



Benchmarks for Developing a Law Enforcement Pandemic Flu Plan



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Most importantly, thank you to the law enforcement community who work to make our communities safe. We hope that this guide provides you with resources and information to help with your public health emergency communication planning efforts.

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About the Series

This report is one in a series of three documents created by the Police Executive Research Forum (PERF), with support from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance (BJA), on the law enforcement response to public health emergencies. This *Benchmarks* report is an interactive guide that leads the reader through a planning process to ensure continuity of law enforcement operations during a flu pandemic. An influenza pandemic is considered one of the most severe types of public health emergencies that a law enforcement agency could be called upon to handle. The guide provides links to sample plans and templates for readers to download and customize for their agencies.

The second document, *Communication and Public Health Emergencies: A Guide for Law Enforcement*, identifies the considerations that law enforcement executives should address in their public health communications plans, regarding internal communications (those that remain within the law enforcement department) as well as external communications (those that go to other agencies or the public).

The third document, *A Guide to Occupational Health and Safety for Law Enforcement Executives*, focuses on steps a law enforcement agency can take to ensure the best possible health of the agency's workforce,¹ including educating department staff members before a public health emergency occurs, so that they are better able to protect their health and the health of their loved ones.

The documents in this series are generally intended to apply to agencies of all sizes and types. Implementation of particular strategies will no doubt vary according to a jurisdiction's size and other characteristics.

While these documents can be used as stand-alone resources, readers undertaking the pandemic flu planning process will find it useful to refer to the communications and occupational health and safety guides as they work through this *Benchmarks* document.

¹ The word "workforce" includes both sworn and civilian staff.

Using a Flu Pandemic as a Worst-Case Scenario

In December 2007, PERF hosted three Advisory Panel meetings, during which national experts from the communications, health, emergency planning, and law enforcement fields provided feedback on drafts of each guide and the series as a whole. On the first day, the group agreed that while the focus of the series was on public health emergencies of any nature, using a worst-case scenario such as an influenza pandemic could help readers see just how critical it is to effectively plan and prepare for such an event.

Following is a fictional description of how a flu pandemic might affect a community and its law enforcement agency:

Potential Pandemic Scenario

Officials from the World Health Organization (WHO) have been tracking an influenza virus that poses substantial health risk worldwide. Ominously, WHO officials have announced that they have assessed the threat at 4 out of 6 on the WHO pandemic alert scale, meaning that there is “evidence of increased human-to-human transmission” of the flu virus.

Meanwhile, officials in a certain city have noted an immediate increase in local illness, and the responsible authorities have declared an emergency, activating the city’s emergency operation plan. The law enforcement agency has been asked to provide security at the local hospital and the local prophylactic point of distribution (POD), where general anti-viral medicines will be available. (Vaccines specifically designed to counter the virus will not be available for months.) Public concern has led the mayor to appear on local television, asking residents to stay away from shopping malls, movie theaters, sporting events, and other places where people congregate in close quarters. Unfortunately, that is the only information contained in the

mayor’s message, and the mayor does not take questions from reporters or give local health experts an opportunity to provide more detailed information.

When local law enforcement officers arrive at the hospital, they find lines of people waiting to get into the emergency room; the lines stretch around the building. The officers note that some persons appear clearly ill; many who are not showing symptoms are, moreover, highly anxious and are demanding treatment. Some of the people seeking treatment are accompanied by their parents, children, and friends. The officers also have to deal with traffic gridlock because the hospital parking lot is full and people are continuing to arrive.

A similar scene is playing out at the POD for anti-viral medicines, a centrally-located elementary school. Residents are anxious and angry because they and their loved ones have not been seen for treatment. Despite the mayor’s instruction not to leave home, people are rushing to grocery stores to stock up on food, water, and other essential items, creating additional law enforcement challenges. Many motorists decide

to top off their tanks, resulting in traffic jams and heightened tension at gas stations. Ambulances carrying sick patients are delayed by the gridlock, and when they arrive at the hospital, emergency technicians are mobbed by residents demanding care. Radio traffic makes it clear that law enforcement assistance is needed at each of the scenes, as hostility and violence are imminent.

- What should the department's priorities be?
 - Enforcing traffic laws to open traffic access?
 - Facilitating pedestrian movement?
 - Enforcing crowd control?
 - Where? At the POD, hospitals, or other sites?
- Are there enough officers available to respond to all of these sites?

Adding to the difficulties, over the next few weeks it becomes clear that as much as 20 percent of the law enforcement agency's staff is affected by the flu pandemic (either the employees are sick, or must stay home to care for sick loved ones, or they have been potentially exposed to the flu virus and must stay home to avoid infecting other employees). Some of the officers who report for duty are implementing their own protective measures by donning personal protective equipment (e.g., goggles and gloves) or simply distancing themselves by refusing to engage in contact with anyone.

Overall, the situation is deteriorating rapidly, and stress among the workforce is escalating.

An exaggeration? Perhaps. However, in the early stages of a pandemic influenza, such scenes could well play out, particularly if residents and law enforcement officers have not been informed ahead of time about the risks, how to prepare, and how law enforcement's role will change as a pandemic unfolds.

In the past, all-hazards planning mainly focused on *physical damage* as a result of man-made or naturally-occurring critical incidents. However, the lessons learned from Hurricane Katrina taught us that all-hazards planning should and must include preparing for the temporary or permanent loss of *human resources*. Preparing for the loss of human resources is key in effective planning for a public health emergency as well. While a pandemic influenza is considered by most public health experts to be a worst-case scenario, law enforcement must be aware of the effects that such an incident would have on department personnel and, ultimately, the ability of the department to continue operating effectively.

(By the way, experts agree that the issue is not *whether* a flu pandemic will occur, but *when*. There were three major flu pandemics in the last century, the least of which caused 34,000 deaths in the United States alone.)

The Effects on Law Enforcement

A pandemic flu will affect how local law enforcement agencies operate. Most importantly, departments will lose staff members. Many predict that the percentage of employees affected in some way (e.g., exposed, infected, or taking care of sick loved ones) will range from 10 to 40 percent.² Agencies will need to activate their internal emergency operations plans, shifting resources to the duties considered most critical. Calls for service will likely increase (dramatically at first), yet with fewer officers available to work, response time will suffer and services will be reduced. Because pandemics can circle the globe in waves, these issues will likely hit departments several times over the course of the pandemic.

A public health emergency may result in closure of public gathering places (e.g., shopping malls, places of worship), the dismissal of students from local schools, the creation of special mechanisms for the distribution of medication and vaccines, and the overcrowding of medical facilities. Law enforcement agencies will be expected not only to maintain public order, but also to assist public health officials in their efforts to seek compliance with related health orders. Most law enforcement agencies have pre-established communication networks that undoubtedly will be called upon to help broadcast public health messages.

To ease residents' concerns, reassure them that essential law enforcement services will continue, provide them realistic expectations, and encourage people to prepare for and comply with public health recommendations and related orders, law enforcement officials must address pandemic-specific issues in their department's public health emergency communication plans. As a part of advance communication efforts, department leaders should also provide employees with guidance on what they can do to protect themselves and their loved ones. Leaders must manage expectations of what the department and local government will be able to provide in support of employees and their families and the value and need for self-preparation. Further, law enforcement representatives must work with officials from other community agencies to ensure that their pandemic communication plans complement and support each other.

Operational Realities

Most critical incidents typically affect a limited geographical area and do not last long. In such circumstances, volunteers are generally able to provide adequate support to victims and responders, and mutual aid agreements are activated, bolstering the law enforcement response.

² www.osha.gov/Publications/influenza_pandemic.html

However, an influenza pandemic will affect multiple regions simultaneously throughout the world. “Business as usual” will be nearly impossible. Following is a table of operational realities that public health and policing experts believe will complicate the law enforcement response to a flu pandemic:

Table 1: General and Law Enforcement-Specific Operational Realities Associated with an Influenza Pandemic

| GENERAL REALITIES | LAW ENFORCEMENT-SPECIFIC REALITIES |
|---|--|
| COMMUNITIES SHOULD NOT RELY ON MUTUAL AID AGREEMENTS WITH NEIGHBORING JURISDICTIONS, BECAUSE THE VIRUS WILL LIKELY SPREAD REGIONALLY, SO NEARBY COMMUNITIES WILL THEMSELVES BE LOOKING FOR HELP. | There will be little or no mutual aid available to local law enforcement agencies during a pandemic. Smaller agencies might be highly affected by absenteeism or the death of department staffers; larger agencies or private security firms may need to take over the law enforcement role for smaller agencies. |
| A PANDEMIC COULD LAST 12 TO 18 MONTHS, AND WOULD LIKELY HAVE MULTIPLE, 6- TO 8- WEEK LONG WAVES. | The likelihood of ever-greater absenteeism calls for succession planning at all levels and cross-training among divisions and units. |
| VACCINES WILL NOT EXIST FOR SEVERAL MONTHS; ANTI-VIRALS WILL LIKELY BE IN SHORT SUPPLY. | Law enforcement officials will need to reinforce general hygiene messages and activate other protective and social distancing measures (e.g., the mandatory use of personal protective equipment). |
| AT LEAST 30% OF THE COUNTRY’S POPULATION WILL BE AFFECTED IN SOME WAY BY THE VIRUS (E.G., INFECTED OR CARING FOR SICK LOVED ONES). ABSENTEEISM FROM THE WORKFORCE COULD REACH 50% OR HIGHER. | Law enforcement agencies will see the number of available personnel decline significantly. Employees will be more likely to report for duty in a department led by an executive who: <ul style="list-style-type: none"> • Supports occupational health, • Has a solid understanding of the associated risks, and • Sets clear and realistic expectations regarding the law enforcement role in a public health emergency. <p>Employees will be more likely to report for duty if:</p> <ul style="list-style-type: none"> • They know their loved ones are safe, healthy, and cared for. Law enforcement agencies should consider working with employees on family preparedness. • They are healthy and feel that precautions are in place to ensure their health while on the job. Law enforcement executives need to work with their jurisdictions to develop plans for anti-viral medications (i.e., who gets them, when, and who pays for them?) and vaccines (if/when they become available). |
| THE HEALTH SYSTEM WILL BE OVERWHELMED, AND THERE WILL BE A LARGE NUMBER OF DEATHS. | The law enforcement system will be overwhelmed by calls for service, personnel absence, mass casualties, the lack of mutual aid, etc. |

| GENERAL REALITIES | LAW ENFORCEMENT-SPECIFIC REALITIES |
|--|---|
| LOCAL AGENCIES WILL NEED TO COORDINATE EFFORTS IN AN EMOTIONALLY CHARGED ATMOSPHERE. | In many jurisdictions, emergency operations plans have been developed without law enforcement input, and they may reflect unrealistic expectations of local law enforcement. Law enforcement leaders must work with other entities now to define realistic law enforcement roles based on the severity of the pandemic. |
| SERVICES AND RESOURCES (E.G., FOOD, MEDICINE, BANKING, RESPONSE TIME TO CALLS FOR LAW ENFORCEMENT SERVICE) WILL BE ADVERSELY AFFECTED. | In most jurisdictions, local law enforcement agencies have rarely (if ever) had to enforce public health orders. During a pandemic, local law enforcement agencies and public health departments might find themselves working side-by-side enforcing these orders. Officers will need to be informed of the orders as well as penalties for violating them and the respective enforcement roles of law enforcement and public health officers. |
| THE RELATED ECONOMIC AND PSYCHOLOGICAL IMPACTS WILL BE SIGNIFICANT. | The psychological effect of a pandemic influenza will be significant for all community members; law enforcement is no exception. Law enforcement will likely be dealing with mass casualties, distressed family members, and social unrest. |
| LOCAL AGENCIES MUST PLAN FOR RECOVERY. | Because some law enforcement duties will have been curtailed or eliminated over weeks or perhaps months as a pandemic runs its course, law enforcement will operate very differently during and immediately after a pandemic. Because of the loss of employees and other factors, recovery will not happen quickly or automatically. |

Readers should keep these operational realities in mind as they make their way through this series of guides to planning for a pandemic flu outbreak, for public health communications, and for occupational safety and health in policing. Imagining the worst-case scenario can help officials prepare their departments to effectively respond to a public health emergency.



Benchmarks for Developing a Law Enforcement Pandemic Flu Plan

Introduction

While state and local public health departments will lead the response to a public health emergency, community members look to their local law enforcement executives to be the voice of authority, calm, and guidance during any type of crisis. Law enforcement officials are now being tasked with understanding and planning for public health risks—to ensure that the law enforcement agency can sustain its critical functions, while helping ensure a resilient, healthy, and safe workforce and community.

This guide was designed to help law enforcement personnel³ from departments of all sizes and at all stages of the pandemic influenza planning process ensure their plans are as comprehensive, adaptable, and current as possible. It is also designed to help agencies comply with National Incident Management System (NIMS) guidelines.⁴

First and foremost, planning for a flu pandemic or other public health emergency is similar to planning for any other type of critical incident. The primary difference between public health emergencies and other critical incidents is that in the latter, continuity of operations plans typically focus on replacing *physical* structures and resources. Planning for public health emergencies requires departments to focus more on employee wellness and the ability to sustain *human* resources as well as the ability to maintain critical operations with a reduction in staff. And, as previously mentioned, a pandemic influenza—likely the worst-case scenario of public health emergencies—would be accompanied by a significant reduction in human resources and other non-typical challenges to a law enforcement agency’s ability to operate.

³ The term “law enforcement personnel” includes sworn and non-sworn agency staff. Both will be affected by such an event and both should be included in the planning process whenever possible.

⁴ See www.fema.gov/emergency/nims/ for more information on NIMS and standards.

Before a law enforcement agency can begin planning for public health emergencies, several things need to happen. First, there has to be buy-in from the department’s chief executive officer (and any law enforcement oversight groups, if applicable), as well as a desire to be involved in the planning process. To the extent that a busy chief executive may delegate pandemic planning to others, the chief at least must be interested in being updated regularly about that process.

Next, law enforcement planning personnel must be familiar with their jurisdiction’s public health emergency plans to ensure that:

1. the local government’s expectations of the law enforcement agency’s roles during an emergency are realistic and appropriately defined,
2. the department is aware of its legal obligations (especially with regard to enforcing public health orders and the need to continue to provide security),
3. the department’s role in incident command is clear and reasonable, and
4. the department’s current and future efforts complement the citywide or countywide plans.

It is also important for law enforcement executives to be aware of the financial implications associated with purchasing personal protective equipment (PPE) that may expire or go unused for a long period. Although the shelf life of some items is relatively long, for other equipment it is limited, and unused items must be replaced regularly.

Two final notes about pandemic flu planning: first, it is not a linear process. While some steps may naturally occur in chronological order, many may occur simultaneously and repeat throughout the planning process. This guide was written for law enforcement representatives in various stages of the process. Law enforcement agencies that are just getting started will need to begin by identifying the department planning team and gathering information and resources (Sections I and II below). Departments that have already begun planning can select and implement the steps that would be most appropriate for their agency.

Secondly, the planning process will need to continually evolve. Law enforcement agency emergency operations plans should be considered living documents that will need to be regularly updated to reflect best and promising practices, lessons learned, and—in the case of public

“Many public health preparedness plans include law enforcement—yet most law enforcement professionals are not aware of this and, more importantly, do not see a role for themselves in a public health crisis.”⁵

5 William Bowen, former chief of the Albany (NY) Police Department. Quoted in *A Framework for Improving*

Cross-Sector Coordination for Emergency Preparedness and Response; www.ojp.gov/BJA/pdf/Framework.pdf.

health emergencies—emerging threats that would have a specific impact on law enforcement personnel or how they conduct their job.⁶

This guide is designed to be interactive, current, easily downloadable, and applicable to departments of varying sizes. Users will be able to download the document and click links to templates and other resources that can help guide them through the planning process. The table of contents will serve as a basic outline of the process, and users can click on chapter titles to quickly access each section of the document. Within the details of any one topic, there may be additional links that users can click on to download sample plans, checklists or an interactive form that they can customize to their department's needs and fill out electronically. Within the templates, users will be able to modify forms to meet their department's planning needs.

A Word on Smaller Departments

By Chief John Douglass, Overland Park, Kansas Police Department

Small police departments may lack the resources to adopt a comprehensive pandemic flu plan, and it is doubtful they will be able to implement this plan entirely.

However, adjoining small departments could band together and form task forces or other organized cooperatives and partnerships, preferably associated with state agencies. These regional collectives could, in fact, organize themselves along the lines outlined in this plan. Given enough advance preparation, memorandums of understanding could be established along with plans and guidelines for performance. In this way, even the smallest agencies under the right circumstances could utilize this planning tool.

After-action reports and anecdotal evidence from recent critical incidents show that while the final outcome of the planning process (i.e., the document) is important, the planning process itself is just as critical. The process of working with local public health officials, hospital officials, medical personnel, and other agency representatives allows law enforcement personnel to get to know the people they will work with during a crisis, and to establish credibility in a calm environment, rather than shaking hands in the middle of a crisis.

⁶ For example, canine officers have greater risk of being exposed to tick- or mosquito-borne diseases (e.g., Lyme

disease) due to their close interactions with dogs.



Section I. Identify the Department Planning Team

Support from the chief executive of the law enforcement agency is essential to the pandemic flu planning process. It shows law enforcement personnel that their leader is aware of the importance of keeping staff healthy and is concerned with keeping the department operational during such an emergency. Allowing the same members of the department to consistently participate in the planning process helps demonstrate the chief's commitment to protecting personnel, the department, and—ultimately—the community.

Once the chief or sheriff has decided to move forward with the pandemic flu planning process, he or she must decide who from the agency will comprise the planning team. Ideally, the team should include a cross-section of the organization, including:

- Sworn and administrative personnel (who have *decision-making authority and experience* with the law enforcement department's and jurisdiction's general emergency operations planning),
- Staff members who are familiar with overall departmental planning and policy making,
- Staff members who are involved in in-service training, human resources, purchasing and budgeting, and occupational health and safety efforts,
- Representatives from other local response agencies, and
- Subject matter experts serving as consultants.

Planning team members must also be knowledgeable (or must become knowledgeable) about basic public health issues, including disease prevention and transmission (this is covered later in the guide). The group should choose a team leader who will be afforded the time needed to oversee the coordination and administrative duties of the process and the creation of the written plan.

Step 1: Identify Primary Department Team Members

Depending on the size of the agency, the planning team may be comprised of five to ten primary members, who would represent all of the functions that would be critical to a department's ability to maintain operations in the event of an emergency. In some agencies, many essential duties may fall under one or a few people.

Primary Team Members from the Department:

- Senior staff (with decision-making authority),
- Department medical director or advisor and occupational health representatives,
- Personnel who are responsible for the department's administrative continuity of operations (e.g., payroll, information technology, purchasing, emergency operations),
- Communications personnel (e.g., the agency's public information officer),
- Personnel responsible for court security and prisoner management (if applicable),
- Special operations personnel trained in handling civil disturbances,
- Union representatives (if applicable).

A customizable contact list is available at:
www.policeforum.org/upload/Contact%20List_Primary%20Dept%20Team_844504645_3112008161659.doc

Step 2: Identify Primary Team Members from Outside the Department

The following lists possible team members from outside the law enforcement department who might also be included in the planning efforts. Team members should have decision-making authority in their organizations.

Primary Team Members from Outside the Department:

- Representatives from neighboring law enforcement or other public safety agencies,
- Union representatives (if applicable),
- Public health representatives,
- A representative from the local animal services department,⁷
- Hospital representatives (preferably infectious disease experts),
- Local emergency management representatives,
- Officials from other law enforcement and security agencies in the jurisdiction (e.g., county, state, federal, private),
- Justice system representatives (courts, corrections, probation/parole),
- Local legal experts and relevant policy makers,
- Representatives from the local fire department (e.g., hazardous materials specialists, emergency medical technicians),
- Coroners/medical examiners,
- Public works staff (e.g., gas, electric, water),
- Representatives from major employers in the department's jurisdiction,
- Funeral home directors or similar representatives.

In July 2008, the Centers for Disease Control and Prevention and the Bureau of Justice Assistance (BJA) published *A Framework for Improving Cross-Sector Coordination for Emergency Preparedness and Response*. For more information on cross-sector coordination and action steps the authors listed to improve coordination, go to: www.ojp.usdoj.gov/BJA/pdf/Framework.pdf.

⁷ In many jurisdictions, animal services departments have existing relationships with health departments, as some of

their work involves the analysis of diseases (e.g., rabies, Lyme disease). Many also have existing communication and

surveillance systems with their local and state public health counterparts.

Step 3: Identify Secondary Representatives from Other Local Agencies

Once the primary team members have been selected and the departmental planning process is under way, it will be helpful for the law enforcement department to coordinate their planning with representatives from other local agencies that have secondary roles in the response to a public health emergency.

Secondary Team Members:

- Local school officials (schools may serve as points of delivery for vaccines or other treatment during a pandemic.),
- School safety and security staff,
- Faith community leaders,
- Transit providers,
- Post office/UPS officials (e.g., for delivery of vaccine/treatment),
- Humane society representatives,
- Staff from local social services agencies (such as adult protective services, services for the homeless).

A customizable contact list is available at: www.policeforum.org/upload/Contact%20List_Secondary%20Team_1021377162_3122008145633.doc.

Tip: In some cases, it might be beneficial for large departments to include representatives from smaller neighboring departments in their public health emergency planning efforts. This would reduce the pressure on smaller departments to try to create a plan that might not be practical.

The team leader should plan to review the planning team's contact list and to request and disseminate updated contact information every three to six months to ensure all of the participating organizations and agencies stay engaged. This should continue even after the initial planning process is complete, so representatives maintain contact and familiarity with the plan and each other.

Tip: The planning team leader may consider setting up an automatic calendar notification to remind them to periodically request updated contact information from team members inside the department and from other participating agencies. Creating an e-mail distribution list will also make sending information requests and other updates to team members easy.

Examples and Templates

Ottawa's Pandemic Management Team Roles Chart:

www.policeforum.org/upload/PANDEMIC%20MANAGEMENT%20TEAM%20ROLES%20CHART_844504645_3112008162858.doc

Fairfax County's Pandemic Flu Planning Response Table:

www.policeforum.org/upload/County%20Table_844504645_3112008152721.pdf

Ottawa's Pandemic Management Team Mission and Objectives:

www.policeforum.org/upload/Mission_Objectives_844504645_3112008162255.doc

A sample sign-off page (from the City of Seattle):

www.policeforum.org/upload/Seattle%20Basic%20Plan%20Sign%20off_1021377162_3122008145025.doc

Section I Summary: Key Planning Steps in Identifying the Planning Team

Step 1: Identify Department Members

Step 2: Identify Members from Outside the Department

Step 3: Identify Secondary Representatives from Other Local Agencies

Section II: Gather Information and Resources

Once the planning team and the team leader have been identified, members should work together to designate those responsible for gathering information and resources. In a smaller department, these tasks might be assigned to one or just a few people. Because one of the goals of a pandemic planning process is to ensure that all department employees are familiar with the basics of public health, the team must start by gaining a general understanding of public health and a more specific understanding of the public health threats posed to law enforcement—in this case, by a pandemic influenza. While some departments might have medical advisors on staff who can provide this information, others might have to conduct their own resource searches and reach out to local hospitals and public health departments for assistance. In the meantime, planning team members will find the following links helpful in their quest for more information.

There are two main repositories of information that team members should look to first when gathering information and resources:

- **Pandemicflu.gov.** This website, managed by the U.S. Department of Health and Human Services, is a one-stop shop for avian and pandemic flu information, including tools for planning for an outbreak of pandemic flu both locally and nationally (www.pandemicflu.gov).
- **“Preparing the Justice System for a Pandemic Influenza.”** The U.S. Department of Justice, Bureau of Justice Assistance (BJA), oversees this website. Links to resources for law enforcement, courts, and corrections are provided and can help these agencies better communicate and collaborate with each other in preparation for a pandemic flu (www.ojp.usdoj.gov/BJA/pandemic/pandemic_main.html).

Many state health departments have also put information and educational resources on pandemic flu on their websites. These sites are another good resource for departmental planning and education efforts. Go to www.pandemicflu.gov/whereyoulive/index.html and select a state for information on that state’s pandemic flu planning efforts, historical information, and related links.

Finally, the Centers for Disease Control and Prevention (CDC) recently created a “Law Enforcement Pandemic Influenza Checklist” that law enforcement representatives can refer to (www.pandemicflu.gov/plan/workplaceplanning/lawenforcement.pdf). PERF has included tasks from the CDC checklist throughout this document.

Following are some additional steps that team members may take when gathering information and resources for department-specific pandemic preparedness plan.

Step 1: Understand the Threats

A thorough understanding of public health, public health threats, and those threats that specifically affect law enforcement can help the team get started.

- The American Public Health Association provides a general overview of public health (www.whatispublichealth.org). The University of Minnesota’s Center for Infectious Disease Research and Policy provides current information on public health threats, including avian flu, food-borne diseases, and anthrax (www.cidrap.umn.edu/).
- For an overview of the public health threats that specifically affect law enforcement, see: *The Role of Law Enforcement in Public Health Emergencies: Special Considerations for an All-Hazards Approach*. See section on “Risks to Law Enforcement from Disease,” p. 7-9, and “Appendix 3: Available Vaccinations for Diseases,” p. 33-34 (www.ojp.usdoj.gov/BJA/pdf/role_law_enforce.pdf).

Step 2: Identify the Current Pandemic Flu Threat

A pandemic flu plan should evolve as the threat changes. Those writing the plan should have a grasp of any current pandemic flu (or other public health) threat. At the time this document was prepared, for instance, attention was focused on the potential threat of avian and swine flu viruses.

- www.pandemicflu.gov/general/index.html
- www.cidrap.umn.edu/ [The Center for Infectious Disease Research and Policy, University of Minnesota. Click on “Avian Flu” “Novel H1N1 (Swine Flu)” or “Pandemic Flu.”]

Step 3: Know the Differences between Annual and Pandemic Flu

Understanding terms and differences between the annual and pandemic flu can help team members write a more comprehensive, informative plan.

- www.pandemicflu.gov/# (Click on “Flu Terms Defined.”)

Step 4: Learn About the Effects of Pandemic Influenza on the Criminal Justice System

It is important for those writing the plan to understand the interconnectedness of law enforcement, courts, and corrections and how the normal flow of cases through the criminal justice system will be disrupted during a public health emergency.

- www.ojp.usdoj.gov/BJA/pandemic/resources.html (BJA’s Web page on “Preparing the Justice System for a Pandemic Influenza”; see, for example, Secretary David B. Mitchell’s presentation “Avian and Pandemic Flu: The Delaware Experience.”).
- Former Toronto Police Service Commissioner (and current Ontario Provincial Police Commissioner) Julian Fantino’s article “2003 SARS Outbreak: The Response of the Toronto Law Enforcement Service” (www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=565&issue_id=42005).

Step 5: Begin to Educate Agency Personnel

Once the team has a good grasp of the information listed in this section, they may choose to provide education to agency personnel as soon as possible on topics such as:⁸

- Public health threats that specifically affect law enforcement, pandemic-specific threats, and basic prevention and hygiene measures,
- What the law enforcement department is doing to protect officers and, if applicable, their family members, and
- Department response plans and specific roles and responsibilities.

⁸ These topics are covered in subsequent sections of this guide.

This information can be shared in a variety of forums, including:

- In-service training,
- Recruit training,
- Online education,
- First-aid recertification,
- Regular health assessments,
- General wellness programs,
- Regularly disseminated hand-outs ,
- The agency's intradepartmental website (with links to internal and external sources of information),
- PowerPoint presentations that run continuously in key locations (e.g., at the academy, in station and headquarters lobbies), and
- During roll call.

Examples

Fairfax County Police Department's "Pandemic Influenza Planning Highlights for Roll Call Briefings": www.policeforum.org/upload/FCPD%20Pan%20Flu%20Roll%20Call%20Handout_844504645_3112008154832.doc

Pamphlet on MRSA (Methicillin Resistant Staphylococcus Aureus) disseminated to Fairfax County Police Department: www.policeforum.org/upload/MSSA_MRSA_Pamphlet_844504645_3112008154944.pdf

PowerPoint presentation shown to all Ottawa (Ontario) Police Service patrol officers: www.policeforum.org/upload/Pandemic%20Patrol%20Presentation%20Final1_844504645_3112008163046.ppt

Washington, D.C. Metropolitan Police Department roll call video on Pandemic Influenza: www.ojp.usdoj.gov/BJA/pandemic/MPDpandemic.html

Video featuring Dr. Bill Smock (Louisville (KY) Metropolitan Police Department) on protecting officers from avian influenza: <http://riz0ep.rmxpres.com/riz0ep/viewer/NoPopupRedirector.aspx?peid=eead938d-f3b9-469d-867a-ab1b3491452e&shouldResize=False#>

Step 6: Understand Local Public Health Laws and Related Responsibilities

Learning about the relevant public health laws and related law enforcement responsibilities and sharing that information with department personnel before an incident occurs can help to ensure a more comprehensive plan as well as a more orderly, cooperative response to a public health emergency. Information on the authorities for signing and enacting public health orders should also be researched and clarified, if necessary.

- **Model State Emergency Health Powers Act (MSEHPA).** This model bill, developed by the Center for Law and the Public's Health (a joint project of Georgetown University and Johns Hopkins University), "grants public health powers to state and local public health authorities to ensure...strong, effective, and timely planning, prevention, and response mechanisms to public health emergencies (including bioterrorism) while also respecting individual rights" (www.publichealthlaw.net/Resources/Modellaws.htm#MSEHPA).
- As of July 2006, 38 states and the District of Columbia had passed 66 bills or resolutions that include provisions taken from or closely related to the model legislation. See "The Model State Emergency Health Powers Act (MSEHPA) State Legislative Activity" report for a state-by-state breakdown (www.publichealthlaw.net/MSEHPA/MSEHPA%20Leg%20Activity.pdf).

Thus, identify, research, gather, and consolidate information on key considerations, including:

- Legal authorities and gaps in laws necessary for implementing community response measures identified through the review described above,
- Who has authority to implement community response measures,
- Penalties or disincentives for violating mandatory or voluntary community response measures, and situation-specific parameters for enforcement,
- Duration, renewal and termination of measures, and
- Neighboring jurisdictions to be consulted/notified once measures are considered, implemented, and terminated.

Examples

Language from the State of Washington that conveys specific authority to local law enforcement to enforce quarantines and other public health orders: www.policeforum.org/upload/WA%20BoH%20Language_1021377162_312200814518.doc

Excerpts from the District of Columbia's pandemic preparedness plan (the role of the law enforcement department in enforcing public health orders is highlighted in bold font): www.policeforum.org/upload/DC_PI%20Plan%20Excerpt_1021377162_312200814476.doc

CDC/BJA Workgroup on Public Health and Law Enforcement Emergency Preparedness documents:

A Framework for Improving Cross-Sector Coordination for Emergency Preparedness and Response: <http://www.ojp.usdoj.gov/BJA/pdf/Framework.pdf>

Coordinated Implementation of Community Response Measures (Including Social Distancing) to Control the Spread of Pandemic Respiratory Disease: http://www.ojp.usdoj.gov/BJA/pdf/CRM_MOU.pdf

Model MOU for Joint Public Health/Law Enforcement Investigations (see contact information for obtaining a copy at): <http://www2a.cdc.gov/phlp/mounote.asp>

Materials from the CDC Public Health Law Program and the CDC Coordinating Office for Terrorism Preparedness and Emergency Response's 2009 facilitated conference call on the principal federal laws that frame responses to all-hazards public health emergencies. These laws are directly relevant to federal, state, tribal, local, and territorial agencies' emergency preparedness and response efforts: http://www2a.cdc.gov/phlp/webinar_04_29_2009.asp

Step 7: Review Jurisdiction's Emergency Operations Plans

Once team members learn about applicable laws, it is vital that they review *their jurisdiction's* emergency operations plans (and other agency plans, including jurisdiction emergency plans and those for hospitals and local businesses), particularly the sections on public health emergencies. These plans may have been written without law enforcement input, and some of the stated roles and responsibilities of the law enforcement department may not be realistic.

See also the following sample plans from jurisdictions that represent various demographics:

- City of Toronto, Ontario (www.toronto.ca/wes/techservices/oem/pdf/emergency_plan.pdf)
- Fairfax County, VA (www.fairfaxcounty.gov/emergency/fairfaxeop.pdf)
- Seattle, WA (This plan has many templates that emergency planners can use; the file is large and takes some time to download.) (www.seattle.gov/emergency/library/Seattle_Disaster_Readiness_And_Response_Plan.pdf)
- San Diego County, CA (click on “San Diego County Multi-Hazard Mitigation Plan”) (www.sdcounty.ca.gov/oes/docs/HazMit_Plan.pdf)
- Washington, D.C. (http://dcema.dc.gov/dcema/frames.asp?doc=/dcema/lib/dcema/pdf/district_response_plan.pdf)
- East Baton Rouge Parish, LA (<http://brgov.com/dept/oep/plan.asp>)

A listing of programs (i.e., state, county, and city plans) that have received accreditation from the Emergency Management Accreditation Program (EMAP) is available at: www.emaponline.org/?109.

Note: FEMA National Response Plan

Many emergency operations plans are written using the Federal Emergency Management Agency's (FEMA) National Response Framework or NRF⁹ (which replaced the earlier “National Response Plan”) as a model. If the local plan is based on the NRF, team members should refer to its Emergency Support Function (ESF) #8, Public Health and Medical Services Annex, which includes: public health and medical resources, mental health services, and mortuary services. (See, for example, the NRF online at www.fema.gov/pdf/emergency/nrf/nrf-core.pdf or visit the NRF resource center at <http://www.fema.gov/emergency/nrf/>.)

⁹ For more information on the National Response Framework, visit www.fema.gov/emergency/nrf/mainindex.htm.

Step 8: Review Pandemic-Specific Plans

Some jurisdictions and local agencies have pandemic-specific emergency operations plans. Team members should review these plans to better understand what local public health departments (and other agencies) plan to do in the event of an influenza pandemic, and what they will expect from the law enforcement agency during that time. These plans may not be suitable for all jurisdictions, depending on state and local laws and the structure and responsibilities of related governmental agencies. Below is a list of links to sample city pandemic plans for review and consideration.¹⁰

- Toronto, Canada (www.toronto.ca/health/pandemicflu/index.htm) (Click on “Toronto Public Health Plan for an Influenza Pandemic”)
- Seattle and King County, WA (www.kingcounty.gov/healthservices/health/preparedness/pandemicflu/plan.aspx)
- Fairfax County, VA (www.fairfaxcounty.gov/emergency/pandemicflu/planning.htm)
- London, England (www.londonprepared.gov.uk/londonplans/emergencyplans/flu.jsp)
- New York City, NY (www.nyc.gov/html/doh/html/cd/cd-panflu-plan.shtml)
- Houston, TX (www.houstontx.gov/health/Emergency/pandemic.html)
- Albuquerque, NM (Annex 6, Health and Medical, covers influenza pandemics and other public health emergencies) (www.cabq.gov/emergency/pdf/Annex6HealthandMedical.pdf)
- San Francisco, CA (designed to also serve as a template for other Bay Area agencies) (www.co.napa.ca.us/GOV/Departments/40000/Forms/SF%20COOP%20Guide%20&%20Template.pdf)
- Henrico County, VA (www.co.henrico.va.us/health/Henrico_Pre pares/Pan_Flu_plan_Henrico_DRAFT_7-24-07-1.pdf)
- Louisville, KY (www.louisvilleky.gov/EMA/Natural+Hazards+Mitigation+Plan.htm)

¹⁰ Many of these sites were recommended to PERF project staff by members of the advisory panel.

Tip: In some jurisdictions, authorities choose to keep their plans off-line and more confidential. If that is the case, the agency planning team should obtain an electronic copy of the plan and review it (one quick method is to search the document using the terms “law enforcement” or “police”) to gain a better understanding of the jurisdiction’s expectations of the law enforcement in a public health emergency.

If any of the law enforcement roles or responsibilities listed in local plans are not feasible, the appropriate representative from the law enforcement agency should notify the agency that oversees the plan and work to identify appropriate and feasible roles and responsibilities to address this *prior to an emergency*.

Step 9: Determine How Pandemic-Specific Planning Fits with Existing Department Emergency Operations Plans

During the planning process, team members should review the law enforcement department’s existing emergency operations plan to determine 1) how pandemic-specific planning fits with existing materials, and 2) what elements of the plan may be missing. Many law enforcement departments also have an internal all-hazards emergency operations plan that can be activated in the event of a man-made (e.g., terrorist attack) or naturally occurring (e.g., pandemic influenza) critical incident. While team members should be familiar with their department’s existing emergency operations plans, the planning team will need to search their department’s plan specifically for directives on responding to a public health emergency. If the department’s plan is based on the NRF, this language would be found under ESF #8.

Tip: Use key words such as “communicable disease,” “health risk,” and “public health” to search electronic documents for relevant planning considerations.

Step 10: Review Use of Force Policies

Team members might choose to review the department's existing use of force policies (and other policies on tactical responses that might be used during a pandemic, such as crowd control). Policies should be reviewed with other legal representatives in the jurisdiction to:

- Determine which policies and procedures might be relevant during the enforcement of public health orders (or other tactical responses, such as critical site security plans) during a public health emergency such as a pandemic influenza,
- Ensure that the use-of-force continuum would be the same, regardless of the nature of the incident,
- Help communicate (to the community and within the department) the benefits of voluntarily complying with public health orders and what the consequences would be for not complying,¹¹
- Determine how crowd behavioral dynamics in a pandemic scenario might be different from political or labor protests that law enforcement officers are more typically asked to control. For example, a pandemic influenza scenario might involve a broader range of demographic groups (e.g., older or very young people, people with children, people who are or may fall ill), and
- Understand the effects that wearing PPE may have on officers (e.g., excessive heat related to wearing masks, certain types of gowns that may make it difficult to reach service weapons).

Once approved, any use-of-force policies that are new or unique to a pandemic flu outbreak should be reviewed with all members of the department.

Make Sure Officers Can Implement Policies Correctly

Even when well-defined plans and agreements are in existence, they may lack the clear, definitive guidance that law enforcement officers would require to act. For example, if a quarantine order is defined as “Don’t let anybody past this point/door/street,” what exactly does that mean? Does “anybody” really mean *anybody*? Should transgressors be arrested? (If so, where would they be taken, especially if a local jail is locked down?) How much force is appropriate? If force is used, what kind of liability would an officer and agency face? How will officers who come into contact with exposed or infected individuals be protected?^{12,13} Currently, answers to many of these questions are not clearly defined and would be left to the interpretation of officers on the street—a situation that both commanders and their subordinates, for good reason, try to avoid.

¹¹ For more information, see Luna, A., Solé Brito, C., and Sanberg, E. (2007). *Police Planning for an Influenza Pandemic: Case Studies and Recommendations*.

tions from the Field. Washington, DC: Police Executive Research Forum.
¹² James Pryor, Seattle Police Department, personal communication, September 27, 2007.

¹³ Kamoie B, et al. Assessing laws and legal authorities for public health emergency legal preparedness. *Journal of Law, Medicine and Ethics*. [Special Supplement to 2008;36(1):23–27.]

Step 11: Build on Existing Materials and Identify Gaps

Creating a public health emergency plan should not be a “reinvent the wheel” experience. The team should build on existing plans and procedures already internalized within the department. For example, some departments may already have procedural language that deals with infectious disease control, universal precautions for preventing the spread of disease, staffing, call-back (i.e., calling in officers who are not on the schedule), and family assistance planning.

- Sample language from Toronto Police Service’s draft Public Health Emergencies/Pandemic Response Plan: (www.policeforum.org/upload/TPS%20Decon%20Language_442740381_422008141728.doc)

At this point in the process, the planning team should begin to identify gaps in the law enforcement department’s planning for a pandemic flu crisis.

Step 12: Reach Out to Subject Matter Experts

Identifying and reaching out to local and national subject matter experts for ideas, recommendations, and assistance in drafting plan components can help law enforcement representatives bring medical, public health, private-sector, and other professional perspectives to the planning process. And it is always helpful to find out what other law enforcement agencies with similar demographics are doing. If other law enforcement agencies have pandemic flu plans in place, team members can ask colleagues to share documents in order to get ideas for their own plans.

These experts could also help the department team to estimate the **potential impact of a pandemic on other components of the local criminal justice system** (e.g., courts, corrections) and to develop plans to deal with those issues. Visit BJA’s “Preparing the Justice System for a Pandemic Influenza: Resources” web page for resources on law enforcement, courts, and corrections: www.ojp.usdoj.gov/BJA/pandemic/resources.html.

Meeting with representatives from courts, corrections, and probation and parole will help the team **identify planning gaps and overlapping responsibilities** that are most critical during a pandemic and develop plans for addressing gaps and handling those responsibilities. For example, will both city and county law enforcement be handling delivery and enforcement of civil quarantine orders? Are efforts coordinated, and not duplicated? Including officials of local health care facilities and medical doctors in private practice can also be helpful, as these subject matter experts can provide planning assistance and share their expectations for law enforcement in maintaining order at medical facilities and points of distribution (PODs), assisting in the delivery of medical supplies, and the like. They may also be available to offer advice to the department during an emergency.

The team can work together to determine **how to handle arrestees** during a pandemic if correctional facilities and courts are forced to close.

The department team should identify and work with agencies that serve **special populations** (e.g., the homeless, non-English speaking residents, older people, children) to ensure that their needs are addressed in the department's plan; their expectations of law enforcement services (perhaps explained in their own plans) during a public health emergency are realistic; and the messages being developed by the department (or the community in general) are suitable for them.

Examples

PERF's document *Communication and Public Health Emergencies: A Guide for Law Enforcement* for more information and examples on reaching special populations: http://www.ojp.usdoj.gov/BJA/pdf/PERF_Emer_Comm.pdf

Arlington, VA's emergency messaging service in English and Spanish: www.arlingtonalert.com

"Alert Chicago" has a page for members of special populations (children, seniors, disabled residents, those with pets): <http://webapps.cityofchicago.org/ChicagoAlertWeb/ready.jsp?content=specialPopulations>

The American Red Cross publishes disaster preparedness materials in many languages: www.redcross.org/portal/site/en/menuitem.53fabf6cc033f17a2b1ecfbf43181aa0/?vgnnextoid=7a4d5e7658dae110VgnVCM10000089f0870aRCRD&currPage=8b7f5e7658dae110VgnVCM10000089f0870aRCRD

The Department of Homeland Security's Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities "was established to ensure that the Federal government appropriately supports safety and security for individuals with disabilities in disaster situations": www.dhs.gov/xprepresp/committees/editorial_0591.shtm.

Step 13: Summarize Gathered Information for the Team

It would be helpful for the team to have a **summary document, binder, or thumb drive with files** to which they can refer regularly. This document could serve as a project schedule or checklist, and sections could be updated as necessary.

An example from Ottawa Police Service: (www.policeforum.org/upload/PROJECT%20PLAN%20TEMPLATE_844504645_3112008163552.doc)

Planning document components can include:

- The public health threats that affect the law enforcement department,
- The current pandemic situation (globally, nationally, locally),
- The differences between pandemic and annual influenza,
- The effects of pandemic influenza on law enforcement and the rest of the criminal justice system,
- Possible education and training settings (e.g., PPE use, public health laws),
- Relevant local public health laws and authorities (e.g., have any MSEHPA laws been passed in the state?),
- The law enforcement department's role as stated in the city / county emergency operations plan,
- The law enforcement department's role as stated in the city / county pandemic plan, if applicable,
- Relevant sections of the law enforcement department's emergency operations plan,
- The department's use-of-force policies that could apply to a pandemic situation,
- Gaps in planning that the team is addressing, and
- A list of other justice system officials and subject matter experts with whom the team will work throughout the planning process.

Section II Summary: Key Planning Steps in Gathering Information and Resources

- Step 1: Understand the Threats
- Step 2: Identify the Current Pandemic Flu Threat
- Step 3: Know the Differences between Annual and Pandemic Flu
- Step 4: Learn About the Effects of Pandemic Influenza on the Criminal Justice System
- Step 5: Begin to Educate Agency Personnel
- Step 6: Understand Local Public Health Laws and Related Responsibilities
- Step 7: Review Jurisdiction's Emergency Operations Plans
- Step 8: Review Pandemic-Specific Plans
- Step 9: Determine How Pandemic-Specific Planning Fits with Existing Department Emergency Operations Plans
- Step 10: Review Use of Force Policies
- Step 11: Build on Existing Materials and Identify Gaps
- Step 12: Reach Out to Subject Matter Experts
- Step 13: Summarize Gathered Information for the Team

Section III: Review and Revise Existing (or Develop New) Plan Components that Ensure Continuity of Operations

A pandemic influenza can cause significant reductions in a law enforcement department’s workforce. Recognizing this, the planning team will need to take several steps to identify the law enforcement department’s most critical activities that must continue despite the losses in staffing. The team also must plan to protect employees. Smaller agencies, for example, might plan to use or deputize local security guards or citizen volunteers. Most agencies are experienced in addressing minimum staffing requirements and “ramping up” staffing for significant short-term events. However, fewer departments are familiar with *downsizing* staffing to ensure longer-term sustainability or with reassigning staff (sworn and non-sworn) to ensure that critical functions are maintained.

Step 1: Identify Essential Functions and Plan for Continuity of Operations

Identifying the essential functions that must continue during an influenza pandemic and developing short- and long-term operations plans before a public health emergency occurs are critical tasks in the planning process. Some teams might choose to print out records of all calls for service, group them by frequency, and see which types of calls could be temporarily reprioritized. Other teams might choose to meet with department personnel, division commanders, and other leadership—including administrative and support division leaders—to come up with an initial list of functions. Still others might choose a combination of strategies. What is as important as the list is the fact that a *team* has an understanding of all activities, agreed on the critical activities, and created the list together.

Examples

Fairfax County’s Continuity of Operations Planning table
(1=Mission critical, 2=Immediate Post-Incident, 3=Normal services):
www.policeforum.org/upload/FPCPD%20Critical%20Functions%20List_844504645_3112008152829.xls

London Metropolitan Police Service’s Critical Activities Template:
www.policeforum.org/upload/London%20Critical%20Activities_844504645_3112008162217.pdf

A survey developed by the Ottawa Police Service that was disseminated to command staff organization-wide: www.policeforum.org/upload/Pandemic%20Questionnaire_844504645_3112008163240.doc

Planning team members might choose to separate the critical functions into two categories: internal functions (those that will keep the department running, such as payroll and purchasing) and services provided (those that will enable the department to continue protecting the public, such as responding to certain types of calls for service). In many cases, and especially in smaller departments, city finance and human resource departments handle payroll, making their involvement in continuity of operations planning a key requirement.

Tip: The Toronto Police Service pandemic plan divides functions into “Human Resources Management” and “Operational Continuity in Core Functions.”

To help ensure continuity of operations, the department team should:

- Identify the critical functions and identify the **human resources needed to maintain these functions** within each division at full capacity,
- Determine the **minimum staffing level** required to maintain critical functions,
 - For example, the team could consider calling upon retirees, Volunteers in Police Service (www.policevolunteers.org), and others to help maintain essential functions.
- Identify the **key skills needed** to maintain critical functions,
- Identify the **personnel with those skills** or **offer training**. Cross-train personnel in key functions,
- Devise a plan to **collapse, combine, or temporarily disband units** that do not perform core human resource functions (e.g., payroll, uniform and equipment maintenance),
- **Identify outside goods and services** needed to maintain critical functions, and review or refine existing contracts to ensure continued delivery (e.g., clean uniforms, office supplies, food),

- **Explore alternative methods of non-emergency call reporting** such as the creation or expansion of telephone or online reporting,
- **Ensure that the proper amount of PPE** is housed in convenient locations, and
- Develop plans for reassigning staff among all divisions and units (patrol and administrative).

Example

A sample Excel spreadsheet from Overland Park, Kansas that shows the law enforcement department’s projections of how an influenza pandemic could reduce the available workforce while simultaneously increasing demand for service (and how the department would reassign officers to keep up with the demand): www.policeforum.org/upload/OP%20COOP%20Spreadsheet_1021377162_3122008144919.pdf

Step 2: Account for Employee Shortages

The plan should account for the absence of infected employees as well as employees who are not ill but who are known to have been exposed to the flu virus and thus need to stay home to avoid spreading the virus. It should provide guidance about the extent to which staff members should be granted sick leave and also account for the absence of those who need to stay home to care for ill loved ones, or to care for children when schools and day care facilities close. Experts predict that “the clinical disease attack rate will likely be 30% or higher in the overall population during the pandemic...Among working adults, an average of 20% will become ill during a community outbreak.”¹⁴ Some experts suggest that planners should **establish mechanisms to cover essential tasks with an estimated 10–40% reduction in staff.**¹⁵

Some agencies may choose to closely examine current minimum staffing levels and evaluate sick leave usage during past annual flu seasons to help determine what the minimum staffing need would be to sustain a critical function or service. In some departments, the current leave usage level may be higher than assumed (and close to the level it could reach during a public health emergency).

“Injured law enforcement officers may not return to work until fully fit for duty, forcing departments to use fit officers to perform non-enforcement duties. Agencies may wish to consider creating a “workplace accommodation plan” that could reduce absenteeism and free up “fit” officers to perform core functions during a public health emergency.”
Tom Imrie, Toronto
Police Service (retired)

¹⁴ www.pandemicflu.gov/plan/pandplan.html

¹⁵ www.osha.gov/Publications/influenza_pandemic.html

Step 3: Plan for Waves of Varying Strength and Duration

Experts predict that a pandemic influenza will come in waves, each lasting approximately eight weeks.¹⁶ The planning team should **prepare for sustaining law enforcement operations with minimum staffing for long periods of time**. Not every wave will have the same effect on the department, but team members can update the plan in between waves to address lessons learned during the emergency.¹⁷

Step 4: Consider Teleworking and Other Options

Some departments may be able to develop or expand use of pre-existing teleworking tools. This would require identifying, ahead of time, the duties that could be accomplished off-site. Some departments might also consider partnering with a telecommunications provider to ensure that the teleworking process is as seamless as possible and does not become overwhelmed with the increased traffic on the communications technology. In Fairfax County, for example, the law enforcement department developed an information technology strategy for shutting out nonessential teleworkers and turning off non-critical databases so that employees covering essential functions would have priority on the system.

Team members should also consider the use of other types of technology (e.g., on-line crime reporting, video-conferencing). In Fairfax County, for example, the law enforcement department has installed both a video conferencing and a telephone conferencing system to assist with remotely communicating with employees. Many departments already have pre-scheduled briefing meetings for command staff, during which these tools could be tested and adjusted to address any issues.

Step 5: Consider Cross-Training Personnel

Personnel should be cross-trained to enable them to provide backup for critical administrative and support functions in the event of high absenteeism. For a template that can help the team list the title, skills, the person primarily responsible for the duty, and the name of one (or several) employee(s) suited to do the job if necessary, go to: http://www.policeforum.org/upload/Succession%20Template_844504645_3112008162137.doc.

¹⁶ Inglesby, T., Nuzzo, J., O'Toole, T., and Henderson, D. (2006). Disease mitigation measures in the control of

pandemic influenza. *Biosecurity and Bio-terrorism: Biodefense Strategy, Practice, and Science*, 4(4): 366–375.

¹⁷ See Section VI of this guide for more on planning between waves.

Step 6: Create an Organizational Structure for Use During an Emergency

Knowing who to turn to as a back-up when staffing is reduced is critical to an effective overall response by a law enforcement department during a pandemic. The planning team should create an organizational structure to be used *during a pandemic* when staffing is reduced and key high-ranking employees may become unavailable. This should include identifying (and perhaps graphically displaying) multiple back-ups for key personnel, and establishing a clear alternative chain of command. It may help to create an incident management team figure that is subsequently printed and made available where needed.

Examples

“Toronto Public Health Pandemic Influenza Incident Management System:” www.policeforum.org/upload/Toronto_City_ICS%20Flowchart_1021377162_3122008144510.doc

Ottawa’s Pandemic Management Team Roles Chart: www.policeforum.org/upload/PANDEMIC%20MANAGEMENT%20TEAM%20ROLES%20CHART_844504645_3112008162858.doc

Jose State University Police Department’s Emergency Operations Center Organizational Chart: www.sjsupd.com/documents/emergency_preparation/eoc-org-chart2.pdf

Step 7: Review or Create Policies on Quarantine, Sick Leave, and Bereavement Leave

The planning team should review the law enforcement department’s internal quarantine and sick and bereavement leave policies and refine (or create) these policies as needed. With the assistance of subject matter experts on the team, the team should consider drafting a sick leave policy that would cover those placed into quarantine or those who become ill.

Representatives from the department’s worker’s compensation agency, the legal department, and labor unions (if applicable) can help the team understand when certain policies could be activated and whether they fit within local regulations. (For instance, in Toronto, the Workplace Safety and Insurance Board did not allow claims for absences until an employee was diagnosed with a communicable disease.) Subject matter experts could also help the team plan for issues such as working with newer employees who may not have much sick leave accrued.

“During the SARS outbreak in Toronto, the Toronto Police Service treated quarantined members as if they were on duty for the days they were scheduled to work, thus avoiding loss of sick time. For example, if a member was scheduled to work for four more days from the date of quarantine, he or she was reported as “on duty” for payroll purposes for those four days. Loss of sick days was eliminated for no-fault absences. Conversely, if the member violated quarantine, their status was changed to ‘sick’ and time loss occurred.”

Tom Imrie, Toronto
Police Service (retired)

It is especially important to involve these experts from the beginning, as some of these issues will necessitate negotiations and changes in legislation—both of which take time.

Step 8: Planning to Protect Staff

Another critical component of a department's pandemic plan is protecting personnel. This can include identifying and stockpiling PPE and training employees in how to use it, establishing guidelines or policies on personal hygiene as it relates to disease transmission, and providing guidance and other assistance to employees' family members.

Some planning considerations for PPE:

- Know the federal (and other relevant) regulations for reimbursement (e.g., by FEMA). Some grant money, for example, cannot be used for items that have expiration dates (e.g., antiviral medication). Certain resources may not be purchased with federal funds unless other, specific conditions have been met. See, for example, FEMA's "Apply for Assistance" page: www.fema.gov/assistance/index.shtm.
- Consider using one budget code for all emergency-related expenses during the event. Members of PERF's advisory panel¹⁸ stressed that in the middle of a crisis, trying to determine how to code various items would be time-consuming and would take away from an individual's ability to perform other, more pressing duties. During the recovery period, financial personnel can go back and accurately code the resources and file for reimbursement.
- Make sure the team knows who will be funding emergency materials such as PPE. In some jurisdictions, the state or local government will fund the purchase, while in others, the law enforcement department will pay for the supplies.

"In Ontario, the Occupational Health and Safety Act applies to law enforcement and other high-risk occupations. The Act prohibits designated classes of 'high risk' employees from refusing dangerous work that is a normal condition of employment, inherent in the work, or where the life, health, or safety of another person would be endangered by the refusal (Section 43). However, the courts have concluded that this limit on the right to refuse dangerous work places a higher onus on the employer to take every precaution reasonable in the circumstances to protect these workers. Additionally, recent amendments to the Criminal Code have created the offense of criminal negligence against a person who has the authority to direct work (CCC Section 217.1).

Tom Imrie, Toronto
Police Service (retired)

¹⁸ Advisory Panel Meeting held in December 2007.

Note: OSHA

While the **Occupational Safety and Health Act of 1970 (OSHA)** covers federal law enforcement officers, it does not apply to state and local law enforcement agencies.¹⁹ State occupational health regulations—which vary widely and do not exist in some states—might apply to state and local law enforcement agencies. For example, Minnesota law requires that all public-sector organizations, including law enforcement agencies, be subject to the same standards as private-sector companies.²⁰ But its neighboring state, North Dakota, does not have this requirement.²¹ Because there are no national standards for occupational health programs for state and local law enforcement, it is important that law enforcement executives understand any local and state laws that apply to them. See www.osha.gov/dcsp/osp/index.html for a list of OSHA-approved state occupational safety and health plans. Clicking on a state’s link will lead to a page with additional state-specific resources and contact information.

Step 9: Identify Requirements for Protective Equipment

Planning team members should identify and calculate basic PPE requirements, the amount needed, the types needed (based on how the agent is transmitted), and how they will provide regular training to staff on proper use and fit of the equipment. They should look into stockpiling (if possible) and periodically checking equipment. Smaller agencies might consider contributing resources to participate in larger agencies’ stockpiles. If stockpiling equipment is not an option, agencies might also look into creating agreements with PPE suppliers that would put the law enforcement department at the front of the line to receive equipment in the event of an emergency. Some might also explore sharing storage space with other local agencies.

Examples

See *The Role of Law Enforcement in Public Health Emergencies* (p. 11–13) for an overview of the types of PPE that law enforcement officers need and a sidebar based on the Toronto Police Service’s Occupational Health and Safety Program’s PPE training and requirements: www.ojp.usdoj.gov/BJA/pdf/role_law_enforce.pdf

See Table 2 (p. 10) in OSHA’s *Proposed Guidance on Workplace Stockpiling of Respirators and Facemasks for Pandemic Influenza*: www.asisonline.org/newsroom/crisisResponse/OSHA_Proposed_Guidance_Stockpiling_Respirators_11072007.pdf

¹⁹ www.osha.gov/dcsp/osp/public_sector.html

²⁰ www.osha.gov/dcsp/osp/stateprogs/minnesota.html#pubsec

²¹ www.osha.gov/dcsp/osp/public_sector.html

Step 10: Reducing Disease Transmission at Law Enforcement Department Worksites

Team members should also consider establishing guidelines and policies that would reduce the transmission of disease to law enforcement officers on the job. For example:

- Policies could require staff to wear masks when interacting with the public during a public health emergency,
- Social distancing (e.g., staying at least six feet away from an ill person)²² and other risk management standards could be developed or re-emphasized,
- Encouraging the appropriate use of sick leave could help the department maintain strong staffing levels,
- Anti-bacterial gel dispensers could be installed at the entrance to every station, with a sign instructing anyone entering the building to use the gel,
- Anti-bacterial wipes could be provided so that employees could routinely wipe down keyboards, door knobs, and workstations, and
- The department could work with subject matter experts to provide instruction to law enforcement employees on how to dispose of waste and clean the facilities in general.

Step 11: Providing Guidance to Family Members

Officers will be more likely to report for duty if they know their loved ones are cared for, healthy, and safe. The department's planning team should consider providing guidance and planning assistance for personnel and their families in the event of a public health emergency such as a pandemic flu.

Examples

In Fairfax County, VA, the law enforcement department suggested that families prepare "HomePacks" which would include supplies needed in case of an emergency, such as surgical masks, disposable gloves, and disinfectant: www.policeforum.org/upload/HomePak%20List_844504645_3112008154913.doc

²² See, e.g., www.osha.gov/Publications/influenza_pandemic.html#high_exposure_risk

The Virginia Task Force 1 (VATF1) is a team of approximately 200 first responders who rapidly deploy to incidents around the world to assist with search and rescue.²³ The Family Support Services Team (FSST) of the task force provides assistance to team members and their families before, during and after assignments: www.vatf1.org/familysupport.cfm for more information.

Team members may also wish to reach out to local military representatives to discuss how they help troops and their loved ones prepare for deployments.

Several web pages have links to helpful information about family preparedness. Law enforcement department planning team members may wish to post these addresses on their internal (or even external) web pages, or send the information home to encourage officers and their loved ones to prepare for any type of emergency.

- www.getreadyforflu.org/newsite.htm (the American Public Health Association's website)
- www.getpandemicready.org (prepared by a grassroots, volunteer organization called the National Citizens Pandemic Alliance, which uses members' experiences and extensive research "to gather practical and time-efficient advice to help families prepare for a pandemic")
- www.codeready.org (helps residents of Minnesota create personalized emergency plans and supply kits based on their living situation)
- www.sdcounty.ca.gov/oes/ready/family/ (Ready San Diego provides family preparedness planning information in English, Spanish, Tagalog, and Vietnamese)
- www.ready.gov (developed by the U.S. Department of Homeland Security in partnership with The Advertising Council)
- www.fema.gov/plan/index.shtm (FEMA's page with links to preparing for various hazards and assembling a disaster supplies kit)

23 Lessons Learned Information Sharing (2007). The Virginia Task Force 1 Family Support Services Team. Available at www.LLIS.gov. VATF1 responded to the

recent school building collapse in Haiti, an earthquake in Peru, and flooding in Bolivia. Domestically, they responded to Hurricanes Ike, Gustav and Katrina, to

name a few assignments. See www.vatf1.org for more information.

Step 12: Establish Guidelines for Emergency Procurement Procedures

Law enforcement planning team members also must identify alternative sources for contract goods and services (such as clean uniforms, food, PPE, and other supplies). A sample form for keeping track of alternate suppliers is available at: www.policeforum.org/upload/Goods%20and%20Svcs%20Succession%20Template_844504645_3112008162115.doc

Section III Summary: Key Planning Steps in Ensuring Continuity of Operations

- Step 1: Identify Critical Activities and Plan for Continuity of Operations
- Step 2: Account for Employee Shortages
- Step 3: Plan for Waves of Varying Strength and Duration
- Step 4: Consider Teleworking and Other Options
- Step 5: Consider Cross-Training Personnel
- Step 6: Create an Organizational Structure for Use During and Emergency
- Step 7: Review or Create Quarantine, Sick Leave, and Bereavement Policies
- Step 8: Planning to Protect Staff
- Step 9: Identify Requirements for Protective Equipment
- Step 10: Reducing Disease Transmission at the Law Enforcement Department Worksites
- Step 11: Providing Guidance to Family Members
- Step 12: Establish Guidelines for Emergency Procurement Procedures

Section IV: Communications Prior to and During a Pandemic Influenza

Public health representatives will develop and deliver *public health messages* during disease outbreaks and law enforcement executives will be expected to help disseminate these and other important messages to the community in a way that captures attention and encourages preventive and preparatory action, but does not foster unnecessary fear. Law enforcement will also be expected to prepare their own personnel for the impact that a public health hazard such as a pandemic flu will potentially have on them, on their families, their jobs, their law enforcement department, and the community they are sworn to protect.

One of the three documents in this series, *Communication and Public Health Emergencies: A Guide for Law Enforcement*, presents much more detail about communications planning. (Go to http://www.ojp.usdoj.gov/BJA/pdf/PERF_Emer_Comm.pdf to view the guide in its entirety.) This section of the *Benchmarks* guide presents a brief summary of the information contained in the communication guide, which is broken down into four main categories:

- Internal Communication Planning,
- Interagency Communications,
- Communicating with the Community, and
- Working with the News Media.

Step 1: Determine Where Communication Planning Fits

One key element of a successful communication plan is ensuring that communication within the department is effective and consistent. Before creating an actual public health emergency communication plan, planning team members should consider the following questions about how the communications plan will fit with existing policies:

- Where does communication planning fit with the department's current emergency operations plan?

- How does the department’s plan fit with other the plans of other government agencies in the city or county that the law enforcement department serves (e.g., will it work under a “unified command” incident command structure)?
- When/how will the communication plan for responding to an emergency be activated? Will it be triggered when the WHO or the U.S. government announces that a certain phase or stage of a pandemic has been reached? Should the plan itself take effect in stages?
- What will be the law enforcement department’s role in writing and releasing critical press statements led by local public health officials? Will local law enforcement department leaders and other officials be expected to participate and provide a unified message? How frequently will press conferences be held?
- How can the department use messages to prepare the community for the changes in law enforcement roles and service levels that would accompany a public health emergency?
- How can the department prepare all officers to deliver risk reduction and planning information to residents?
- How will the communications process be documented during drills or an actual event?

Step 2: Educate Law Enforcement Employees About Strategies to Protect Themselves and Their Families

Other important components of internal communication planning include disseminating messages about how the department intends to protect and educate personnel and their families (previously covered in Section II). Information about an influenza pandemic can be communicated in the following ways:

- Have command staff weave information into roll call or other personnel meetings,
- Invite local public health representatives to make presentations at roll call or other personnel meetings,
- Have command staff meet with public health officials and communicate the information learned to law enforcement personnel through various communication mechanisms established within the department,
- Send automated voice mail to personnel and their families,
- Disseminate information via text messaging, departmental Intranet, memoranda, and policy statements,

- Refer employees to public health websites (e.g., the local and/or state departments of public health, BJA’s “Preparing the Justice System for a Pandemic Influenza” page www.ojp.usdoj.gov/BJA/pandemic/resources.html, www.pandemicflu.gov),²⁴ and
- Provide information at academy and in-service training and other department education and training opportunities on:
 - Basic public health (e.g., disease transmission, basic hygiene tips), and
 - The law enforcement role in a public health emergency.

Step 3: Internal Communication *During an Emergency*

Effective, clear, consistent communication during a pandemic can help prevent the spread of false rumors, provide updates and tips for staying healthy, and keep department employees educated about the situation. As soon as a public health emergency has been confirmed, there must be two-way, department-wide communication (e.g., via a telephone information line) that:

- Produces *daily* reports on the number of employees who are available for duty and the number who are out sick,
- Provides frequent and accurate updates to all staff members,
- Provides a mechanism that allows personnel to submit questions or draw attention to concerns, and
- Describes symptoms and reminds staff to practice proper hygiene and use protective equipment.

Step 4: Work with Other Agencies on Communication Planning Prior to an Emergency

To prevent the spread of misinformation, the dissemination of mixed messages, and obvious confusion law enforcement agencies must work with other response and health agencies in the jurisdiction to ensure that their messages are complementary and their work is coordinated. Issues that law enforcement executives should consider when working with other agencies include:

- What are other agency representatives’ expectations of the overall law enforcement role in a public health emergency?

²⁴ See Appendix E for a list of resources.

- Are these expectations reflected in their messages?
- What messages about preparing for and reducing risks are already being delivered to the public by other agencies?
- What are other agency representatives' expectations of the law enforcement message?
- How can the department complement public health-specific messages to residents?
- How can health department messages promote law and order?
- What types of information should law enforcement-specific messages contain?
- When are the messages to be given?
- How might service delivery change?

Step 5: Plan for Interagency Communication During an Emergency

Many jurisdictions have plans to activate an Emergency Operations Center (EOC) once a critical incident has occurred. As part of this activation, local agencies will typically assign their communications experts to these centers or to nearby sites, often referred to as Joint Information Centers, or JICs. In some cases, communications representatives from smaller agencies might report to one regional JIC, while one larger agency might be the only law enforcement agency represented in other centers.²⁵

Considerations for planning to communicate with other agencies during a public health emergency include:

- If a JIC is activated, who from the law enforcement department will staff it? The department's public information officer? A senior sworn staff member? Both? When?
- How will what is happening at the JIC be communicated to appropriate department personnel?
- How can the department representative work with representatives from other agencies to facilitate media access to the JIC? Is this issue addressed in the department's plan?

²⁵ For more information on Joint Information Centers, see www.training.fema.gov/emiweb/downloads/

NIMS-Self-Study%20Guide.pdf, Lesson 4: Public Information.

Step 6: Communicate with the Community Prior to an Emergency

As highlighted by the pandemic flu scenario at the beginning of this guide, law enforcement executives and other public officials must be able to manage residents' concerns during a public health emergency, and public communication strategies can help.

Inviting local public health and hospital officials and other medical experts to participate in a community meeting and share their plans can help prepare residents for what to expect. The law enforcement representative could also participate in the meeting to share what the law enforcement department is doing to prepare for a pandemic. Just as important, these meetings could be a forum for law enforcement officials to explain the potential changes in their roles and the benefits of voluntarily complying with any public health orders that might be imposed during a public health emergency. Law enforcement also should consider collaborating with the faith community, school officials, and local business owners. And they need to work to reach members of special populations in their communities (e.g., the elderly, hearing- or vision-impaired residents, the homeless).

Local volunteers are also a good resource for communicating information with the public. Some departments participate in the national Volunteers in Police Services (VIPS) Program, which provides support and resources for law enforcement agencies interested in developing or enhancing a volunteer program. The program's ultimate goal is to enhance the capacity of state and local law enforcement to utilize volunteers.²⁶

When planning to communicate with the community prior to an influenza pandemic, law enforcement leaders should consider the following:

- What groups or forums already exist that can help get messages out and/or help with the response? Have these groups already developed pandemic flu-related messages that can be endorsed or refined by the law enforcement agency for use?²⁷
- What roles can schools, churches, and other community institutions play in advance communication and how can they help promote the department's message?

26 For more information on VIPS or to see if your department is participating in this program, see www.policevolunteers.org.

27 For example, the Bureau of Justice Assistance has funded the National Crime Prevention Council to develop public health-related messages to be

disseminated by McGruff the Crime Dog® (www.ncpc.org).

- In what languages should messages be written? Are local translators already readily available to the department and willing to assist during an emergency? Has money been set aside for this?

In Los Angeles, Las Vegas, and Florida, for example, a device called the “Phraselator” allows officers to pre-record and store standard law enforcement commands in multiple languages.²⁸ Such devices could assist officers during a public health emergency, but they can only communicate one way, so it would still be important to have a translator on hand if possible.

- Can any community members help law enforcement families plan for the extended absence of a family member in law enforcement?
- Who will represent the agency at community meetings? Command staff? Patrol sergeants? Who is responsible for working with the mayor’s or county executive’s office to determine who will speak when? What if these representatives are not able to report for duty?
- How can the agency pre-test messages (e.g., with focus groups comprised of intended audience members)?
 - Is the public health department already doing this? If so, can the department coordinate efforts with public health?
 - Consider cultural differences that may affect compliance with messages (e.g., lack of trust, fear of law enforcement, issues associated with illegal immigrants).
- What are the best venues for communicating this information to residents?
 - It is just as important for law enforcement leaders to communicate via new media (e.g., text messaging, blogs, Internet forums, social networks such as MySpace and Facebook) as it is for them to communicate using more traditional tools (e.g., written materials, television, radio, newspapers, flyers posted throughout the community). Jurisdictions could also use Reverse 911 as a way of communicating public health information to residents.

Many cities, including Providence, Cincinnati, and Fort Worth are using text messaging programs that can send and receive messages in English and Spanish.²⁹

- Where should print messages for non-English speaking or other special populations be posted?

²⁸ Winton, R. (2008). LAPD finds a way to connect. *Los Angeles Times*: www.latimes.com/news/local/la-me-translate16jan16,0,6435263.story.

²⁹ Jefferson, B. (2008). Text messaging offers police another tool. *The Providence Journal*: www.projo.com/news/content/

WEB_CRIME_01-12-08_I48J79Q_v11.2514f49.html.

Step 7: Communicating with Residents During an Emergency

If a law enforcement agency has thoroughly planned for a flu pandemic or other public health emergency, the response to a crisis will be more effective. For instance, the chief and the top law enforcement agency staff will communicate regularly with representatives from public health, medical, and other local public safety agencies to ensure they are sending consistent, complementary messages to the public. Following are some of the questions team members should consider when planning to communicate with residents during a public health emergency:

- What kind of information should a local law enforcement agency share during the initial stages of a public health emergency?
 - Public health orders and their role in enforcing them,
 - The value of complying with voluntary quarantine and/or isolation or other civil orders,
 - The legal aspects of quarantine orders and the process for appealing them and how this might be done during an outbreak,
 - Reasons behind reprioritization of calls for service and alternate means of service delivery,
 - Reassuring residents that the law enforcement are still prioritizing crime suppression efforts, and
 - When dealing with a severe contagious disease threat, the health and safety of response personnel may have to take priority over the public's, in order to maintain their capabilities during an extended pandemic or other serious community-wide health threat.

To give residents visual confirmation that agencies are working together, executives should consider appearing together at press conferences. New information on the illness (e.g., on vaccines or symptoms) should come from public health officials, and new information regarding enforcement should come from local law enforcement leaders.

- How can a local law enforcement agency continue to keep the community apprised of the emergency situation?
 - Community listservs, podcasts, websites, links with public health department,
 - Distribute flyers (including flyers targeting those who do not speak English, the homeless population, and others),
 - Local hotline,
 - An interactive, computer-driven telephone notification system,

- Non-emergency information line, and
- Electronic message sign boards.

Step 8: Working with the News Media Prior to an Emergency

The news media can play a significant role in disseminating messages about risk reduction and planning, and yet, the relationship between law enforcement and the news media is not always ideal. Having a written media communications plan and understanding what the media are likely to ask can ensure a better interaction with the press. There are other steps law enforcement leaders can take to engage the media in communicating about risk reduction and planning. Dr. James Sewell (retired Assistant Commissioner, Florida Department of Law Enforcement) and other experts suggest some additional ways law enforcement can engage the media:

- Invite reporters on “ride alongs” with patrol staff or to community meetings where pandemic plans will be discussed,
- Law enforcement agency representatives can in turn participate in a “reverse ride along” with local crime beat reporters,
- Hold news media round table luncheons every year to talk about any issues that hinder a good working relationship. For example, all officers from St. Petersburg, FL who have contact with the media participate in such an event, and
- Consider a “lunch and learn” with local bloggers who write about the law enforcement agency.^{30, 31}

The team should also determine where the JIC will be housed, if applicable. The 2004 PERF report, *Managing a Multi-jurisdictional Case: Identifying the Lessons Learned from the Sniper Investigation*, about the Washington, D.C. sniper case, found that having a JIC located in one jurisdiction’s headquarters (as opposed to the Joint Operations Command Center) “eased preparations for press briefings that occurred in front of law enforcement headquarters, but it created problems when PIOs [public information officers] wanted to be in the JIC” (p. 97). The report suggests that during a protracted event, “the agency should identify one permanent site for press conferences, briefings and

“[Keeping the news media away from law enforcement personnel] may be more critical in a criminal investigation where disclosure of confidential investigative tactics could alert the suspect, versus during a public health emergency where a coordinated, non-speculative message is of greater concern. A law enforcement executive would rather have reporters close than have them ‘create’ news or look for some publicity-seeking [subject matter expert] outside the management loop.”
Tom Imrie, Toronto Police Service (retired)

30 Sewell (2007). Working with the Media in Times of Crisis: Key Principles for

Law Enforcement. *FBI Law Enforcement Bulletin* 76(3): 1–7.

31 Members of PERF’s advisory panel (December 2007).

distributing materials” (p. 93). The report also emphasizes that the location should allow the law enforcement agency to maintain access control and, if necessary, establish a security perimeter. It is important to keep members of the media close enough to do their work, but “far enough away from investigators and other law enforcement personnel so reporters cannot interfere with their work” (p. 94).

Step 9: Plan for Working with the News Media During an Emergency

Once a public health emergency has been declared, the media will immediately seek information from the law enforcement agency. It is vital that all who are responsible for representing the agency to the media are kept apprised of the situation and are prepared to speak at the outset of the public health emergency. Team members should consider when the chief should speak on behalf of the agency, and when it is better to have the public information officer serve as spokesman.

What the law enforcement executive says in the first message to the community after a public health emergency has been declared, and how the message is delivered, are critical to how the community will feel about the agency’s handling of the situation as a whole. CDC lists six essential components of the first official message in a crisis:

- An empathetic expression (e.g., “I know this situation is alarming and you are looking for answers.”),
- The facts and action steps that have been confirmed,
- What the agency representative does *not* know about the situation,
- The process the law enforcement executive is using to address unanswered questions,
- A “statement of commitment” that indicates the agency is going to be working with the community for the duration of the event, and
- How to get more information, and when the executive will be delivering the next message.³²

It is also important for the speaker to reiterate that while the information was valid at the time it was issued, it may change as circumstances evolve.

“Remember that during this time, other significant (non-crisis related) events will still take place. Each agency will need to keep the (non-JIC) media section informed on basic speaking points. The media section would be able to handle day-to-day incidents and answer basic questions from the public; all other questions should be passed to the JIC.”
Nancy Demme, Montgomery County, MD Police Department

³² CDC (2006). (www.bt.cdc.gov/erc/leaders.pdf).

Section IV Summary: Key Planning Steps for Communicating Prior to and During a Pandemic Influenza

- Step 1: Determine Where Communication Planning Fits
- Step 2: Educate Law Enforcement Employees About Strategies to Protect Themselves and Their Families
- Step 3: Internal Communication *During an Emergency*
- Step 4: Work with Other Agencies on Communication Planning Prior to an Emergency
- Step 5: Plan for Interagency Communication *During an Emergency*
- Step 6: Communicate with the Community Prior to an Emergency
- Step 7: Communicating with Residents During an Emergency
- Step 8: Working with the News Media Prior to an Emergency
- Step 9: Plan for Working with the News Media During an Emergency

Section V: Planning for Activation

Law enforcement planning teams in different departments will choose different points at which to activate their pandemic flu plans. Some may choose to activate their plans when the local jurisdiction activates its plan. Other departments might create their own internal timetable. In either case, planning for activation is another way to ensure an effective response to a public health emergency.

Step 1: Develop a Process for Activating the Plan

When the federal government announces that there have been flu outbreaks in pockets across the country, for example, some departments may decide to activate their plans. Other departments may choose to wait until the threat is closer to home. Some may choose to activate based on the World Health Organization's "Current WHO Phase of Pandemic Alert" (www.who.int/csr/disease/avian_influenza/phase/en/index.html) or declaration of a State of Emergency.

Examples

Fairfax County, VA's Response Summary Table by Pandemic Phase:
www.policeforum.org/upload/County%20Table_844504645_3112008152721.pdf

Ottawa Police Service's chart: www.policeforum.org/upload/OPS%20ESCALATION%20Chart_844504645_3112008162831.doc

Step 2: Maintain a Current List of Agency Representatives and Their Responsibilities

The planning team should create and maintain an updated list of agency representatives responsible for reporting to the city or county and law enforcement agency emergency operations centers. This list should also include multiple back-ups and provide a clear alternative chain of command. In some jurisdictions, it is protocol for the local public health agency to alert the local law enforcement of a public health emergency.

Step 3: Maintain Critical Documents in an Easily Accessible Format

Throughout the planning process, designated team members should maintain a binder containing critical documents (e.g., timesheets, purchasing forms), database printouts, and summaries of laws and authorities. The information in this binder could help ensure a smooth transition between shifts and different team members, or should computerized systems fail. This information could also be stored on a flash drive which, for example, could be carried from site to site or by someone assigned to a location where hard copies are not easily available.

Section V Summary: Planning for Activation

- Step 1: Develop a Process for Activating the Plan
- Step 2: Maintain a Current List of Agency Representatives and Their Responsibilities
- Step 3: Maintain Critical Documents in an Easily Accessible Format

Section VI: Planning for Recovery (Between Waves of the Pandemic and at the Conclusion of the Event)

At the end of a public health emergency, the law enforcement agency and other local agencies will be faced with trying to get back to normal. The agency team should create a plan to recover, de-escalate or “ramp down” the emergency operations.

Step 1: Determine What Factors to Include in a Recovery and Restoration Plan

Factors that planning team members can take into consideration when developing a recovery plan include:

- Accounting for the psychological effects that a public health emergency will have on agency personnel,
- How and when to “replenish” staff (e.g., between waves),
- How and when to arrange for equipment repair and replacement,
- How and when to analyze the experience and write an after-action report; when to identify and implement lessons learned,
- How and when to return to a state of normal policing,
- How and when to gauge community expectations of the agency (e.g., have expectations changed since the emergency? If so, how?), and
- Understanding that law enforcement may need to define a “new normal.” Significant loss of life in a community will permanently alter its makeup, including the agency that is sworn to protect it.

“A pandemic would likely comprise multiple six- to eight-week long waves; these waves might be like aftershocks. One and two would likely be the strongest and each wave would likely diminish in severity and duration.”

Chief John Douglass,
Overland Park, Kansas
Police Department

“What is learned from the first wave and the adjustments made may determine how well the community and agencies weather the next wave.”

Captain Nancy Demme,
Montgomery County, Md. Police
Department

Examples

The Ottawa Police Service has created a de-escalation plan that begins when WHO confirms that the pandemic has ended: www.policeforum.org/upload/OPS%20De-escalation%20Chart_844504645_3112008162713.doc

The Loudon County, VA pandemic influenza plan contains language regarding the recovery phase (which is scheduled to take place when “adequate supplies, resources, and response system capacity exist to manage ongoing activities without continued assistance from pandemic response systems”): www.policeforum.org/upload/Loudon%20Co%20Recovery%20Text_1021377162_3122008144850.doc

“During SARS, we tried to go back to the way things were and de-escalated too quickly, which precipitated the second wave of the disease. De-escalation should be directed by global conditions, not local circumstances, simply because of the highly mobile nature of society today. Once de-escalation begins, it should be an approximate mirror image of the escalation phase. In my view, it is worth emphasizing that executives must appreciate that the final bullet point in this step, which suggests a ‘new normal’ will exist, is the only thing one can be assured of.”

Tom Imrie, Toronto Police Service (retired)

Section VII: Exercise and Update the Plan

In the absence of an actual public health emergency, the planning team must **develop a schedule for regularly reviewing and updating the law enforcement agency's plan**. Testing the plan (both internally and with external agencies), providing introductory and refresher training on the plan, and regularly incorporating lessons learned are all ways to keep the plan current and as useful as possible. The agency's planning team should:

- Participate in local reviews and exercises of the plan; include the media in exercises,
 - Conduct regular exercises and review components of the plan with relevant external agencies and highlight success.
 - Incorporate lessons learned and regularly update the agency plan.
 - Keep abreast of relevant exercises in other jurisdictions and incorporate lessons learned.
- Exercise components of the plan as feasible to ensure that all employees are familiar with important roles and responsibilities,
- Establish a system for ongoing and refresher training, and
 - Provide training annually, as well as on an ad hoc basis upon learning that a pandemic disease is emerging somewhere in the world.
- Share lessons learned and new features of the plan with all employees.
 - When providing employees with an updated plan, it might help to list the changes to the plan on an attached sheet (or in an e-mail if sharing the plan electronically), and to explain how and why changes were made.



About the Police Executive Research Forum

The Police Executive Research Forum (PERF) is a professional organization of progressive chief executives of city, county and state law enforcement agencies who collectively serve more than 50 percent of the U.S. population. In addition, PERF has established formal relationships with international law enforcement executives and law enforcement organizations from around the globe. Membership includes law enforcement chiefs, superintendents, sheriffs, state law enforcement directors, university law enforcement chiefs, public safety directors, and other law enforcement professionals. Established in 1976 as a non-profit organization, PERF is unique in its commitment to the application of research in policing and the importance of higher education for law enforcement executives.

Besides a commitment to law enforcement innovation and professionalism, PERF members must hold a four-year college degree. PERF continues to conduct some of the most innovative law enforcement and criminal justice research and provides a wide variety of management and technical assistance programs to law enforcement agencies throughout the world. PERF's groundbreaking work on community and problem-oriented policing, racial profiling, use of force, less-lethal weapons, and crime reduction strategies has earned it a prominent position in the law enforcement community. PERF continues to work toward increased professionalism and excellence in the field through its publications and training programs. PERF sponsors and conducts the Senior Management Institute for Police (SMIP). This program provides comprehensive professional management and executive development training to law enforcement chiefs and law enforcement executives. Convened annually in Boston, SMIP instructors include professors from leading universities, with the core faculty from Harvard University's Kennedy School of Government. PERF's success is built on the active involvement of its members. The organization also has types of membership that allow it to benefit from the diverse views of criminal justice researchers, law enforcement professionals of all ranks, and others committed to advancing policing services to all communities. PERF is committed to the application of research in policing and to promoting innovation that will enhance the quality of life in our communities. PERF's objective is to improve the delivery of law enforcement services and the effectiveness of crime control through the exercise of strong national leadership, the public debate of criminal justice issues, the development of a body of research about policing, and the provision

of vital management services to all law enforcement agencies. PERF has developed and published some of the leading literature in the law enforcement field.

Recently, PERF's work on the increase in violent crime during the past two years has received national attention. A series of reports in the "Critical Issues in Policing" series—*A Gathering Storm – Violent Crime in America*; *24 Months of Alarming Trends*; and *Violent Crime in America: A Tale of Two Cities*—provides in-depth analysis of the extent and nature of violent crime and countermeasures that have been undertaken by law enforcement. PERF also explored law enforcement management issues in "Good to Great" Policing: *Application of Business Management Principles in the Public Sector*. And PERF produced a landmark study of the controversial immigration issue in *Police Chiefs and Sheriffs Speak Out on Local Immigration Enforcement*. PERF also released two books—entitled *Exploring the Challenges of Police Use of Force* and *Police Management of Mass Demonstrations: Identifying Issues and Successful Approaches*—that serve as practical guides to help law enforcement leaders make more informed decisions. In addition, PERF has released a series of white papers on terrorism in the local law enforcement context, *Protecting Your Community from Terrorism: Strategies for Local Law Enforcement*, which examined such issues as local-federal partnerships, working with diverse communities, bioterrorism, and intelligence sharing. Other recent publications include *Managing a Multijurisdictional Case: Identifying Lessons Learned from the Sniper Investigation* (2004) and *Community Policing: The Past, Present and Future* (2004). Other PERF titles include the only authoritative work on racial profiling, *Racial Profiling: A Principled Response* (2001); *Recognizing Value in Policing* (2002); *The Police Response to Mental Illness* (2002); *Citizen Review Resource Manual* (1995); *Managing Innovation in Policing* (1995); *Crime Analysis Through Computer Mapping* (1995); *And Justice For All: Understanding and Controlling Police Use of Deadly Force* (1995); *Why Police Organizations Change: A Study of Community-Oriented Policing* (1996); and *Police Antidrug Tactics: New Approaches and Applications* (1996). PERF publications are used for training and promotion exams and to inform law enforcement professionals about innovative approaches to community problems. The hallmark of the program is translating the latest research and thinking about a topic into law enforcement practices that can be tailored to the unique needs of a jurisdiction.

To learn more about PERF, visit www.policeforum.org.



About the Bureau of Justice Assistance

The Bureau of Justice Assistance (BJA), a component of the U.S. Department of Justice, Office of Justice Programs, supports law enforcement, courts, corrections, treatment, victim services, technology, and prevention initiatives that strengthen the nation's criminal justice system. BJA provides leadership, services, and funding to America's communities by:

- Emphasizing local control, based on the needs of the field.
- Developing collaborations and partnerships.
- Providing targeted training and technical assistance.
- Promoting capacity building through planning.
- Streamlining the administration of grants.
- Creating accountability of projects.
- Encouraging innovation.
- Communicating the value of justice efforts to decision makers at every level.

To learn more about BJA, visit www.ojp.usdoj.gov/BJA.

This report is one in a series of three documents created by the Police Executive Research Forum (PERF), with support from the U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance (BJA), on the law enforcement response to public health emergencies.

Communication and Public Health Emergencies: A Guide for Law Enforcement identifies the considerations that law enforcement executives should address in their public health communications plans, regarding internal communications (those that remain within the law enforcement agency) as well as external communications (those that go to other agencies or the public).

Benchmarks for Developing a Law Enforcement Pandemic Flu Plan is an interactive guide that leads the reader through a planning process to help ensure continuity of law enforcement operations during a flu pandemic. An influenza pandemic is considered one of the most severe types of public health emergencies that a law enforcement agency could be called upon to handle. The guide provides links to sample plans and templates for the reader to download and customize to his/her agency.

A Guide to Occupational Health and Safety for Law Enforcement Executives focuses on steps a law enforcement agency can take to ensure the best possible health of the agency's workforce, including educating agency staff members before a public health emergency occurs, so that they are better able to protect their health and the health of their loved ones.

The documents in this series are intended to apply to agencies of all sizes and types. How the suggested strategies are implemented will no doubt vary according to the jurisdiction's size and other characteristics.

While these documents can be used as stand-alone resources, readers undertaking the pandemic flu planning process will find it useful to refer to the communications and occupational health and safety guides as they work through the *Benchmarks* document.

