

ESF #13 - Public Safety and Security

ESF #13 Coordinator:	Kansas Highway Patrol
Primary Agency:	Kansas Highway Patrol
Support Agencies:	The Adjutant General's Department, Kansas National Guard The Attorney General's Department, Kansas Bureau of Investigation Kansas Department of Corrections Kansas Department of Wildlife and Parks

Purpose

Emergency Support Function (ESF) #13 – Public Safety and Security integrates state public safety and security capabilities and resources to support the full range of incident management activities associated with potential or actual disaster/emergencies.

Scope

ESF #13 provides a mechanism for coordinating and providing support to state and local authorities to include law enforcement, public safety, and security capabilities and resources during potential or actual disaster/emergencies.

ESF #13 capabilities support incident management requirements including force and critical infrastructure protection, security planning and technical assistance, technology support, and public safety in both pre-incident and post-incident situations. ESF #13 generally is activated in situations requiring extensive assistance to provide public safety and security and where local government resources are overwhelmed or are inadequate, or in pre-incident or post-incident situations that require protective solutions or capabilities unique to the State Government.

Policies

Local and private sector authorities have primary responsibility for public safety and security, and typically are the first line of response and support in these functional areas.

In most incident situations, local jurisdictions have primary authority and responsibility for law enforcement activities, utilizing the Incident Command System (ICS) on-scene. In larger-scale incidents, additional resources can be obtained through the activation of mutual aid agreements with neighboring localities and/or state authorities based locally, with incident operations managed through a Unified Command structure.

Through ESF #13, state resources supplement local resources when requested or required, as appropriate, and are integrated into the ICS using National Incident Management System (NIMS) principles and protocols.

ESF #13 primary agencies facilitate coordination among supporting agencies to ensure that communication and coordination process are consistent with stated incident management missions and objectives.

When activated, ESF #13 coordinates the implementation of state authorities that are appropriate for the situation and may provide protection and security resources, planning assistance, technology support, and other technical assistance to support incident operations, consistent with state agency authorities and resource availability.

ESF #13 activities should not be confused with the activities described in the National Response Plan (NRP) Terrorism Incident Law Enforcement and Investigation Annex or other criminal investigative law enforcement activities. As the lead law enforcement official in the United States, the Attorney General, generally acting through the Federal Bureau of Investigation (FBI), maintains the lead for criminal investigations of terrorist acts or terrorist threats by individuals or groups inside the United States, or directed at U.S. citizens or institutions abroad. ESF #13 activities are separate and distinct, and should be fully coordinated with other activities conducted as part of the US Attorney General's overall criminal investigation and law enforcement responsibilities.

In the event that state and local police forces (including the National Guard operating under State control) are unable to adequately respond to a civil disturbance or other serious law enforcement emergency, the State legislature (or the Governor if the legislature cannot be convened) may request, through the US Attorney General, Federal military assistance under 10 U.S.C. Chapter 15. The President may also use the military in a state to enforce Federal law or to protect constitutional rights. Pursuant to 10 U.S.C. 331-334, the President will ultimately determine whether to use the Armed Forces to respond to a law enforcement emergency.

Under Title 10 authority, the President may federalize and deploy all or part of any State's National Guard. Procedures for coordinating Department of Defense (DOD) and Department of Justice (DOJ) responses to law enforcement

emergencies arising under 10 U.S.C. 331-334 are set forth in the DOD Civil Disturbance Plan, February 15, 1991.

This annex does not usurp or override the policies or mutual aid agreements of any local jurisdiction or government. Law enforcement activities and criminal investigations are conducted in conformance with existing statutes.

Concept of Operations

General

ESF #13 is activated when local public safety and security capabilities and resources are needed to support incident operations. This includes threat or pre-incident as well as post-incident situations.

When activated, the primary agency assesses public safety and security needs, and responds to requests for state resources and planning/technical assistance from local government, state agencies, or other ESFs.

ESF #13 maintains close coordination with state and local officials to determine public safety and security support requirements and to jointly determine resource priorities.

The primary agency maintains communications with supporting agencies to determine capabilities, assess the availability of resources, and track resources that have been deployed.

Organization

During an emergency or disaster, the primary and support agencies of ESF #13 will respond directly to the Emergency Services Branch Chief who reports to the Operations Section Chief.

Notifications

- Kansas Division of Emergency Management (KDEM) will notify the ESF #13 agencies when an area of Kansas is threatened or has been impacted by an emergency or disaster event;
- The designated agencies notified will report to the State Emergency Operations Center (SEOC) if so advised or requested by the KDEM; and
- The agencies designated to report to the SEOC will notify their agency personnel of the impending or actual event.

Actions

Once activated in the SEOC, ESF #13 team members on duty will accomplish one or more preparedness, response, recovery, and mitigation actions. The following is a list of those actions:

- **Preparedness**
 - Conduct training for state and local law enforcement in emergency response;
 - Pre-position ESF #13 agencies;
 - Train on wartime mission of the Kansas National Guard; and
 - Prepare plans for deployment of military forces in support of civil authority.
- **Response**
 - Conduct assessments in the impacted area;
 - Physically deployment of ESF #13 agencies; and
 - Augment force reductions.
- **Recovery**
 - Provide law enforcement assistance as requested;
 - Continue to conduct assessments of all assignment requirements with the requesting agencies and will respond accordingly; and
 - Continue to provide military support to lead agencies during the recovery phase until services can be contracted to the civilian sector and local/state agencies regain control of the situation.
- **Prevention**
 - Conduct a hazard analysis to determine where ESF #13 support may be needed to better enhance future emergency response; and
 - Review and update standard operating procedures.

Direction and Control

- Activities will be coordinated through the SEOC that will serve as the source of all direction and control;
- The Adjutant General (TAG) or designee of KDEM provides direction and control for ESF #13 to include mission assignments, mutual aid, Kansas Emergency Response Team (KERT), contracts for goods and services, radiological emergencies, and recovery and mitigation activities;
- ESF #13 falls within the Infrastructure Branch Chief's arena;
- Agencies of ESF #13 may serve the KERT in Field Operations (i.e., the Kansas Assessment Team, Joint Field Office (JIO) operations, Disaster Recovery Center operations, intrastate and/or interstate mutual aid assistance, etc.);
- When a request for assistance is received by ESF #13 it is assigned to the agency or agencies that have the most appropriate resources and expertise to accomplish the task; and
- KDEM will assist in the coordination of federal response efforts under the provisions of a Presidential Disaster Declaration.

Responsibilities

The Kansas Highway Patrol (KHP) is designated as the coordinator for ESF #13. As ESF coordinator, KHP and KDEM coordinates meetings, plans, exercises, training, and other activities with the private sector, and the ESF #13 support agencies.

Kansas Highway Patrol

- Participate in investigations/task forces related to the disaster/emergency;
- Coordinate state law enforcement participation in evacuations, traffic control, road status closure information, high visibility patrol, and escorts;
- Provide assistance in fixed post and other assignments;
- Alert state officials in accordance with established policy and procedures;
- Alert and warn all area and local law enforcement agencies and other ESF;
- Assist local authorities to prevent and control civil disorder, looting, sabotage, and other criminal activity; and
- Enforce a system of appropriate identification for authorized personnel in a disaster area.

The Adjutant General's Department

Kansas National Guard

- Provide personnel for augmenting state and local law enforcement; and
- Provide Military Liaison Officer representation on the KERT.

The Attorney General's Office

Kansas Bureau of Investigation

- Assist local and federal authorities during investigations of espionage, sabotage, and terrorist activities;
- Conduct all relevant criminal investigative operations appropriate to identify, apprehend and prosecute the person(s) responsible for the incident;
- Maintain liaison with federal authorities and support, as required, those authorities;
- Serve as clearinghouse for intelligence and investigative information for local law enforcement;
- Maintain liaison with interstate investigative agencies; and
- Share appropriate information with members of the emergency management community.

Kansas Department of Corrections

- Assist local law enforcement agencies in county detention facility evacuation and traffic control;
- Identify inmate labor and equipment that can be dispatched to the affected area; and
- Provide security for Strategic National Stockpile (SNS).

Kansas Department of Wildlife and Parks

- Assist local law enforcement agencies.