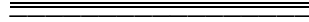


**The Bill Blackwood
Law Enforcement Management Institute of Texas**



Law Enforcement Pandemic Response Protocol



**A Leadership White Paper
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ABSTRACT

A pandemic response protocol is a necessary plan so law enforcement is prepared for an outbreak before the next occurrence. Law enforcement agencies have shown greater success through reverting to pre-established plans or guidelines during previous pandemic responses. A pre-established protocol will help ensure law enforcement, fire services, emergency medical services, the local health care community, the local National Guard post, and all other essential entities are better prepared for a pandemic.

The purpose of this research is to qualify law enforcement's need to have a pandemic response protocol before an outbreak. Law enforcement agencies often rely on an all hazards response protocol. Pandemics have tested all hazard response protocols by presenting challenges that differ from manmade or weather created disasters. The goal of this research is to determine if the all hazards response protocol is sufficient preparedness for a pandemic and whether modifications need to be made or if there a need for a pandemic specific protocol.

The research revealed that preplanning for a deadly disease would assist agencies in developing key partnerships that will be necessary during an outbreak. Preplanning would allow time for the development of partnerships with necessary resources, the creation of a written protocol, table top exercises, the arrangement of an exercises to test the plan and time to make necessary changes to the protocol. Preplanning would allow a law enforcement agency time to properly prepare for a pandemic before an actual outbreak.

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INTRODUCTION

History has shown that pandemics have occurred in the past and will certainly occur again. There have been three major flu pandemics in the last century, the least of which caused 34,000 deaths in the United States alone (Brito, Luna, & Sanberg, 2009) (Garrett, 2010). Changes to the global economy have created a just-in-time economy, which aids in the swift spread of disease from continent to continent (Gips, 2006). These economic changes have created an environment that could aid the spread of a pandemic as commerce and humankind are being moved rapidly over ever expanding distances. A pandemic outbreak that starts in Africa today could be spread into the United States of America the same day.

A valuable lesson was learned during Hurricane Katrina that there is a need for law enforcement to plan for a reduction in work force as a result of employees staying home to care for loved ones and the extreme resulting from loss of life. Planning for such a loss of human resources is important for a public health emergency (Landahl & Cox, 2009). Public health officials warn that a pandemic influenza would place a substantial strain on law enforcement resources by reducing the work force by 10% to 40%. This reduction in work force would be compounded by the pandemic encompassing surrounding areas, affecting the ability for an agency to rely on mutual aid agreements for additional personnel (Brito et al., 2009).

Garrett (2010) wrote that some of the recent pandemic outbreaks have stopped so fast that law enforcement agencies may not place enough importance on planning for a pandemic response. A pandemic outbreak will overextend hospitals, clinics, and health departments, severely restricting their ability to provide basic care, which could

lead to a widespread disruption in public peace, resulting in an increased demand for law enforcement services. A pandemic could raise public concern for fairness in regards to who is treated first and why. Extreme cases could result in isolation and quarantine orders being issued, which would place heavy burdens on law enforcement resources and present a need for ethical decisions to be made rapidly to prevent the spread of the disease.

It is common for law enforcement agencies to prepare and plan for an all-hazard type of emergency with a primary focus on physical damages resulting from an event that man created or a natural disaster, such as a flood (Brito et al., 2009). A pandemic outbreak would present unique challenges not typical to an all-hazard type of emergency. Planning now will help law enforcement maintain the rule of law, public safety, and civil rights. Law enforcement should have a written pandemic response protocol to safeguard public order, health, and safety. Through research, it can be shown that agencies with a pre-established plan can make fact based/educated decisions in a timely manner, slowing the spread of disease and saving lives.

POSITION

A pandemic would create heavy burdens on law enforcement by affecting the number of employees who can report for work. A pandemic outbreak would present many personal challenges to first responders. These challenges could range from a focus on providing food and shelter for their family to a challenge as great as planning a funeral for the death of their loved one. It is obvious that helping first responders preplan to provide food and shelter to their families is easier to address than helping them preplan the funeral of their loved ones; however, training can be created to

address as many challenges as possible before a pandemic. Law enforcement provides vital services to citizens during a disaster and does so with the institution that first responders will report for duty. First responders are more apt to respond to a critical incident if they have first prepared themselves and their families for a critical incident (Landahl & Cox, 2009). The Centers for Disease Control and Prevention provides some basic approaches to protecting staff from contracting or spreading an outbreak. Preventative training can range from washing hands frequently with soap and water and trying not to touch the eyes, nose, or mouth to directing employees to stay home from work and avoid social gatherings to prevent spreading the disease. Providing these prevention approaches to staff members and their families could help mitigate the effects of a pandemic (Crumbacker & Walsh, 2006).

Law enforcement agencies could experience an increased demand of their services as a result of public hysteria centered on vaccines or antiviral drugs being in short supply. Emergency response as the first-responder has long been the primary focus of law enforcement. The anthrax incidents following 9/11 and the H1N1 flu pandemic of 2009 were two of the catalysts that shifted law enforcements response to health threats. A pandemic will likely create a large scale incident that will drain law enforcement resources in a manner that law enforcement officials are not accustomed to dealing with. Law enforcement officials will be forced to balance their resources between vital services and new responsibilities created by the pandemic. An agency's ability to preplan for various types of emergencies allows for strategic planning and partnerships to be formed, which can only help the agency respond more effectively to any emergency. Law enforcement can achieve strategic planning by sharing

information with public health organizations, other local and state public safety agencies, and the community (Carter & Rip, 2013). A review of immunization practices is recommended so law enforcement leaders and health care officials can plan to immunize high risk employees who are critical to the agency's ability to provide law enforcement services to the community. Law enforcement and health care training coordinators could develop prevention and wellness training to help employees avoid contracting or spreading the pandemic. Agency's that fail to prepare their first responders could experience an increase in employee absence and a decrease in morale (Harden, 2008). Being prepared ahead of time can offset these burdens helping ensure law enforcement is prepared to deal with the increased demand for their services (Stephens & Stephens, 2006).

During a pandemic, the public concern of fairness could be raised in connection with who is treated first and why. Ethical preparedness as a tool helps organizers focus on reviewing ethical pandemic planning in other communities. Law enforcement agencies that preplan for disasters are better able to face the ever changing dynamics of the disaster. Preplanning for a pandemic related disaster requires that agencies consider ethical preparedness along with operational preparedness. When a pandemic occurs, decisions will be a requirement without the luxury of time to make those difficult decisions. There are three primary ethical obligations that must be met when designing a pandemic preparedness plan. A plan must maximize preparedness, must be fair paying close attention to treat people equally or unequally on a standard that can be defended. Lastly, those creating the plan must be transparent while seeking input from those who will be affected by their plan (McLean, 2012).

A pandemic response protocol is not the same as an all hazards protocol because a pandemic will have specific challenges of its own. Law enforcement agencies prepare and plan for an all-hazard type of emergency with a primary focus on physical damages resulting from an event that man created or a natural disaster such as a flood (Brito et al., 2009). A pandemic outbreak would encompass a large area, which would hinder an agency's ability to rely on surrounding agencies for additional manpower and mutual aid (Garrett, 2010). Officers falling ill or staying home to care for sick family would also create a strain on available personnel (Garrett, 2010). Officers may experience loss of life within their household which could shift the priorities of those officers (Harden, 2008). Developing and testing a law enforcement pandemic protocol can help law enforcement agencies prepare for the specific issues their agency would face during a pandemic.

COUNTER POSITION

During a pandemic, law enforcement officers may feel it is the responsibility of health care providers to control the spread of the infection. Law enforcement agencies will not be called upon to help determine how best to stop the spread of an infection; however, agencies can anticipate being called upon to secure public safety at locations being overrun by citizens seeking care or supplies. It should be anticipated that the health care providers and emergency response personnel will be overwhelmed during a pandemic. A surge in illness and fatality rates would exceed the level of care local hospitals can provide as the hospitals fill beyond capacity and force hospitals to refuse service to those seeking medical care. As a pandemic continues to progress, disturbances and a disruption of the public peace can be anticipated. Human behavior

in stress situations is unpredictable and frequently irrational. The development of a pandemic protocol can assist agencies by providing time to anticipate a degree of public disorder (Gerwin, 2011). The Center for Disease Control recommends that health officials look toward alternative care centers as a resource to provide care throughout the community while also limiting the movement of infected individuals seeking care. Law enforcement agencies can anticipate increased demands for service by forming partnerships with local health care providers prior to a pandemic outbreak. Law enforcement agencies could determine, through preplanning, if local health care providers plan to open alternative care centers, how many centers and where within the community they plan to place these centers. Preplanning can ensure that partnerships have been formed with medical services before a pandemic occurs, so law enforcement officials know the needs of medical services during an actual pandemic event.

Citizens may fear and fight being held against their will to prevent the spread of infection. Some infections may require isolation or quarantine to contain the pandemic; however, not every outbreak will require such drastic measures. Under the protection of established laws, public health agencies have the power to utilize isolation and quarantine as a means to protect the public's health. According to Gerwin (2011) law enforcement should plan to ensure the public privacy and individual civil liberties are considered through plans to include a checks and balances system to protect the public from undue isolation and to prevent private information from release to the public. The use of a mandatory quarantine or isolation should be supported by scientific evidence that such extreme measures will be effective in controlling the spread of the disease. A consideration was also made that some social isolation might be employed during the

immediate response without the availability of the time necessary to support the decision with scientific evidence (McLean, 2012). Law enforcement should set the stage by preparing a response protocol and being prepared for all measures necessary to stop the spread of a pandemic. Government measures that are ill-considered or ill-advised can, rather than providing protection, endanger the public's health and safety as well as the rule of law (Gerwin, 2011). Law enforcement's ability to recognise that a pandemic outbreak will test resources and practices that agencies are not accustomed to losing or having minimal use of during a manmade disaster will assist law enforcement agencies in placing a priority on developing a pandemic response protocol now. Placing a high priority to develop a pandemic response protocol now will allow agencies the time necessary to develop partnerships, test the preliminary protocol, build community trust and support, as well as learn what will work and what needs more planning and attention.

RECOMMENDATION

Law enforcement is charged with the, at times, daunting task of ensuring public order and public peace. Agencies take steps to plan for many different types of calls for service, such as natural disasters and events. One such threat is the ever present danger of a pandemic outbreak. Law enforcement agencies should have a pandemic response protocol developed, planned, practiced, and tested before an actual outbreak occurs. Experience has shown time and time again that pre-planning and the development of partnerships before an emergency helps agencies make more well informed decisions which saves time and lives.

A pandemic can and will cause a heavy burden on law enforcement as well as increased demands on law enforcement. Agencies should anticipate personnel shortages of over 40% during the peak of the outbreak due to illness (Brito et al., 2009). Agencies will also experience increased demands as a result of civil unrest or hysteria and mutual aid being unavailable due to surrounding agencies being impacted by the same pandemic outbreak. Preplanning would allow agencies to review the possibility of developing a list of recently retired officers who would be available to report for work to offset the burden experienced by officers being unable to report for work due to illness. Some agencies have also developed plans to utilize a temporary work force that can be trained to conduct preplanned/anticipated tasks. Preplanning allows agencies the opportunity to schedule training and develop the personnel who would be responsible for the temporary work force.

Law enforcement personnel may challenge why they are being tasked with responding to a pandemic. Law enforcement agencies and their personnel should be prepared to respond as a result of the health care system being overwhelmed. Law enforcement can anticipate being tasked with keeping the peace during a pandemic. Developing a pandemic response protocol should include training for law enforcement officers to ensure they are aware of the role they will play and what will be expected of them during a pandemic outbreak. The training should include but not be limited to the proper use of personal protective equipment such as gloves, respirators, eye protection, pocket masks, and protective cover wear. An agency's ability to preplan for a pandemic gives the agency time to properly train their personnel as well as provide officers and

their families with information to help them prepare their families for a pandemic outbreak.

Civil unrest and resistance to isolation or quarantine would be another factor for law enforcement to address. A well prepared protocol can anticipate and plan for such an issue. Taking civil liberties, citizen's right to privacy, and planning for a checks and balances response to ensure an appropriate response to an outbreak would help ease this citizen concern and help prevent such issues during a pandemic. The key principal of the international human rights law is that interventions should be proportional to the present risk. An emphasis should be placed on using the least restrictive measures necessary to stop or prevent the spread of the disease. The principal does not mandate the use of tactics that are less than what is necessary to stop the spread of the disease (Gostin, 2004).

Pandemic planning begins with the gathering of representatives from the local fire department, legal counsel representatives, human resources, mental health services, medical staff, public health, hospitals, training and staff development services, and law enforcement entities (Garrett, 2010; Jones & McDonald, 2007). The planning should begin with the establishment of the duties and needs of each of the entities represented. The relationships developed during these planning sessions will assist law enforcement in identifying necessary functions that must be maintained and minimum staffing requirements during a health emergency. Guidelines concerning vital law enforcement services that must be continued during a health emergency should be considered and established during the planning stage (Kaye, 2009).

Agencies need to consider public communication during a pandemic plan development. Available avenues of communication could include but not be limited to pre-established email messages, phone messages, and signage to be posted during a public health emergency (Garrett, 2010). Creators of the pandemic protocol should establish who will be responsible for the public broadcasts as well as establishing a chain of command as to who can alter those communications and who creates and disseminates the final all clear communication. Communications should be coordinated with partners in emergency government and public health in advance. Agencies should consider offering vaccinations for their staff and their staff's family as well as formulating a system to monitor illness among the workforce to ensure the surviving workforce returns to work as soon as possible. Staff members will be more likely to focus on their jobs if they are not worried about their family members dying while they are at work. The pre-incident focus should consider available means or training options to help officers and their families create an environment where they are better prepared for a pandemic emergency. Response plans should be shared with affected personnel. Allowing all affected personnel to share in the pandemic response plan will allow each affected personnel to develop an understanding of the plan before it is needed as well as allowing them to understand where they fit into the plan and what will be expected of them.

The pandemic response plan needs to be tested before the plan is needed. The absolute test of law enforcement preparedness is an actual pandemic event. Unfortunately, a true pandemic presents the risk that law enforcement finds they are not prepared, ultimately resulting in a greater loss of life. The best means to prepare for a

pandemic is to arrange exercises that best simulate a pandemic event (Bradshaw & Bartenfeld, 2009). Testing should include table top sessions as well as full scale exercises reviewed by command staff after the exercises to determine areas that need improvement or special considerations (Garrett, 2010). Harden's (2008) research concluded that prior tragic events illustrated the need for employee preparedness training. When employees were properly trained by their leaders, the positive outcome was that of accomplishment and participation. Conversely, the failure of leadership to train ahead of a tragic event could prove disastrous (Harden, 2008).

Predicting exactly when the next pandemic will occur is virtually impossible. The federal government has developed several pandemic preparedness strategic plans that can be used as a guide to assist agencies in developing a pandemic protocol that fits their needs. The federal plans guide the national pandemic preparedness and response efforts and also emphasize the importance of state, local, and individual preparedness (Delaney, 2007). Exactly how in-depth an agency explores their agency's need for a pandemic protocol may differ depending on the size and needs of each individual agency; however, the federal plan emphasizes the importance of preparedness at every level of government.

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