

	HARRISONBURG POLICE DEPARTMENT General Orders	Policy Number: 421
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	Issued By: Kelley Warner, Chief of Police	Effective Date: 12/14/2022
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VALEAC Standards: ADM.19.03, OPR.06.01 (a), OPR.06.01 (b), OPR.06.01 (c), OPR.06.01 (d), OPR.06.01 (e), OPR.06.02 (a), OPR.06.02 (b), OPR.06.02 (c), OPR.06.02 (d), OPR.06.02 (e)		

A. POLICY AND PURPOSE

This policy provides guidelines for the specialized support of the Emergency Response Team (ERT) in handling critical field operations where special tactical deployment methods or intense negotiations are beyond the capacity of field officers.

The Harrisonburg Police Department will maintain an Emergency Response Team (ERT), comprised of Crisis Negotiations Team (CNT) and Special Weapons and Tactics (SWAT) teams, and to provide the equipment, staffing and training necessary to maintain such teams. The Department recognizes that the presence of a highly trained, highly skilled police tactical unit has been shown to substantially reduce the risk of injury or loss of life to citizens, police officers and suspects. The Department further recognizes that a well-managed "team" response to critical incidents usually results in successful resolution of critical incidents. Therefore, the Harrisonburg Police Department ERT has been implemented to provide a highly trained and skilled tactical team as a resource for the Harrisonburg Police Department in the handling of critical incidents. The ERT should develop sufficient resources to perform several basic operational functions:

- a. Command and control
- b. Containment
- c. Communications and de-escalation
- d. Entry/apprehension/rescue

B. ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this policy. Responsibility rests with the supervisor to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated. This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

C. DEFINITIONS

Barricaded suspect – A suspect, believed to be armed, who has committed a criminal act or is wanted on criminal charges or is alleged to be mentally disturbed. The individual has assumed a position which provides him with significant tactical advantages over officers attempting to affect the arrest of the suspect, thereby rendering such attempts significantly unsafe to the public and on-scene officers.

Command post – A designated location that is usually in the immediate vicinity of an incident or crime scene where officers assemble, direction and communication is given and operational instructions are formulated and implemented. The incident scene will usually dictate the type of command post established.

High risk warrant – Where resistance, believed to be armed, is likely to be encountered during the execution of search warrants or where the service of such warrants may require the use of specialized equipment not available to other officers outside the Emergency Response Team.

Hostage situation – A suspect who is holding a person against their will.

Incident Scene Commander – At the scene of any crime or other police incident where procedure is not clearly indicated by Department policy, the ranking officer present shall assume command and direction of police personnel to assure the most orderly and efficient accomplishment of the police task.

Crisis Negotiations Team (CNT)- ERT Negotiation members are designated officers, including those in a multi jurisdictional team, who are specifically trained and equipped to provide skilled verbal communications to de-escalate or effect surrender in situations where suspects have taken hostages or barricaded themselves or are suicidal.

Special events – Special events may include a variety of activities where increased security is necessary. This may include parades, political gatherings, etc.

Staging area – A designated area for the staging of equipment. Additional police units, rescue squad and fire department units standby at this location.

Stakeout – The stakeout is for a felony or crime of violence where the suspect is known or believed to be armed, and/or where the use of specialized equipment not available to other officers outside of the Emergency Response Team, is required.

Suicidal suspect – A suspect believed to be armed, who appears to be distraught or mentally unstable and who is threatening to take his own life, and / or has the capability of harming others, has assumed a position which provides him with significant tactical advantages over officers attempting to apprehend the suspect.

Special Weapons and Tactics Team (SWAT)– SWAT members are specialists trained as a team to deploy to critical incidents that require additional tactics and weapons beyond that deployed by regular police units. This includes, but is not limited to, hostage taking, barricaded suspects, snipers, terrorist

acts and other high-risk incidents. As a matter of department policy, a tactical team may also be used to serve high-risk warrants, both search and arrest, where public and officer-safety issues necessitate such use.

VIP protection – The necessity of added security for the protection of an individual’s life may require the added security provided by ERT personnel.

D. UTILIZATION OF THE EMERGENCY RESPONSE TEAM (ERT)

- a. The mission of the Harrisonburg Police Department Emergency Response Team (ERT) is to support the Harrisonburg Police Department with a tactical and negotiations response to critical incidents.
- b. The ERT will be utilized in life threatening situations that require resources or actions beyond those provided by normal police operations.
- c. Critical incidents are incidents that include, but are not limited to:
 1. Hostage Situations – the holding of any person(s) against their will by an armed, potentially armed suspect, or violent suspect.
 2. Barricaded Persons – the standoff created by an armed, potentially armed, or violent suspect in any location, whether fortified or not, who is refusing to comply with police demands for surrender.
 3. Dignitary Protection – the security of special persons, such as VIP’s, witnesses or suspects, based on threat or potential threat to the well-being of those persons.
 4. Sniper Situations – the firing upon citizens and/or police by an armed suspect, whether stationary or mobile.
 5. Riots/Civil Disturbances – mass public disturbances in which the protection of the public, the Civil Disturbance Unit and other police officials is required.
 6. High-Risk Apprehension – the arrest or apprehension of armed or potentially armed suspects where the likelihood of armed resistance is high.
 7. High-Risk Warrant Service – the service of search or arrest warrants where the warrant service creates a high risk for officers due to the propensity for violence or weapons involved.
 8. Special Events- High profile events, police officers funerals
 9. Any other situation deemed exceedingly hazardous or technical as to needlessly endanger officers without the special training and/or equipment or a situation that will consume an extraordinary amount of time if performed by the Special Operations Bureau or any other division of the Harrisonburg Police Department.

E. VIP AND DIGNITARY SECURITY

All requests for police security services for VIP visitors will be directed to the Special Operations Bureau Commander or his/her designee who will supervise and coordinate the given security detail. The Special Operations Bureau Commander or his/her designee will meet in advance with the party/VIP representative, as necessary, and will prepare the necessary plans for the provision of security

services. In order to plan for such details, there will be several provisions that will need to be addressed such as who is the lead agency, the primary back up agency, and the secondary agency.

a. IDENTIFICATION

The coordinator shall:

- a. Special identification methods for VIP/dignitary and their associated personnel (e.g., lapel pins, etc.)
- b. A means of identifying all law enforcement participants.
- c. A means of identifying all media permitted to be in or near the VIP/dignitary and determine media requirements and needs.

b. COMMUNICATIONS AND EQUIPMENT

The coordinator shall:

- a. Coordination with other sections of the Department and with outside agencies for assistance. This would include but not be limited to:
 1. Identify lead agency
 2. Points of contact (POC) for each agency identified
 3. Determine the need for a command post to centralize POC's
 4. Communication channel(s) to be used
 5. Compatibility with assisting agencies
 6. Need for covert or overt radio traffic
- b. Communication arrangements should be made with the VIP/dignitary security personnel, including the loaning of police radios and other equipment.
- c. Determine the level of security required, including weapons to be carried, the use of the SWAT team and/or other resources.
- d. Obtain information as to who will be included in the VIP/dignitary party and the vehicles to be used.
- e. There shall be a determination as to the type of equipment needed, such as vehicles, body armor, weapons, etc. for both security personnel and the VIP/dignitary.
- f. The dress of security personnel will be consistent with the event, either appropriate civilian attire or the specified Departmental uniform. All police equipment should be kept out of sight if civilian attire is approved.

F. CAPABILITIES

This Department acknowledges that training needs may vary based on the experience level of team members, team administrators and potential incident commanders. Therefore, with the preservation of innocent human life being paramount, nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training level due to the exigency of the circumstances.

G. MANAGEMENT AND SUPERVISION

The ERT is under the direction of the Special Operations Bureau Commander and shall be managed by the appointed ERT Commanders. The ERT Commanders shall be selected by the Chief of Police upon recommendation of command staff.

- a. The SWAT Team and CNT are each under the immediate control of the corresponding team's Commander.
- b. The Team Commanders will be assisted by the Team Leaders and Assistant Team Leaders.
- c. The SWAT Team/CNT Team Leaders and Assistant Team Leaders shall exercise the authority of the Commanders in their absence. The assistant team leaders are subordinate in command authority to the team leader.

a. **TEAM SUPERVISORS**

ERT members will be under the direction of designated team leaders, who shall be selected by the Chief of Police upon specific recommendation by command staff and the Tactical Commander and Negotiations Commander.

The primary responsibility of the team leaders is to oversee the operation of their teams, which includes deployment, training, first-line supervisor participation and other duties as directed by the CNT and SWAT Team Commanders.

b. **COMPOSITION, STRUCTURE AND STAFFING (SWAT)**

The SWAT Team is composed of one Team Commander, one Team Leader, two Assistant Team Leaders, 12 Operators, and four Snipers. Tactical Medics will also be attached to the SWAT Team (number of medical officers may fluctuate based on the arrangement with Harrisonburg Fire Department). All SWAT Team members will be Harrisonburg Police officers with the exception of the medical officers. The medical officers may be law enforcement, firefighters, or other medical related personnel. Circumstances may require fluctuation from the above standards.

For more information on Composition, Structure, and Staffing, please refer to: Harrisonburg Police Department Supplemental Manual: 400.2 COMPOSITION, STRUCTURE, AND STAFFING

c. **COMPOSITION, STRUCTURE AND STAFFING (CNT)**

The CNT shall consist of not less than nine HPD officers. All members will be trained negotiators; one of which will be designated as the Team Leader and another will be designated as the Assistant Team Leader. The CNT is composed of one Team Commander, one Team Leader, one Assistant Team Leader, and seven Negotiators. All CNT members will be officers of the Harrisonburg Police Department.

H. READINESS

An operational readiness assessment may be conducted to determine the type and extent of Tactical/Negotiator missions and operations appropriate to this Department. The assessment should consider the capabilities, training and limitations of the ERT and should be reviewed annually by the corresponding Team Commander or the authorized designee.

a. SWAT TEAM EQUIPMENT INSPECTIONS

The SWAT Team Commander shall appoint a team leader to perform operational readiness inspections of all tactical equipment at least semi-annually. The result of the inspection will be forwarded to the SWAT Team Commander in writing. The inspections will include personal equipment issued to members of the, operational equipment maintained in the facility and equipment maintained or used in assigned vehicles.

b. NEGOTIATOR EQUIPMENT INSPECTIONS

The CNT Commander shall appoint a team supervisor to perform operational readiness inspections of all equipment at least semi-annually. The result of the inspection will be forwarded to the CNT Commander in writing. The inspections will include all equipment, including assigned vehicles.

c. MUTUAL AID

The Harrisonburg Police Department ERT is available to assist law enforcement agencies in the mutual aid area. The request for aid must come from the agency's Chief of Police/Sheriff or their designee.

d. MULTI JURISDICTIONAL OPERATIONS

The ERT, including any relevant specialized teams and supporting resources, should develop protocols, agreements, memorandums of understanding (MOUs) or working relationships to support multi-jurisdictional or regional responses.

- a. If it is anticipated that multi jurisdictional ERT operations will regularly be conducted, multi-agency and multidisciplinary joint training exercises should occur.
- b. Employees of the Harrisonburg Police Department ERT shall operate under the policies, procedures and command of the Harrisonburg Police Department when working in a multi-agency situation.

I. PROCEDURES

Situations that necessitate the need for an ERT response vary greatly from incident to incident and often demand on-scene evaluation. The guidelines allow for appropriate on-scene decision-making and development of organizational and operational procedures.

J. OPERATIONAL GUIDELINES

Generally, the SWAT Team and CNT will be activated together. However, the teams can be activated independently as circumstances dictate. The SWAT Team may be used in a situation not requiring the physical presence of the negotiation team, such as warrant service operations. The CNT Team may be used in a situation not requiring the physical presence of the SWAT Team, such as handling a suicidal person. Operational deployment of the specialized teams shall be at the discretion of the Special Operations Bureau Commander or designee.

a. ON-SCENE DETERMINATION AND NOTIFICATION

The supervisor-in-charge at the scene of a particular event will be designated as the Incident Commander and will assess whether the ERT is to respond to the scene. With input from the Incident Commander, final determination will be made by the corresponding Division Commander, who shall then notify the Special Operations Bureau Commander. If the Special Operations Bureau Commander or designee is unavailable, then a specialized Team Commander shall be notified.

Based on the Commander, the following will change to reflect the leadership of each team.

A ranking supervisor will have the authority to request the activation of the ERT Tactical element using the following procedures:

- a. Ranking supervisor shall contact the corresponding Division Commander, who shall contact the Special Operations Bureau Commander, who in-turn shall contact the appropriate SWAT Team/CNT Commander to analyze the information and make a decision regarding the ERT's involvement. Once the SWAT Team/CNT is committed to action, the team shall be under the exclusive command of the corresponding Team Commander. The SWAT Team/CNT Commanders shall advise communications of the activation sequence of the team personnel.
- b. Upon activation of the ERT, the Chief of Police will be notified.

The corresponding Division Commander should brief the Special Operations Bureau Commander about the incident. Such information should include:

- a. The type of crime involved.
- b. The number of suspects, identity and criminal history.
- c. The known weapons and resources available to the suspect.
- d. If the suspect is in control of hostages and/or barricaded.
- e. Whether contact has been made with the suspect and whether there have been demands.
- f. If potential victims are still within the inner perimeter.

- g. If the suspect has threatened or attempted suicide.
- h. The location of the command post and a safe approach to it.
- i. The extent of any inner or outer perimeter and the number of personnel involved.
- j. Any other assets or resources at the scene including other involved agencies.
- k. Any other important facts critical to the immediate situation.

The SWAT Team Commander or team leader shall then follow current call-out procedures. A current mobilization list shall be maintained in the Records Unit and Emergency Communications Center by the corresponding Team Commander.

b. FIELD PERSONNEL RESPONSIBILITIES

While waiting for the ERT to respond, field personnel should, if determined to be safe and practicable and sufficient resources exist:

- a. Establish an arrest/response team in case the suspect takes action. The response team's tasks may include:
 - 1. Taking action to mitigate a deadly threat or behavior either inside or outside the location.
 - 2. Securing any subject or suspect who may surrender or attempt to escape.
- b. Evacuate any injured persons in the zone of danger.
- c. Evacuate or provide safety instructions to other people in the zone of danger.
- d. Establish an inner and outer perimeter.
- e. Establish a command post outside of the inner perimeter.
- f. Attempt to establish preliminary communication with the suspect. Once the ERT has arrived, all negotiations should generally be halted to allow the negotiation and tactical teams time to organize, position and assume the appropriate roles and responsibilities.
- g. Plan for and stage anticipated resources.

c. ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the ERT at the scene, the Incident Commander shall brief the SWAT Team Commander, Negotiations Team Commander and team supervisors. Upon review, it will be the SWAT Team Commander's decision, with input from the Incident Commander, whether to deploy the SWAT Team. Once the SWAT Team Commander authorizes deployment, the SWAT Team Commander or the authorized designee will be responsible for the tactical response. The CNT Commander or the authorized designee will be responsible for negotiations. The Incident Commander shall continue to supervise the command post operation, outer perimeter security, evacuation and media access and will support the ERT. The Incident Commander, SWAT Team Commander and CNT Team Commander or the authorized designees shall maintain direct communication at all times.

d. COMMUNICATIONS WITH ERT MEMEBERS

All persons who are non-ERT members should refrain from any non-emergency contact or interference with any ERT member during active negotiations. ERT operations require the utmost in concentration by involved members and, as a result, no one should interrupt or communicate with ERT members directly. All non-emergency communications shall be channeled through the negotiation team or tactical team supervisor or the authorized designee.

e. EXPLOSIVE BREACHING

The utilization of explosive breaching charges can be a safe and viable tactic when supporting Special Weapons and Tactics (SWAT) personnel during the resolution of certain critical incidents. These events may include, but are not limited to:

- a. Terrorist events;
- b. Hostage rescue operations;
- c. Service of high-risk search/arrest warrants;
- d. Barricaded gunman;
- e. Pre-detonate booby traps; and
- f. Civil disaster scenarios

Tactical breaching charges commonly used by law enforcement are not "weapons"; as they are neither designed nor intended to be used as such. Tactical breaching charges are specialized tools that are deployed in the furtherance of legitimate law materials to affect an entry, can be an advantageous tactical option. Refer to Emergency Response Team in the supplemental manual.

K. POST OPERATIONS

The Team Leader ensures a post incident debrief immediately following resolution of the incident.

Any team member who actively participated in the incident should not be tasked with criminal investigative responsibilities, crime scene processing or administrative review pertaining to the incident.

The Incident Scene Commander will conduct a critique with the ERT members, pointing out both positive actions and negative actions taken.

The Team Leader or his designee prepares and submits an after-action report of the incident. The report should contain any recommended changes in procedures.

If the incident meets the criteria, employees may meet with representatives of the Employee Assistance Program (see City HR policy for EAP) or other debriefer for stress management counseling. Any supervisor may recommend a member's attendance, or a member may request assistance from the EAP according to policy.

L. SWAT TEAM ADMINISTRATION

The following procedures serve as directives for the administrative operation of the tactical team.

a. SELECTION OF SWAT MEMBERS

When there are openings on the SWAT Team, the SWAT Team Commander will authorize a testing process. Those qualifying applicants will then be invited to participate in the testing process. The order of the tests will be at the discretion of the SWAT Team Commander. The testing process will consist of an oral interview, physical agility tests, and firearm qualification.

Once accepted and assigned to the team, all operational team members, regardless of rank or position, must maintain acceptable standards of performance.

A team member may voluntarily withdraw from the team at any time, for any reason. A team member may be removed from the team, without cause, when deemed necessary for the good of the team at the collective discretion of the SWAT Team Commander and Team Leader.

The selection panel shall submit a list of successful applicants to the SWAT Commander for final selection through the chain of command.

For information relating to Selection of Tactical Members, please refer to: Harrisonburg Police Department Supplemental Manual: 400.3 SELECTION OF TACTICAL MEMBERS-PROCESS

b. SWAT TEAM TRAINING

Mandated monthly training shall be coordinated by the SWAT Team Leader. The SWAT Team Commander shall conduct an annual training needs assessment to ensure that training correlates to the team's capabilities and policy. The SWAT Team Commander shall conduct monthly training evaluations that include a review and critique of members and their performance in the exercises, in addition to specialized training.

For information relating to Tactical training, please refer to: Harrisonburg Police Department Supplemental Manual: 400.4 TACTICAL TRAINING

c. SWAT TEAM EVALUATION

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the team shall be conducted by the team supervisor. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all tactical team members. Any member of the SWAT Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the team.

M. UNIFORMS

ERT specialized teams from this department should wear uniforms that clearly identify them as law enforcement members. It is recognized that certain tactical conditions may require covert movement. Attire may be selected that is appropriate to the specific mission.

a. EQUIPMENT

The SWAT Team should be adequately equipped to meet the specific missions identified by the Department and will maintain equipment that is deployment and task specific.

Each SWAT Team member will be equipped, at a minimum with:

- a. A portable radio with earphone and transmitter;
- b. Tactical ballistic assault vest;
- c. Tactical assault holster and equipment belt;
- d. One green battle dress uniform;
- e. One gas mask with carrier;
- f. Helmet and goggles.

b. FIREARMS

Weapons and equipment used by the SWAT Team and any supporting resources should be department-issued or approved, including any modifications, additions or attachments.

Each SWAT Team member will be equipped, at a minimum, one long gun for specific team function (rifle, submachine gun, shotgun or sniper rifle), and sidearm, and is required to carry his/her issued weapons during an ERT operation. Each member is required to maintain his/her issued weapon in mechanically sound and clean condition.

Weapons and equipment will be stored within the team member's personally assigned locker in the specialized locker room, secured within personally assigned departmental vehicles, in the Sally Port Tactical equipment locker, or the assigned equipment vehicle.

N. NEGOTIATIONS TEAM ADMINISTRATIVE GUIDELINES

The CNT element has been established to provide skilled verbal communicators who will attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages, barricaded themselves, have suicidal tendencies, or are otherwise in crisis.

The following procedures serve as directives for the administrative operation of the Negotiations Team.

a. SELECTION OF NEGOTIATIONS TEAM MEMBERS

Interested department members shall submit a memorandum to the Chief of Police to request consideration to become a CNT Member. A copy of the memorandum will be forwarded to the

CNT Team Commander. Qualified applicants will then be invited to participate in a selection process to be evaluated by the CNT Commander, Team Leader, and other members, as assigned. Criteria for selection to the team will include:

- a. Recognized competence and ability as evidenced by performance.
- b. Effective communication skills.
- c. Demonstrated good judgment and understanding of the critical role of a negotiator and the negotiation process.
- d. Special skills, training or appropriate education as it pertains to the assignment.
- e. Commitment to the ERT, realizing that the assignment may necessitate unusual working hours, conditions and training obligations.

The selection panel shall submit a list of successful applicants to the CNT Commander for final selection through the chain of command.

b. TEAM ORGANIZATION AND STAFFING

- a. CNT Commander: The team Commander shall be a member of HPD command staff selected by the Chief of Police. The CNT Commander shall be responsible for the overall command of the CNT. Specific responsibilities include:
 1. Overall command of the negotiators at scenes where they are deployed.
 2. Maintaining liaison and sharing information with the SWAT Team Commander and the Incident Scene Commander.
 3. Appointment of personnel to the CNT.
 4. Maintaining the yearly budget and providing oversight of assigned equipment.
- b. CNT Team Leader: The Team Leader shall be a senior member of the team or a supervisory member of the team who has been selected by the CNT Commander and approved by the Chief of Police. The Team Leader is generally responsible for line supervision of team functions and assisting the CNT Commander, as needed. Specific responsibilities include, but are not limited to:
 1. Planning and documenting CNT training activities.
 2. Maintaining and coordinating specialized equipment inventories and inspections.
 3. Determining assignments of team members.
 4. Evaluation of team personnel.
- c. Assistant Team Leader: The Assistant Team Leader is a sworn member of any rank, normally a senior team member, appointed by the CNT Commander and approved by the Chief of Police. The Assistant Team Leader will act as the Team Leader in the absence of the Team Leader. The Assistant Team Leader is responsible for assisting the Team Leader in his/her responsibilities, as needed, with specific focus on assisting to monitor, evaluate, and train team personnel.

c. CNT TRAINING

Training shall be coordinated by the CNT Commander. Training activities shall be documented and training records will be maintained. CNT training should be held on a monthly basis and

shall include a review and critique of members and their performance in negotiations and related exercises, in addition to specialized training.

Attendance of CNT training is mandatory for all team members and absence from regularly scheduled training should only be excused for good cause. Failure to meet team training standards may result in dismissal.

d. NEGOTIATIONS TEAM EVALUATION

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the team shall be conducted by the team supervisor. Performance and efficiency levels, established by the CNT supervisors will be met and maintained by all team members. Any team member who performs at a level less than satisfactory shall be subject to dismissal from the team.

O. EQUIPMENT

- a. The Team Leader determines and acquires sufficient team equipment.
- b. The Team Leader is responsible for the storage, maintenance and issuance of all team equipment.
- c. The Team Leader is responsible for operational readiness of all team equipment and the deployment of said equipment during training and critical incidents.
- d. The following equipment, at a minimum is utilized by the team as appropriate:
 1. The rescue phone (also referred to as the “throw phone”), or other similar equipment
 2. A back-up cellular phone
 3. Two (2) digital recorders
 4. PA system or bullhorn
 5. Personal body armor for each team member deployed
 6. Outer garment (jacket) that includes distinctive prominently displayed team designators, such as “Crisis Negotiator” and/or “Police”
 7. Negotiation post documentation materials, containing miscellaneous administrative equipment and information