, we are in the inter-pandemic period. The H5N1 influenza virus is circulating in other parts of the world and may pose a substantial risk of human disease, but the virus has not been known to infect any human beings in the United States.

Pandemic Alert and Pandemic Period: We enter the pandemic alert period after the infection of one or two persons and move into the pandemic period once officials learn of the presence of sustained clusters of infected humans in the general population.

Post-pandemic Period: The post-pandemic period is a return to the inter-pandemic period with a possible heightened phase of recovery, reorganization, and evaluation.

In his January 2006 Police Chief article, Lee Colwell identifies three levels of a pandemic flu outbreak in which law enforcement will play key roles in

assisting and managing the control and containment of the H5N1 flu virus: (1) the individual level, (2) the community level, and (3) the state and national level, especially in regard to travel-related risks within and across state borders. These three levels coincide with the pandemic alert and pandemic periods described in the Delaware Plan.

Generally, it is not anticipated that there will be a declaration of a state of emergency at the individual level, or the beginning of the pandemic alert period, where one or two persons are suspected to be, or are, infected with the H5N1 flu virus. In that case, the director of the Delaware Division of Public Health, or his or her designee, must petition the appropriate court to order the isolation or quarantine of persons. Once the order has been obtained, the enforcement of any directives or orders for isolation and quarantine shall be handled by the law enforcement agency or municipality primarily responsible for providing police services to the jurisdiction in which the H5N1 flu virus has presented itself. The Delaware State Police and other local law enforcement will provide support services when the local or municipal law enforcement agency can no longer maintain control of the emergency situation without assistance.

The role of the Delaware State Police and local law enforcement will initially be to control and reduce the spread of the virus and may range from enforcing an isolation and quarantine order of a small group of persons to enforcing orders to close schools and businesses, cancel events, and restrict travel.

Once the spread of the virus has escalated to a point that warrants either a state of emergency or the activation of the Delaware Emergency Operations Center, the Delaware State Police will become the primary agency in charge of managing and coordinating local law enforcement resources. Once the virus escalates to the pandemic period, or phase where there has been an increased and sustained transmission of the virus in the general population, isolation and quarantine may no longer be an effective means of controlling the spread of the disease. At this juncture, the Delaware State Police, in coordination with local law enforcement, will provide support for the transportation of vaccines to designated receiving sites and to the transportation and treatment of infected individuals. State and local law enforcement may have to provide security at receiving sites, hospitals, and acute care centers. To prevent the spread of the disease and minimize overcrowding at hospitals and acute care centers from infected persons who self-report, law enforcement may be called upon restrict travel between local jurisdictions and along the state's borders. The Delaware National Guard and other federal assistance will be deployed to aid state and local law enforcement.

Although a simple reading of the DEOP and the Delaware Pandemic Influenza Plan suggests that Delaware has developed an orderly process on which local law enforcement can rely, there still remains a lot of work to be done. Delaware recognizes that the ability to create a "seamless force fully prepared to respond to the threat at hand" directly affects the success of any preparedness plan. Delaware's respective agencies have come together in an effort to close the gaps in their preparedness plan.

## Legal Authority and the **Court Process**

Delaware enacted the Emergency Health Powers Act, which provides that either the Public Health Authority or the Public Safety Authority may obtain an isolation order, a quarantine order, or both if it has been established by clear and convincing evidence that the person or persons to be isolated or quarantined pose a significant risk of transmitting a disease to others with serious consequences. The order may be obtained regardless of whether there has been a declaration of a state of emergency by the governor. Furthermore, a directive may be issued by either the public health authority or the public safety authority that would permit state and local law enforcement to detain the person or group of persons pending the issuance of an isolation or quarantine order. To ensure that isolated or quarantined individuals are not denied their due process rights, a hearing must be scheduled within 72 hours. If it is determined that the isolation or quarantine must continue beyond 72 hours, the individuals have the right to request a hearing within 10 days.

Currently, the Delaware Department of Safety and Homeland Security and Division of Public Health are drafting form petitions for ex parte quarantine and isolation



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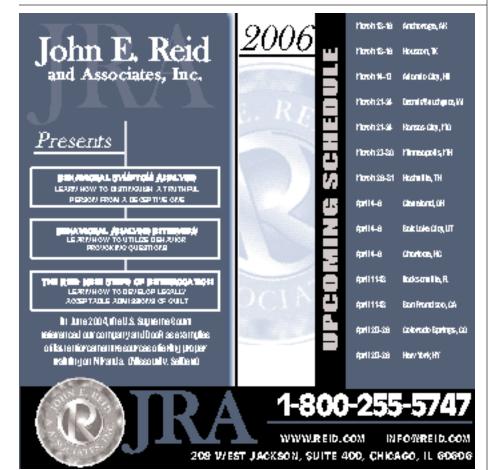




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orders to help expedite the process of obtaining orders under which law enforcement can legally act. The goal is to create forms easily recognizable to a judge or clerk of the court as urgent. Furthermore, both agencies are working with the courts to establish a judge-on-call who would be the primary responder to an emergency petition to quarantine or isolate.

Although the judges in Delaware are not considered first responders, they play an important role in determining what legal authority law enforcement has to enforce a quarantine or isolation order and to the extent of that legal authority. It is further expected that judges will continue to play a role during a pandemic as they will be asked to issue other orders such as orders of contempt against those persons who violate the quarantine or isolation orders or to determine law enforcement's authority to, for instance, restrict travel across state borders. Currently, efforts are being made to protect judges from being exposed to the virus when they are called upon to preside over hearings related to quarantine and isolation orders. For example, there is the possibility of conducting hearings from a remote location through videoconferencing. The question remains whether judges who are designated to handle this type of emergency situation should be considered and treated as first responders.

# Transmission of Information and Effective Communication

Under the DEOP, the Delaware Department of Safety and Homeland Security, in conjunction with its division, DEMA, and the Delaware State Police are designated as the primary agencies for keeping the lines of communication open between agencies and the public and disseminating accurate information to the agencies and the public as a pandemic unfolds. The DEOP anticipates that communications shall be conducted through the use of telephones, cellular phones, radios, facsimile, pagers, television, newspapers, and computer systems. During an extreme emergency condition, officials may use messengers.

The Department of Safety and Homeland Security is also using state-of-the-art telecommunications technology to create a center from which information and intelligence data may be received, analyzed, processed, and disseminated to the private and public sector in a consistent and reliable manner. The Delaware Information Analysis Center (DIAC) will be key in maintaining open lines of communication between state and local law enforcement and other first responders during a pandemic crisis. For instance, the DIAC will enable first responders to determine which

hospitals have open beds, which morgues have space for the deceased, and so on.

Delaware has also been involved in other projects to enhance the state's ability to stay informed of events as they unfold throughout the state and to allocate resources where they are most needed. For example, DSHS is developing a geographical information system (GIS) and looking at the option of installing global positioning system (GPS) and automatic vehicle locator (AVL) devices in all modes of transportation used by first responders. These projects will be incorporated into the DIAC.

If we look back at the events of February 2004 surrounding the avian flu outbreak in Delaware, one of the lessons learned was the importance of transparency, of creating good media relations by making oneself available to the public with a clear, united message and continuous and timely updates of that message. Doing so not only provides for an orderly process for disseminating accurate information and rumor control but also reduces public anxiety.

# Ongoing Law Enforcement Concerns

State and local law enforcement agencies are working with the Delaware Division of Public Health to ensure that they, as first responders, and their families receive antiviral vaccinations that should offer protection against the virus. Leaders of law enforcement have made it a priority to educate their personnel in regard to the H5N1 avian flu virus and the effects of a vaccine, all under the premise that education and dissemination of accurate information will reduce the level of a first responder's uncertainty as to whether, when, and how he or she should act or react in situations where he or she is in close contact with infected persons.

Although state and local law enforcement must use whatever force is reasonable and appropriate to ensure compliance of orders and to protect the public interest, it is also imperative that they be educated on the definition of "reasonable and appropriate force" and that a consistent policy regarding use of force be developed, implemented, and exercised by state and local law enforcement.

State and local law enforcement departments, in conjunction with the Delaware National Guard, DEMA, and other agencies, have conducted extensive drills and tabletop exercises to determine how best to allocate their resources in the most efficient and effective manner. The Delaware State Police anticipate that they will continue to work with local law enforcement to provide security to receiving sites, hospitals, acute care centers, and so on. As the pandemic increases, state and local law enforcement will still have to



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address daily crimes but may choose to limit their responses to criminal activity to the more serious calls for service. Those officers traditionally on patrol will remain on patrol as the primary responders to traditional criminal activity, while other forces in the Delaware State Police and other local law enforcement agencies may be deployed to handle events pertaining to and surrounding the flu pandemic.

The success of the Delaware Pandemic Influenza Plan, and any other pandemic influenza plan, depends on the cooperation and coordination between law enforcement and other agencies on the national, state, and local level. Effective forms of communication and accurate dissemination of information as the pandemic progresses will lessen the chance of overstating or understating the risks inherent in this type of a crisis. One thing is for certain: we must stay ahead of the H5N1 avian flu virus. Constant preparation, planning, testing, and development of Delaware's Emergency Operating Plan and Pandemic Influenza Plan will result in an effective and meaningful preparedness and emergency response plan to the pandemic flu. �

<sup>1</sup>The last influenza pandemic occurred in 1968-69. During the 20th century, the emergence of several new influenza A virus subtypes caused three pandemics, all of which spread around the world within a year of being detected.

The 1968-69 influenza pandemic, called the Hong Kong flu [A (H3N2)], caused about 34,000 deaths in the United States. This virus was first detected in Hong Kong in early 1968 and spread to the United States later that year. Influenza A (H3N2) viruses still circulate today.

The 1957-58 Asian flu [A (H2N2)] caused about 70,000 deaths in the United States. First identified in China in late February 1957, the Asian flu spread to the United States by June 1957.

The highest number of known influenza deaths from pandemic influenza occurred in 1918-19 with the Spanish flu [A (H1N1)]. More than 500,000 people died in the United States, and as many as 50 million people may have died worldwide. Many people died within the first few days after infection, and others died of secondary complications. Nearly half of those who died were young, healthy adults. Influenza A (H1N1) viruses still circulate today after being introduced again into the human population in 1977.

Both the 1957-58 and 1968-69 pandemics were caused by viruses containing a combination of genes from a human influenza virus and an avian influenza virus. The 1918-19 pandemic virus appears to have an avian origin.

Source: U.S. Center for Disease Control and Prevention, Atlanta, Georgia, www.cdc.gov/flu/ pandemic/qanda.htm, January 10, 2006.

<sup>2</sup>In the United States, view the plan at www.hhs.gov/pandemicflu/plan/. In Canada, view the influenza plan at www.phac-aspc.gc.ca/ cpip-pclcpi/. In the United Kingdom, view the influenza contingency plan at www.dh.gov.uk/ PolicyAndGuidance/EmergencyPlanning/ PandemicFlu/fs/en.

3Lee Colwell, "The Pandemic Influenza Plan: Implications for Local Law Enforcement," The Police Chief 73 (January 2006): 14-17.



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# **QUARANTINES**The Law Enforcement Role

Law enforcement agencies worldwide face the stark possibility of implementing and enforcing a public health quarantine of large portions of the population in their jurisdictions. The growing risk of bioterrorist attacks, the specter of a global epidemic spawned by new and deadly diseases such as the avian flu, and even, as the United States has so recently seen, the possibility of public health emergencies created by natural disasters make it clear that the occurrence of a major quarantine scenario in the near future is all too likely.

Editor's note: "Quarantines: The Law Enforcement Role" originally appeared in the summer/fall 2005 issue of Policy Review, published by the IACP National Law Enforcement Policy Center, and was prepared by Charles Friend, an attorney and law enforcement consultant in Williamsburg, Virginia.

Should the United States, or any portion of it, have to resort to large-scale quarantines to contain the spread of disease, it seems certain that state and local police will be deeply involved in any such

effort. The military is accomplished at logistical undertakings and may be best suited for such things as the delivery of food, water, medical supplies and related items. Although the military and other federal entities such as FEMA will presumably play a major part in any broad quarantine program, state and local law enforcement agencies will play a critical role as well, particularly in the early stages of the emergency while other resources are being mobilized and brought on line. This role will present a

monumental challenge to state and local law enforcement agencies, for they will face daunting personnel and logistical problems as they strive to fulfill the duties and responsibilities placed upon them by federal, state, and local law.

Indeed, quarantines of any significance are outside the experience of law enforcement agencies in the United States. The last large scale quarantine in the United States was imposed almost 90 years ago during the 1918 Spanish flu pandemic. Internationally, the SARS

epidemic, or severe acute respiratory syndrome, was confronted by quarantines in China, Hong Kong, and Singapore. There, "police surrounded and cordoned off buildings, set up checkpoints on roads into and out of areas where the disease had been discovered, installed Web cameras in people's homes, blocked off whole villages, and even threatened to execute anyone who broke quarantine."1The less draconian response in Canada, in which people were asked to voluntarily quarantine themselves in their homes while being supplied with essential supplies, was generally effective and would be more in line with any quarantine that may be imposed in the United States. Nonetheless, President George Bush's suggestion in early October 2005 that the military may be used to enforce a quarantine opens the door to speculation about the tactics and operational protocols that may be under consideration at the federal level.

The president is not the only high ranking authority discussing the potential use of quarantines. Julie Gerberding, director of the Centers for Disease Control and Prevention (CDC), on October 5, 2005 remarked in an interview that the military or National Guard might be summoned to maintain civil order in the "context of scarce resources or an overwhelming epidemic."2 The mention of scarce resources was brought into greater relief on November 20, 2005, when Mike Leavitt, secretary of the Department of Health and Human Services (DHHS), declared that the United States is unprepared for the next flu pandemic, lacking the manufacturing capacity to provide 300 million doses of a vaccine for three to five more years.

One of the problems with discussions of quarantines is definition of the term. In the case of the president's statement, did he mean, for example, "gathering those exposed to flu in a single location and forcing them to stay there? Did he mean isolating them in their homes? Cordoning off whole communities where cases crop up? Not all quarantines are alike: each carries its own risks and benefits."3 Not all communicable diseases are equally amenable to control by means of quarantine. In its traditional sense and the manner in which [the summer/fall 2005] issue of Policy Review speaks of "quarantine," the term means "the compulsory physical separation, including restriction of movement, of populations or groups of healthy people who have been potentially exposed to a contagious disease, or to efforts to segregate these persons within specified geographic areas."4 Quarantine is not an interchangeable term with "isolation," which means the separation and confinement of individuals who are suspected of being infected so that they may not transmit the disease to others. Attempts to

control contagious diseases may use one or both of these approaches but it is important to separate the meaning of these terms and the approaches that may be required to enforce them.

Careful, detailed, and well-informed planning is essential if state and local agencies are to fulfill this extremely difficult yet critical role. Speaking to this point and the potential for a bird flu pandemic, Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases (NIAID), a division of the National Institutes of Health (NIH), said "We can't put a number on how probable that's [a pandemic] going to be. It's a low probability. When the consequences are unimaginable, you must assume the worst-case scenario."5

Planning is certainly essential, for either a quarantine or isolation in response to a flu epidemic or a biological attack. There are several aspects of a potential quarantine scenario that local police executives, managers, and supervisors will have to consider as they make plans for such an eventuality.

#### **Legal Authority**

The first issue that local law enforcement planners must address is the question of their legal authority in a quarantine situation.

Throughout U.S. history, a conflict has existed between the Constitution's guarantees of personal and property rights and the power of the state to act to protect public health. Although the courts have historically given deference to the state's authority in such matters, many of these cases have involved the quarantine of animals, fowl, or agricultural products. Few of these court decisions have addressed the issue of human quarantine, and those that do often have tended to limit the state's power rather than enhancing or clarifying it.6

But it is probable that in the event of a significant emergency requiring quarantine of portions of an area's population, most courts would find authority for such actions in both federal and state constitutions.

Federal law, in 42 U.S.C. 264(a), gives the surgeon general the power to act to control the spread of communicable disease:

*The Surgeon General, with the approval of* the Secretary, is authorized to make and enforce such regulations as in his judgment are necessary to prevent the introduction, transmission, or spread of communicable diseases from foreign countries into the States or possessions, or from one State or possession into any other State or possession. For purposes of carrying out and enforcing such regulations, the Surgeon General may provide for such inspection, fumigation, disinfection, sanitation, pest extermination, destruction of animals or

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articles found to be so infected or contaminated as to be sources of dangerous infection to human beings, and other measures, as in his judgment may be necessary.

Other subsections of 42 *U.S.C.* 264 provide for the apprehension, detention, or conditional release of individuals, the apprehension and examination of individuals believed to be infected, and other measures. As a result of the emergent concern about the threat of a pandemic caused by the avian flu virus, executive orders have recently been issued to supplement this law and to expand the power of the federal government to deal with such an eventuality.<sup>7</sup>

This concern is fully justified. The flu pandemic of 1918-1919 killed 50 million people worldwide, with a death rate some 50 times that of the usual seasonal influenza, and it is considered entirely possible that the current development of avian flu could rival if not exceed the scope of the 1918-1919 outbreak.<sup>8</sup>

Further, it must be recognized that a bioterror attack might result in a situation at least as deadly as, if not more deadly than, these natural pandemics.

Because of these various concerns, the federal government, specifically the CDC, is preparing plans for dealing with disease emergencies in the United States. When finalized, these plans will almost certainly include measures for imposing and enforcing quarantines to limit the spread of the disease.

It appears that these various federal measures envision that the federal government will take a lead role in any significant quarantine activity in the United States. But this should not lead local law enforcement officials to believe they need not prepare for a quarantine situation in their own jurisdictions. Notwithstanding federal statutes, regulations, or proclamations, local authorities (that is, local public health officials and law enforcement agencies) will probably be the first responders to any outbreak. Furthermore, even after federal agencies (probably including federal troops or National Guard units) have moved in, local law enforcement will have to continue to act in cooperation with such agencies or forces. Therefore, in the current absence of any federal executive or legislative action that would completely exclude local police from all responsibility in a quarantine scenario, this issue of Policy Review will focus on state law and the problems that may face local law enforcement in quarantine situations.

State Legislation. There is now considerable legislation on the general subject of quarantines, and although many such state laws deal with the quarantine of animals, poultry, or agricultural products, most states today have laws related

to the quarantine of human beings.<sup>9</sup> Historically, these statutes have contemplated only quarantine in the event of natural outbreaks of disease, but recently some statutes have been enacted or amended to address specifically the subject of human quarantine in the event of the use by terrorists of biological agents as a weapon.<sup>10</sup>

Nevertheless, most state quarantine statutes relate only to the power of public health officials, such as state or local health departments, to act to control disease. And although they sometimes indicate that public health officials may call upon other agencies, such as the police, for assistance, few statutes provide specific guidance concerning police authority and procedures in the event of a quarantine. This lack of uniformity and specificity presents a significant problem for law enforcement.

Since the events of September 11, efforts have been made to improve the state legislative situation. In 2001 a public health law center drafted the Model State Emergency Health Powers Act<sup>11</sup> and followed it in 2003 with the Model State Public Health Act.<sup>12</sup> Both of these model acts were designed to help states enact legislation to deal with public health emergencies. Some states have enacted portions of one or both of these model acts. One source reports that as of June 30, 2005, 32 states had introduced a total of 78 bills or resolutions involving portions of the Model State Public Health Act, and that, of these 78, 30 have been passed into law.<sup>13</sup> In addition, some states, after declining to adopt the model act proposals, have enacted their own legislation.

Many of these newer statutes are still general in nature and do not relate specifically to law enforcement involvement in the quarantine effort. But a few have provided some degree of specific authority for law enforcement action in quarantine situations. For example, in 2005 Hawaii enacted S.B. 781, which provides that police officers and sheriffs have the authority and duty to enforce quarantine orders when required by the state's department of health.<sup>14</sup> Since 2001 many other states have enacted or amended legislation for the purpose of clarifying their public health laws and improving the potential response to public health emergencies.<sup>15</sup>

The language and coverage of these numerous state enactments have varied widely, creating what amounts to a patchwork quilt of legislation, much of it of little specific assistance to law enforcement agencies as they seek to define their own authority in a quarantine situation. Therefore, each law enforcement agency should check its state's laws to determine what authority, if any, the legislature of its state has provided to law enforcement to act in quarantine situations.

Legislative Action Required. Because of the lack of uniformity and even greater lack of specificity in the state laws, the law enforcement community should communicate to political and legislative leaders the need for detailed and specific legislative authority governing police involvement in quarantine efforts. Existing legislative quarantine schemes leave police without adequate guidance and without adequate protection from liability issues that may arise as the result of quarantine enforcement. Some state and local leaders may not appreciate the need for specific authorization for police action, so communication of the needs of law enforcement agencies to political and legislative leaders is vital.

#### **Planning Issues**

Once a law enforcement agency has determined its legal authority to act to enforce quarantine, planning for the use of that authority becomes a matter of the highest priority.

For example, the department must first determine what resources it will need before it can effectively deal with a quarantine order, and then ascertain if those resources are available. Enforcement of a quarantine order, even for a short time, will require personnel, time, and money. Many local police departments lack the capacity to maintain a major quarantine operation while continuing to perform other police duties.

In this connection, department executives must recognize that their personnel resources may be affected because many of their own employees and their families probably will be affected by the emergency. This may result in absenteeism and will certainly impose mental and physical strain on the department's employees, further reducing the department's already-strained operational capacity.

In addition, police executives must consider the nature and extent of the enforcement measures their agencies will employ. The quarantine of a large number of human beings, many of whom will be unwilling to abide by quarantine regulations, will present problems for the department. The SARS epidemic in Canada presented problems related to communicating the need for voluntary quarantine to affected groups. While it is difficult to draw upon history in this case to present potential scenarios of citizen response, it is possible that the general public may react as they have in the past to the use of quarantines.

A case in point is found in Muncie Indiana where an outbreak of smallpox occurred in 1893. Public health authorities had a great deal of difficulty convincing citizens that severe restrictions were necessary to contain the disease. Reportedly, "many infected citizens were isolated



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Another lesson can be learned from a quarantine instituted in the Chinese neighborhood of San Francisco, California, in 1900 after plague was diagnosed in several residents. The boundaries of the quarantine were later questioned as being arbitrary and disproportionate in that they had imposed severe economic damage to the Chinese business community. A federal court found the quarantine to be unconstitutional based on the capricious manner in which it was imposed.

History also shows that some will panic, and some will seek to flee the area in violation of the quarantine. In other cases, individuals will attempt to enter the quarantined area to assist or otherwise be with their families. What degree of force can or should the department employ in preventing violations or apprehending violators? Can deadly force be used legally, and if so, will officers follow such orders or refuse to obey them on ethical grounds? Is the department prepared to justify the use of such force and meet the legal challenges and potential liability that will almost certainly follow? These and many other questions must be addressed.

Every police department, regardless of size, will require preparation and training. Training must be carried out well before any actual emergency arises. In view of the threat involved, police leaders must take action without delay to plan and execute the training program and to ensure that the necessary logistical resources are available.

## **Preparation**

A detailed operational plan must be prepared, one that is as specific as possible yet flexible enough to take into account the many different scenarios that may be encountered. As it is impossible to foresee the nature, location, and extent of the possible types of emergencies, all contingencies must be accounted for. Among other things, provision must be made for the following functions.

Deployment of Personnel and Equipment. The department must have a viable plan for the deployment of its resources in a quarantine scenario. This must include not only a realistic evaluation of the assets available but also the recognition of the

possibility that personnel resources may be reduced by the effects of the emergency on the department's own employees. Since department employees, particularly those in the field, will be exposed to the disease that has triggered the quarantine, arrangements must be made for (1) protection of personnel, (such as the availability and suitability of personal protective equipment), (2) maintenance of personnel in the field for extended periods, (3) replacement of personnel who themselves become victims, (4) provisions for force protection against persons who would use violence against police to escape or compromise the quarantine and (5) provisions for providing assistance to and communication with the families of police officers who may be left without the contact and support of their family member while serving the public interest.

To these ends, well-thought-out plans for rotation of field personnel and the provision of necessary equipment, ranging from protective gear to vehicles to supplies of food and water for on-duty personnel, are essential.

Command and Control. The department must maintain close control of the quarantine operation. Experience shows that officers in the field, confronted by a disaster unprecedented in their (or anyone else's) experience, require supervisory guidance if they are to perform effectively. Allocation of supervisorypersonnel to the field is vital, and provision must be made for maintaining close contact between the field supervisors and the employees and units they are supervising, for these may be widely dispersed if the quarantine area is large and department's resources are stretched thin.

Communications. Recent events have shown the absolute necessity of maintaining communications capability under extreme conditions. Although disease does not directly affect communications equipment, it may seriously affect dispatchers and others who are essential to the continued functioning of communications capabilities. In addition, it must be remembered that the quarantine itself may arise out of a broader emergency situation, such as a terrorist attack or a natural disaster, that may result in damage to communications equipment. Such damage could degrade the communications network and cripple the ability of command personnel to communicate with officers in the field, or of officers to communicate among themselves, with resultant loss of ability to manage the quarantine situation.

Initiation. It must be clearly determined who is to initiate the quarantine measures. Presumably this will come from public health officials, either directly or along the political chain of command. Statutes generally provide public health officials with the authority to initiate



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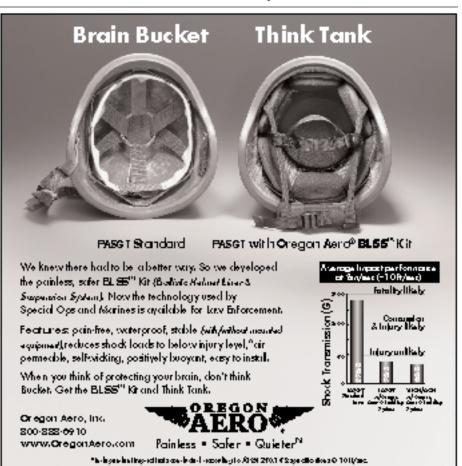
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quarantine measures and may specify under what conditions and to what extent quarantines may be imposed. It is incumbent upon police executives to understand who has the authority to initiate a quarantine order and the exact extent of that authority. Here, close liaison with local and state public health officials is necessary to avoid confusion and delay in the initial stages of the quarantine.

Cooperation with Other Agencies. Cooperation with other agencies, federal, state and local, will be essential. Protocols for this cooperation must be established in advance between police, fire services, EMS, and other related responders. For example, if mutual assistance agreements between neighboring local jurisdictions do not already exist, they should be created and, when the occasion arises, implemented without delay. As the recent experience with the Gulf Coast hurricanes illustrates, many legal and operational difficulties can arise to interfere with interagency cooperation, and these difficulties should be anticipated and provided for.

One complicating aspect of this problem is the possibility, if not probability, that a large quarantine effort will require the employment of National Guard or federal military assets. Here the issues of command and control, communication, and delineation of responsibility loom large and must be anticipated if the quarantine effort is to be carried out effectively.

**Public Cooperation.** It is unlikely that any quarantine operation will succeed if it is not supported by a majority of the inhabitants of the area. Widespread resistance to quarantine measures, as previously mentioned, perhaps including panic and mass exodus from the threatened area, is a distinct possibility. A significant lack of public acquiescence to quarantine measures will almost certainly defeat the efforts of even the bestplanned and competently executed quarantine operation. Therefore, police departments, in conjunction with public health authorities, should take the following steps:

- Educate the public about the possible necessity of quarantine and the measures that will be taken.
- Enlist the public's aid in (1) complying with quarantine regulations and, if possible, (2) assisting the department in carrying out a successful quaran-
- Inform the public of the consequences of quarantine violations, both for the violators and for those who may suffer as the result of the violation.

These steps should be initiated before any actual emergency arises, and should be given top priority in the overall departmental plan.

**Facilities for Detention of Quarantine** Violators and Looters. Serious disruption of normal procedures may occur during a quarantine emergency, either because of the quarantine itself or because of the broader event that leads to the quarantine. For example, return of apprehended quarantine violators to the original quarantine area may not be feasible, and provision must be made not only for such persons, but also for the detention of other types of violators, such as looters, if available personnel resources do not permit processing in the normal manner. Crowd control must be anticipated if persons choose to protest the quarantine actions, attempt to overrun emergency medical facilities or violently compete for scarce vaccines, medical treatment, food or supplies.

Treatment of Medical Contingencies. Police departments must make arrangements in advance for the transportation and treatment of those who experience medical emergencies during the quarantine. Some of those quarantined will become ill. Facilities must be available for treatment of such emergencies, and the means and manpower to transport ill persons, or to summon other agencies to do so, must be available. Obviously, these measures are primarily the responsibility of public health agencies, health care providers and facilities, and so on, but police need to be aware of the existence, location, and nature of the medical assistance available during the quarantine. Again, planning and close cooperation are crucial.

#### **Training**

One indispensable aspect of quarantine preparation by police departments is training. Because a widespread quarantine may ultimately result in the involvement of virtually all department personnel, a massive all-ranks training program will be required and should be initiated without delay. Uninformed or misguided actions by departmental managers, field supervisors, or field personnel in a quarantine situation will inevitably lead to disaster for both the department and the community. All levels of the department will be involved in some manner in any significant quarantine operation, and therefore all levels of the department must be properly prepared to fulfill their responsibilities once the quarantine has begun.

A quarantine training program must include the assistance of public health agencies. A joint training program involving all of the agencies that will be involved in the quarantine effort should be instituted without delay.

# **Summary**

Some police agencies in the United States will likely face the necessity of imposing either a mandatory or voluntary quarantine after a terrorist attack, the

start of a pandemic, or a health crisis caused by storms, earthquakes, or other natural disasters. Although the federal government will probably play a lead role in the enforcement of a quarantine order, police, in their capacity as first responders and primary administrators of local laws, must be prepared both to bear initial responsibility and to play a continuing role in carrying out quarantine measures. Careful planning, meticulous preparation, and department-wide training will all be required. �

<sup>1</sup>Brian Friel, "Bird Flu Fears Raise Quarantine Questions," National Journal, govexec.com, daily briefing, October 25, 2005, www.govexec.com/ dailyfed/1005/102505nj1.htm, November 2, 2005.

<sup>2</sup>Wendy Orent, "The Fear Contagion," Washington Post, Sunday, October 16, 2005: B01; citing an interview on the The NewsHour with Jim Lehrer, October 5, 2005.

Wendy Orent, "The Fear Contagion," Washington Post, Sunday, October 16, 2005: B01.

<sup>4</sup>Joseph Barbera, et al., "Large-Scale Quarantine Following Biological Terrorism in the United States," Journal of the American Medical Association, vol. 286, no. 21 (December 2001).

<sup>5</sup>Hope Yen, "Experts: U.S. Unprepared for Super-Flu Pandemic," Associated Press, November 21, 2005.

6In general, the more frequently quarantine efforts involve issues of criminal prosecutions, the more closely the courts will scrutinize the constitutional issue. One principle that has clearly emerged is that while public health officials have broad powers to investigate public health threats, and often do not have to comply with the restrictions imposed upon police by the Fourth Amendment, any information gathered by public health agencies in such situations generally cannot be used in criminal prosecutions unless the collection process complied with the Fourth Amendment's requirements regarding, for instance, search and seizure. See generally Richards, "Collaboration Between Public Health and Law Enforcement: The Constitutional Challenge, cited by request of the author as "Emerg Infect Dis [serial online] 2002 Oct 8." This document is available on the Web at www.cdc.gov/ ncidod/EID/vol8no10/02-0465.htm.

<sup>7</sup>See Executive Order 13295 of April 4, 2003, amended April 1, 2005, to include "Influenza caused by novel or reemergent influenza viruses that are causing, or have the potential to cause, a pandemic."

<sup>8</sup>See Fauci and Gerberding, "Unmasking the 1918 Influenza Virus: An Important Step Toward Pandemic Influenza Preparedness," a joint NIH and CDC statement dated October 5, 2005. Text available at www3.niaid.nih.gov/news/newsreleases/ 2005/0510state.htm.

<sup>9</sup>See, for instance, Va. Code §32.1-48.05. <sup>10</sup>See, for instance, Va. Code §32.1-42. <sup>11</sup>The text of this model act is available at www.publichealthlaw.net/MSEHPA/MSEHPA2.pdf.

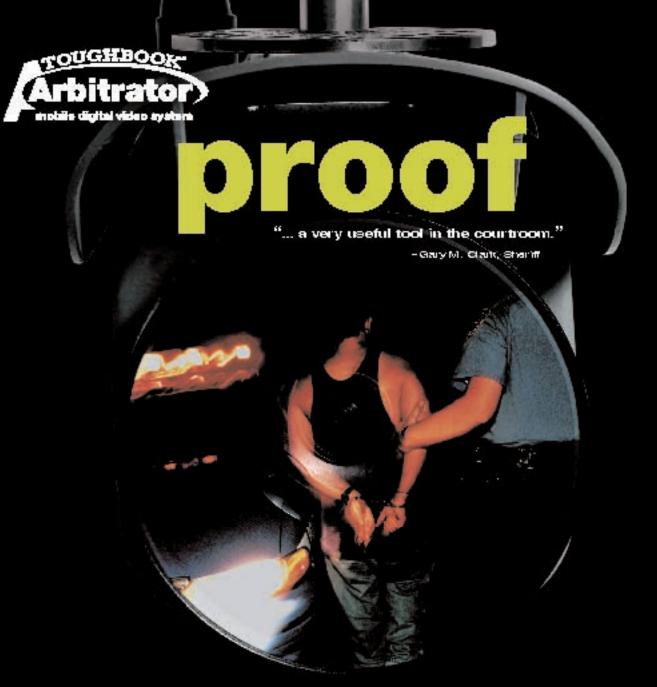
<sup>12</sup>The text of this model act is available at www.publichealthlaw.net/Resources/Modellaws.htm.

<sup>13</sup>For a list of the states concerned and the legislation enacted by each state, see the summary at www.publichealthlaw.net/Resources/ ResourcesPDFs/ MSPHA%20LegisTrack.pdf.

<sup>14</sup>See www.capitol.hawaii.gov/site1/docs/ getstatus2.asp?billno=SB781.

<sup>15</sup>See legislative summary at www.publichealthlaw.net/Resources/ ResourcesPDFs/MSPHA%20LegisTrack.pdf.

<sup>16</sup>See footnote 4, citing W. Eidson, "Confusion, Controversy, and Quarantine: the Muncie Smallpox Epidemic of 1893," Indiana Magazine of History 86 (1990): 374-398.



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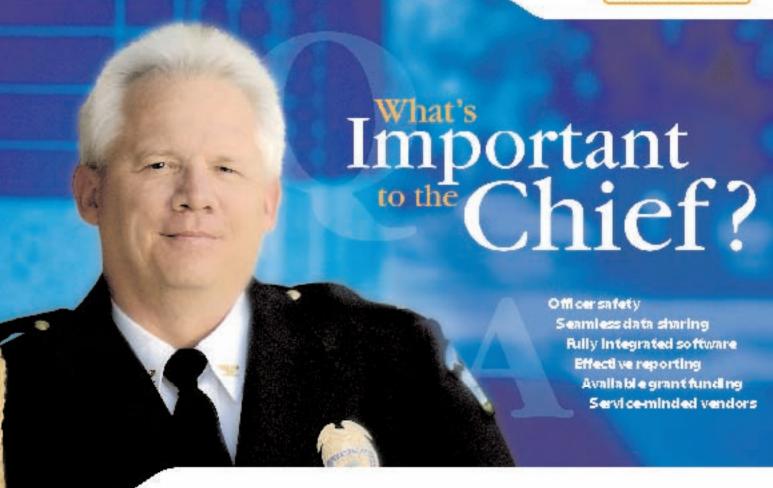
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QUICK FACTS

Hurricane Katrina August 23 – 31, 2005

**U.S. States Affected** Florida, Louisiana, Mississippi, Alabama, and Tennessee

Strength at Landfall Category 4

Winds at Landfall More than 140 miles per hour

**Rainfall** 12–16 inches **Storm surge** 4–32 feet

More than 30 feet in Biloxi, Mississippi More than 20 feet in Plaquemines, Louisiana

**Area affected** 108,456 square miles

**Casualties** 1,321 total (1,095 in Louisiana) *as of 12/16/05* 

People Affected 2,500,000 households request Individual Assistance

People left Homeless 527,000 total (288,700 in Louisiana)

Business Impacted More than 71,000 in Louisiana

Job Losses More than 400,000 in Louisiana

**Damage Estimates** \$34.4 billion total (\$22 billion in Louisiana)

(source: ISO properties Report 10/7/05)

Source: 2005 Louisiana Hurricane Impact Atlas: Volume 1
http://lagic.lsu.edu/lgisc/publications/2005/LGISC-PUB-2005111600\_2005\_HURRICANE\_ATLAS.pdf;
December 29, 2005. Also a portal to the Louisiana Hurricane Impact Atlas as well as other details are
available through the state government official Web site at http://www.louisiana.gov/wps/portal/

By Rick Fuentes, Colonel and Superintendent, New Jersey State Police, and Director, New Jersey Office of Emergency Management; and John Hunt, Major, New Jersey State Police, and Deputy Director, New Jersey Office of Emergency Management

### **Collaboration and Coordinated Response Is Necessary**

In times of crisis, the spontaneous and unsolicited individual or agency responses can hurt more than help. Attempts to provide assistance can add another layer of complexity to the chaos and disorder of a major disaster, particularly when locally affected police and fire departments are coming to grips with their own losses or personnel dislocations in the midst of organizing a rescue and recovery effort. Deployments need to be coordinated through the **Emergency Management Assistance Compact.** 

On October 11, 2005, the final platoons of personnel, vehicles, and equipment assigned to the Louisiana Emergency Assistance Deployment (Operation LEAD), returned to New Jersey.

Operating through the New Jersey Office of Emergency Management<sup>1</sup>, Operation LEAD had effectively completed its primary mission to assist the New Orleans Police Department and Louisiana State Police in the aftermath of Hurricane Katrina by way of staffing, equipment, and logistical and technical assets. These assets were deployed with a systematic approach grounded in complete self-sufficiency.

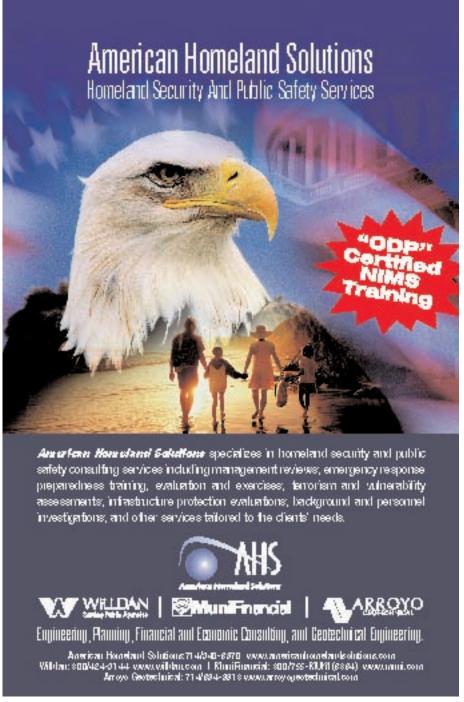
Over the course of five weeks, more than 600 state troopers and local and county police officers from 112 New Jersey law enforcement agencies, accompanied by fire service, emergency medical technicians, and a mobile relief team from the Salvation Army, carried out day and

night patrol operations in the Second, Third, and Sixth Police Districts in New Orleans. The Second District alone encompassed approximately 9.7 square miles, with a pre-evacuation population of 100,000. All three districts were heavily damaged by floods and high winds.

Among their many activities, Operation LEAD personnel searched 7,989 residences, rescued 67 stranded residents, and assisted 174 residents who were sheltered in place. They assisted in the recovery of 117 bodies, rescued 274 animals, and carried out 2,050 humanitarian deliveries of food and water to those residents who chose to remain in their homes. There were more than 4,300 decontaminations of emergency workers and vehicles. Patrols handled more than 4,400 telephone calls to 911 operators.

#### STATEWIDE COLLABORATION AND COORDINATED RESPONSE

The core values of service to others and personal sacrifice are deeply woven into the fabric of the law enforcement, fire, and emergency medical communities. They are a powerful inertia that brings about an overwhelming personal and organizational need to respond when others are in



need. In times of crisis, however, spontaneous or unsolicited individual or agency responses can risk being at odds with their good intentions. Emergency response should not add another layer to the chaos and disorder of a major disaster, particularly when locally affected police and fire departments are coming to grips with their own losses or personnel dislocations in the midst of organizing a rescue and recovery effort.

After the September 11, 2001, terror attack in New York City, responders laboring at Ground Zero quickly became exhausted, hungry, and dehydrated, and they desperately needed billeting, food, and water. After a long day of passing buckets of debris and searching for survivors and human remains in the rubble pile, there arose a need for on-site medical treatment and stress counseling.

Rescue workers also labored against a backdrop of short- and long-term liability issues involving possible physical or psychological injury or death while rendering assistance. Reducing liabilities and asserting protections were among the many issues that weighed heavily on the minds of New Jersey State Police emergency management commanders as they set out to develop an organized and orderly deployment to Louisiana. Existing New Jersey emergency operations plans governing local and state responses to hurricanes and floods proved helpful but did not anticipate the need for lengthy supply lines. If Operation LEAD was to stand on its own two feet, it must sustain revolving 14-day deployments that included equipment, personnel, food, sanitation, communications and other logistics along a supply route more than 1,300 miles long.

When the devastation from Hurricane Katrina was followed by the structural failure of several levees in New Orleans, the police, fire, and emergency medical agencies in New Jersey stood ready to respond with all urgency. Under the authority of state director, the office of the superintendent issued a statewide message that informed local and county law enforcement agencies that plans were already under way to coordinate a multiagency statewide response through the New Jersey Office of Emergency Management (NJOEM). All outside agency deployments were being coordinated through the Emergency Management Assistance Compact (EMAC).

EMAC is the nation's interstate mutual aid agreement during times of crisis. For Operation LEAD, EMAC provided the legal foundation for a statewide response from New Jersey that would cover federal reimbursement for services rendered and granted Louisiana law enforcement powers in support of a police mission on the ground.

To weave a New Jersey multiagency response into a single deployment to Louisiana, New Jersey Acting Governor Richard Codey signed an executive order appointing all responding police officers, fire service, and emergency medical personnel as state emergency workers under the command and control of the NJOEM. By this designation, all personnel assigned as emergency workers to Operation LEAD were considered to be agents of Louisiana under EMAC for tort liability and immunity purposes.

As discussions continued with Louisiana EMAC and FEMA officials, senior emergency management commanders at New Jersey State Police headquarters completed a concept of operations for a stand-alone deployment to Louisiana. This operational plan would tap into collaborative homeland security initiatives already established in New Jersey.

The unending fear of terrorism in the greater New York and New Jersey metropolitan area had driven most of the federal homeland security funding in New Jersey into increasing preparedness through training and tabletop exercises, disbursing or upgrading first responder and decontamination equipment, and

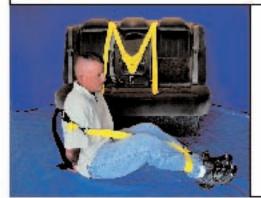
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#### **Guide to Abbreviations**

**ASPCA** American Society for the Prevention of Cruelty to Animals

**CIST** Critical Incident Stress Team

**DMORT** Federal Disaster Mortuary Response Teams

**EMAC** Emergency Management Assistance Compact

**FEMA** Federal Emergency Management Administration

FEMA/IST Federal Emergency Management Agency Incident Support Team

FLIR Forward Looking Infrared Radar

IAP Incident Action Plan

ITAC International Tactical

NJLETF New Jersey Law Enforcement Task Force

**NJOEM** New Jersey Office of Emergency Management

NOPD New Orleans Police Department

Operation LEAD Louisiana Emergency Assistance Deployment (from the state of New Jersey)

**RDT** Rapid Deployment Teams

**UASI** Urban Area Security Initiative

**UPS** Uninterruptible Power Systems

VFW Veterans of Foreign Wars (United States)

**VPN** Virtual Private Network

achieving radio interoperability. From an all-hazards perspective, significant improvements were observed in responses to a whole gamut of technological and naturally occurring calamities, including fires, floods, collapsed buildings, and chemical spills or leaks.

Millions of dollars earmarked for the Urban Area Security Initiative (UASI) in northeastern New Jersey had also provided training and equipment to more than 800 police officers in six counties, mobilizing them into county-based rapid deployment teams (RDT). In the event of a state emergency declaration by the Governor, the RDTs could transition into a larger force under the command and control of the state director of OEM.

New decontamination equipment and training had been provided to New Jersey police and fire departments, particularly to those located in the UASI region. This had brought about the creation of the Decontamination Task Force in four counties, staffed by police and fire personnel trained to decontaminate, or hot wash, emergency workers and equipment operating in a toxic environment.

The New Jersey State Police, in cooperation with the county prosecutors, had also brokered agreements to create other specialized coalitions of federal, state, city, and county bomb squads, SWAT teams,



canine units, and crime scene investigation units to respond to mass casualty events. One or more of these task forces could be deployed on the basis of their technical expertise. Positioned to protect New Jersey against the threat of terrorism and an array of natural and technological disasters, these collaborations offered a highly qualified pool of responders for Operation LEAD.



Swift-water rescue team members evacuate an elderly resident from a flooded parish. Photograph courtesy New Jersey State Police

The first EMAC request from Louisiana arrived on August 3, 2005, and brought about the deployment of four swift-water rescue teams involving 16 officers from the state's 210-strong Urban Search and Rescue Task Force One, as well as a seven-member water rescue unit from the Passaic County Sheriff's Department. They carried full camp provisions, tents, cots, and enough food and water to last for 72 hours. Arriving in New Orleans on September 5, they began water rescues at the direction of the Federal Emergency Management Agency Incident Support Team (FEMA/IST). In their two weeks of operation, swift-water rescue team members searched 2,300 residences and structures, rescued 29 residents, sheltered 54 in their residences, and marked three bodies

Once the U.S. Army Corps of Engineers had shored up the levees and put several huge pumps into service, the receding city waters increased the capacity for ground operations. EMAC requests for out-of-state rescue, recovery, and general police services in support of those ground operations became a priority.

Captain Karl Kleeberg, supervisor of the New Jersey State Police Emergency Management Recovery Bureau, had been deployed along with Task Force One. His



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mission was to develop an operational plan in conjunction with the Louisiana State Police and New Orleans Police Department (NOPD) that would map out a police mission for a larger ground force of New Jersey law enforcement responders. As a force multiplier to the NOPD, it was agreed that Operation LEAD would assist in search, recovery, and general police patrol operations in the Second Police District in New Orleans.

To reduce the burden upon fatigued local departments, Operation LEAD would have to be self-sufficient in its dayto-day operations, identifying its own means of housing, sanitation, and food

provisions. Although rescue and recovery operations would take place in devastated areas without essential services, every effort was made to locate the command post and billeting facilities on high ground with power and utilities near the patrol area.

The search focused on the New Orleans suburbs of Kenner and Harahan. The command post was located at the Veterans of Foreign Wars (VFW) post in Harahan. Billeting and dining facilities were located in a gymnasium at the Muss Bertolino Athletic Complex in Kenner. The decision to locate these facilities several miles apart was deliberate, creating two distinctly different environments for work and recreation.

#### STRUCTURE AND PURPOSE

Perhaps the greatest challenge of Operation LEAD was to simultaneously transport all of the personnel and equipment necessary to create a self-contained community of New Jersey emergency workers in greater New Orleans. Once this force arrived in Louisiana, command and control shifted to lines of authority dividing mission-oriented specialties and technical expertise.

The Operation LEAD task force was organized according to the Incident Command System principles, with sections established for command, operations, logistics, finance, and planning. Each section had its own section chief and staff.

Command: The command staff was composed of state police personnel, with a major or a captain from the emergency management section serving as an incident commander.2 A support staff included a deputy incident commander, an operations officer, a small investigative squad of detectives from major crimes, street gang, and crime scene units, and a rapid response team of approximately 10 troopers to support patrol operations with heavy weaponry, antisniper tactics, and force protection. A public information officer was assigned to handle all media inquiries and the visits of dignitaries and news reporters.

Operations Section: The operations section consisted of five teams of 20-25 officers and firefighters under the immediate command of local and county police captains and lieutenants to conduct search, rescue, and recovery operations. To the extent possible, these teams consolidated officers from the same or neighboring departments in New Jersey to foster the closest possible working relationship. In addition, each team contained fire service personnel responsible for decontamination after every patrol.



Essex County firefighters decontaminate the boots of an officer after a patrol. Photograph courtesy New Jersey State Police



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If Operation LEAD was to stand on its own two feet, it must sustain revolving 14-day deployments that included equipment, personnel, food, sanitation, communications, and other logistics along a supply route more than 1,300 miles long.

A hazardous materials team was designated to handle tactical encounters with dangerous chemicals or toxins. This team spent a great deal of time working in partnership with the 91st U.S. Army Civil Support Team, stabilizing operations at chemical and industrial facilities throughout Jefferson Parish. Jefferson Parish, home to approximately 500 chemical and industrial facilities, was the hardest hit after storm surge waters in the Industrial Canal collapsed the levee, releasing into the parish a 30-foot-high wall of water and a huge overturned barge that crushed everything in its path.

Finance Section: Due to the requirements of EMAC, the finance section kept strict accounting of all expenditures and captured all costs relating to the deployment. A daily report was provided to the incident commander memorializing all expenses to date and the administrative needs of the detail; current estimates reveal the total cost for the deployment at approximately 6-8 million dollars. Each member of Operation LEAD was required to fill out a daily activity patrol log and record all shift activities.

Planning Section: The planning section served as a repository and inventory for all documentation. The section included the New Jersey Critical Incident Stress Team (CIST), a highly trained group of counselors, to include a state police chaplain, who were available at all hours to provide crucial stress management counseling and nondenominational religious services. The CIST established its reputation at Ground Zero in New York City, deploying alongside the New Jersey Urban Search and Rescue Team.

**Logistics Section:** The logistics section handled radio and telecommunications, medical services, base security, and other technical services. A medical doctor was also present throughout Operation LEAD. A tent in the billeting area was outfitted as a treatment facility with sufficient

privacy to conduct medical examinations. Due to the toxicity of the patrol environment, even a small cut or an abrasion was given quick attention and treatment.

All of these sections provided daily progress reports to the incident commander. An incident action plan (IAP) was completed by the planning section chief with tactical input from the other section chiefs. The IAP delineated the mission, goals, and overall strategy for each operational period. It also provided to the incident commander with talking points for the twice-daily roll calls and issued threat assessments and crime intelligence. The IAP was also transmitted electronically to

the NJSP command staff in New Jersey and to the Louisiana State Police Command Post in Baton Rouge.

#### THE LONG SUPPLY LINE

On September 7, the first in a series of three two-week deployments departed from state police Troop C headquarters in central New Jersey.3 The caravan comprised 74 marked patrol units, 10 hazmat and decontamination vehicles, two ambulances, a transportation maintenance vehicle, four light towers, and a command post bus. Seven car carriers transported the marked units, leaving a few to escort



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the convoy. Two low-boy trailers carried the command post bus, two ambulances, and the light towers. Another truck carried supplies donated by private companies in Bergen County.

Four New Jersey Transit buses transported 220 troopers, police officers, firefighters, and emergency medical personnel from 35 agencies. The first deployment included five decontamination units from three counties consisting of 36 police officers and firefighters with a specialty in hazardous materials. All Operation LEAD personnel were required to receive inoculations for tetanus, diphtheria, and hepatitis prior to their departure.4

#### **BILLETING AND DINING**

Due to the size of the first convoy, the trip took 38 hours. The convoy arrived at the Muss Bertolino Athletic Center in Kenner, a facility with much-needed air conditioning. In advance of their arrival, the New Jersey National Guard, under the command of Major General Glenn Rieth, had flown cots, tents, water, meal rations, and a small contingent of National Guard and state police personnel, to include Major John Hunt as the designated incident commander, into the New Orleans Naval Air Station, National Guard soldiers transported the supplies to Kenner and then worked nonstop to transform the athletic center gymnasium into a fully functioning living quarters for several hundred emergency responders. It was quickly dubbed Camp New Jersey.

The gymnasium was kept cool, in low light, and quiet. Dozens of emergency workers were sleeping or relaxing at all hours of the day or night before their patrol shift. To permit recreation and group conversation, outside tents were set up, one of which offered cable television featuring baseball games and movies. Through a wireless bridge negotiated with a local company, an Internet kiosk was set up along the interior perimeter of the billeting area so personnel could stay in touch with their departments and families through e-mail or instant messages. Hot and cold meal choices were offered three times a day in a high school cafeteria near the gymnasium. Snacks, power bars, water, and soft drinks were available 24 hours a day in the billeting area.

#### **COMMUNICATIONS AND RADIO INTEROPERABILITY**

The first step in ensuring the safety of Operation LEAD personnel was establishing sound and secure communications. NJSP radio technicians and information technology specialists assessed the communications needs and challenges faced by agencies already responding to the Katrina disaster. The



State Police Lieutenant Lou Klock briefs members of Newark Police Department's SWAT team before a night operation. Photograph courtesy New Jersey State Police

existing state, parish, and local police agencies operated on 800-megahertz systems that were in various stages of operation due to power failures and severe wind damage. The International Tactical (ITAC) interoperability frequencies were being used mostly for point-to-point communications but were hampered by constant chatter.

Technicians believed that NJSP radios could provide some interoperability through these channels. A search began for FCC licenses that would identify what conventional frequencies already programmed into the NJSP radios could be used in the New Orleans area without interference. Technicians requested and received a temporary FCC license to operate on the 800-megahertz repeater frequencies. This would inform responding agencies that the frequency was already in use and would avoid interference with agencies that attempted to use the same or adjacent frequencies. The repeater and talk-around frequencies used by the New Jersey contingency were also coordinated and approved through the FEMA ad hoc frequency coordinator.

A multidisciplinary group of technicians arriving in the first wave of the LEAD Task Force quickly went to work to provide radio, telephone, and information technology support to the command post, billeting, and operational areas. Within the first 24 hours of their arrival, a cache of portable, mobile, and desktop radios, a portable 800-megahertz repeater, and a Raytheon/JPS ACU-1000 Interoperability Communications System had been installed. Additionally, a telephone system, wireless and satellite phones, a credentialing machine, a dozen laptop

computers with wireless access, and a local area network (LAN) were set up.

Generators and uninterruptible power systems (UPS) were available to provide primary and back up power and an 800-megahertz repeater was installed on the 210-foot Bell South building in downtown New Orleans. This service delivered full local technical support to the operation and set the stage for additional connectivity.5

An initial exchange of radios was conducted with the Louisiana State Police and the police departments in New Orleans, Kenner, Harahan, and Jefferson Parish. Temporary connectivity and monitoring was facilitated through radio reprogramming in the Raytheon Interoperability System. All of this interagency coordination, carried out under very challenging conditions, permitted the smooth transfer of vital communications and information through dispatch and enhanced joint operations between Operation LEAD, the U.S. Army, the National Guard, the FBI, the NOPD, and the LSP.

Building upon Internet connectivity, an encrypted VPN tunnel was established between the Harahan command post and NJSP division headquarters in New Jersey. This secured the data communications and allowed the Operation LEAD incident commander to exchange communications, documents, and large media transfers of photographs with the NJSP command staff.

#### **PATROL OPERATIONS**

The primary mission of Operation LEAD was dedicated to search and rescue. More than 100,000 heavily damaged and flooded residences and commercial



buildings in New Orleans and the surrounding parishes needed to be searched for survivors or to recover the remains of those who had perished. It was a grueling daytime operation that tested the strength and character of each and every member of Operation LEAD. For much of the fiveweek deployment, temperatures fluctuated between 90 and 100 degrees, with high humidity and saturated ground conditions. As highly toxic groundwater evaporated, it left a sickening gray pallor over the entire landscape, producing the perfect medium for the growth of bacteria and mold.

When the levees collapsed, rapidly churning currents of water filled the inside of houses in a matter of minutes, upending furniture and appliances, and battering residents who could not escape. As the water drained away, everything was deposited in massive piles of debris. Dead bodies filled small spaces between refrigerators and furniture items and were not easily recognizable. Looking up, rescuers began to recognize large, circular yellowish stains on the ceiling as telltale evidence of a decomposing body on an upstairs floor.

Telephone calls from concerned relatives often led a team back to a house already searched and a body was recovered. In one case, Operation LEAD personnel searched a residence in the 2 District several times as the waters drained and debris was removed, ultimately locating three bodies.

Rescuers were not authorized to remove bodies. They marked their exact location with a handheld global positioning instrument and transmitted the coordinates to the Louisiana State Police command post in Baton Rouge. Federal disaster mortuary response teams (DMORT) removed the bodies.

Operation LEAD teams followed a simple process created by FEMA to denote residences that had already been searched. A team member identified as a doorman spray-painted a large X in bright orange on an outside wall near the front door, adding important pieces of information to brief other teams about the search. Above the X the doorman wrote the date and time of the search. To the left of the X he identified the search team by its initials. For instance, NJLETF stood for the New Jersey Law Enforcement Task Force. To the right of the X the doorman identified any hazards to entry, such as dogs, cats, or snakes. Below the X he records the number of dead bodies found.

During searches, mold and other household contaminants were a constant peril to search personnel. Floors were slippery from growths of mold that spread up the walls and across the ceiling. Inhalation of aerobic mold spores presented a

serious hazard to health. To avoid contamination, essential equipment included face masks and Tyvek suits and boots, all of which were discarded after each search. Piles of suits left outside a property reminded other teams and agencies that the residence had been searched.

Patrol officers searching residences were encouraged to wash their hands dozens of times a day with an alcoholbased hand rub to ward off the possibility of skin infection and disease transmission. Boots and vehicle tires and quarter panels were soaked in detergent and rigorously scrubbed so that mold, bacteria and pollutants did not track back into the command post or billeting area.

Oppressive heat quickly increased body temperatures. Patrol supervisors paid close attention to signs of dehydration and heat exhaustion. Heavy sweating was normal. Those who were not sweating were in immediate need of hydration and were taken off the detail.

Patrols at night were conducted in areas of complete darkness, and under conditions far too hazardous to conduct residential searches. Night missions were confined to general police patrol to prevent looting and other criminal activity. On occasion, night patrols were supported by members of the Oklahoma Air National Guard who flew helicopters missions with searchlights and forward looking infrared radar (FLIR) in support of the patrols.

Once the parish roadways were cleared of debris and low hanging wires, the command post bus pushed forward with all patrol operations. The bus was

equipped with multiple radios, computers, a wireless phone system, a satellite telephone, and had backup generator capacity to operate in a barren communications environment.

#### **FORCE PROTECTION AND CRIMINAL INTELLIGENCE**

One of the critical issues confronting the conduct of Operation LEAD was the protection of its personnel. Soon after the hurricane had passed, there were reports of looting and weapons thefts by street gangs. Houses were burglarized and burned. Loose bands of armed individuals were openly engaging police and firefighters in head-on skirmishes and sniping at helicopters in the midst of their rescue efforts.

These threats underscored the need for force protection during every rescue and recovery operation. Earlier in the deployment, swift-water rescue teams had added a twoperson vessel to every waterborne patrol and armed them with shotguns and other tactical weapons. This patrol vessel cruised the area around the rescue operation, scanning the landscape for looters and snipers.

When the city had drained enough to conduct ground operations, heavily armed officers assigned to the rapid deployment team secured blocks and neighborhoods where search operations were under way. Operation LEAD also provided force protection to local ambulance and other emergency medical responders, as well as to members of the New Orleans and New York City fire departments who continually battled arson fires.



A member of New Jersey Task Force One conducts force protection during a water rescue mission. Photograph courtesy New Jersey State Police



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## **LESSONS LEARNED**

Operation LEAD was New Jersey's emergency response to Louisiana after Hurricane Katrina. The following are some of the lessons arising from this effort:

- Naturally occurring or technological disasters have broad geographic impact that cannot be mitigated by a singleagency response. Floods, hurricanes, earthquakes, or terror attacks can quickly overwhelm the resources of a local department. A statewide, interagency response, closely coordinated through the appropriate federal authorities, is far more efficient and economical. Illinois, Michigan, and New Jersey responded to the Gulf Coast states in the aftermath of Hurricane Katrina with a multiagency task force. Any state police or state office of emergency management member of the EMAC network can quickly assemble a statewide police, fire, and medical response with all the necessary protections and reimbursement through the issuance of an executive order of the governor. Eliciting support from the hundreds of police and fire departments in each state permits an EMAC member from absorbing the full weight of a mass response.
- Disaster and evacuation plans cannot ignore the welfare of house pets. Assuring evacuees of pet welfare permits a more orderly and compliant evacuation. Setting up pet evacuation centers with protocols to reunite pets and owners is a sound solution and should be developed in partnership with state veterinary agencies.
- 3. A collaborative military and law enforcement mission is far more effective in distant disasters than a military-only solution. Both the military and law enforcement services bring separate and unique abilities and skills to bear on disaster mitigation and recovery. The ability of the military

- to airlift personnel, supplies, and equipment on a mass scale cannot be surpassed by any other domestic agency. Law enforcement, along with the fire and emergency medical services, bring vast experience from their respective professional routines and homeland security missions, to include water and ground search and rescue, firefighting, decontamination, community policing, and general police patrol.
- Much like special duty physical examination requirements for military flight personnel or EOD specialists, annual physicals for personnel subject to deployment would call attention to changes in one's health status either before of after deployments. To that end, a dialogue should be initiated with organizations' medical units and their respective health departments, as each can have mutually exclusive perspectives. At a minimum, comprehensive health screenings should take place before deployment to an affected area and immediately upon return, before being released to home (to exclude outside influences and in consideration of family health). The timing of screenings (which include questionnaires, blood draws, and, if possible, X-rays) is critical because, without them, there is no definitive baseline or frame of reference from which to evaluate the development of symptoms that may result from deployments. During a deployment, soil, water, and other contaminant samples can be taken by trained personnel and preserved for analysis by the appropriate resource. All of this information can and should be maintained in a basic database that can help supervisors monitor the health of personnel over the terms of their service. Should health problems arise, even years later, comparisons can be made with personnel who encountered similar environments to determine and assess commonalities. This requirement would extend to any personnel from another organization deploying with the lead agency.



Bergen County, New Jersey, sheriff's officers conduct one of the more than 260 rescues of abandoned pets in New Orleans by operation LEAD personnel. Photograph courtesy New Jersey State Police

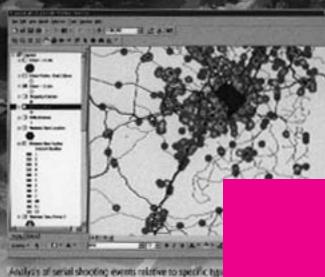
Each of the three Operation LEAD deployments included detectives from the New Jersey State Police Street Gang Bureau. Their job was to work with the New Orleans Police Department, the Louisiana State Police, and the Federal Bureau of Investigation to develop intelligence on the presence of street gangs and other organized criminal groups that might pose a threat to the patrol operations. These detectives were a critical part of the morning and evening intelligence briefings to squad leaders.

A final but critical element of force protection is force health protection. Health and safety is an issue whose importance amounts to an ethical imperative, to say nothing of attendant legal obligations. There is a responsibility to communicate

risk to those we place in harm's way, voluntarily or otherwise, and to ensure that their health is monitored before, during, and after deployment to any affected area.

Because a police, fire, or EMS commander will likely have health resources available to them (in their jurisdiction, if not in their department), they need not possess the expertise themselves. They simply need solid advisors to help them evaluate three fundamental questions: Are my personnel being thoroughly screened prior to deployment? What is being done to protect them during deployment (by means, for instance, of decontamination, personal protection equipment, and contaminant sampling)? And are they being thoroughly screened at the conclusion of and beyond

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#### **ANIMAL RESCUES**

Tens of thousands of house pets, mostly cats and dogs, were abandoned in the wake of Hurricane Katrina. In their haste to evacuate the path of the hurricane, many homeowners had leashed them to furniture and heavy appliances in the mistaken belief that the owners would return after the hurricane passed. Some residents openly defied the mandatory evacuation order and refused to leave their pets, sometimes causing rescue personnel and police to commit desperate acts that resulted in the forced separation or destruction of pets to effect lifesaving rescues.

There was little food to forage that the floodwaters and oppressive heat had not destroyed. Loose pets were poisoned by standing pools of putrid water as the city drained. Those trapped in houses were in ragged condition and wasting away. Many drowned when they could not escape the rising water, while others managed to climb onto cars and rooftops, where they remained stranded for days.

Operation LEAD personnel encountered loose house pets everywhere during their patrols. Some followed the uniform foot patrols at a distance but shied away

from an extended hand or a calm voice. Little else could be done for the animals roaming the streets of the deserted parishes other than to lay open a bag of dog food alongside containers filled with bottled water.

Pets stranded in houses were not removed. The patrols noted their presence by marking the entrance to the houses. News about abandoned pets were passed along to the Louisiana State Police command post in Baton Rouge, with a request for the ASPCA or other animal rescue agencies to remove the pets. For the most part, animals were rescued promptly. More than 250 pets were saved from slow death by Operation LEAD officers. �

The New Jersey Office of Emergency Management, the New Jersey State Police, and all participating local and county members of the police, fire and emergency medical communities would like to express our appreciation and support to the Louisiana State Police and the police departments of New Orleans, Harahan, and Kenner. Operation LEAD is proud to have participated, along with thousands of other rescue workers from around the country, in helping these fine departments overcome the worst natural tragedy to befall this country. The New Jersey Louisiana Emergency Assistance Deployment has now become the New Jersey Law Enforcement Assistance Deployment, a name

change that reflects New Jersey's continued readiness and preparedness to respond anywhere in the country under EMAC or at the request of the federal emergency management agencies.

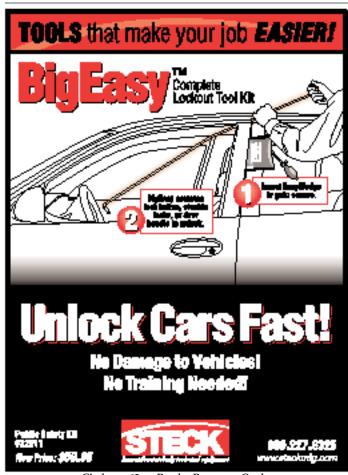
<sup>1</sup>The superintendent of state police operates in the dual role of state director of emergency management. Only Michigan has a similar arrangement. During times of crisis, this dual authority overcomes time-consuming decision protocols across agency lines.

<sup>2</sup>Two incident commanders represented Operation LEAD over its five-week deployment in New Orleans: Major John Hunt, commanding officer of the New Jersey State Police Emergency Management Section (EMS) and deputy state director of the office of emergency management; and Captain Jerome Hatfield, executive officer of the EMS.

<sup>3</sup>The second two-week deployment of Operation LEAD occurred on September 17 and 18 and involved 148 police, fire, and emergency medical workers and 25 decontamination specialists. The third, and last, deployment left on September 28 and 29 with another 148 personnel and 30 decontamination specialists.

<sup>a</sup>The authors would like to thank Dr. Fred Jacobs, commissioner of the New Jersey Department of Health and Senior Services, and Dr. Cliff Lacey, executive director of the Robert Wood Johnson University Hospital in New Brunswick, for their assistance in providing the required inoculations to Operation LEAD personnel prior to their deployment to Louisiana

Additional photographs taken during the deployment can be found online on the New Jersey State Police Web site, www.njsp.org, by clicking the Operation LEAD icon.



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#### POLICE CHIEF

Moothead, Minnesota

Tho City of Etoorhand (population \$2,295) is accopting applicaflows for the position of Police Chief in the Police Department. The position is open due to the retirement of our Chilofof Relice. This position is responsible foravirninistrative and professional work in plazative, di portive, coordinative, supomástve, oraduative and ostabilishing relics and regulations for police operations. Electrically, policios and proced area for police protection and other department programs. The successful carel blade must display superior written and oral communication skills and exhibit a positive public relaflows flows. The position requires strong leaders hip, management, suponas ing ami planning skills, a Bacholor's Dogoo in Criminal Pastico or a rotato i doki ; a wi a milatima m of the years or more progressively responsible experience in administrative and super-"Alsony roles la a professional police-lopartment; or a combination offoliacation and relevant experience Trace marge: \$97,978.54 404,751.01 aggregatly, plus executions beyonds. A detailed position. description is maritable for review through the City/III's website. Tais position valid to open entitlettoi. Tao entre resento review late. will be approximately February 24, 2006. Exterested applicants skouki soni a lottorof iztortazi resumo-to Joaz Thompson, Director of Human Resources, City of Electrical, 500 Center Astarto, B.O. Blox 779, Etoorion/I, EDT 55501. (218) 299-5188 or fax, (218) 299-5331, vavvot moorkoal, mx.45

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## IACP'S Action in Response to Hurricane Katrina



## A Message from IACP President Mary Ann Viverette

In the aftermath of Hurricane Katrina, our fellow law enforcement officials and our colleagues from the fire, EMS, and emergency response community have been faced with unimaginable challenges and have continually strived to fulfill their mission of protecting the public. In many cases, law enforcement personnel continued to perform their duties at a time when both their departments and personal residences had been damaged or destroyed by the storm. As they continue their recovery and rebuilding efforts, these officers and their departments have earned the admiration and respect of public safety organizations around

But more than our admiration, they needed our help. Since Hurricane Katrina hit, the IACP has been working closely with state police chiefs associations, state police agencies, and other federal, state, and local response agencies to identify ways the IACP could be of assistance to those in need on the Gulf Coast.

For example, the IACP ascertained the material equipment needs of the departments in the affected region and disseminated a list of these needs to the IACP membership

In addition, IACP worked with the Department of Homeland Security to ensure that our members were aware, and made use, of the existing Emergency Management Assistance Compact (EMAC) network before sending officers or other personnel to the Gulf Coast region. EMAC allowed agencies to provide assistance to affected police departments in a

These initial efforts were successful and provided tangible assistance to our colleagues.

The IACP also established a special fund known as the IACP Hurricane Katrina Law Enforcement Relief Fund. This fund served as a central collection point for donations that would provide financial assistance directly to law enforcement officers and their families who have been affected by Hurricane Katrina.

On December 31, 2005, the IACP ended active solicitations for the fund and is now working with our state associations in the affected regions to ensure that 100 percent of the funds collected are distributed to law enforcement officers in need.

Rest assured that the IACP will continue its efforts both to assist our colleagues on the Gulf Coast and to learn from their experiences so that all law enforcement leaders can be prepared in case tragedy strikes their community.

Finally, I would like to offer a personal observation. In the days following the hurricane, the IACP was inundated with offers of support and assistance from around the country and the world. This response from our membership is the embodiment of all that the IACP has stood for over the last 113 years. After witnessing the generosity and selflessness of so many IACP members over the last four months, I have never been prouder to be a member of this

Sincerely,

Mary Ann Viverette President

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# Hurricane Rita Lessons Learned

By Donald D. Dixon, Chief of Police, Lake Charles, Louisiana



Photograph by Robert Kaufmann/FEMA



Photograph by Greg Henshall/FEMA

## QUICK FACTS Hurricane Rita September 24 – 31, 2005

**U.S. States Affected** Louisiana and Texas

Strength at Landfall

Winds at Landfall More than 120 miles per hour

Category 3

**Rainfall** 6–12 inches **Storm surge** 4–16 feet

**Area Affected** 85,729 square miles

Casualties 119 total (none in Louisiana) as of 12/16/05

**People affected** 460,000 households request Individual Assistance

People Left Homeless 76,500 (all in Louisiana)

Business Impacted More than 10,000 in Louisiana

Job Losses More than 45,000 in Louisiana

**Damage Estimates** \$4.7 billion total (2.4 billion in Louisiana)

(source: ISP Properties Reports October 7, 2005)

Source: 2005 Louisiana Hurricane Impact Atlas: Volume 1 http://lagic.lsu.edu/lgisc/publications/2005/LGISC-PUB-20051116-00\_2005\_HURRICANE\_ ATLAS.pdf; December 29, 2005. A portal to the Louisiana Hurricane Impact Atlas and other details are available through the state government Web site at www.louisiana.gov/wps/portal/.



Photograph by Robert Kaufmann/FEMA



Photograph by Win Henderson/FEMA

In the days after Hurricane Rita struck Lake Charles, Louisiana, last September, downed power lines and poles made many roads in and around Lake Charles impassable. Some of the region's inhabitants were without power for weeks.



Just a few days before the 2005 annual IACP conference opened in Miami Beach, Hurricane Rita skirted the Florida Keys as it strengthened from a category 1 to category 2 storm. Law enforcement and other emergency responders in southwest Louisiana watched the progress of the storm warily as forecasts indicated landfall along the central Texas coast over the next weekend. That track meant that Lake Charles, Louisiana, would likely receive a few showers from rain bands but had little chance of severe weather.

Nonetheless, for the Lake Charles Police Department, experience and policy dictate that emergency preparations begin any time a named storm enters the Gulf of Mexico. There was added urgency in this case as Lake Charles was now temporarily home to several thousand New Orleans evacuees displaced by Hurricane Katrina a few weeks earlier. Many were staying in homes with family or friends, but as many as 3,000 were in public shelters, and most would require transportation assistance should an evacuation order be issued.

The early forecasts were wrong. The storm instead plowed into southwest Louisiana near the Texas border with 120mile-per-hour winds and a storm surge estimated at up to 16 feet. Coastal communities in rural Cameron Parish were washed away by the winds and the wall of water.

Lake Charles, 45 miles north of the coast, was hit hard. Rita's winds and water did extensive damage. The city of 75,000 is located on I-10 midway between Houston and New Orleans. Home to several petrochemical facilities, the nation's 12th largest deepwater port, five casino riverboats, and some of the nation's best hunting and fishing opportunities, the area from Lake Charles to the Gulf is mostly marshland, with the highest point being a ridge that stands 10 feet above sea level.

Downed trees and utility poles blocked nearly every thoroughfare in the city, and destroyed as many as 500 homes. It is estimated that 90-95 percent of the structures in the city were damaged to some degree. The area's electrical grid was destroyed, leaving the city completely dark for seven days, although determined efforts by power crews had service restored to 95 percent of the city some 18 days later.



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This vehicle ran off the road in Lake Charles, Louisiana, after its driver attempted to navigate around power lines knocked down by Hurricane Rita's high winds. Photo by Robert Kaufmann/FEMA

Providing police service in a dark, mostly deserted city was a tactical, physical, and emotional challenge for the men and women of the Lake Charles Police Department. Many officers had significant damage to their homes, and they were unable to attend to the repairs. All officers worked long hours to protect homes and businesses and to ensure the safety of the few who did not heed the order to evacuate. Familiar landmarks were gone or damaged, and trees, poles, and other storm debris blocked darkened streets and made navigation hazardous.

The fact that the devastation in southwest Louisiana quickly faded from the national news spotlight is a testament to the efficiency and professionalism of these men and women.

#### PREPARING FORTHE STORM

After passing Florida, Hurricane Rita entered the Gulf of Mexico and intensified rapidly to category 5 intensity, maintaining that status until just 36 hours before landfall. The central pressure of the storm was the third lowest ever recorded, placing Rita in the record books behind only Hurricane Gilbert, which hit Cozumel, Mexico, in 1988 and the 1935 Labor Day hurricane in the Florida Keys.

Coming less than a month after Hurricane Katrina had devastated southeast Louisiana and the Mississippi coast, Rita also marked the first time since records have been kept that two hurricanes had reached category 5 strength in the Gulf of Mexico in the same season.

On Monday, September 19, 2005, as the storm passed near Florida and continued its track into the Gulf of Mexico, final review and revisions were completed on the Lake Charles Police Department (LCPD) Emergency Operations Plan, which would be initiated should the projected path of the storm change. This plan is reviewed

annually and had been practiced during tabletop exercises and during a near miss by another hurricane three years earlier.

As called for in the department's emergency procedures, a personnel deployment plan was published and distributed to all members detailing assignments to traffic control points, patrol operations, investigative details, site security, and other duties before and after the storm. Personnel were assigned to one of the two platoons that would work 12-hour shifts beginning Thursday, September 22, if needed. Each platoon consisted of approximately 65 sworn personnel. One platoon was assigned to ride out the storm in six shelter locations in the city, providing proactive patrol to prevent looting and assist with evacuation issues as long as possible before the storm hit, and rapid response for rescue and recovery as soon as conditions permitted after the hurricane. The second platoon would shelter approximately 40 miles northeast of the city to provide relief after the storm passed.

Lake Charles Mayor Randy Roach and other leaders made a crucial decision on Tuesday, one that would ultimately prove to be a lifesaver. Given the large number of evacuees already in the area, the city's leaders decided schools would close Wednesday to allow school buses to join city and contract bus services to begin moving those evacuees north. Moving those who had no independent means of transportation had been done in previous storms, but not with the numbers of people anticipated in this evacuation.

As the storm's projected path changed, the evacuation recommendation became a

mandatory order. Owing in part to the loss of life and devastation of Hurricane Katrina on the other side of the state just a few weeks earlier, the evacuation order was heeded by the vast majority of Lake Charles residents. This undoubtedly saved many lives, but it made it more difficult for police to protect homes and businesses from looting.

As Rita began to take direct aim at southwest Louisiana on Thursday, Calcasieu Parish Sheriff Tony Mancuso and I placed calls to federal, state, and local law enforcement contacts asking that personnel and equipment be made available should it be needed after the storm passed.

Police officers were advised to prepare their homes and report for duty with the necessities to stay at work for several days. Civilian employees were released to evacuate. Patrol units were stocked with meals ready to eat, often known as MREs, and water.

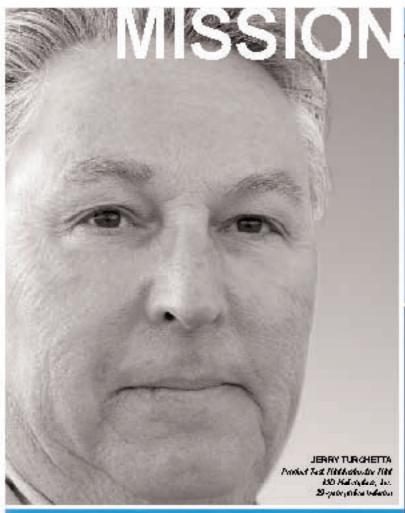
In the early morning hours of Saturday, September 24, 2005, Hurricane Rita slammed into southwestern Louisiana. The magnitude of the storm had forced a halt to normal operations at 5:30 the previous evening, when sustained winds exceeded 40 miles per hour. The city of Lake Charles would be buffeted by 100-plus-mile-perhour winds for more than six hours, with gale-force winds still being experienced in the afternoon hours Saturday.

When conditions improved enough to allow the first damage assessments after daylight Saturday morning, the scope of the disaster became clear. It was evident that the resources that had been contacted and placed on standby before landfall would be needed to help secure the peace in the devastated city and throughout the parish.

The department had anticipated at least a 72-hour wait before help arrived, and in general, that proved true. Also expected was the need for food, water, and ice for officers during those first few days. But there were also surprises, as there always are. For example, planners had never considered the ability of roofing nails and other small debris in the roadway to stop a fleet of police vehicles. The incredible flexibility of the officers of the LCPD was shown over and over, as in this instance, where a lieutenant stepped forward and continuously plugged tires for several days until a local business was able to volunteer their tire repairman to take over.

Support from residents and the business community was essential to the successful accomplishment of the police mission. That support included providing food for officers

The 45-mile area from Lake Charles, Louisiana, to the Gulf of Mexico is mostly marshland. The highest point is a ridge that stands 10 feet above sea level.





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A lineman from Indianapolis Power & Light installs a new insulator in Lake Charles, Louisiana, on October 5, 2005. Downed utility lines had to be replaced before residents could move back in. Photograph by Marvin Nauman/FEMA

and fuel for vehicles, staying out of town, or voluntarily complying with the curfew. Most of those who evacuated understood that essential services such as medical care, business services, electricity, water, and sewer were unavailable, and they therefore stayed wherever they were sheltered.

#### **UNIFIED COMMAND**

As directed by the department's emergency operations plan, law enforcement in the entire parish operated under a unified command system. Operationally, Sheriff Mancuso coordinated the daytime law enforcement functions in the parish, while the chief of the Lake Charles Police Department oversaw night actions. Five other municipal police departments participated, along with McNeese State University Police. Several federal agencies and the Louisiana State Police were also present at daily planning sessions and briefings.

Primary concerns after the storm were for the safety of residents and the prevention of looting. The safety of residents proved to be a lesser concern, as few residents chose to weather the storm by staying in Lake Charles, and there were no fatalities recorded during the event.

As for the concern about looting, the law enforcement leadership understood and took seriously their responsibility to protect the homes and businesses of those residents who had evacuated the parish. Billy Loftin, the Lake Charles city attorney, drafted an ordinance that created an enforceable curfew of 7:00 p.m. to 6:00 a.m. for the entire parish. Hal McMillan, president of the Calcasieu Parish Police Jury, signed the ordinance into effect September 27, 2005.

This ordinance was an essential element of the law enforcement plan to protect the parish. Innumerable instances of looting were prevented because of this authority for officers to legally stop, question, cite, or detain those persons whose intent was to plunder vacant homes and businesses.

Another important component of the unified command plan was the appropriate placement of human assets. A significant portion of the available law enforcement staffing was dedicated to nighttime operations, supported by night-capable aircraft. As most of the parish was completely without power for several days, these aircraft supported foot patrol and vehicular-based operations in darkened neighborhoods.

Each morning, a storm recovery briefing was held at the Calcasieu Office of Emergency Preparedness. Participants included elected officials, power company representatives, public safety administrators, and others involved in the storm response.

Law enforcement operations were coordinated through a daily 9:00 a.m. briefing conducted at the Lake Charles Police Department. The meetings typically took 30 minutes to complete followed a rigid agenda:

- 1. Intelligence information
- 2. Events of the past 24 hours and expectations for the next 24 (known as 24/24)
- 3. Staffing needs
- 4. Issues by exception
- 5. Closing comments by the daytime and nighttime operation commanders

The first agenda item allowed discussion of any incoming intelligence known to the assembled chiefs and other law enforcement leaders. The second agenda item, the 24/24 section, required all agencies involved to identify locations of criminal activity during the preceding 24 hours to the LCPD crime analyst. This information was plotted on maps projected in the briefing room and updated daily.

The third agenda item, the deployment of personnel for the next 24-hour period, particularly night operations, was based on the hard data from the 24/24 report and on requests from the agencies represented at the briefing. By basing deployment of human assets on reported problems and anecdotal information from chiefs present, smaller communities and unincorporated areas of the parish were provided significant resources that would otherwise not have been available to respond to or prevent problems in those areas.

Issues by exception followed the staffing needs discussion, presenting an opportunity to discuss and resolve a number of concerns that faced law enforcement during the aftermath of the storm. Matters that came up during this section of the briefing included topics such as permission for those that had legitimate reasons to be on the streets after curfew, such as doctors and nurses providing emergency care and plant workers attempting to restart area industries. The solution was a numbered, brightly colored vehicle permit with review of requests and distribution managed by McNeese University police officers at their office on a cleared main traffic artery. For outlying areas, an application was developed that agencies could fax to McNeese and have the permit delivered to the requesting chief at the next morning's briefing.

Other issues discussed and resolved during this section of the agenda included housing and registration with the FBI command post for outside agencies assisting local authorities; special security needs of pharmacies, banks, and gun stores; the development of a temporary work permit system for outside disasterrelief companies such as tree removal operations; and crowd control concerns at food stamp and Red Cross sites.

The briefings closed with a synopsis by the day and night operations commanders (sheriff and LCPD chief) of the events, needs, and plans of the group.

#### **PATROL OPERATIONS**

For the city of Lake Charles, the LCPD Uniformed Patrol Division continued to provide basic law enforcement service throughout the recovery period. Two shifts were on duty at all times, with officers from outside agencies augmenting the staffing available. Deployment information was maintained on electronic situation boards in the briefing room. One captain was assigned to oversee daytime operations and one captain worked nights. The two shifts on duty divided the city north and south with a lieutenant overseeing each area.



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To allow officers as much patrol time in neighborhoods as possible, routine reporting requirements were lifted. A short-form offense report was created to be filled out by victims of most property crimes. Each report given to a victim was assigned a computer-assisted dispatch (CAD) call number. Police assigned a report number to the case when and if the report was actually turned into the police department. Normal reporting requirements continued in place for violent crimes.

#### **NIGHT OPERATIONS**

It was determined early in the planning process that night operations would be critical to controlling looting and other criminal activity. The LCPD police chief assumed responsibility for nighttime law enforcement across the parish. In addition to providing higher staffing levels for routine patrol functions, specialized operations were undertaken in problem areas.

For the LCPD, nighttime operations consisted of three distinct components: regular patrol, with 31-50 officers assigned; a full squad of detectives, ranging from 13-16 personnel assigned specifically to looter patrol; and the search-and-rescue team's (SRT) specialized assignment, which became known as NightOps and would eventually involve 60-80 officers each night.

Regular patrol operations at night involved two patrol shifts of approximately 20 officers each, supplemented later in the operation by 10 officers from the West Tennessee Strike Team. These officers were the primary responders to calls for service.

The LCPD Detective Division formed a looter patrol that worked from 6:00 p.m. to 6:00 a.m. under the command of the detective lieutenant. This operation patrolled in their assigned unmarked units and the detectives were responsible for several looting arrests and a number of curfew violation arrests.

A few detectives were held in reserve for major crime investigations on both day and night shifts. These detectives also interviewed those arrested on looting charges in hopes of solving other crimes.

Although this was an effective use of available resources, the large number of open storm-damaged homes and businesses made it clear that additional steps would be needed to curb looting, particularly as more people returned to the city. As outside assets responded with self-sufficient teams pursuant to the chief's request, additional trained SWAT officers became available to support routine patrol operations by undertaking specialized assignments to detect and deter potential criminal activity. To accomplish this mission, outside personnel were divided into teams and assigned either an LCPD or CPSO officer as team leader. Typically 60-80 personnel were available to work this detail on a 12-hour shift from 6:00 p.m. to 6:00 a.m. The teams were assigned specific geographic locations of responsibility based on the needs identified in the 9:00 a.m. briefing.

Team leaders were given their assignments at a meeting with the chief at the start of the shift. They had broad areas of responsibility but were also ordered to provide intense coverage at specific locations.

Some of the tactics more closely resembled military operations to search for enemy combatants than typical civilian law enforcement procedures, but the tactics were effective in locating looters and other lawbreakers. Most SRT engagements and training scenarios involve entering, clearing, and securing a single location, but officers involved in this operation were searching large areas in complete darkness. In addition to fixedpost observation and surveillance, SRT officers also used foot- and vehicle-based patrol tactics.

Air support was an important component of the looting prevention and detection work done. One officer was assigned to each aircraft flying that night to provide direction to ground units. The aircrafts were equipped with the FLIR



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imaging systems or other night vision equipment that was essential to detecting movement in the darkened city. On a typical night, one fixed-wing aircraft and two helicopters from outside agencies would patrol.

#### **OUTSIDE AGENCY SUPPORT**

A number of outside law enforcement agencies who responded to assist supported routine patrol operations and the specialized NightOps to prevent looting during the recovery period.

Personnel and equipment provided by other municipal police agencies and sheriff's offices were critical to keeping the peace in Lake Charles after the storm. The LCPD chief requested and received assistance from several federal agencies including the FBI, the U.S. Marshals Service, the Department of Homeland Security's Immigrations and Customs Enforcement (ICE), the U.S. Secret Service, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives. The assistance took the form of human assets and equipment.

In addition to the federal resources deployed to the Lake Charles area, a number of municipal police departments and sheriff's agencies provided support. Those assigned to the Lake Charles Police Department were from the Alexandria, Louisiana, Police Department, the West Tennessee Strike Team, and a Louisiana National Guard military police company. Too many agencies answered the call to help throughout southwest Louisiana to list them all here, but we acknowledge their sacrifice and are grateful for their tireless work during our time of need.

Outside assets were arranged through personal contact by the chief, the sheriff, and others and through the Incident Command System. The Louisiana Sheriffs' Association and the Louisiana Attorney General's Office each made a staff member available for this function. The FBL as provided for in the National Response Plan, provided registration and tracking for incoming agency personnel.

In all cases, outside agencies were asked to be as self-sustaining as possible. Two venues were used to house the Alexandria and Tennessee teams. Alexandria officers were housed on the parking lot of the LCPD in coaches provided by a local businessman. These officers were fed in the chow line at the police department and showered at the nearby Lake Charles Fire Department station.

The Tennessee team was housed at the first responder base camp at Mc-Neese State University. All necessary services were available at the camp, including large air-conditioned tents, meals, showers, and laundry service.

The Federal Emergency Management Agency (FEMA) was already stretched thin by the demands placed on it in southeast Louisiana and along the Mississippi coast in the aftermath of Hurricane Katrina. In Lake Charles, officials submitted lists of needs to the parish office of emergency preparedness on handwritten forms. If the parish office approved the requests, it sent them electronically to the state emergency management office which reviewed them there and either approved or rejected them. This system worked most of the time, but officials in Lake Charles had to find creative ways to obtain some needed commodities.

#### **ATTENDING TO THE OFFICERS' NEEDS**

Hurricane Rita damaged or destroyed the homes of many officers working long hours to provide for the safety and security of the city. One of the most important steps taken during this emergency was the assignment of a small number of employees with building and home repair skills to a crew that provided basic repair services for the department's employees. This team repaired or secured 72 officers' homes within days of the storm, and that action was essential to the well-being of the officers who were being asked to sacrifice so much. One officer who was barely able to perform his

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On September 25, 2005, the emergency operations center in Lake Charles, Louisiana, was swamped with calls shortly after it opened. Hurricane Rita had struck Lake Charles the day before. Photograph by Greg Henshall/FEMA

duties was amazingly transformed back to his normal productivity when this crew was able to remove a tree that was across the roof of his house.

Police administrators and supervisors should be keenly alert for any changes in the health-both physical and mentalof employees during a devastating emergency situation. Contact was made early with mental health counselors should their services be needed by our staff. We ensured that all officers were up-to-date with tetanus vaccinations and made the shots available through public health. Thankfully, the department experienced only seven minor injuries to officers. More serious injuries would have presented significant problems, as the lack of water and sewer services had forced all hospitals to close.

Feeding the officers and those who came to assist was a significant operation. A few police employees and several community volunteers were able to accomplish this task admirably. During the early days of the storm, many citizens provided food for law enforcement. Businesses and schools also made available the stock that was in their freezers,

which would soon be ruined if not used. Food was stored at the police department in donated refrigerated trailers.

Acquisition of other commodities was in some cases more difficult. Law enforcement leaders should become familiar with the processes that will be used to obtain the basic needs to keep a police agency functioning during and after an emergency. MREs, water, ice, and fuel are essential to maintaining police service to the community. Now is the time to learn how emergency managers expect that system to work in your area.

#### **BASIC NEEDS OF CITIZENS**

The law enforcement mission during disaster recovery is greatly affected by the well-being of the citizens served. If the basic needs of victims are not being met, civil unrest and other issues will rapidly become police problems. Two weeks after the passing of the storm, community leaders identified a need to coordinate local and national services being provided to residents. The purpose was to ensure that basic needs, such as shelter and food, were available for storm victims and to assess the provision of other services, such as medical, mental health, and child care.

The City of Lake Charles and a local notfor-profit counseling agency developed the Human Services Response Initiative. This initiative brought together government agencies and nonprofit entities to identify gaps in available services and reduce duplication of services being provided. The group met twice a week for several weeks after appointing leaders in eight impact areas:

- Sustenance
- Shelter and housing
- Child and youth care
- Recreation
- Self-sufficiency
- Medical care
- Mental health
- Personal safety

Through involvement with this initiative, the police leadership was better able to anticipate where police resources would be needed, such as food stamp distribution sites, and deal with a host of other issues, such as ensuring that mentally ill residents were able to access needed medication and counseling services.

Law enforcement issues that came before the group early on included expired temporary protective orders in domestic violence cases. Scheduled court hearings in several cases were missed because the courts remained closed. Working with women's advocates and family practice attorneys, police found solutions for this issue.

Because of the police department's participation in this initiative, police call takers could tell citizens where food, shelter, and other services were available in the city.

#### A SHARP CONTRAST

Immediately after Hurricane Katrina struck New Orleans, we sent officers to that area to assist. Katrina posed bigger challenges for the agencies involved, including the loss of life, much higher levels of flooding, and radio communication problems.

But we learned lessons in New Orleans that helped us deal with Hurricane Rita. In particular, we learned the importance of cohesiveness between and among government and public safety leaders. Speaking with one voice and following a practiced plan helps maintain community trust and respect for law enforcement.

It is our hope that what we learned from these two destructive storms can help you prepare your department for the unexpected.



Chief Don Dixon of Lake Charles, Louisiana, briefs team leaders from local, state, and federal police agencies in preparation for nighttime operations across the parish after Hurricane Rita. Photograph by Lieutenant Joel Bolton, Lake Charles Police Department



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## **LESSONS LEARNED**

The Lake Charles Police Department's after-action report for Hurricane Rita is more than 200 pages long. Here are the highlights of what went right and what we will do differently next time.

Have a plan: When the worst occurs, it's too late to start planning how to respond. Develop a contemporary plan now, and review and drill on the plan regularly. Make sure that all employees understand the plan and their roles in it. Make sure the procedures allow commanders some flexibility to respond to unexpected events.

Only you can anticipate what you will need to sustain your troops and accomplish your mission. Make contact now with suppliers of food, fuel, and other essentials. Have backup contacts should those locations be destroyed in the incident. Consider where your personnel will shelter and shower in a prolonged recovery period.

Remember that law enforcement is only one part of the emergency response and recovery effort. Your plan must fit in with the plans of local elected officials, emergency managers, fire, and emergency medical services. Coordination with these partners is a necessary part of providing efficient public safety services.

2. Strengthen your relationship with other agencies in your area: A disaster will overwhelm your agency's resources. Expect that and know where you can turn for assistance locally and nationally. Establish good working relationships with other agencies in your area to build trust and cooperation when it is needed.

The unified command concept was essential to providing effective law enforcement service for all areas of the parish. The concept would have been difficult to put into practice had it not been for prior relationships—both personal and formal—that had been established among the area's law enforcement leadership. Over the years, the agencies involved had cooperated on a homicide task force and more recently had established a joint narcotics task force that involved most agencies in the parish.

**3.** Make a communications plan: Despite the devastation of the storm, the Lake Charles Police Department was fortunate in several ways. Communications, almost always the first casualty of any major incident, presented few problems. The department's radio system suffered only minor glitches.

With an established and workable communications plan for public safety in place—and a radio system that remained operational throughout the storm—the department's officers were able to communicate with each other and with officers from other law enforcement agencies in the area. We were fortunate that several agencies that came to assist had compatible radio systems that our in-house technicians were able to program on the fly. That is something to keep in mind when requesting assistance from other agencies.

There were breakdowns in communication between the department and managers at the emergency operations center (EOC). Our call takers were fielding thousands of calls each day from evacuated residents and they did not always have the most current information from the EOC to relay to them. Conversely, information that emergency managers felt they needed in the EOC from field operations was not always provided to them in a timely manner.

The personnel deployment plan anticipated and assigned the correct number of call takers needed to handle the telephone traffic, but our normal operations have only two answering points. Although employees were available, it took time to establish additional telephone answering points and equipment in the station to handle the high number of calls.

Law enforcement leadership remained accessible to the media throughout the recovery period. This was essential to controlling rumors that will circulate during a disaster. The department scheduled press briefings daily and made frequent drop-in appearances on local radio stations.

4. Take care of your people: Our officers willingly performed above anyone's expectations in extremely uncomfortable and dangerous working conditions. They worked tirelessly to provide safety for those few who remained in town and security for the property of those who were wise enough to heed the evacuation order.

We believe the steps we took to care for these officers' basic needs, combined with their dedication to duty, made that high-level performance possible. Police administration did everything possible to help them focus on the job at hand. This included freeing them from worry about the condition of their homes with the repair crew; arranging for FEMA and Red Cross registration at the police department; providing hot meals cooked on a large grill at the main station; arranging to have an on-site physician for part of the recovery period; and even arranging to provide haircuts and stress massages in the squad room. .



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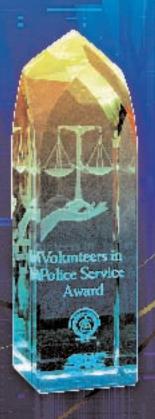


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## Tactical Information Sharing System

In the post–September 11 world, where the **⊥**possibility of future criminal terrorist attacks remains high, the ability to identify criminal terrorist activity while still in the planning stages is vital. Consequently, the ability of law enforcement to detect preoperational criminal terrorist planning has emerged as a cornerstone of homeland security. Recent examples of the importance of detecting criminal terrorist preoperational planning include the extensive preoperational surveillance conducted by the hijackers in the months preceding the attacks.1

Recognizing that criminal terrorist activity involves some level of preoperational surveillance, federal air marshals are trained, and have extensive experience, in the art of surveillance detection—identifying criminal terrorist behavior and their surveillance activities while they are still in the planning stages. This proactive approach targets the criminal terrorist conducting surveillance during the planning stages in which they are most vulnerable to discovery. A federal air marshal must be prepared to make split-second decisions at 30,000 feet to thwart an attack, but the overriding objective is to keep the threat off the airplane.

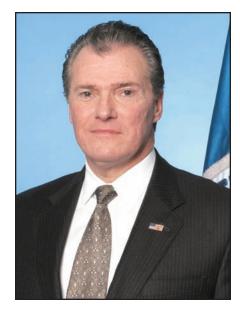
The rail and bus bombings in London<sup>2</sup> underscore Homeland Security Secretary Michael Chertoff's philosophy that "our strength lies in what we can see and what we can access." If the London bombers' preoperational surveillance had been detected and accessible to law enforcement, the attacks might have been prevented.

The attacks of September 11, 2001, in the United States, the March 11, 2004, Madrid train bombings,3 the July 7, 2005, attacks in London, and the attacks in Indonesia<sup>4</sup> and elsewhere create a mandate for law enforcement to enhance methods of detection, information sharing, and analysis to prevent future acts of violence.

To fulfill this mandate, the Transportation Security Administration's Federal Air Marshal Service (FAMS) has developed a comprehensive system that builds upon advancements in information technology and the talents of law enforcement officers trained to identify suspicious activities, potential threats, still in the planning stages, otherwise known as the art of surveillance detection.

#### **Tactical Information Sharing System**

The Federal Air Marshal Service Tactical Information Sharing System enables federal air marshals and other law enforcement offi-



Thomas D. Quinn, Director, Federal Air Marshal Service, **U.S.** Transportation Security Administration

cers to create and instantly send reports of suspicious activity to the Federal Air Marshal Service Investigations Division for analysis and investigation. The resulting surveillance detection reports (SDRs) are shared in real time with other federal, state, and local law enforcement and intelligence organizations. The key components of this Tactical Information Sharing System are the following:

- Surveillance Detector: A federal air marshal or other law enforcement officer who detects and reports the presence of suspicious activity possibly connected to criminal terrorist surveillance
- Personal Digital Assistant (PDA): The Federal Air Marshal Service's customized handheld electronic wireless device, with integrated SDR reporting software, issued to all federal air marshals for the purpose of submitting surveillance detection reports
- **Surveillance Detection Report:** An electronic form that surveillance detectors can use to record information of a suspicious nature and then transmit, using their PDAs, that information to the FAMS Investigations Division's Tactical Information Branch
- **Tactical Information Sharing System** (TISS) Database: The Internet-accessible database that stores information from surveillance detection reports, incident and arrest reports, and other sources for immediate retrieval and analysis
- **Tactical Information Sharing System** Analytic Tool: A data mining software application that enables analysts to uncover in the TISS database patterns, associations, and other indicators of possible criminal terrorist surveillance that requires further investigation

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## Surveillance Detection and Tactical Information Sharing System Training

The concept of surveillance detection and information sharing is woven into the fabric of the Federal Air Marshal Service's mission to detect, deter, and defeat hostile acts. Surveillance detection is a state of mind that begins when the federal air marshal leaves for work and does not end until he or she returns home.

Federal air marshals receive instruction in surveillance detection and Tactical Information Sharing System concepts throughout the 15-week federal air marshal training program and during periodic training conducted at each of the 21 field offices. Surveillance detection training includes instruction in terrorist methodologies, maintaining domain awareness, recognizing criminal terrorist surveillance, criminal terrorist behavior recognition, and fraudulent document identification.

### Surveillance Detection Reporting and Analysis

Federal air marshals are constantly looking for suspicious behavior that may be early indicators of criminal terrorist surveillance activity. A single instance of suspicious behavior viewed in isolation may not be meaningful, but many instances of suspicious behavior viewed collectively can create a comprehensive picture. Possibilities become probabilities, when associations emerge across time, distance, and venue. Early indicators may be elements of significant criminal terrorist surveillance activity and planning.

Federal air marshals who observe suspicious activity use a customized personal digital assistant loaded with specialized software to capture and send surveillance detection reports to the Investigations Division. Surveillance detection reports may also be submitted though the Internet via a secure Tactical Information Sharing System Web site. This real-time collection and timely analysis of a federal air marshal's observations begins the process of connecting dots that may later form a picture of a criminal terrorist plot. Every federal air marshal and many other law enforcement and intelligence organizations

have direct access to the Tactical Information Sharing System.

Once a surveillance detection report is recorded in the database, specialized datamining software helps investigators and tactical information analysts identify associations, trends, and patterns requiring further investigation. The ability to link and analyze seemingly unrelated activities to develop information which reveals criminal terrorist planning is at the heart of the Federal Air Marshal Service Tactical Information Sharing System.

#### **Tactical Information Sharing**

Information contained in the Tactical Information Sharing System database is unclassified and defined as tactical information; this enables real-time information sharing. The Federal Air Marshal Service strategy involves openly sharing tactical information among local, state, and federal law enforcement agencies. Currently, 22 law enforcement and intelligence organizations have direct access to the Federal Air Marshal Service Tactical Information Sharing System.

## Applying the Tactical Information Sharing System

The Federal Air Marshal Service Tactical Information Sharing System became fully operational in 2002. The following two realworld events serve to illustrate the capability that tactical information sharing offers law enforcement.

Suspicious Behavior: A federal air marshal submitted a surveillance detection report on two subjects who were together and behaving suspiciously by asking repeated questions about aviation operations at an airline ticket counter. Unknown to the federal air marshal at the time, both persons were independently known to federal law enforcement as persons of interest. Federal officers, through their access to the Tactical Information Sharing System, were able to establish a relationship between the subjects. Sharing information among agencies, and thus linking the subjects, provided vital information used during the ongoing investigation.

Attempted Security Breach: On two separate occasions, surveillance detection reports were submitted to the Tactical Information Sharing System database involving the same subject who attempted to pass through an airport security screening checkpoint with a handgun. Since the two attempts occurred at separate airports on separate dates, conventional reporting methods failed to link the incidents; fortunately, the Federal Air Marshal Service, using the Tactical Information Sharing System database, was able to establish a correlation between the incidents.

#### The Way Ahead

The capabilities of the Federal Air Marshal Service Tactical Information Sharing System



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continue to expand. One initiative in development makes use of the camera currently integrated into the Federal Air Marshal Service PDA. This approach, known as Tactical Information Sharing System Image Analysis, involves the submission of images in conjunction with surveillance detection reports for the purpose of advanced comparison and analysis. These images may represent persons, vehicles, or other items of interest. Tactical Information Sharing System Image Analysis will be capable of manipulating partial images to create a full-face or profile image. The Tactical Information Sharing System Image Analysis capabilities are nearing completion and will be operational in 2006.

The TSA Federal Air Marshal Service is working to advance leading edge information sharing technology across local, state, and federal agencies. The Federal Air Marshal Service is committed to sharing critical information with our partners in the law enforcement and intelligence communities. By working together to design and implement a sophisticated Tactical Information Sharing System we can make the nation safer from criminal terrorist attacks on the homeland. �

Editor's Note: FAMS Director Thomas D. Quinn has announced his retirement effective February 3, 2006. <sup>1</sup>The 9-11 Commission Report: Final Report of

the National Commission on Terrorist Attacks upon the United States, Official Government Edition (Washington, D.C.: U.S. Government Printing Office, (July 22, 2004); available at no cost at www.gpoaccess.gov/911/index.html.

<sup>2</sup>MIPT Terrorism Knowledge Base, "Incident Profile," July 7, 2005, www.tkb.org/ Incident.jsp?incID=24394, December 23, 2005. The July 7, 2005, London bombings were a series of coordinated suicide bombings during the morning work rush hour on three London underground trains and one bus. The bombings killed 52 civilians and injured over 700 people.

<sup>3</sup>MIPT Terrorism Knowledge Base, "Incident Profile," March 11, 2004, www.tkb.org/ Incident.jsp?incID=18518, December 23, 2005. The March 11, 2004, bombings killed 191 people and injured more than 600 when 10 bombs detonated in four different locations on Madrid's railway system.

4MIPT Terrorism Knowledge Base, "Incident Profile," August 5, 2003, ww.tkb.org/ Incident.jsp?incID=18621, December 23, 2005. A suicide car bomb detonated in front of a Marriott hotel in Jakarta, killing 13 people and injuring approximately 149 others. The adjoining office block and several cars caught on fire from the explosion. The attack came two days before a verdict in the trial of the Bali nightclub bombers. On October 12, 2002, three explosions rocked the resort island of Bali in Indonesia. More than 421 people were reported missing and it was confirmed that 202 people died in these blasts. See John Lawler, "The Bali Bombing: Australian Law Enforcement Assistance to Indonesia," The Police Chief 71 (November 2004): 14-21.

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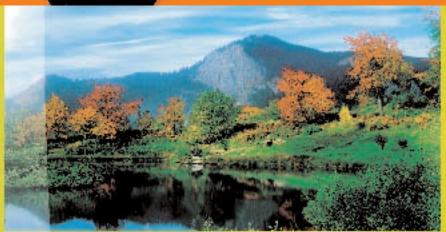




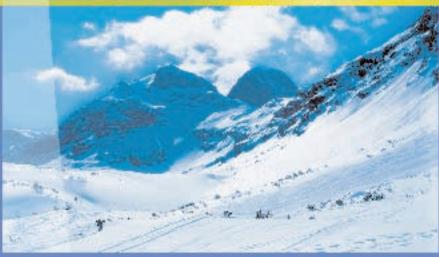
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By Dennis M. Rees, Chief of Police, Loveland, Ohio

#### **Promising Practices in Policing after September 11**

The International Association of Chiefs of Police (IACP), the National Sheriffs' Association (NSA), the National Organization of Black Law Enforcement Executives (NOBLE), the Major Cities Chiefs Association, and the Police Foundation joined in 2004 to conduct a project to help position state, local, and tribal agencies to proactively manage a changed and continually changing police environment. One of the main objectives was to craft or uncover promising practices, policies, programs, and resource deployment ideas.

To date, four promising-practice briefs have been produced:

- Threat Assessment: Fundamentals and Guidelines
- Engaging the Private Sector to Promote Homeland Security

These documents, along with IACP's report "Post-9/11 Policing: The Crime Control-Homeland Security Paradigm" are available from the IACP Web site, www.theiacp.org. For more information, please call Phil Lynn at 800-THEIACP, extension 324.

Since the terrorist attacks on the United States on September 11, 2001, the entire law enforcement and emergency services sectors have had to review, and in some case redefine, their roles in their communities and with other area agencies. We have a heightened responsibility to be more aware and to make decisions based on that awareness and the requisite training.

Police officers all over the United States go about their daily routines in much the same way they did five years ago (allowing, of course, for the changes brought about by advances in technology). Police executives, managers, and supervisors continue to plan, organize, and direct their agencies using the proven principles and practices of modern policing. So what really has changed? Is it conceptual, or is there real, concrete change visible to the naked eye of the average citizen?

The answer is that every police department, regardless of size, has assimilated certain nuances of change in a number of areas of daily activity from planning to operations. There are six distinct responsibilities that should be considered when reviewing what has changed for police agencies and the cops on the beat.

- Municipal infrastructure
- Business, schools, manufacturing
- Patrol strategies
- **Training**
- Interoperability and sharing
- Information overload

In each category, changes have been required for the management and administration of law enforcement agencies, as well as operating procedures and public policies in carrying out the law enforcement and community policing missions in the local communities. Although some changes are required due to the heightened alert status from homeland security officials and other federal mandates, many are simply practical activities derived from the inherent responsibility as protectors of communities. Still others are driven by the changing missions of federal agencies like the FBI and the Secret Service, which require added responsibility for local law enforcement in counterfeit investigations, bank robberies, and other crimes. So let's examine these responsibilities and determine just how the everyday activities have changed on the beat and in the offices of local law enforcement agencies.

#### Infrastructure

Soon after the September 11 attacks, all counties, townships, and municipalities were required to complete a detailed assessment of their critical infrastructure. All utilities, power plants, bridges, water supplies, and so on are considered not only critical to the function of local government

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but also critical assets to entire areas serviced by them. Once the assessments were complete it became incumbent upon law enforcement to meld the safety and security of identified infrastructure into their operational plans. Myriad security techniques were employed, including enhanced video surveillance and directed patrols (specific duties assigned to regular patrol). The officer on the beat has to remain cognizant of specific locations and provide additional security along with regular patrol duties. No longer can the police officer assume the worker in the gas and electric company truck is working on reported problems. Patrol officers must remain familiar with utilities equipment and personnel and take the time to stop and talk with these responders to ensure that they are, in fact, utilities employees completing company business.

#### Schools, Businesses, and Manufacturing

Patrol officers are very familiar with schools located on their beat or in their city. They typically know what businesses operate in their assigned areas and possess at least a modicum of information about manufacturing plants nearby. Since 2001 it has been recognized that just having a basic working knowledge of these is simply not good enough. More emphasis has been placed on knowing what is being manufactured in these plants and what materials are shipped in and out to facilitate these products. Police officers must understand what impact these might have on the greater community if, for instance, an explosion occurred or a train carrying these products derailed.

In addition, officers must be familiar with the physical plants and understand their inherent vulnerabilities to criminals and terrorists. Police agencies have to become closer to the business community and know who owns and operates each location. It is necessary to be more cognizant of the vulnerabilities of the schools and ensure solid lockdown procedures are in place. It cannot be taken for granted that safety issues are fully addressed by the schools. Rather, the local police department needs to work closely with school security representatives and ensure that policies and procedures are in place. And, if not, help them develop viable safety procedures. Shopping malls also present unique considerations for law enforcement and emergency service providers. Most shopping malls have private security on location. The police department needs to establish a liaison with mall security to ensure that they too have considered the post-September 11 threat in their policies and training.

#### **Patrol Strategies**

The luxury of patrolling one's beat in a military manner, observing all and responding, reporting, and acting as needed is an outdated and simplistic view of police patrol. Community-oriented policing added a new dimension to beat patrol. Interaction with the community and residents in a problem-solving mode was a step up the ladder in protecting the communities.

Post–September 11 policing requires that local police continue to climb to ensure that communities are safe from not only criminals but also terrorists. Police agencies have to continue to mitigate the disruption of the criminal element while remaining aware of the more sophisticated threats posed to communities in post-September 11 America.

This is not about paranoia. It is about due diligence to the entire range of police services the new patrol officers must provide in their assigned areas. They can no longer just cross a bridge in their community to get to the other side and continue patrol. They must now ensure the safety of that bridge as critical infrastructure to the entire area. Schools, stadiums, shopping centers, and manufacturing plants must be viewed as targets for terrorism, not just burglary. Patrol officers now consider more aspects of what facilities are located on their beat and are more diligent in how they inspect these assets.

#### Training for Police, Fire, and **Emergency Medical Services**

Police and fire agencies have long recognized the importance of training and education in providing quality services to communities. Both professions have always searched for management and supervisory courses to make their agencies more effective and investigative and service-oriented training and technological advances to stay on the cutting edge of the profession. The prospect of terrorism in the towns and townships has added a new dimension to the training considerations. A number of training opportunities have been offered from federal resources. In Anniston, Alabama, the U.S. Department of Homeland Security Center for Domestic Preparedness offers all-expenses-paid training for first responders in weapons of mass destruction, critical incident response, incident command, hazardous materials, and managing civil actions in threat incidents. In addition, training in bomb response, radiological and nuclear awareness, chemical and biological integrated response is offered in Nevada, New Mexico, and Texas, fully sponsored with federal dollars, including travel to and from these sites.

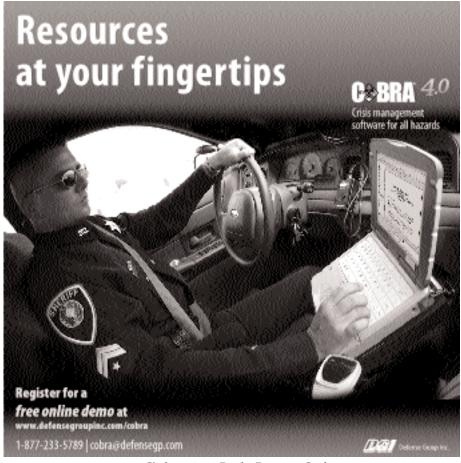
Consistent in-service training activities and roll-call efforts, as well as directed patrols, assist in the development and accomplishment of local strategies for homeland security. Patrol officers continue to make their rounds in neighborhoods, schools, and business districts, but they have become more aware of public infrastructure and the possible threat from any terrorist activity. Even the movement of vehicles through the jurisdiction creates a thought process in the beat officer about what those vehicles are carrying and the threat they could pose to the communities. Officers have become more aware of utilities employees and their trucks and equipment. It has always been the practice of good beat officers to know their patrol areas and to know when something is out of place. Now, they have had to redefine "out of place" to ensure that the elements of homeland security are a part of that daily assessment.

#### **Sharing and Cooperation**

Since the September 11 attacks, there has been an unprecedented effort to share information among local, county, state, and federal agencies for the sake of homeland security. Only through a unified effort can a viable defense be mounted against an enemy that uses terror as its primary weapon and fear as the byproduct.

The Ohio Office of Criminal Justice (Ohio Homeland Security) has created a weekly report, with sometimes daily





Circle no. 15 on Reader Response Card

updates concerning happenings around the country of which police officers should be aware.

The Terrorism Early Warning Group (TEWG) is a regional effort with federal support and local participation. The TEWG provides intelligence reports and investigative activity based on requests from local agencies. Detailed information on a suspect can be obtained rather quickly when a situation occurs in a local community. National resources are made available through the Department of Homeland Security and the FBI to gather necessary information on a suspicious person in suspicious circumstances.

A Joint Terrorism Task Force has been organized for the purpose of combining the efforts of local, state, and federal agencies in documenting, investigating, and sharing information pertinent to the homeland security efforts of all. The FBI, the Secret Service, the Department of Homeland Security, the Drug Enforcement Administration, Customs, the Ohio State Patrol, and county and local agencies are represented in this group and have been cooperating in a way that was previously unheard of to pool the resources of all in the joint effort of homeland security.

County and local police departments have rewritten and strengthened their

mutual aid agreements and are more aware of agency assets that can be applied to homeland security efforts. Local readiness tabletop exercises have been replaced with area and regional exercises and mock disaster drills. Area-wide communications have been enhanced with 800-megahertz systems and frequency sharing. Even police and fire are sharing information and communication channels. Emergency services workers are more connected now than ever before. These efforts are strengthening homeland security across the United States.

#### Information Overland

A new and strange twist to this cooperation and sharing has created significant headaches for local agencies. Information overload on homeland security issues has created a new job description in smaller police agencies that have no legal section or research and planning section. Who is responsible for reading the deluge of information flowing from federal, state, and county sources and determining what is pertinent and should be disseminated down the chain of command to the patrol and investigative supervisors and from them to the beat officer? Some information is time-sensitive, while other information is national and not of any regional value. It has become a question of not only what to act upon but also how to make time to read through the information and determine what course of action to take

The Internet is a valuable tool, but it can be a huge deterrent to effective information exchange. All of a sudden everybody is an expert on homeland security. Hot news flashes from across the country make their way into local computer databases and into police squad rooms. The police can spend as much time chasing rumors and urban myths as they do studying quality research that has some meaning to local agencies.

The Department of Homeland Security continues to keep state and local authorities abreast of their efforts as much as practicable. The FBI maintains an information flow through the TEWG to ensure that the national team is fully aware of pertinent information. The Department of the Army sends a periodic Terrorism Intelligence Summary that typically exceeds 10 pages, from which information important to local agencies can be gleaned. Our e-mail system is clogged daily with myriad homeland security information that needs to be reviewed to ensure important information flows to the officer on the beat.

All of these well-intentioned efforts at information sharing have created a read-



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and-review nightmare for local agencies. Somebody has to sift through all of this information and determine what needs to be passed on for review or acted upon. Often this task falls upon the police chief, who is in a position to determine the need-to-know status of information. Many chiefs spend an hour a day accomplishing this task, and then additional time and effort in the use of that which is determined to be pertinent. Policies, procedures, operations orders, and so on can be affected by information flow. At the very least, the strategies and patrol tactics employed by officers on the beat continue to be affected by voluminous homeland security information.

#### The Practice of Practice

Sometimes the best defense is a good offense. In the interest of homeland security the U.S. law enforcement community has geared up a tremendous offense with the information sharing and cooperation of local, state, and federal agencies. Whereas the disaster wrought by Hurricane Katrina along the Gulf Coast exposed many weaknesses in the actual hands-on practice of cooperation, it also showed the strengths of cooperation when the politicians stepped aside. The lessons learned from Katrina will no doubt bolster the ability of federal, state, and local resources to work together in mitigating natural disasters or terrorist attacks. But it doesn't end with emergency services cooperation. Local efforts with community involvement such as Volunteers in Police Service (VIPS), citizen police and fire academies, and myriad community policing efforts will help ensure that our homeland remains secure. It is the responsibility of the emergency service agencies to cooperate with one another and then take that cooperative effort to citizens, not only for their edification but also for their assistance. Just as it is the community that really determines its own level of safety, the United States will, in the end, demand and determine its own level of security. �



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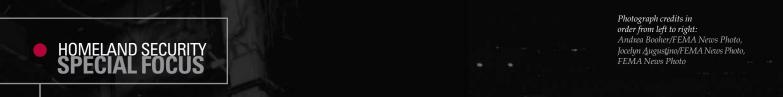
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# Community Policing and lome and Securi

By Stephen Doherty, Chief of Police (Retired), Wakefield, Massachusetts, and Bradley G. Hibbard, Lieutenant Colonel (Retired), Massachusetts State Police

"Securing the homeland begins at the local level and 'first responders' must see themselves in a more proactive role as 'first preventers.'"

omeland security begins with local law enforcement and the community. The collection of information at the community level is critical to the overall homeland security mission. That's where it all starts for every city and town in the United States.

Unfortunately, it is still common to find that the fire and police professionals often don't know what the other discipline is doing, even in the smallest communities, and police and fire departments take for granted that the other discipline is aware of threat-related information. Police Chief magazine readers are encouraged to answer these questions:

- When police officers are on a call and come across a resident with 50 gallons of chlorine in his basement, but no swimming pool in his back yard, do they know what to do?
- When emergency medical personnel are on a medical aid call and observe five passports from different countries, all bearing the same photograph, on the kitchen table, do they know what to do?
- Do your personnel understand the significance of this information and share it with someone who might? Or do they forget this information at the end of the shift?

#### Integration of the Homeland **Security Mission**

One of the primary goals of the Massachusetts Law Enforcement Technology & Training Support Center (MALETTSC) is researching the integration of the homeland security mission into community policing. The MALETTSC is funded through a grant from the Department of Justice's Office of Community Oriented Policing Services. MALETTSC recently brought together first responders from police and fire services to explore the collection of information at the local level and the sharing of intelligence. The first group consisted of police chiefs and fire chiefs, and the second was composed of police and fire line-level personnel representing the five homeland security regions in Massachusetts.

The focus group sessions were structured to optimize community information collection and intelligence sharing and to assist the Commonwealth Fusion Center in the development of its information collection plan.

The following priorities emerged as critical for improving the homeland security information collection and intelligence sharing process:

- Training
- Approachability
- Promotion and outreach

- Communication and follow-up
- The role of fire services in information sharing

First responders need to know how to cultivate information: what information to look for, how to collect it, and where to send it. The group concurred that multidisciplinary awareness training reduces the information gaps between police and fire, and must be embraced by each department's management to be effective. The starting point for homeland security must be with the chief executive officers of the local community. In addition, the department heads must be backed by a strong contribution from the elected leadership to facilitate the continuous development and integration of homeland security in every facet of community life.

The cultivation of community information depends heavily upon the first responder's approachability. The fire service is deemed very approachable by community members and frequently receives unsolicited information. The same is true of emergency medical services during the course of rendering aid. Community members provide information and seek their assistance naturally. First responders must recognize these opportunities for information exchange as an important component of information collection to further the homeland security mission.

#### **Community Information** Sources

Law enforcement's success in crime prevention may be attributed in many instances to its application of community policing, a fundamental tenet of which is approachability. These successes, with expanded application to all first responder disciplines, are fertile ground for cultivating community sources of information in the fight against terrorism.

When challenged with this issue, the Massachusetts focus group responded with numerous community information sources:

- Neighborhood Watch—supported by local law enforcement, easily contacted and provided advisories of crime trends, source of information about suspicious activities
- Hotels (clerks, security officers, housekeepers, food service workers, and entertainment staff members) - source of information about suspicious guests
- Real estate agents source of information about suspicious activities at properties and about location of wanted persons and undocumented residents
- Storage facilities-source of information about explosive or hazardous materials or other items in storage that could be connected to terrorist or criminal activity



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Photograph by Mark C. Ide

- Religious groups—source of information about controversial religious speakers or visitors
- Fraternal, social, and civic clubs—source of information about upcoming events
- Colleges and universities (police officers, administrators, faculty clubs, student groups, and alumni association groups)—source of information about possession of hazardous materials, foreign exchange students, and controversial research, speakers, activities, and events
- Printing shops—source of information about threatening or illegal photos and about requests for development of multiple photographs for false IDs
- Business managers source of information about purchasers of dangerous materials such as torches, propane, and blasting supplies
- Transportation centers and tourist attractions—target-rich environments for terrorism and source of information about suspicious persons and activities
- Major industrial enterprises (owners, security officers, and nearby neighbors)—source of information about potential threats and suspicious activities
- Schools (teachers and administrators) - source of information about suspicious activities
- School and office building custodians-source of information about students, employees, visitors, and after-hours activities
- Health care providers (EMS drivers, doctors, and hospital employees)source of information about unusual injuries, such as radiation and chemical burns, as well as mandatory reports of firearms and cutting injuries
- Bar and liquor stores—source of information about suspicious conversations, observations, and activities
- Inspectors and code enforcers source of information about suspi-

- cious activities and materials, such as a large amount of fertilizer where there is no agricultural activity
- Facility licenses—source of information about type of building, building plans, premise protection, fire suppression, and storage of hazmat materials
- Licenses and permits (handgun, firearm, liquor, hackney, parade and event, blasting, business occupancy, and other types) - source of information about the background of licensees and permit holders
- Delivery services (letter carriers, couriers, delivery drivers) - source of information about suspicious activities and packages
- Department of public works employees and refuse haulerssource of information about strangers in the neighborhood, foreign substances in trash, inactivity or increased activity at a residence, and other suspicious persons and things
- Housing managers (public housing, apartment complexes, and property management associations)—source of information about unusual rentals and other suspicious activities in the properties
- Meter readers—source of information about unusual observations

- Automobile and truck rental companies-source of information about items left behind in rented vehicles. method of payment, and departure and return details that arouse suspicion
- Taxi and delivery drivers, many from countries of interest-source of information concerning activities and threats

#### Information Collection

Many sources of relevant information that could affect homeland security exist in every city and town. The information that police, fire, and ambulance personnel glean from the people they contact daily are the key to successful potential threat awareness. But, once identified, how is the information collected? The Massachusetts focus group offered many ideas regarding procedures for information collection:

- In Person, and at Their Venue—You have to contact people that you wouldn't normally talk with. You can't just do the phone thing, you have to show up in person and get out there ... face-to-face. You can't call the high school and ask for the custodian and expect instant trust. You need to go see him, and develop that relationship.
- Neighborhood Watch/Crime Watch meetings-Listen to the residents. Cultural and ethnic groups might come to the attention of fire service through the permit or code inspection process. This is a great way to develop resources in different neighborhoods and a good way to collect information.
- Approachable and Responsive -There are only three groups that community members can contact 24 hours a day: police, fire, and EMS. The personnel in these departments have to be willing to deal with situations and be approachable, not put up barriers and say "It's not my job." Take the time to listen and receive information. Leave your windows rolled down and don't shut out the community.



Photograph by Mark C. Ide

- Follow-Up to Calls—Sometimes first responders must answer a call, collect information, and clear the scene for operational reasons—a quick turnover. But they should take the time to return the next day. That is when they are more likely to gather the important information, when there is time to speak with the person in an atmosphere that isn't driven by an incident. Returning to talk also lets the person know that their input is appreciated.
- Importance of the Initial CallTaker—A caller's first contact sets the tone for their working relationship with the police, and the first point of contact is typically the 911 call taker. It represents the first opportunity to collect information. The initial contact person must be willing to listen and have the right attitude. If he or she has the wrong attitude or fails to address the caller's problem, the quality of information collected will deteriorate. Don't expect a second call.
- Training and Organizational Philosophy Shift—All employees must understand their role in cultivating sources of information. Many assume it is the detective's job, but it is everyone's responsibility. Take a close look at the way information is collected in the department. It is necessary to listen and be willing to weed through the 90 percent of unimportant information to get the 10 percent that is usable. It's long and hard work, but the payoff is worth it. Collecting information involves more than training; it must be accepted and reinforced as an organizational philosophy that personnel be approachable, and act as sponges for information. It is important to explain to citizens the need to learn to identify what is abnormal, what doesn't fit in their environment, and what to do with the information once it is observed. Every first responder must teach this need to the local citizens.
- Management Responsibility Management needs to get behind and support information collection efforts. First responders have a tendency to go with what's hot this month and then wait out management, as there's bound to be another hot issue next month. Management must make information collection and sharing a priority every day.
- Completeness and Accuracy of Information-Officers need to understand what information to collect, and how to completely and accurately report information, with as much detail as possible.

#### **Leadership Initiation**

Although there are many sources of information and methods of collecting it, there may not be any means of information sharing between a police chief and a fire chief, or a time and a place to ask questions and receive feedback from the other disciplines on community issues or local threats. As one of the most influential members of the community, the police chief must lead by example and demonstrate to the department's employees the importance of information sharing. This begins at the top. It may mean that the police chief goes across the street and meets with the fire chief.

Establish a mechanism where homeland security information awareness and collection becomes a routine. The best protective initiative is by sharing information; and this begins at home, in every community. Everyone plays a part. The challenge is yours. Take the lead. �

Editor's note: Chief Doherty and Lieutenant Colonel Hibbard are program managers at the Massachusetts Law Enforcement Technology & Training Support Center (www.malettsc.org).



Circle no. 68 on Reader Response Card

HOMELAND SECURITY

order from left to right: locelyn Augustino/FEMA News Photo, FEMA News Photo, Andrea Booher/FEMA News Photo





Roger L. Kemp, Ph.D., city manager for Vallejo, California, served on the U.S. Department of Justice Anti-Terrorism Advisory Council and is editor of Homeland Security: Best Practices for Local Government, published by the International City/County Management Association in 2003.

n order to improve coordination and communication among all levels of government and the public in the fight against terrorism, the president signed Homeland Security Presidential Directive 3 on March 12, 2002, creating the **Homeland Security Advisory System (HSAS).** 

This advisory system serves as a foundation for a simple communications structure for the dissemination of information regarding the risk of possible terrorist attacks to all levels of government, as well as our nation's citizens.

There are many federal alert systems in the United States, and each is tailored to different sector of society: transportation, defense, agriculture, and weather, to name a few examples. These alert systems fill vital and specific requirements for a variety of situations in both the government and commercial sectors.

The HSAS provides a national framework for these systems, allowing government officials and citizens to communicate the nature and degree of terrorist threats. This advisory system characterizes appropriate levels of vigilance, preparedness, and readiness, in a series of graduated threat conditions.

The protective measures that correspond to each threat condition will help the local government and its citizens decide what actions to take to help counter and respond to possible terrorist activity. Based on the threat level, federal agencies will implement appropriate protective measures. State and municipalities are encouraged to adopt compatible local response systems.

State and local officials will be informed in advance of national threat advisories whenever possible. The Department of Homeland Security (DHS) will convey relevant information to federal, state, and local public officials as well as to the private sector. Heightened threat levels can be declared for the entire nation, for a specific geographic area, or for a functional or industrial sector. Changes in assigned threat conditions will be made whenever necessary by the DHS.

These threat conditions characterize the risk of a possible terrorist attack based on the best information available. Protective measures are the steps that should be taken by government and the private sector to reduce their respective vulnerabilities. The HSAS contains five threat conditions with associated suggested protective measures:

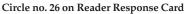
- Green: Low condition
- Blue: Guarded condition
- Yellow: Elevated condition
- Orange: High condition
- Red: Severe condition

The United States has been at threat condition orange, high condition, only a few times since September 11, 2001. Recent HSAS warnings have been regional or functional in their scope. When the nation goes to threat condition orange, and this threat level is not limited to specific geographic areas, public officials in cities should take steps so citizens know that their municipal officials are making an effort to protect them.

To achieve this goal, there are several common sense measures that local public officials should take so residents know they are being properly protected against a possible terrorist attack, regardless of its actual likelihood. These public officials include elected officials (mayors and city council members), city managers, police chiefs, fire chiefs, public works directors, and other emergency personnel. The suggested measures they should take include the following:

- Police and fire personnel should maintain a heightened sense of awareness while responding to, and working at, incident scenes.
- Appropriate city officials (city manager, police chief, fire chief, and public works director) should review local emergency response plans and be prepared to activate their emergency operations center.
- City managers (as well as police chiefs, fire chiefs, and public works directors) should communicate and coordinate with their respective counterparts at



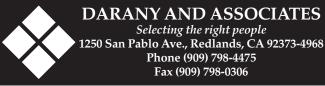




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- other levels of government in case a coordinated response is needed.
- Police chiefs should closely monitor all available security and intelligence data from federal, state, and other local law enforcement agencies.
- Police personnel should inspect building and parking areas for suspicious packages.
- City managers should ensure that employees are especially watchful for suspicious or unattended packages and articles received through public and private mail delivery systems.
- City managers should work closely with their police chiefs to consider controlled access to all municipal buildings, other significant facilities, and critical components of the public infrastructure.
- City managers and police chiefs should ensure that appropriate security measures are in place and are functioning properly.
- Police chiefs should make sure that police officers closely monitor all municipal reservoirs and watershed areas, wastewater treatment plants, and other sensitive public facilities.
- Local municipal officials should work closely with their county officials in an attempt to report and detect all transmittable diseases.
- The city manager should place all emergency management and specialized response teams on call-back alert status. This is also applicable to police and fire chiefs.
- The police chief should limit access points at critical facilities to essential personnel only. Entry control procedures should be strictly enforced.
- The police chief should ensure that officers are enforcing the restrictions on the parking of vehicles near sensitive public buildings
- The police chief should increase defensive measures around key structures and for major public events.
- Both the police chief and the fire chief should make sure that critical response vehicles are stored in a secure area or in an indoor parking facility, if one is available.

Municipal officials should also issue recommended precautions for citizens and business persons. These measures should be decided upon in advance of a heightened state of alert. The suggested guidelines for these two groups are highlighted below.

Residents should be encouraged to do the following:

- Resume normal activities but expect some delays, baggage searches, and restrictions as a result of heightened security at public building and other facilities.
- Continue to monitor world events and local circumstances as well as local government threat advisory warnings.
- Report all suspicious activities at or near critical public facilities to local law enforcement agencies by calling 911.
- Avoid leaving unattended packages or briefcases in public areas.
- Inventory and organize emergency supply kits and discuss emergency plans with family members. Reevaluate the family meeting location based on the national threat level.
- Consider taking reasonable personal security precautions. Be alert to your surroundings, avoid placing yourself in a vulnerable situation, and closely monitor the activities of your children.
- Maintain close contact with your family and neighbors to ensure their safety and emotional well-being.

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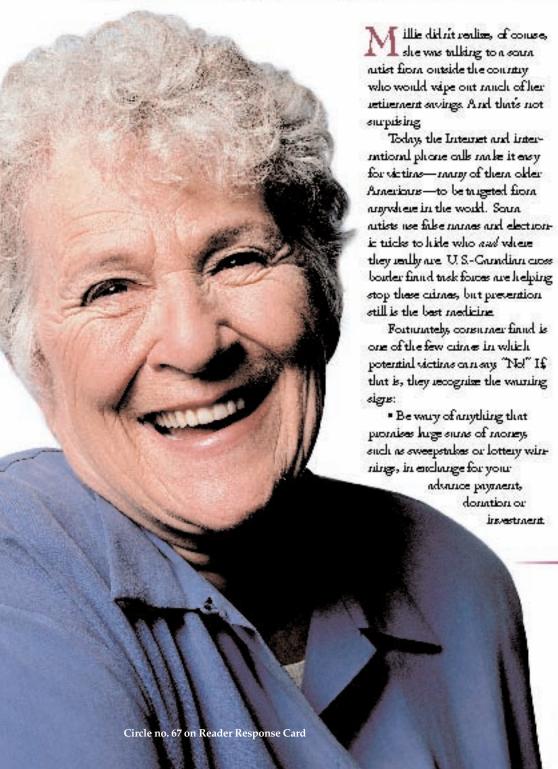




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Business persons should be encouraged to do the following:

- Announce threat condition high to all employees, and explain any special actions required of them.
- Place company emergency response teams on notice, as appropriate.
- Activate the company's operations center, if suitable to the occasion.
- Monitor world and local events, passing on the latest information to your employees.
- Ensure that appropriate security measures are in place and functioning properly.
- Instruct employees to immediately report suspicious activities, packages, and people to their supervisors.
- Search all personal bags and parcels, and require employees to pass through a metal detector, if one is available.
- Restrict vehicular access and parking close to company-owned buildings.

Many of the common sense steps described in this article have already been taken in local communities, and taking the other steps will enhance the current effort. It is important to provide consistent reinforcement of these procedures so the whole community will be ready should an emergency occur.

- Inspect intrusion detection systems, lighting, security fencing, and locking systems, to make sure that they are all working properly.
- Inspect all deliveries and consider accepting shipments only at off-site locations
- Remind employees of heightened security policies and proper building evacuation procedures.

The time to prepare a response plan, such as the one described above, is before the onset of a heightened state of alert. A community's guidelines should be put in written form and distributed to the mayor and the city council, all department man-

agers, emergency management personnel, residents, and the local chamber of commerce, since procedures for the private sector are included. This information should also be posted on a city's Web site, published in local newspapers, and placed as a public service message on a city's public-access cable television channel. A city newsletter would also be a good vehicle to promote these community safeguards. These latter vehicles are excellent ways to inform citizens about your state of readiness.

It is also a good idea to inform citizens and business persons of homeland security-related websites. These would typically include, at the federal level, the Department of Homeland Security (www.dhs.gov) and the Federal Emergency Management Agency (www.fema.gov). At the state level, the state office of emergency services (in California, for instance, www.oes.ca.gov) and the department of health services (in California, www.dhs.ca.gov) should be listed. It is also good idea to list the American Red Cross (www.redcross.org), as well as the city's Web site. Homeland security updates can easily be provided to everyone on a city's Web site.

Preparing for an emergency is not just a big-city concern; all communities, regardless of size, must be ready to prevent and mitigate threats.

The goal is to spread the word to residents about the city's state of preparation for the next heightened state of national alert. Residents expect their public officials to be looking out for safety and health under such circumstances. Simple guidelines for communities, citizens, and business persons, such as those described above, represent a common-sense approach to being prepared to safeguard and protect your community during a disaster, whether natural or humanmade. Take steps now to make sure your city is prepared. �

### Public Health Role in Homeland Security

An issue brief published by the National Governors Association Center for Best Practices (NGA Center), State Strategies for Fully Integrating Public Health into Homeland Security, offers recommendations for integrating public health into homeland security.

Public health has not always been considered an integral part of disaster and emergency response. As emergency management and homeland security evolved, public health officials frequently found themselves at the periphery of preparedness and response efforts. According to the issue brief, these officials were further hindered by a public health culture sometimes at odds with decision-making approaches favored by other first response agencies, and a public health infrastructure that has lagged behind other response agencies in terms of involvement.

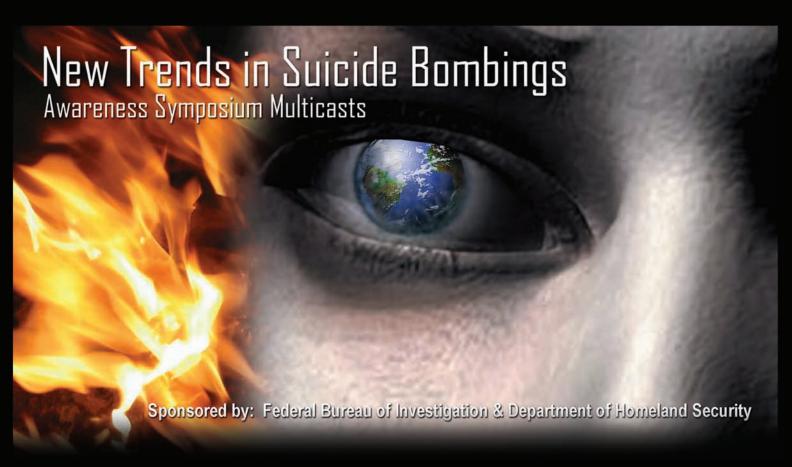
The 2001 anthrax attacks and the emerging threat of bioterrorism have changed this perception. With expertise not found in other disciplines, including unique authorities concerning quarantine, isolation, and drug distribution, and surveillance systems that provide

important intelligence about infectious diseases, public health involvement is essential for disaster response plans.

The issue brief provides the following strategies for better integrating public health into homeland security:

- Include public health fully in the homeland security governance system
- Include public health in homeland security planning
- Incorporate public health in exercises and training activities
- Include public health in homeland security intelligence and analysis

The report State Strategies for Fully Integrating Public Health into Homeland Security can be viewed at http://preview.nga.org/Files/pdf/FULLYPUBLICHEALTH.pdf. Copies are available from the National Governors Association, 444 North Capitol Street, Suite 267, Washington, DC 20001 USA.



A two-part series focusing on national and international perspectives on suicide bombing trends will be multicast through secure satellite television and Internet broadcast.

Topics include lessons learned from previous incidents, identifiying perpetrators, disrupting planning, preventing attacks, protecting infrastructure, developing community relationships, updating policies, training, and deploying resources.



Target Audience: Law enforcement managers and executives, tactical commanders, bomb technicians, hostage negotiators, law enforcement trainers, and legal advisors.

March 15, 2006: International Perspectives

March 29, 2006: Executive Issues

For more information contact: The COPS Office Response

Center at 1-800-421-6770.

## HOMELAND SECURITY SPECIAL FOCUS

#### **Definitions**

Alert

LEO Law Enforcement Online, the FBI's Internet link to state, local, and tribal

police. Departments and individual law enforcement officers can have accounts.

NAS The FBI's national alert system for rapidly disseminating critical

information related to terrorism intelligence throughout the United States.

SBU The FBI's Sensitive but Unclassified intelligence information shared with

local police officers.

Unclassified information for official use only and law enforcementsensitive information transmitted through secure law enforcement systems.

Notification Messages sent to nonsecure wireless devices, such as pagers, cell phones, personal digital assistants, and e-mail accounts, that an alert has been sent

to the agency's or member's secured LEO NAS account.



# **Enforcement Onlin**he National Alert Syste

By Lesley G. Koestner, Supervisory Special Agent, Law Enforcement Online Policy, Planning and Membership Unit, Criminal Justice Information System Division, Federal Bureau of Investigation, Washington, D.C.

The mission of the FBI's Law Enforcement Online (LEO) National Alert System (NAS) is to enhance communication, coordination, and cooperation between federal, state, and local government agencies representing the law enforcement and homeland security communities by providing an alert system for rapid dissemination of critical information related to terrorism intelligence throughout the United States.

The NAS can be used in conjunction with a virtual command center or independently. The NAS delivers timely and sensitive alert information securely to thousands of Joint Terrorism Task Force members and law enforcement command centers. The NAS can deliver secure popup message boxes containing law enforcement sensitive information to 20,000 online users within five minutes. The same message is also delivered to all users' LEO

e-mail accounts. The alert message will contain a short synopsis and a hyperlink that directs the recipient to additional information that has been posted on a secure LEO site. The NAS is also capable of sending up to 160,000 nonsecure notifications to pagers, cellular phones, and other wireless devices to advise that an alert has been sent. The NAS maintains records regarding delivery of each message and archives all NAS alerts and notifications.

The LEO functions as a conduit for FBI sensitive-but-unclassified (SBU) intelligence information, and in this way supports all of the bureau's missions and strategic goals and objectives. The LEO forms a cornerstone of the FBI Information Sharing Initiative. The LEO network provides an Internet link to state, local, and tribal police departments and agencies throughout the United States. The LEO is a certified and accredited system that is approved for the dissemination of SBU intelligence information.

Assistant Director Thomas E. Bush III, of the FBI's Criminal Justice Information Services Division, said, "The LEO NAS is an excellent tool to provide immediate alerts to the law enforcement community." The LEO is used to provide the law enforcement community with SBU information, communicating alerts, intelligence bulletins, and educational purposes. This information is sent in a secure environment to specific recipients using computers, cell phones, and pagers. Messages can include text, photos, and maps. The information is intended for use by patrol officers and other law enforcement personnel who may encounter situations or information through their direct contact with the general public.

Kenneth A. Cassine, unit chief of the FBI's LEO Policy, Planning, and Membership Unit, said, "The LEO is a one-stop shop for the law enforcement community for FBI intelligence information and provides a central hub for horizontal and vertical information sharing to support investigative programs."

#### Alerts vs. Notifications

Alerts: Alert messages may contain information that is only to be transmitted through secure law enforcement systems. These alerts may include unclassified information for official use only and law-enforcement sensitive information. Therefore, the pop-up alert notice is only transmitted through the Internet inside the LEO Virtual Private Network.

Notifications: Notification messages are sent to nonsecure wireless devices, such as pagers, cellular telephones, personal digital assistants, and regular nonsecure Internet email accounts. Since these devices are nonsecure, notification messages will only advise the recipient that an alert has been sent securely to the agency's or member's LEO NAS account. The information contained in these notifications will contain only unclassified information. The mission of the LEO is to provide reliable, high availability

electronic communications services for email, data sharing, national alerts, analytical tools, applications, and enterprise services between the FBI and its mission partners at the federal, state, and local level for SBU information. The LEO shall support the FBI's 10 priorities (see sidebar) by providing costeffective, time-critical national alerts and information sharing to first responders, law enforcement, and counterterrorism and intelligence agencies. It is the mission of the LEO to catalyze and enhance collaboration and information exchange across the FBI and mission partners with state-of-the-art commercial off-the-shelf communications services and tools, providing a user-friendly portal and software for communications and information exchange.

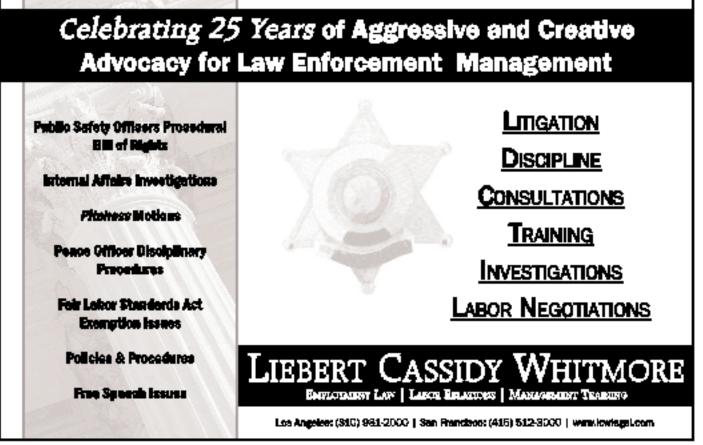
#### **Membership Requirements**

The LEO network system is only available to persons duly employed by a law enforcement, criminal justice, or public safety agency/department and whose position requires secure communications with other agencies. As an information-sharing forum, all members are encouraged to contribute information in their area of expertise. The LEO Program Office must be notified immediately upon separation of a member from an agency or department. To apply for a LEO membership application and for information about the LEO, call or write to

**LEO Program Office** 202-324-8833 202-324-3364 (fax) leoprogramoffice@leo.gov

#### The FBI's 10 Priorities

- 1. Protect the United States from terrorist attack.
- 2. Protect the United States against foreign intelligence operations and espionage.
- 3. Protect the United States against cyber-based attacks and high-technol-
- 4. Combat public corruption at all levels.
- 5. Protect civil rights.
- 6. Combat transnational and national criminal organizations and enterprises.
- 7. Combat major white-collar crime.
- 8. Combat significant violent crime.
- 9. Support federal, state, county, municipal, and international partners.
- 10. Upgrade technology to successfully perform the FBI's mission.



#### NEW MEMBERS

This posting of new member applications is published pursuant to the provisions of the IACP Constitution & Rules, Article II, Section 2(c). If any active member in good standing objects to any application, written notice of the objection must be submitted to the executive director within 60 days of publication. The application in question shall then be submitted to the Executive Committee and shall require the affirmative vote of two-thirds of the members of that committee for admission of the applicant.

This listing also serves as a supplement to the IACP 2005 *Membership Directory*.

\*Associate Members All other listings are active members.

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The IACP notes the passing of the following association me bers with deepest regret and extends its sympathy to the families and coworkers left to carry on without them.

Mario Amoroso, Deputy Chief of Police (ret.), San Francisco, CA; Pebble Beach, CA; (life member)

Raymond M. Chapman, Chief of Police (ret.), Berkeley, IL; Elmhurst, IL (life member)

Elwyn L. Chapman, Deputy Chief of Police (ret.), St. Peters, MO; Brentwood, MO (life member)

William J. Donahue, Chief of Police (ret.), Melvindale, MI; Riverview, MI (life member)

Ted E. Dudzik, Captain of Detectives (ret.), Whiting IN (life member) Kenneth E. Fox, Assistant Chief of Police (ret.), Miami, FL (life member)

Eugene A. Ginda, Lieutenant Colonel USA (ret.), Ocean, NJ (life member) Clinton O. Grinnell, Sheriff (ret.), Lake County, Waukegan, IL;

David P. Koman, Chief of Police (ret.), Brewer, ME (life member)

Robert A. Mampel, Special Agent in Charge (ret.), US Secret Service, Spring Hill, FL (life member)

Thomas J. McAuley, Chief of Police (ret.), Panama City, FL; Valley,

George J. O'Neil, Superintendent of Police (ret.), Consolidated Rail, Houston, TX (life member)

George B. Paul, Chief of Police (ret.), Flint, MI; Swartz Creek, MI

William Russo, Chief of Police (ret.), Mahwah, NJ (life member) Paul A. Shaver, Chief of Police (ret.), Albuquerque, NM (life member)

William A. Shepard, Chief of Police (ret.), Olathe, KS (life member) Albert F. Smith, Senior Resident Agent (ret.), USNIS, Leonardtown,

Julius J. Steperd, Detective Lieutenant (ret.), Bloomfield, CT (life member)

R. J. Stroupe, Captain (ret.), Gaston County Police Department, Gastonia, NC (life member) John K. Swan, Chief of Police (ret.), San Benito, TX (life member)

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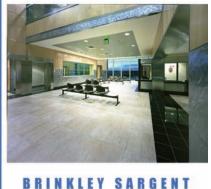
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#### Vehicle tracking

Teydo introduces the FleetOnline LBS tracking system for smaller and midsize enterprises. The LBS (location based services) system is designed to determine the location of a phone, such as one carried in a patrol car, and display that location online in a Web browser.

For more information, circle no. 204 on the Reader Response Card, or enter it at www.theiacp.org/freeinfo





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#### Parka

Mifflin Valley introduces its ANSI Plus parka, which is designed to comply with ANSI/ISEA 104-2004 Class 3 standards. Features include a waterproof and water-repellant outer shell, a concealable attached hood, a two-way YKK zipper front closure with snap-front storm flap, an adjustable cord lock waist, Velcro adjustable cuffs, and a radio pocket. The design also includes two microphone tabs and lower front slash-cut hand-warmer pockets with accessory holders. A silver 3M Scotchlite reflective trim package is designed to ensure visibility in low light. The polar fleece liner, which doubles as a jacket itself, can be removed, turning the parka into lightweight rain gear for summer wear. For more information, circle no. 206 on the Reader Response Card, or enter it at www.theiacp.org/freeinfo



#### Driver feedback sign

Information Display Company introduces the Easy-Solar version of their SpeedCheck driver feedback sign. The one-piece integrated sign is designed to contain the battery and all other power system components, making the Easy-Solar package easy and less expensive to install. The Easy-Solar package is designed for use at traffic sites that do not require round-the-clock traffic calming devices, such as near schools or playgrounds or those limited to commuter rush hours. The sign features a built-in timer designed to limit energy use during nighttime and offpeak hours. To install the sign, users attach the solar panel and display to the pole, connect the 12-volt power lead from the panel to the display, and program the timer. For more information, circle no. 207 on the Reader Response Card, or enter it at www.theiacp.org/freeinfo

#### Blast mitigation device

CINTEC America announces the Blastec Isolator Bin, a blast mitigation tool that is designed to be easily and rapidly inflated to provide temporary blast mitigation and fragment retention wherever suspect objects are encountered, including airports, restaurants, stores, post offices, and office buildings. The bin is made of an internally reinforced fabric and is designed to be deployed manually or robotically using appropriate bomb disposal equipment. The unit is open at the top and bottom to facilitate deployment and access to the suspect

## Kupdate



object if required. Each unit weighs 33 pounds when empty and 2,850 pounds when full. The volume per unit is 5.6 cubic feet when empty and 67 cubic feet when full.

For more information, circle no. 209 on the Reader Response Card, or enter it at www.theiacp.org/freeinfo

#### Online traffic camera views

The TrafficLand Company announces that it has added 38 new Virginia Department of Transportation traffic camera views in Hampton Roads, Virginia, to its Internetbased traffic video network. The new camera views are located in Virginia along I-264 and I-464. TrafficLand provides specialized, secure access through its Video Distribution System to first responders, transit agencies, and emergency management organizations to assist routine and emergency operations and improve regional mobility and public safety. The TrafficLand network integrates live images on its Web site from public traffic cameras located in multiple U.S. markets. The additional VDOT cameras bring the total currently available to 595.

For more information, circle no. 208 on the Reader Response Card, or enter it at www.theiacp.org/freeinfo

#### Training knife

No Lie Blades introduces a training knife that features a felt strip coated with a special marking material designed to leave a washable ink mark that represents where a cut would be. Designed for use during hand-to-hand combat training, No Lie Blade training knives come in two styles: one represents the traditional double-edged combat blade and has felt edges on both sides; the other represents the typical street knife and has a felt edge on one side. Both models come with a basic starter kit that includes marking sticks, instructional CD, impact injury chart, and accompanying guide. For more information, circle no. 210 on the Reader Response Card, or enter it at www.theiacp.org/freeinfo

#### Cell phone data extractor

Logicube Inc. announces the introduction of the new CellDEK cell phone and personal digital assistant data extraction kit. The portable CellDEK is designed to access data from more than 90 percent of all North American cell phone and PDA models at the scene of the crime, eliminating the need for investigators to wait for the data to come back from a crime lab. Once the user identifies the target device is identified, CellDEK offers the user a choice of connectivity types. A smart cable selection program illuminates the correct cable. Connectivity by infrared and Bluetooth are also available. CellDEK then captures all stored data through the selected connection method. Up to 40 cable connectors may be stored in the system's built-in rack. For more information, circle no. 205 on the Reader Response Card, or enter it at www.theiacp.org/freeinfo

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#### Nominations:

Nominations are to be submitted by a head of component or agency who has membership in the IACP. Submissions are to be no more than two pages in length and may be accompanied by explanatory photographs. No video craudio tapes will be accepted. Nominations are to be postmarked no later than May 31, 2006.



### **Submit Nominations to:**

International Association of Chiefs of Police Attn: David L. Tollett Director of State and Provincial Police Division 515 N. Washington Street Alexandria, Virginia 22314





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#### Consuming and Applying Research

## Evidence-Based Policing



There are many good reasons why successful law enforcement executives will have to be consumers and appliers of research. They do not need to become researchers themselves, but they must use the research in their everyday work. This article will examine why research matters to the police and how research can be used to policing advantage.

#### Why Bother with Research?

Those who decades ago endured a course in criminology may be skeptical that the esoteric and occasionally contradictory information they received could have any conceivable use in the real world. Times, however, have changed, and the nature of research in law enforcement has shifted. This is due, in part, to the fact that many current researchers are former police officers; still others who have never carried a badge nevertheless maintain a close relationship with law enforcement agencies. As a result, they better understand what the police want and need.

In addition, grant funding and other resources today are directed toward practical, usable research. In 1997, for example, University of Maryland researchers, at the request of Congress, published a massive volume in which they reviewed hundreds of research studies to determine what works in the area of crime prevention. This single volume, which was designed for the practitioner, does not rely heavily on research or academic jargon but rather provides helpful and easy-to-understand information.

Another effort in this area is the Campbell Collaboration, modeled after a similar effort in medicine. Its goal is to summarize all the available empirically based information relating to a single topic, and present a one-paragraph summary, or systematic review, for the consumer. Today's research is not only better but also more accessible. Access to the Maryland study and the Campbell Collaboration, as well as the National Criminal Justice Reference Service's electronic library, are available free of charge on the Internet.<sup>1</sup>

Today's police, as the saying goes, are doing more with less. Using what researchers have proven to work rather than simply relying on preconceptions and local custom may actually allow that to happen.

#### **Evidence-Based Policing**

In 1998 criminologist Larry Sherman proposed the creation of a new model of law enforcement that he called evidence-based policing (EBP). According to Sherman, "Of all the ideas in policing, one stands out as the most powerful force for change: police practices should be based on scientific evidence about what works best."

Based on a model that had earlier been adopted in medicine, Sherman noted that most police practices remain untested. We often do not know whether what we do works at all. In many cases, even after research has shown that something doesn't work, we continue to do it as a result of political pressure, inertia, or ignorance. Sherman's model, as described in figure 1, is simple.<sup>3</sup>

In reality, EBP is more a philosophy than a model. It can be applied to all facets of policing, including resource allocation, deployment, and investigation strategy. It is also not limited to criminology. One can easily envision research relating to business, engineering, and cybernetics and artificial intelligence to have relevance for policing.

Using the EBP model, when confronted with an issue or problem, an agency determines best practices as identified in the relevant literature. A great deal of cutting-edge research is already available on the Internet and most major city police departments and state police organization conduct research studies. But unless one knows how to judge how well the researcher did the study, one may accept findings that are not accurate. In fact, not all research is created equal. Some studies involve a sufficient number of subjects and use random assignment and control groups; others do not. Understanding how well a study was conducted is crucial for successful application.

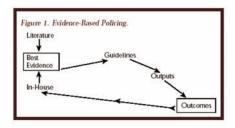
By Carl J. Jensen III, Ph.D., Supervisory Special Agent, Behavioral Science Unit, FBI Academy, Quantico, Virginia

During the IACP committee meetings, various presentations are made to keep the committee members informed about issues and practices in law enforcement. This article was developed by the author from a presentation at the IACP Police Investigative Operations Committee midyear meeting in Austin, Texas, on June 15, 2005.

#### **Using Research**

Thurston L. Cosner and Greg Loftus, "Law Enforcement-Driven Action Research," The Police Chief 72 (October 2005): 64-68; available in the archives at www.policechiefmagazine.org.

Dean Esserman and Anthony M. Pesare, "A Police-University Collaboration to Improve Community Policing, "The Police Chief 71 (April 2004): 36-39; available in the archives at www.policechiefmagazine.org.



The Maryland researchers understood the value of assessing studies and actually created a system of grading the research. Studies conducted under the most

scientifically rigorous conditions (such as random assignment and control groups) were given a score of 5 and those with the least amount of rigor were given a 1. The Campbell Collaboration likewise uses a systematic method to rate the efficacy of research and won't say something either works or doesn't work until certain conditions are met. Not every research study reviewed will be evaluated and rank, however. That means that local departments will need to assess the validity of the research, and one of the best places to get help is at the local university or col-

lege. Academic researchers can assess the study's methodology to determine whether the local department should depend on the findings.

Once best practices are determined from the literature, the agency must adapt them to fit the particularities of local laws, agency policies, and community realities. After all, what works in one jurisdiction may not work, or may not be acceptable, somewhere else. This is where the experience, skill, and political savvy of the police manager are crucial to knowing what is going to work in the real world. To that end, promising practices inform but do not dictate guidelines for the plan of action.

Once guidelines have been established, they can be used to formulate outputs, or means to accomplish a task. Finally, and perhaps most crucial to the entire process, there must be a means of measuring whether the plan actually works, that is, whether it accomplishes what it was designed to do. To that end, at the initiation of the plan, specific outcomes, or goals, should be established and used to drive every other aspect of the project. Often outcomes and outputs are confused. For example, an outcome for a plan might be the reduction of drug use in a community. One output for accomplish-





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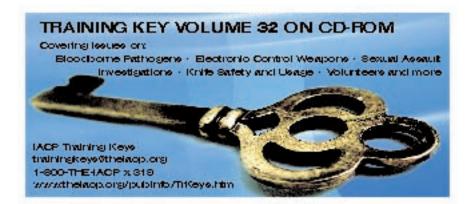
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ing this could be the aggressive arrest of street-level drug dealers. However, if the agency measures only the arrest rate, the actual effect of the program on rates of drug use remain unknown. Instead, community drug use, as measured through emergency room referrals, drug use surveys, or other means, is the proper variable to be considered.

The EBP process mandates a thorough and ongoing assessment of outcomes, as demonstrated in the feedback loop illustrated in figure 1. But a program's failure to fulfill its creators' initial expectations is not necessarily cause for junking it all together. In fact, it may need only a little tweaking. Because it is systematic and requires ongoing measurement, the EBP process is ideally suited to refining programs as needed. In addition, the end of the feedback loop arrives back at promising practices that are constantly refined and updated as a result the EBP system of operations.

### Involve the Community's Academic Institutions

Universities and colleges serve most communities and can be a tremendous EBP resource, from compiling and assessing research, to assisting in formulating outputs, to measuring outcomes. In fact, establishing a collaboration with a local academic institution can be a win-win situation: the police benefit from the labor and expertise of the faculty and students while the university gains a laboratory in which to conduct meaningful research.

Both the police and the academic community thrive on grant funding. Today, because many grants require practical research, it is almost a requirement that a researcher work with a police department. The title of the 2005 National Institute of Justice conference was Evidence-Based Policies and Practices. To some, this title clearly indicates that grant funding will be contingent upon establishing programs that are both practical and based on evidence.

In order to bridge the gap between universities and the police, the IACP hosted a roundtable in 2003 that brought together experts in both fields. Part of the group's task was to study what made for successful police-university collaborations. The following attributes were considered essential from this effort.

- The problem had to be one relevant to the law enforcement agency.
- Researchers and law enforcement leaders had to share responsibility for the overall project.

- Researchers and law enforcement leaders had to be qualified work in the partnership.
- Researchers and law enforcement leaders had to devote time and interest to the project.
- Researchers had to offer practical recommendations.
- Law enforcement leaders had to be in positions of power in order to act upon the recommendations for operational change that resulted from research.4

In addition, the IACP provided recommendations for areas that needed to be addressed:

- Selecting and supervising skilled researchers
- Training law enforcement leaders in evaluating and performing research
- Designing and formalizing the research agenda
- Developing and sustaining relationships between law enforcement leaders and researchers
- Evaluating and responding to research
- Managing funding for research partnerships

#### At the FBI National Academy

A course at the FBI National Academy on applying criminal justice research is based on Sherman's EBP model. Students are presented with tools to consume research and are required to critique various famous criminal justice studies. Based strictly on nonempirical observations (a dicey approach, given the theme of the present article), certain trends have emerged.

One emerging trend is that most police managers appreciate research that is well done and meaningful. In fact, many are quite good at dissecting and critiquing the research. The generally inquisitive nature of law enforcement officers, combined with their many years of real-world experience, has led to the exposure of holes and flaws in some well-known and highly regarded studies. Indeed, many of the FBI National Academy students have been able to suggest significant improvements. If more police managers were directly involved in research endeavors in the early planning stages, it's likely that there would be fewer problems for researchers down the line.

As part of the course, students are required to complete a project of real-world significance to their agency. Perhaps surprisingly, little criminal justice research has been conducted on many of the subjects they pick (although research often exists in other fields, such as leadership and management). This underscores the IACP finding that a research agenda must be jointly formulated. While researchers may think they know what the police want, they may not always be correct.

Finally, National Academy students who have enjoyed good relationships with universities point to a common theme: mutual trust established through regular contact. As in many other arenas, personal relationships still dominate most other factors. To that end, police managers may facilitate positive relationships by setting up internship programs and by inviting academic personnel to serve in reserve components or to attend their citizen police academy. They may also encourage their own personnel to reach out, by funding attendance at local colleges, by providing flexible scheduling, and by inviting local faculty members to provide training. �

<sup>1</sup>The Internet sites for these entities are as follows: Preventing Crime: What Works, What Doesn't, What's Promising (The Maryland study): www.ncjrs.org/works; the National Criminal Justice Reference Service: www.ncjrs.org; and the Campbell Collaboration: www.campbellcollaboration.org.

<sup>2</sup>Police Foundation, Evidence-Based Policing, by Lawrence W. Sherman (Washington, D.C.: 1998), 2.

<sup>3</sup>Police Foundation, "Evidence-Based Policing," 4. <sup>4</sup>International Association of Chiefs of Police, Unresolved Problems and Powerful Potentials: Improving Partnerships between Law Enforcement Leaders and University-Based Researchers (August: 2004).



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#### I A C P N E W S



#### IACP's Technology Technical Assistance Program

Sweeping advances in technology and urgent changes in police responsibilities create a formidable demand for increased technical assistance to support the technology needs of state, county, local, university, and tribal law enforcement. With extensive input from law enforcement professionals, IACP's new Technology Technical Assistance Program (TTAP) has been designed to improve a law enforcement executive's ability to protect and serve their communities and officers through successful deployment of technology.

The TTAP project, in collaboration with the COPS Office, will produce *The Technology Desk Reference*, designed to give law enforcement executives current, relevant information on planning for, acquiring, and managing law enforcement technology. *The Technology Desk Reference* will be unveiled at the 113th Annual IACP Conference in Boston, Massachusetts, USA, October 14–18, 2006.

In addition to *The Technology Desk Reference*, IACP's TTAP project will be distributing periodic trends-and-issues bulletins designed to offer timely information on various types of technology. The executive bulletins will address voice communications, in-car cameras, network infrastructure, mobile data terminals, and records management systems.

Technology acquisition is a costly proposition, requiring proper protocols, procedures, certification, and training that will ensure appropriate use of these new tools. IACP's TTAP project is designed to help law enforcement executives meet these challenges.

For more information on these technology resources, call the TTAP team at 800-THE-IACP, extension 820, send an e-mail message to the TTAP team at ttap@theiacp.org, or visit the IACP Research Center at www.iacpresearch.org.

#### **IACP Membership Report**

As of January 15, 2006, the IACP has a total membership of 20,006 people representing 102 countries. The United States and its possessions are home to 18,629 members, and there are 1,377 members from 101 other countries. Of the total membership, 13,790 are active members, 3,049 are associate members, and 3,167 are life members.

For more information about the IACP membership, call Christian Faulkner, IACP membership manager, at the 800-THE-IACP, extension 307, or write to him at faulkner@theiacp.org.

#### New Electronic Newsletter Available from IACP

The newsletter *Big Ideas for Smaller Police Departments* will soon be available on the Internet, making it accessible in a new expanded format. The new electronic format allows the newsletter to provide a wider variety of information and resources to readers. The Internet access will allow subscribers to send questions and comments regarding newsletter content. In addition, all subscribers in the database can be notified of upcoming regional events and training.

Even if you are currently subscribing to the printed newsletter, you must still register at www.surveymonkey.com/s.asp?u=446259404 12 to begin receiving the electronic newsletter.

Subscription and registration for the *Big Ideas* electronic newsletter are free. When a new issue of the newsletter is available, subscribers will receive an e-mail. The electronic newsletter can then be conveniently forwarded to friends, employees, and colleagues or easily uploaded from the Internet address. The newsletter may also be printed if a hard copy is desired for classes or meetings.

We hope IACP members will enjoy this new format of information sharing and look forward to including your ideas and comments as *Big Ideas for Smaller Police Departments*  continues its commitment of supporting and reaching all agencies in the United States with 25 or fewer officers. To view a current copy of the newsletter, visit the IACP Web site at www.theiacp.org, enter the Research Center section, choose the project called Services, Support, and Technical Service to Smaller Police Departments, and scroll down to find the link to the *Big Ideas* newsletter. This project is sponsored by the Bureau of Justice Assistance, Office of Justice Programs.

For more information, call Elaine Deck at 800-THE-IACP, extension 262, or send an email message to her at decke@theiacp.org.

#### Free Training for Volunteers Coordinators

The Volunteers in Police Service (VIPS) program is offering free training to coordinators of law enforcement volunteer programs. VIPS is managed and implemented by the IACP in partnership with and on behalf of the U.S. Department of Justice's Bureau of Justice Assistance and the White House Office of the USA Freedom Corps. The program's goal is to enhance the capacity of state and local law enforcement to utilize volunteers.

VIPS training provides attendees with an understanding of the theories and practices related to developing a law enforcement volunteer program, an introduction to VIPS and its resources, and the knowledge and skills necessary to implement a law enforcement volunteer program. The training is intended to be a hands-on experience for the law enforcement volunteer coordinator or agency representative who will be responsible for the development and implementation of a volunteer program. The training will also help build a peer-to-peer network.

Registration is accepted on a first-come, first-served basis. Register online at www.policevolunteers.org, in the events section. Confirmation will be sent by e-mail.

There is no registration fee to attend. Continental breakfast and lunch will be provided. Attendees traveling more than 50 miles may be eligible to receive a \$150 travel stipend.

Sample dates and locations for the first part of 2006 training include the following:

- April 5: Omaha, Nebraska
- April 13: Salt Lake City, Utah
- May 4: Portland, Oregon
- May 23: Indianapolis, Indiana
- June 8: Anchorage, Alaska
- June 8: Chicago, Illinois
- July 18: Pittsburgh, Pennsylvania
- July 25: Burlington, Vermont

Dates and locations are subject to change, and more dates and locations will be announced. Interested departments should call Erin Vermilye at 800-THE-IACP, extension 826, or write to her at vermilye@theiacp.org.

#### 153 Law Enforcement Officers Died in the Line of Duty in 2005

According to preliminary data released in the National Law Enforcement Officers Memorial Fund's annual "Fallen Heroes Report," as of December 23, 2005, 153 law enforcement officers across the United States died in the line of duty during 2005. This marks a continued downward trend in the number of officers killed over the past 30 years.

Improvements in body armor, better training, and nonlethal weapons are cited as reasons for multiyear decline.

The leading causes of death in 2005 were shootings (60) and traffic-related incidents (62). The latter category included 41 officers killed in automobile collisions, 15 struck by vehicles, and six killed in motorcycle crashes. In 2004, 57 officers were shot, and 72 officers died in traffic-related incidents.

The number of officers who died as a result of a medical event, such as a heart attack or heat stroke, was 21 in 2005, as compared to 11 in 2004.

Also during 2005, 21 officers died from jobrelated illnesses; three fell to their deaths; two drowned; two died in aircraft crashes; one died in a bomb-related incident; one was stabbed to death; and one was hit by a train.

During the 1970s, more than 220 officers were killed on average each year, making it the deadliest decade in law enforcement history. But during the past decade the officer fatality rate has declined to an average of 162 per year.

The National Law Enforcement Officers Memorial Fund (NLEOMF) and the Concerns of Police Survivors (COPS), two nonprofit organizations that track officer deaths, released these preliminary figures for the year jointly. Full data from the NLEOMF and COPS "Fallen Heroes Report," including deaths by state, can be obtained at www.nleomf.com.

#### Interpol–UN Special Notices for Terrorists

Interpol has published the first Interpol-United Nations Security Council Special Notices for persons who are the targets of UN sanctions against al Qaeda and the Taliban.

Among the names of individuals on this first group of four notices is Abu Musab

Al-Zargawi, one of the world's most notorious terrorist suspects, wanted by police in a number of countries for a series of major attacks on behalf of al Qaeda.

The new notices are being distributed to all of Interpol's 184 member countries using the organization's global police communications system. If the whereabouts of suspects named in such notices become known to police, the Interpol National Central Bureau in the country concerned will be notified immediately so that competent authorities can take the necessary action to implement the UN sanctions against them.

A UN Security Council resolution unanimously adopted on July 29, 2005, called on the UN secretary general to work with Interpol to provide better tools to assist the UN Security Council's 1267 Committee to carry out its mandate regarding the freezing of assets, travel bans, and arms embargos aimed at groups and individuals associated with al Qaeda and the Taliban.

The creation of the Interpol-UN Security Council Special Notice was approved formally by Interpol's general assembly in Berlin in September 2005, and a team at the Interpol general secretariat in Lyon, France, was immediately assigned to work with UN officials on details of implementation and related technical issues.

"I believe publication of these new notices will send an important message to the international community that Interpol and the United Nations are working together in a proactive manner to ensure that terrorists are brought to justice," Interpol Secretary General Ronald K. Noble said. "I think the very fact that notices of this sort are being published will have a significant effect on the movement of terrorist suspects across international borders and will make it less likely they will engage in financial dealings or the purchase of weapons."

The Consolidated List on al Qaeda and the Taliban maintained by the UN Security Council's 1267 Committee contains the names of more than 300 suspects and more than 100 entities. The UN and Interpol will work together to issue additional special notices in the future for many of the individuals on the list.

"The Interpol-UN Special Notices make clear the common commitment of the United Nations and Interpol to fight terrorism. They will also provide a considerable boost to the implementation of the UN-mandated sanctions on terrorists and their supporters throughout the world," said the chairman of the UN 1267 Committee, Ambassador César Mayoral of Argentina.

Abridged versions of the four new notices, including Al-Zarqawi's, may be seen on Interpol's Web site, www.interpol.int. Full details on the notices, including fingerprints and other confidential police data, are available only to law enforcement officials through Interpol channels. For more information on the al Qaeda and Taliban Sanctions Committee, please visit www.un.org/Docs/sc/ committees/1267Template.htm. ❖



### Line of Duty Deaths

"They will be remembered — not for the way they died, but for how they lived."

The IACP wishes to acknowledge the following officers, who made the ultimate sacrifice for their communities and the people they served. We extend our prayers and deepest sympathies to their families, friends and colleagues.

#### Sergeant Michael Scott Neal

Mexia, Tex., Independent School District Police Dept. Date of death: November 22, 2005 Years of service: 8

#### Officer Brandon Douglas Breland

Wiggins, Miss., Police Dept. Date of death: November 27, 2005 Years of service: 5

#### Officer Edward Odell Fitts

Wiggins, Miss., Police Dept. Date of death: November 27, 2005 Years of service: 20

#### Officer Paul Salmon

Phoenix, Ariz., Police Dept. Date of death: November 29, 2005

Years of service: Unknown

#### Police Officer Henry "Hank" Nava

Fort Worth, Tex., Police Dept. Date of death: December 1, 2005 Years of service: 13

#### **Deputy Sheriff Jason** Alexander Oliff

Brazoria County, Tex., Sheriff's Office Date of death: December 5, 2005 Years of service: 4

#### Corporal Joseph R. Pokorny

Pennsylvania State Police Date of death: December 12, 2005 Years of service: 21

#### Officer Erick Shane Manny

California Highway Patrol Date of death: December 21, 2005 Years of service: 5

## FINALLY, A POLICE REPORT YOU'LL WANT TO FILL OUT.



You'll like filling out the application for the IACP/Motorola Webber Seavey Award for Quality in Law Enforcement. Because it will give you an opportunity to tell the world how you're making your community a better place to live. Not only by catching criminals. But by initiating creative problem solving. In community services. Police operations. Homeland security. And cooperation with other agencies.

The Webber Seavey Award was created solely to recognize outstanding police performance worldwide. To enter, your agency must submit a description of a quality-driven project you've initiated to instill continuous improvement in service to your communities. This will allow agencies of all sizes to compete with each other on equal ground. And more importantly, it will enable agencies to share new ideas and successful programs with each other.

In fact, the real winners will be the communities benefiting from the Webber Seavey Award process. So send for your application today. Don't miss this chance to receive the recognition your department deserves and compete for an award that will really make you proud.

For more information, visit the IACP website at www.theiacp.org/awards/webber, contact Wendy Balazik at balazik@theiacp.org, call 1 - 8 0 0 - THE - IACP/703-836-6767 or write the IACP at 515 N. Washington St., Alexandria, VA 22314-2357. All applications must be received by the IACP no later than May 1, 2006.

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## Elements of an Effective Traffic Safety Initiative

#### By Joel Bolton, Lieutenant, Lake Charles, Louisiana, Police Department

Comprehensive law enforcement traffic safety programs have had lifesaving benefits for communities across the nation. Progressive departments have proven that police can increase safety belt usage rates; reduce impaired driving injury crashes; and reduce excessive speeding.

It has also been demonstrated repeatedly that solid public information and education efforts, backed up by well-publicized enforcement, can improve the way motorists view their local police department and traffic enforcement.

In this space last month, we discussed three of the six essential elements of a good traffic safety program:

- Sound policy and enforcement guidelines that demonstrate to officers the level of importance the agency places on traffic safety
- Training that helps employees gain and apply the knowledge, skills, and abilities necessary to enforce the law and educate the public
- Public information and education activities that help convince motorists to buckle up, slow down, and drive sober

This month, we will look at the remaining ingredients of an effective traffic safety initiative:

- Recognition of outstanding performance by employees and citizens
- Enforcement of traffic safety laws
- · Evaluation of efforts

#### Recognition

Meaningful recognition of exemplary performance can be a real morale booster for your officers. We are competitive individuals and most enjoy a challenge to perform better. Those officers who are consistent high producers in traffic enforcement activities are no exception.

We typically associate awards and recognition with acts of bravery and valor. For most departments, the category list for awards presented is short. More and more, however, 106 THE POLICE CHIEF/FEBRUARY 2006 agencies are realizing the benefit of adding traffic enforcement categories to that list. For example, those officers who willingly tackle the complexity of a routine DWI arrest are probably your most dedicated self-starters and are deserving of recognition. They may not have had the opportunity to dash into a burning building to save a child, but they diligently work night after night to make your streets safer by intercepting impaired drivers before crashes occur.

Award presentations are an excellent way to involve community traffic safety advocates in your activities. A group interested in impaired driving or child passenger safety would likely be honored to be involved in a presentation ceremony for outstanding efforts in their focus area.

Saved by the Belt Awards for officers and citizens reinforce the message that safety belts work in the real world. Announcements of these awards are good news stories that can be distributed to media, and photographs of the crashed vehicles make great visuals for television and print media.

Don't forget to take advantage of opportunities to gain recognition for your department as well. Your officers are proud of the department they have devoted their lives to, and they are gratified when their agency receives praise. Participating in the IACP's National Law Enforcement Challenge is a great way to earn recognition for your agency. See the Web site for details: www.lawenforcementchallenge.org.

#### Enforcement

There are advocates for every area of traffic safety. MADD, for instance, seeks to reduce the toll of death, injury, and productive years lost from impaired driving. Safe Kids promotes the correct use of child restraints. But none of these organizations can enforce the law. Only we can do that.

High-visibility enforcement of statutes designed to save lives is the key to changing motorist behavior. The police role in increasing safety belt use, for example, has been well documented. Attitudes and behaviors can be changed, particularly when enforcement activities are publicized and the reason (saving lives) is explained to the public.

Officers also need to understand what they are expected to accomplish with their enforcement activities. If your officers are evaluated on the quantity of citations they write, they will write lots of citations. If they are more appropriately evaluated on the impact of their activities on crash and injury rates, you may see fewer citations overall but fewer roadway deaths and injuries.

#### **Evaluation**

Evaluating your traffic safety program is essential to making it work. In addition to regularly reviewing your policies, enforcement guidelines, public information efforts, and training programs, conducting data analysis can help determine where and when resources are needed.

Crash data should be examined to determine not only when and where crashes are occurring but also the most prevalent causes at each location. This will help determine how and at what times of day you deploy your enforcement resources. If most of the alcohol-related crashes in your community are occurring between 2:00 and 4:00 a.m., the DWI squad shouldn't be ending its workday at 1:00 a.m.

Data analysis often reveals a need for targeted public information work or engineering improvements at certain intersections to reduce crash rates

Surveys of safety belt use rates are also important because they establish a baseline against which to measure change. Such surveys also show what areas of your jurisdiction need increased enforcement activity. Surveys are easy to do. Simply select your location and count yes or no for a set time period (one hour, for example) or a set number of vehicles passing through, say, 100 cars. The next time you survey, use the same locations and the same time of day to get a valid comparison of how restraint use has changed.

As law enforcement agencies, we do many different things to make our communities safer. But nothing else you can do matches the potential of a comprehensive traffic safety program to save lives and prevent injuries to the people you serve. •

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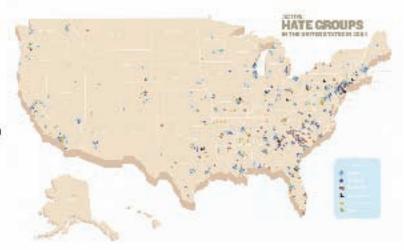
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