

# **EMERGENCY MANAGEMENT FOR LAW ENFORCEMENT**

**Strategies, Operations, and Tactics**

**JAMES F. PRESCOTT, JR.**



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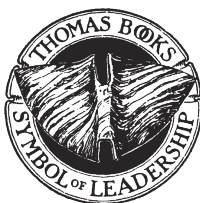


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*By*

**JAMES F. PRESCOTT, JR.**



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## PREFACE

Law enforcement officers have always been involved as first responders to road accidents, chemical spills, evacuations, rendering aid after hurricanes, tornadoes, and floods, terrorist attacks, train derailments, mass shootings, and a litany of other emergencies and disasters. Emergency management and law enforcement have a close historical relationship. Since the United States was attacked by the coordinated actions of terrorists on September 11, 2001, a renewed interest in both emergency management and homeland security has become manifest. Disproportionate attention and resources have been focused on terrorist threats although natural hazards pose a far greater risk of death, injury, and property damage to the typical American jurisdiction. Hurricanes, floods, and tornadoes cause billions of dollars in damage and substantial numbers of deaths and injuries each year. Greater attention should be focused on these natural hazards.

Law enforcement officers are on call 24 hours per day, 365 days per year. Few other emergency responders possess the versatility and availability to respond to every type of hazard, disaster, attack, or emergency than police officers. Law enforcement personnel officers are on the “front line” of emergency management because they are among the first to respond to every type of manmade and natural disaster. Police officers render aid and secure the scene rapidly in all conditions. Few textbooks recognize this reality and fewer still focus on the linkage between law enforcement and emergency management. One of the purposes of *Emergency Management for Law Enforcement: Strategies, Operations, and Tactics* is to better integrate law enforcement officers with other first responder agencies as they work together to resolve critical incidents.

*Emergency Management for Law Enforcement: Strategies, Operations, and Tactics* pulls together important information obtained from empirical research and disaster experience. This knowledge is designed to help law enforcement officers deal with disasters and emergencies more effectively as important players in emergency management. Learning evidence-based practical applications can assist police officers in making better decisions and taking more effective actions at critical incident scenes. This book

draws from criminal justice, psychology, public administration, emergency management, public health, meteorology, leadership, and management in an effort to synthesize a wealth of knowledge to better prepare police officers to respond to the complete range of emergencies and disasters they encounter on the job.

J.F.P.

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# **EMERGENCY MANAGEMENT FOR LAW ENFORCEMENT**



## Chapter 1

# LAW ENFORCEMENT, EMERGENCY MANAGEMENT, AND HOMELAND SECURITY

Emergency management is a field designed to assist in providing the knowledge and skills necessary to deal with all hazards that may be encountered by a community. Emergency management has grown in stature and relevance in the years since the terrorist attacks against the United States on September 11, 2001. Members of the general public typically hear about emergency management primarily in connection with major disasters such as tornadoes, hurricanes, earthquakes, or pandemics. Mass shootings, acts of terrorism, and other attacks involve emergency management as well.

Law enforcement officers and agencies are intimately involved in emergency management as first responders to disasters and attacks. In most jurisdictions, law enforcement officers play the primary role in critical incident and disaster response due to the nature of their mission and due to the fact that police agencies operate 24 hours per day.<sup>1</sup> Law enforcement agencies are required to respond to service calls including disasters as part of their protection mission. The state government's "police power" to protect the health, safety, and welfare of their communities is the legal basis for emergency response.<sup>2</sup> The heaviest burden of calls for service falls upon municipal police departments due to population density in cities and due to the fact that they comprise the majority of American police.<sup>3</sup> However, there has been a tendency of many law enforcement agencies to deemphasize emergency management and to focus instead primarily on human-caused problems such as crime.<sup>4</sup> This book examines the linkages between emergency management, homeland security, and law enforcement.

**Law enforcement** refers to "the agencies and employees responsible for enforcing laws, maintaining public order, and managing public safety. The primary duties of law enforcement include the investigation, apprehension, and detention of individuals suspected of criminal offenses."<sup>5</sup> In terms of

emergency management, the law enforcement duties of managing public safety and maintaining public order are paramount.

Law enforcement agencies do much more than enforce criminal law: they are also *first responders* to crises caused by human beings or natural disasters during times of need. A **first responder** is the initial emergency services government employee or agency to arrive at the scene of an accident, disaster, fire, crime scene, or call for assistance. First responders include police, firefighters, and paramedics.<sup>6</sup> First responders respond directly to the disaster by attacking the threat to reduce death, injury, and property damage. Law enforcement officers focus on closing dangerous areas and control at the scene of disasters, while firefighters and paramedics deal with extinguishing fires and medical emergencies.<sup>7</sup>

First responder agencies and personnel such as law enforcement are *local* and are thus close to the places where disasters, accidents, and crimes occur. They are also community members and have a vested interest in carrying out their oaths and rendering aid. For this reason, law enforcement personnel have major roles to play in the implementation of emergency management functions. Law enforcement personnel are often the first to arrive at the scene of a disaster, crime, or accident. They are familiar with local conditions, people, and geography. Law enforcement personnel are generally uniformed and highly visible in crisis situations. They help to provide immediate aid to those injured or in crisis, and help to secure the scene and assist others involved in the disaster or attack.<sup>8</sup> Due to their training, experience, and on-call availability, first responders are the first line of defense in emergency incidents. Law enforcement officers in particular possess the skillsets to provide rapid response to a wide variety of critical incidents.<sup>9</sup> The linkage between law enforcement and emergency management is the focus of this book.

Since the terrorist attacks of September 11, 2001 upon the United States, law enforcement agencies have moved strongly towards a *homeland security* focus. Indeed, it has been convincingly argued that American policing has since that time entered what Oliver calls the **Era of Homeland Security**.<sup>10</sup> Due to the fact that law enforcement officers are among the first responders to both terrorist attacks and natural disasters, this is arguably the typical means by which police officers and agencies become involved in both homeland security and emergency management.<sup>11</sup> The emphasis on homeland security has resulted in the situation in which there has been an unduly heavy concern with terrorist attacks while the more likely natural and human-made disasters have been deemphasized.<sup>12</sup> While homeland security and emergency management are not identical, emergency management is a vital component of homeland security.<sup>13</sup>

The connection between emergency management and homeland security is made manifest in the original **National Strategy for Homeland Security** issued by the federal government in 2002. The National Strategy for Homeland Security contains six essential missions, three of which deal with homeland security and three of which deal with emergency management. The first three essential missions deal with homeland security: (1) Intelligence and Warning, (2) Border and Transportation Security, and (3) Domestic Counterterrorism. The last three essential missions focus on emergency management: (4) Protecting Critical Infrastructure and Key Assets, (5) Defending Against Catastrophic Threats, and (6) Emergency Preparedness and Response.<sup>14</sup> While law enforcement agencies deal in some capacity with all six essential missions, the focus of this book is upon the three essential missions (4, 5, and 6) that deal with emergency management.

Areas 4, 5, and 6 recognize that natural disasters such as earthquakes, tornadoes, and hurricanes result in escalating losses of life and property in the United States. Property damage in particular continues to escalate due to population growth, increasing concentration of people in cities and vulnerable coastal areas, and deterioration of aging infrastructure such as roads, bridges, and tunnels. This requires a greater recognition of an emphasis on emergency management. The collective knowledge of emergency management must be better connected with first responders.<sup>15</sup>

Climate and weather-related events alone (fires, hurricanes, tornadoes, etc.) have resulted in a series of multi-billion-dollar disasters in the United States during the past ten years. For example, in 2017 such losses exceeded \$300 billion. Increasing disaster preparedness utilizing emergency management approaches could significantly reduce these losses.<sup>16</sup> However, achieving disaster preparedness nationwide is difficult in part due to the existence of federalism in the United States.

## **Federalism**

The American system of government is based upon **federalism**, in that political powers are divided between the national government and the state governments. The national government in Washington, D.C. operates under the enumerated powers contained in the U.S. Constitution. Thus, Congress, the federal courts, the president, and military and civilian personnel under the authority of the president operate on the basis of federal constitutional and statutory authority. Local governments (cities, counties, special districts) operate under state government authority. State governments possess all powers not delegated to the federal government and not prohibited by the U.S. Constitution. For this reason, the vast majority of law enforcement officers in the United States serve at the local and state levels of government.



### **American Law Enforcement: Number of Personnel**

In 2018, there were a total of 17,541 state and local law enforcement agencies in the United States. These agencies collectively employed 1,214,260 employees, of which 787,565 were full-time sworn law enforcement officers.<sup>17</sup> City police officers comprise the majority of American police (465,891 full-time sworn officers in 11,824 agencies). County sheriff's deputies comprise the second largest group of 192,380 full-time sworn officers in 3,051 agencies. The 49 states that maintain state police forces collectively employ 60,451 full-time sworn officers. Special jurisdictions, such as colleges, universities, public schools, airports, tribes, etc., collectively employ a total of 68,843 full-time sworn officers.<sup>18</sup>

Since all disasters and critical incidents are ultimately local in impact, city, county, and state police are on the “front lines” of protecting and serving the public as first responders in emergency management and homeland security. This is why patrol officers must learn the skills necessary to assess the situation, maintain the perimeter, render aid, and perform rescue operations pending the arrival of supporting units.<sup>19</sup> Due to the fact that local law enforcement officers are usually the first responders to disasters and critical incidents, they are a vital component of emergency management.<sup>20</sup>

In 2016, the federal government maintained 132,110 full-time sworn law enforcement officers in 83 agencies.<sup>21</sup> Compared to local and state law enforcement, federal law enforcement officers comprise only a small percentage of police in the United States. In addition, federal law enforcement is focused more heavily on homeland security with a national focus rather than on the local focus of emergency management. Therefore, the involvement of federal law enforcement in emergency management tends to be much less than that of local and state police forces.

The U.S. Department of Justice employs the most visible federal law enforcement officers, including the FBI (Federal Bureau of Investigation), the U.S. Marshals Service (USMS), the DEA (Drug Enforcement Administration), and the Bureau of Alcohol, Tobacco, and Firearms (ATF). When the U.S. Department of Homeland Security was created after 9/11, several federal law enforcement agencies were placed under its administration. These include the TSA (Transportation Security Administration), U.S. Customs and Border Protection (CPB), U.S. Immigration and Customs Enforcement (ICE), and the U.S. Secret Service (USSS).<sup>22</sup>

The U.S. Department of Homeland Security recognizes the primacy of local and state law enforcement agencies in emergency management in their training materials. “Incidents typically begin and end locally and are managed on a daily basis at the lowest possible geographical, organizational,

and jurisdictional level. However, there are instances in which successful incident management operations depend on the involvement of multiple jurisdictions, levels of government, functional agencies, and/or emergency responder disciplines. These instances require effective and efficient coordination across this broad spectrum of organizations and activities.”<sup>23</sup> In addition, the Federal Emergency Management Agency (FEMA) maintains the Office of Law Enforcement Engagement and Integration (OLEEI), which “seeks to integrate the law enforcement, private sector security, and emergency management communities by enhancing communication and coordination between FEMA, private sector security, and state, local, tribal, and territorial law organizations.”<sup>24</sup> This can be achieved by developing “an operating model for all facets of emergency management response (i.e., law enforcement personnel, firefighters, medical personnel, etc.) to delineate responsibilities during federally declared disasters.”<sup>25</sup>

FEMA also supports state and local law enforcement agencies in emergency management training through its Emergency Management Institute (EMI), its Center for Domestic Preparedness (CDP), and its Federal Law Enforcement Training Centers (FLETC).

Both emergency management and homeland security are heavily interdisciplinary. This means that many different fields of study have coalesced to form these fields. Emergency management and homeland security draw from the knowledge created from criminal justice, public administration, public health, political science and law, engineering, geography, sociology, psychology, and the physical sciences of biology and chemistry. This book draws from all of these fields of study in order to distill meaningful knowledge each as contributed towards relating emergency management to law enforcement.<sup>26</sup>

It is important to clearly define the terminology discussed in this examination of the linkage between homeland security, emergency management, and law enforcement. Clear definitions reduce ambiguity between and among concepts. Good definitions assist in the meaningful transmission of knowledge and in recognizing the linkages between different fields of academic and practitioner research.<sup>27</sup> The body of knowledge that comprises emergency management consists of definitions, concepts, typologies and theories.<sup>28</sup> This body of knowledge is a resource that law enforcement professionals can draw upon to more effectively carry out their mission.

## **Terminology**

Terminology deals with important definitions to provide a frame of reference to examine a particular field of study. Law enforcement as used in