

# Virginia's Response to the Unite the Right Rally

## After-Action Review



Prepared by

International Association of Chiefs of Police

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## Executive Summary

Saturday, August 12, 2017, was a challenging day for the City of Charlottesville, the Commonwealth of Virginia, and for the nation. The Unite the Right rally, held in downtown Charlottesville, was reportedly the largest gathering of white nationalists in more than a decade, with more than 500 protesters.<sup>1</sup> More than 1,000 counter protesters, including many representing far-left anti-fascist groups, also were present, along with dozens of militia members. Opposing groups arrived early, armed and ready for conflict, many traveling from across the country to participate. Violent clashes ensued between protesters and counter protesters and were well documented in the media. Tragically, three people died and dozens were injured.

In many ways, the rallies held in Charlottesville and elsewhere around the country over the past year suggest a new age of American protest requiring a new approach to managing crowds. Two key elements make the Unite the Right rally and similar events distinct from past First Amendment demonstrations:

- **The Potential for Violence:** Participants in recent rallies and demonstrations arrived armed, ready for, and sometimes intent on conflict. In many cases, these facts were well publicized in advance on social media. Crafting an effective police response that protects and respects constitutional rights while also enforcing command and control over the event can be a challenge for government and law enforcement leaders.
- **Transient Participants:** Protesters and counter protesters travel from across the country to participate in these events. Some are compensated to incite discontent in the crowd. Local organizers often hold little knowledge of or control over who shows up or their behavior. Traditional crowd-management techniques that rely on communicating and negotiating with local event organizers to establish rules and guidelines can have a negligible effect.

This shifting landscape requires law enforcement leaders and policymakers to challenge prior assumptions and conventional practices by looking for new ways to effectively manage future events.

The Commonwealth of Virginia worked closely with city officials to plan and manage its response to the Unite the Right rally, including providing hundreds of Virginia State Police troopers and National Guard members. Despite ample resources and thorough preparation in anticipation of a potentially violent event, key areas of the state's response could be improved to ensure more coordinated and synchronous management of similar events in the future. This after-action review seeks to make an independent, objective assessment of the state's response, identifying successes and lessons learned

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<sup>1</sup> <https://www.usnews.com/news/us/articles/2017-08-14/hate-watch-groups-agree-rally-was-largest-in-decade-or-more>

with the goal of improving future performance. This review also considers new and evolving issues to contribute to the future planning and response efforts of law enforcement broadly.

Observations and recommendations are grouped into three categories, each with several subcategories:

- Adherence to National Incident Management System (NIMS) and Incident Command System (ICS) Standards
  - Disparate Operational Plans
  - Lack of Unified Command
  - Multiple Command Posts
  - Public Information Management
  - Lack of Joint Training
  
- Maximizing Use of Related State Assets and Resources
  - Virginia Department of Emergency Management's Role
  - Criminal Histories of Attendees with a Record of Violence
  
- Inter-Governmental and Community Coordination
  - Executive Leadership's Role
  - Community Engagement
  - Defining the State's Role

The observations and recommendations included in this report should not diminish the hard work of the Commonwealth or overshadow achievements. The Commonwealth of Virginia provided significant time, resources, and expertise without hesitation to the City of Charlottesville to support the Unite the Right rally. During interviews, city officials spoke very highly of the support they received from the Commonwealth, in particular the support from the Virginia State Police. Cooperation among all parties throughout the planning stage was excellent. Everyone was intent on doing their best to prepare for a safe event. The cooperative effort resulted in a low arrest rate and little to no property damage. Despite the efforts noted, there was violence and the tragic death of Heather Heyer. That tragedy should cause all involved to pause, challenge conventional assumptions, and seriously evaluate areas for future improvement.

## Introduction

The purpose of this report is to critically, objectively, and thoroughly evaluate the Commonwealth of Virginia's public safety preparation and response to the civil unrest in Charlottesville on August 11 and 12, 2017, with a focus on state assets.

This report is submitted to the Commonwealth under Virginia Governor's Executive Order No. 68 (2017), which created the Task Force on Public Safety Preparedness and Response to Civil Unrest. The task force is charged with evaluating the circumstances that led to the violent white supremacist events in Charlottesville on August 11 and 12 and assessing the Commonwealth's procedures for preparing and responding to events where civil unrest could occur.<sup>2</sup>

An after-action review (AAR) is a document intended to capture observations of an exercise and make recommendations for post-exercise improvements.<sup>3</sup> An AAR is a process of organizational learning to capture the lessons learned from successes and failures with the goal of improving future performance.<sup>4</sup>

To accurately conduct the review, the IACP team acquired an understanding of the gathered intelligence and the operational planning that went into the response. The goal is to identify needed improvements in preparation, response, cooperation, funding, communication, equipment, and laws.

## Scope

This review focuses on the Commonwealth of Virginia's support to the City of Charlottesville's preparation and response to the Unite the Right rally on August 12, 2017. This report is focused solely on the civil unrest of that day, not the coinciding aircraft incident or death investigation. This AAR is not directed at any singular agency, entity, or organization. The recommendations are directed at all agencies involved in the event.

## Methodology

The IACP assembled a veteran team of police leaders with decades of diverse law enforcement experience, including expertise managing large crowds, demonstrations, and civil unrest. The IACP team interviewed more than 30 individuals who were involved in various stages of the state's response to the events of August 12, 2017, including planning, preparation, and execution. The team traveled to Richmond and Charlottesville three times and conducted a detailed walkthrough of the site. The team reviewed official and publicly available video, policies, legislation, standard operating procedures, operational plans, incident action plans, and publicly available news reports leading up to and following the event. The team also interviewed officials in Florida, Tennessee, and other locales about their responses to similar rallies that took place before and after the Unite the Right event.

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<sup>2</sup> <https://governor.virginia.gov/media/9444/eo-68-establishing-the-task-force-on-public-safety-preparedness-and-response-to-civil-unrest.pdf>

<sup>3</sup> <https://training.fema.gov/programs/emischool/el361toolkit/glossary.htm>

<sup>4</sup> [http://www.au.af.mil/au/awc/awcgate/army/tc\\_25-20/tc25-20.pdf](http://www.au.af.mil/au/awc/awcgate/army/tc_25-20/tc25-20.pdf)

## Precipitating Events

In recent years, officials in Charlottesville, like those in other cities across the nation, have been reevaluating public displays of the Confederacy. In May 2016, the city passed a resolution forming the Blue Ribbon Commission on Race, Memorials, and Public Spaces. In February 2017, the Charlottesville City Council voted to remove a statue of Confederate Gen. Robert E. Lee from Lee Park in downtown Charlottesville. In June 2017, the City Council voted to rename Lee Park to Emancipation Park.

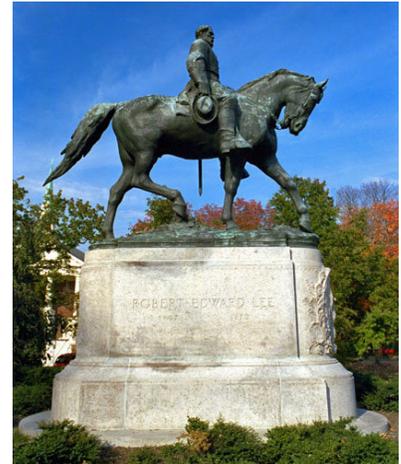
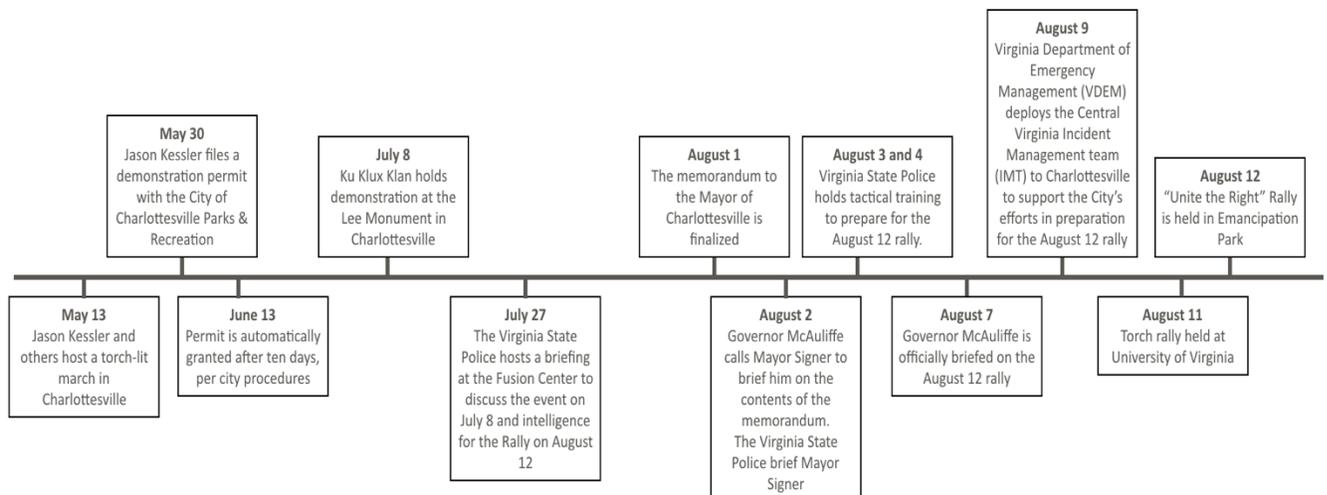


Figure 1: Statue of General Lee in Charlottesville’s Emancipation Park

In May 2017, Richard Spencer, a leader in the white nationalist movement and a University of Virginia graduate, led several dozen torch-wielding protesters in a demonstration in downtown Charlottesville against removal of the statue<sup>5</sup>. The protest lasted approximately 10 minutes until local police dispersed the crowd.

On July 8, 2017, the Ku Klux Klan held a rally in downtown Charlottesville protesting the city’s decision to remove Lee’s statue. The event included approximately 30 Klansmen and 1,000 counter protesters. Police response to this event, which included officers from multiple jurisdictions, resulted in more than 20 arrests and was criticized by the American Civil Liberties Union (ACLU) as being overly aggressive and militaristic.

On the evening of August 11, 2017—the eve of the Unite the Right rally—members of the alt-right led an unannounced torch march from the University of Virginia’s Nameless Field to the Rotunda. Once fights broke out, police declared an unlawful assembly and dispersed the crowd, resulting in at least one arrest and several minor injuries. Also on the evening of August 11, a Federal judge granted an injunction blocking the City’s effort to relocate the event to a larger venue outside of downtown, McIntire Park.



<sup>5</sup> While Spencer led the march, Jason Kessler arranged for and held the permit for the event.

## Laws and the Permitting Process

The permitting process in Charlottesville was not fully engaged for the Unite the Right rally. Although the scope of our work is focused on state assets, the permitting process was a precursor to the events that unfolded on August 12, 2017. Several interviews reported that Charlottesville officials received advice from high-ranking state officials on steps that should be taken to enhance public safety. Those recommendations were not followed in the permit, which placed no restrictions or direction on the participants. State officials had little to no ability to influence the permit process except to give advice based on prior experience and industry standards. Some of those recommendations included prohibiting firearms, sticks, or clubs; reducing the number of hours the event was permitted for; bussing protesters in; and strong messaging stating no tolerance for violence and/or property damage. The activity at Emancipation Park could have been contained had these recommendations been heeded.

This lack of early control set off a chain of events that challenged the ability to respond in accordance with industry standards. There should be an emphasis placed on the proper permitting for events such as this. In other areas of the country, effective permitting has helped create the tone for an enhanced public safety atmosphere and led to fewer acts of violence (e.g., Boston rally on August 19, 2017).

A review of the City of Charlottesville Special Events Regulations refers to special conditions that can be placed on a permit. In Section 3.5.19 (a) the ability to place reasonable conditions and limitation tied to public safety is highlighted.<sup>6</sup>

A separate part of the Governor’s Task Force is further evaluating the relevant laws and permitting process. However, through the course of this review, including discussions with officials in Florida and Tennessee, evidence suggests that in addition to good intelligence and an effective IAP guiding the process, a strict permitting process can set the tone for an event, thereby enhancing safety for protesters and community.

## Event Overview



<sup>6</sup> City of Charlottesville, Standard Operating Procedure, Policy Number 100-04, Special Events Regulations, revised 11/20/09

On August 12, 2017, the permitted Unite the Right rally was held in Emancipation Park in the City of Charlottesville, Virginia. The event was organized by local individuals who align themselves with the far-right white nationalist movement commonly referred to as the alt-right.<sup>7</sup> Although the rally was scheduled to begin at noon, participants began arriving in downtown Charlottesville early that morning, before many of the law enforcement personnel. Most police had been given a 7:00 AM report time; when officers arrived, they found that alt-right group members were already in the park.

Counter protesters also gathered on the morning of the rally to include left-wing, anti-fascist groups. Many of the participants on both sides arrived with sticks, shields, pistols, and long-barrel rifles. Likewise, many of the protesters and counter protesters wore varying forms of protective gear.

A third group of individuals—militia members who were dressed in camouflage and carried semiautomatic rifles and pistols—also arrived early on the scene, at approximately 8:30 a.m., adding another level of complexity to an already complex and tense situation. The presence of militia created unease among law enforcement personnel and possibly confusion among event participants, particularly given their openly displayed weaponry and paramilitary style of dress.<sup>8</sup>



Figure 2: Militia arriving at Unite the Right Rally

Emancipation Park was sectioned off with bike racks connected by zip ties to create four zones (see Figure 3). Zone One, the southwest section of the park, was designated for counter protesters. Zone Two, the southeast section of the park, was designated for Unite the Right attendees. Zone Four, on the north section of the park, was reserved for public safety personnel. On the day of the event, perhaps due to ineffective entry-control, the protest group occupied both Zones One and Two, and the counter protesters gathered on Market Street (Zone 3). It should be noted that Emancipation Park is a very small venue for a very large crowd. Although the city attempted to move the event to McIntire Park, its organizer protested the move and

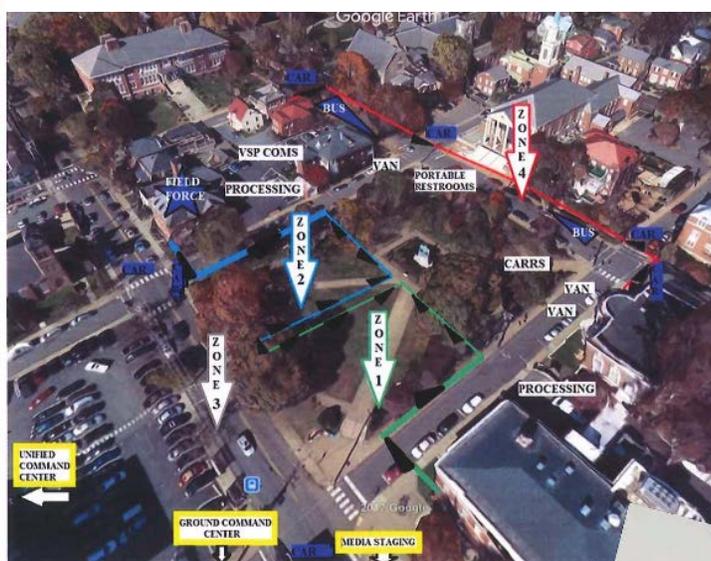


Figure 3: Aerial View of Emancipation Park

<sup>7</sup> The Southern Poverty Law Center defines the alt-right as “a set of far-right ideologies, groups, and individuals whose core belief is that ‘white identity’ is under attack by multicultural forces using ‘political correctness’ and ‘social justice’ to undermine white people and ‘their’ civilization.”

<sup>8</sup> As one senior VSP trooper remarked during interviews with the review team, “It was scary.”

sought intervention from the courts, at which point a federal judge blocked the move.

Early clashes among groups became loud and aggressive, eventually leading to a declaration of an unlawful assembly shortly before the event's official start time at noon. The Virginia State Police Tactical Field Force (VSP TFF) cleared the park from north to south. This effort led to more conflict between the opposing groups. Members of the alt-right occupying the southeastern corner of the park attempted to exit down the steps to the street but had to mix with the counter protesters who were assembled there, creating a bottleneck. The clashes became more violent with rocks, newspaper boxes, balloons filled with unknown substances, bottles of water, and myriad other projectiles that were thrown back and forth at the stair chokepoint. The results were well documented by national news outlets staged near the point of conflict.

After gaining no headway in exiting the park through the southeast exit, demonstrators reentered the park and pushed down the bike rack originally designed to serve as barrier between Zone One, established for counter protesters, and Zone Two, established for the protest group. Although some moved toward the southwest stairs, others confronted VSP TFF members. Chemical agent was deployed and cleared the park.

Members of the National Guard then secured the park as VSP TFF moved to the street. VSP TFF teams formed up and headed in both directions, east and west, on Market Street. At this point, both groups scattered throughout the city with small skirmishes breaking out in multiple locations. This also forced groups of law enforcement personnel to monitor and shadow these groups.

The event resulted in documented violence between protesters and counter protesters. After the declaration of an unlawful demonstration and the subsequent clearing of the park and surrounding areas—at a location several blocks away, yet still within the traffic control plan—a car drove into a crowd of people, killing one person and injuring dozens more. The events of the day became more tragic when a VSP helicopter assigned to the event suffered a mechanical failure and crashed, killing two troopers.



Figure 4: Scene at Market Street and 2nd Street NE, looking north



## A New Era of Protest

Alt-right rallies and clashes between white nationalists and counter protesters have occurred in various spots throughout the country before and since the events in Charlottesville, including but not limited to Berkeley, California; Seattle, Washington; Portland, Oregon; Gainesville, Florida; and Middle Tennessee. Many of these instances turned violent or had indicators suggesting the potential for violence. Participation of many out-of-town protesters and counter protesters is another signature of these events. Of special note, out-of-town protesters generally have no connection to the locality to which they are coming, and do not have a connection to the local protesters/groups who are making a request to demonstrate. This lack of a local connection provides a measure of anonymity that can embolden those who are intent on causing disruption.

Collectively, these events signal a new era of protest in America where participants are increasingly well armed and largely unknown to local police or local event organizers. Government officials and police leaders are increasingly challenged to maintain peaceful protest environments that respect constitutional rights—in this case, the First and Second Amendments—while also maintaining order and community safety. Dating back to 2014, widespread criticism of law enforcement's use of military equipment to safeguard personnel and the public during instances of civil unrest further complicates current response protocols.

While most protesters and counter protesters gather peacefully with no inclination of violence, the recurring appearance of individuals convening with a stated intent to cause physical harm to others represents a new threat and a departure from traditionally non-violent First Amendment protests. The introduction of firearms, personal protective equipment, and various other weapons/projectiles—even when discouraged by event organizers—adds a great deal of complexity to these already tense situations. Police are often the least armed group on the scene, creating a new dynamic in law enforcement response that puts them at a distinct disadvantage.

Further confounding the police response is the transitory nature of modern protest and counter protest participation. An analysis of more than 200 Unite the Right rally-goers found more than 35 states represented among them.<sup>9</sup> Large numbers of non-local participants can foil conventional methods for policing permitted demonstrations, such as communicating early and often with event organizers to lay out ground rules and set expectations. Such efforts have limited effect in what is becoming a new era where local organizers have little knowledge of or control over event participants. Additionally, reports suggest some rally and protest participants are compensated not only to attend, but also to deliberately agitate the crowd.<sup>10</sup> Traditional law enforcement efforts that rely on coordinating with identified group leaders must be augmented with alternate plans to address leaderless groups from disparate locales.

This backdrop contributed to the way the events in Charlottesville unfolded.

### Social Media's Influence

The role of social media within this new era of protest cannot be overstated, or underestimated. Rally organizers and law enforcement use it in preparation for and during major events.

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<sup>9</sup> <https://www.adl.org/blog/have-hate-will-travel-the-demographics-of-unite-the-right>

<sup>10</sup> Interview with Gene Spaulding, Colonel, Florida Highway Patrol, November 2, 2017

Protesters and counter protesters use the internet and social media to spread their message, attract followers, and generate broad awareness of planned rallies and protests. The wide reach of online platforms helps galvanize like-minded rally-goers from across the country. The internet also provides protesters and opposition groups with a medium for virtual training, including instruction on violent tactics and first aid. The decentralized, leaderless structure of some groups further makes social media an ideal avenue for message distribution. As a result, local events with local organizers easily become populated with travelling bands of out-of-town protesters, who often come with their own extremist agendas and methods of operation. Being in a distant city or state provides a measure of anonymity that may embolden some individuals to incite or commit violence.

At the same time, social media platforms can provide valuable intelligence information to law enforcement professionals preparing response plans for an event. Instances have been reported of opposing groups gathering and sharing intelligence on each other—including individual criminal histories—to gain tactical advantage. A recent ProPublica article examining Rise Above the Movement (RAM), a Southern California-based white supremacist organization whose members were present in Charlottesville, asserted that “many of the organization’s core members [...] have serious criminal histories, according to interviews and a review of court records. Before joining RAM, several members spent time in jail or state prison on serious felony charges including assault, robbery, and gun and knife offenses.”<sup>11</sup> Law enforcement officials must be adept at harvesting intelligence on likely agitators and should not minimize the threats these groups pose. Similarly, police agencies must be adept in leveraging social media during events, both for communications with the public and for monitoring the tenor of events in real time. Police must expand media monitoring to include not only traditional mainstay media outlets but also information transferred via social media.

## State Preparation and Response

The Commonwealth of Virginia took significant steps to plan and prepare for the Charlottesville event, including allocation of unprecedented resources:

- The Virginia State Police (VSP) dedicated approximately 600 sworn members to the event, the largest deployment in decades.
- The Virginia National Guard assigned approximately 115 quick-response personnel in Charlottesville with another 400 on standby in the local area.
- The Virginia Fusion Center led a robust intelligence effort.
- The Virginia Department of Emergency Management (VDEM) provided support and logistics.
- VDEM interacted with City of Charlottesville officials and activated a full incident management team (IMT) in support.
- Other state agencies provided various levels of logistical support. (Department of Transportation, Department of Health, etc)

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<sup>11</sup> Thompson, A.C., “Racist, Violent, Unpunished: A White Hate Group’s Campaign of Menace,” ProPublica, October 29, 2017.

VSP spent a great deal of time planning and dedicating resources to support the Charlottesville event. This included written plans, activation of large numbers of human assets, analysis of information, tactical training of VSP TFF teams, and engaging senior leaders in the planning process. Because the City of Charlottesville Police Department (CPD) was the lead agency, VSP played a support role: The VSP Unite the Right Operations Plan states that the state police mission is “to assist the Charlottesville Police Department and to provide general security and safety of persons and protection of property in and around Emancipation Park (formerly Lee Park) and McIntire Park in the City of Charlottesville [...] Our primary objective is to provide support to the Charlottesville Police Department, prevent any acts of violence, and to prevent any group or individual from disrupting the scheduled and permitted rally.”<sup>12</sup>

VSP and CPD collaborated throughout the planning process. The lead planner and liaison for VSP was the first sergeant commander of the station-level barracks, Division Three, Area 18, which includes Charlottesville. Weekly planning meetings were held involving VSP area commanders and a division commander with CPD. As August 12 approached, meetings at the executive and command levels occurred with greater frequency. Leadership at the highest levels of local and state government was engaged in the conversation and aware of the seriousness of the event.

The Virginia Fusion Center led a focused effort to gather and share information and intelligence in anticipation of the protest. As a result of this thorough analysis, VSP and CPD were aware of and prepared for the potential for violence. Operations plans for both VSP and CPD acknowledge “both alt-right/affiliates and groups in opposition have made it known that violence is an option for self-defense. Many individuals (on both sides) have indicated they will be openly carrying firearms.”<sup>13</sup>

VSP's presence in Charlottesville was substantial. In addition to Incident Command staff, VSP provided a significant concentration of personnel to venue security at Emancipation Park, the Downtown Mall, and McIntire Park. Tactical Teams and Investigations also contributed personnel.

- One-hundred troopers were assigned to Emancipation Park, organized into four zones.
- McIntire Park and the Downtown Mall were covered with 35 troopers each.
- The Tactical Field Force comprised more than 200 personnel organized into four platoons.
- The Tactical Team consisted of 29 troopers.
- The Bureau of Criminal Investigations (BCI) contributed more than 70 troopers.

Appendix A illustrates the organizational chart of VSP personnel in response to the Unite the Right rally.

Without the presence of such a large, well-trained, well-equipped contingent of state assets and close, collaborative planning among entities, arguably the outcome of the event could have been far worse. The deaths of Heather Heyer, Trooper-Pilot Berke Bates, and Lt. H. Jay Cullen are truly tragic and our sincere condolences go out to their family members. However, the actions of on-the-ground personnel in Charlottesville saved lives and safeguarded property. The potential for even greater injury, death, and property damage as a result of the demonstration was avoided because of the combined work of these agencies.

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<sup>12</sup> Virginia State Police Operations Plan: Unite the Right Rally, p. 4

<sup>13</sup> Virginia State Police Operations Plan: Unite the Right Rally, pg 4-5 and Charlottesville Police Department Operational Plan, dated August 4, 2017, pg 2

## Observations and Recommendations

Despite extensive preparations in anticipation of a potentially violent event, adequate resources, and a sound internal organizational structure, key areas of the state's response could be improved to ensure more coordinated and synchronous management of similar events in the future. These areas include:

- Adherence to National Incident Management System (NIMS) and Incident Command System (ICS) Standards
- Maximizing Use of Related State Assets and Resources
- Inter-Governmental and Community Coordination

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### Adherence to NIMS and ICS Standards

Interviews and observations by the review team suggest that elements of NIMS and ICS were partially employed during preparation and response to the Charlottesville rally. Incomplete execution of these frameworks, which are designed to coordinate incident responses across participating entities, led to breakdowns in leadership and organization.

Ineffective application of NIMS is evidenced in five key areas:

- Disparate Operational Plans, a.k.a. Incident Action Plans (IAPs), in NIMS
- Lack of Effective Unified Command
- Multiple Command Posts
- Information Management
- Lack of Joint Training

#### National Incident Management System

NIMS guides all levels of government, nongovernmental organizations (NGOs), and the private sector to work together to prevent, protect against, mitigate, respond to, and recover from incidents. NIMS provides stakeholders across the whole community with the shared vocabulary, systems and processes to successfully deliver the capabilities described in the National Preparedness system.

NIMS defines operational systems, including the Incident Command System (ICS), Emergency Operations Center (EOC) structures, and Multiagency Coordination Groups (MAC Groups) that guide how personnel work together during incidents. NIMS applies to all incidents, from traffic accidents to major disasters. (For more information, see Appendix B, NIMS.)

#### Disparate Operational Plans

Although units of state government dedicated to the event prepared individual operational plans, those plans were apparently done in isolation of one another. Although executive-level state actors at some point approved plans, it appears that there was not centralized planning across these multiple units. Therefore, there was no coordination or consolidation of those plans, nor did they adhere to National Incident Management System (NIMS) standards for incident action plans (IAPs).

VSP compiled a 134-page Operations Plan that included written plans of all participating state agencies and the City of Charlottesville.

The VSP Operations Plan includes an operations section covering topics such as incident command, arrest procedures, rules of engagement, media contacts, and assignments; and an administrative section covering topics like conduct, appearance, lodging, and compensation. Appended to the Operations Plan are a Communications Plan, an Emergency Medical Support Plan, Fusion Center Risk Assessments, and

the Charlottesville Police Department Operations Plan dated August, 4, 2017. (CPD issued a revised Operations Plan on August 7 but changes, including the addition of a fifth zone, were not reviewed and discussed with VSP.).

The result is a disparate set of documents, each with its own merits, but not a cohesive plan guiding and coordinating the actions of all participants and participating agencies.

Further, a review of these combined plans indicates that each followed a different structure and format, with inconsistent adherence to the NIMS industry standard. An effective NIMS IAP is a singular document built from IAPs of all supporting agencies that identifies and provides essential guidance for event response, including but not limited to goals and objectives, tactics and rules of engagement, incident organization, resource allocation, work assignments, safety, and weather. Ideally, any representative from any participating agency should be able to review the event IAP and quickly identify and understand their respective role in the context of the overall incident plan. Because the Charlottesville incident did not adhere to a conventional operations plan, VSP and CPD operations plans were not integrated until two days prior, leaving no time to deconflict with leadership.

An IAP should define incident objectives and outline agreed upon tactics to achieve the stated objective.<sup>14</sup> The IACP's National Law Enforcement Policy Center recommends "all personnel engaged in crowd management or control should be made aware of the ground rules for the use of force as part of their briefing prior to deployment and any terms that may have been negotiated between law enforcement and demonstration organizers. Officers providing support from other agencies should always be briefed on policy related to use of force and crowd control prior to deployment."<sup>15</sup>

The CPD Operations Plan clearly identified that "officers should make arrests when appropriate for unlawful behavior and should use issued flex cuffs as restraints."<sup>16</sup> Meanwhile, the VSP Operations Plan states that the "Department's Use of Force Policy set forth in General Order OPR 05.01 of the State Police Manual will remain in effect for the duration of this event. The response to unlawful behavior will be in accordance with this policy."<sup>17</sup>

### Incident Action Planning

Coordinated incident action planning guides incident management activities. IAPs represent concise, coherent means of capturing and communicating incident objectives, tactics, and assignments for operational and support activities.

Every incident should have an action plan; however, not all incidents need written plans. The necessity for written plans depends on incident complexity, command decisions, and legal requirements. Formal IAPs are not always developed for the initial operational period of no-notice incidents. However, if an incident is likely to extend beyond one operational period, becomes more complex, or involves multiple jurisdictions and/or agencies, preparing a written IAP becomes increasingly important to maintain unity of effort and effective, efficient, and safe operations.

For more information, See Appendix C, IAPs.

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<sup>14</sup> [https://www.fema.gov/media-library-data/20130726-1822-25045-1815/incident\\_action\\_planning\\_guide\\_1\\_26\\_2012.pdf](https://www.fema.gov/media-library-data/20130726-1822-25045-1815/incident_action_planning_guide_1_26_2012.pdf)

<sup>15</sup> See IACP's Model Policy and Concepts and Issues Paper on Crowd Management and Control

<sup>16</sup> Charlottesville Police Department Operational Plan, dated August 4, 2017, p. 12

<sup>17</sup> Virginia State Police Operations Plan: Unite the Right Rally, p. 14

While this differing guidance is not necessarily contradictory, it does not provide all response personnel with a clear, unified message communicating the same shared understanding and expectations. Despite ongoing communication and collaboration between VSP and CPD, deconfliction of these varying interpretations of the rules of engagement did not take place and ultimately led to hesitation and the appearance of inaction in the field. A best-practice consideration is to convene incident commanders of participating groups to review the final IAP and clarify any grey areas. From there, the final IAP should be reviewed and signed off by executive-level leadership of each participating entity. Tabletop training exercises based on the approved plan should be arranged involving all participating agencies.

**Recommendations:**

- *In future events, planners should strive to consolidate operational plans for individual participating entities into one guiding IAP, which follows the NIMS incident action planning process, identifying goals for the event, agreed upon rules of engagement, clearly defined roles and responsibilities, and a clear chain of command for all parties involved. This should be a collaborative process, completed prior to submission of the IAP to the executive level (chief and colonel) for final approval.*
- *Leadership of all organizations involved should convene to review and approve the final plan.*
- *In the future, additional consideration should be given to commissioning an independent review of the resulting Operations Plans/IAPs.*

**Lack of Unified Command**

The operations plans described above were developed in isolation and were subsequently executed in a similar fashion, with little on-the-ground collaboration. The assessment revealed that the concept of Unified Command within the National Incident Management System (NIMS) was not fully applied and was not effective.

While commonly applied to natural disaster scenarios, NIMS provides a best-practice, all-hazards approach to incident management regardless of the incident's size or type, including those with a distinct law enforcement focus. NIMS facilitates collaboration across levels of government and disciplines to provide a synchronized, efficient, and effective response.<sup>18</sup> When the components of NIMS are applied early on during the initial planning stages, the resulting plan ensures all players know their role on scene. NIMS respects the role of local jurisdictions as the primary service providers and outlines the support roles of other governmental players.

**Unified Command**

The individuals designated by their jurisdictional or organizational authorities (or by departments within a single jurisdiction) jointly determine priorities and objectives, allocate resources, and work together to ensure the execution of integrated incident operations and maximize the use of assigned resources.

The Incident Command System (ICS) is a management system within the NIMS framework. It includes five functional areas: Command, Operations, Planning, Logistics, and Administration. At the top lies the incident commander (IC). The concept of Unified Command applies ICS to incidents involving multiple

jurisdictions or agencies, enabling these organizations with different legal, geographic, and functional responsibilities to coordinate, plan, and interact effectively. Under Unified Command, incident commanders from the various jurisdictions/organizations work together to operate from a common playbook with situational awareness across entities.<sup>19</sup>

Both VSP and CPD operations plans cite incident commanders as well as ground commanders for Emancipation Park and McIntyre Park. The roles and responsibilities of these various individuals, particularly who was in charge, is not clear from the operations plans. Implementation of an agreed upon Unified Command structure early in the planning process can provide clarity of leadership, helping alleviate confusion about who holds ultimate decision-making authority over the incident.

**Recommendations:**

- *In multi-agency responses, Unified Command should be established as policy/practice.*
- *The structure of Unified Command should be identified early in the planning process.*
- *Leadership should identify good models of Unified Command to review and emulate, such as those in coastal states (e.g., Florida) with routine experience activating NIMS in response to natural disasters.*

**Multiple Command Posts**

Although the intent of public safety officials was to operate in a Unified Command mode with a singular Incident Command Post, interviews suggest that did not occur. Further, interviews suggest a chaotic scene within the designated Unified Command at the Market Street Wells Fargo Building, adjacent to Emancipation Park.

Under NIMS, the Incident Command Post “is a physical location that administers the on-scene incident, command and the other major incident management functions.”<sup>20</sup> One function of Incident Command is centralization of key decision makers controlling on-the-ground operational resources. Disparate hubs of resource control can lead to lack of good-quality information flow across agencies, disciplines, and policy makers.

In Charlottesville, interviews suggest not all key personnel were operating from the site designated by the city as Unified Command at the Wells Fargo Building overlooking the demonstration site. Several satellite posts, including the Fire Branch, were working in support of the event but apart from the Unified Command. Additionally, the physical arrangement within the Unified Command building with multiple rooms and multiple floors, was not conducive for communication and information transfer across key units within the Unified Command.

There are two examples of how disparate command posts affected operations. The first was the feedback from on-the-ground staff who reported delays in getting communications into and out of the Unified Command post. Multiple command posts limited timely decision making and transmission of

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<sup>19</sup> See more on ICS at the FEMA Emergency Management Institute ICS Resource Center, <https://training.fema.gov/emiweb/is/icsresource/index.htm>

<sup>20</sup> <https://www.fema.gov/pdf/emergency/nims/nimsfaqs.pdf>

decisions to teams. The other is the state's activation of a drone without the knowledge of the Unified Command. Interviews indicate this decision was made at the state level, in isolation from events on the ground. The drone was launched after the helicopter crash and the review team understands the rationale. However, this action did not follow the process of Unified Command. Incident commanders had no awareness of the drone or access to any intelligence it may have generated.

Additionally, interviews with personnel indicate that higher levels of leadership, including the chief of police, state police colonel, state public safety secretary, and others were also on the scene in the Unified Command Center at the Wells Fargo Building. Such infusion of varying levels of leadership into the Unified Command can result in mixed messages and further confound defined roles and responsibilities. While ranking/executive personnel may at times enter the command post to be provided with situational



Figure 5. Unified Command at Wells Fargo Building

awareness, their presence should not interfere with the operation if the incident commander has been clearly identified and his or her decision-making authority has been clearly established. It does not appear that this was done in Charlottesville. The NIMS ICS framework also advocates for an off-site Emergency Operations Center (EOC) that can serve as a location where executives monitor events and communicate with the Unified Command post.

Concerns were raised about the location of the Unified Command post and its proximity to the venue. While location of the post is a concern, the presence of multiple command posts is of greater concern.

**Recommendation:**

- *Agencies should strive to adhere to NIMS, with implementation of a single Incident Command post housing all the functions of an Incident Command System (ICS) and an Emergency Operations Center for coordination of additional resources.*

**Public Information Management**

Unified Command organization calls for a Joint Information Center (JIC) with a designated public information officer (PIO) to serve as the voice of the Unified Command. An event such as this, with many different agencies, demands a JIC. Assistant PIOs from the various organizational elements serve in the JIC and advise on messaging, but there is only one official spokesperson.

Like the Unified Command issue, both VSP and CPD designated media contacts in their operations plans. Absent a unifying IAP to clearly specify roles and assign responsibilities, the public face of the law enforcement response in Charlottesville was unclear. As a result, messaging to the media and the public was delayed. It is worth noting that a joint press conference with the chief of police and the state police

colonel was planned after the park was cleared but was canceled after the car crash occurred on the downtown mall. Another press conference was arranged, but was preempted by the helicopter crash.

**Recommendation:**

- *As part of the Unified Command structure, and following best practices, designate a public information officer, giving due consideration to the value of a uniformed representative in this role or as the spokesperson.*

**Lack of Joint Training Before the Event**

Steps should be taken to ensure all key personnel are trained in NIMS/ICS **and** in the operations plan guiding event response.

VSP conducted internal training exercises based on very credible and reliable information that the event was going to be violent. However, that training was limited to the tactical response and did not involve joint participants. Further, as noted previously, little evidence surfaced indicating that training was based on research of known behaviors and specific tactics of alt-right or antifa groups.

Failure to involve state and local response personnel in a joint field training exercise on the plan's execution contributed to the lack of a synchronous response on the day of the event. Tabletop exercises, including red team scenarios, can help responders prepare for the unexpected.<sup>21</sup> Similarly, onsite dry runs and walkthroughs at the event venue can provide valuable situational awareness. There was no indication that this occurred.

Further, the structure and format of the varying agency operations plans suggest training is needed in NIMS/ICS frameworks, including Unified Command. VDEM, as the state's coordinator of emergency response, is a valuable training resource for law enforcement agencies throughout the Commonwealth. FEMA offers a variety of in-person and online training on all aspects of NIMS and ICS that can provide personnel with a baseline understanding of these frameworks.

**Recommendations:**

- *Brief and train all personnel to the same operations plan/IAP.*
- *All assets assigned to support large-scale events should be trained and exercised in the proper functioning of the Unified Command concept as outlined in National Incident Management System (NIMS).*
- *In future events of this nature it is recommended that joint field training exercises be held with all resources dedicated to the event.*
- *Joint tabletop exercises should be utilized to test response to varying scenarios.*
- *Decision makers and others who staff a command post should be trained on command post operations.*

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<sup>21</sup> "Red team" refers to an internal group or activity designed to test and challenge the assumption of a proposed plan for purposes of exposing potential vulnerabilities or areas of risk.

## Maximizing Use of State Assets and Resources

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The state's response did not maximize the full capacity of state public safety resources—namely, the full logistical and planning support available from the Virginia Department of Emergency Management and Virginia Fusion Center access to criminal histories of known rally participants. Further, there was confusion about the official process for state activation of the National Guard.

### VDEM's Role

The Virginia Department of Emergency Management (VDEM) played a role in the planning process, but its full capacity was underutilized. The regional incident management team (IMT) was not requested until four days prior to the event. While VDEM quickly deployed the team within 24 hours of this request, it was too late to be truly effective. Opportunities to leverage VDEM's logistical support role—to include coordination of first responder meals, water, lodging, and transportation—likewise were not fully maximized. VDEM also has expertise in development and synthesis of incident action plans that could have been helpful in merging disparate plans noted previously. The IMT attempted to do so but was severely challenged given the limited timeframe.

VDEM personnel offer expertise in incident management and NIMS protocols and should be engaged and entrusted early in the planning process. Interviews suggest some key personnel may hold a limited view of the capacity and value of VDEM, particularly for a law enforcement-focused incident. Such historical and cultural misconceptions can lead to duplication of effort and inefficient use of resources.

### Recommendation:

- *The logistical support of VDEM—to include assisting in consolidation of IAPs, providing logistical support teams, and coordination of supplies—should be fully utilized in future events.*
- *Joint training between VSP and VDEM is recommended to review roles and responsibilities and how the two organizations can work together effectively, particularly in response to high-profile events with a law-enforcement focus.*

### Criminal Histories

Charlottesville and state fusion center analysts worked well together, gathering and sharing intelligence related to the event. However, criminal histories of known offenders were not fully exploited or leveraged for tactical advantage.

The Virginia Fusion Center led a focused effort to gather information, intelligence, and background information in anticipation of the protest. The information gathered led seasoned and experienced analysts to believe that the parties scheduled to participate were planning to be aggressive and violent. This analysis was shared with city officials and state leaders, including the governor. On August 11, Gov. McAuliffe issued a statement in which he acknowledged intelligence suggesting “extremist groups [...] may seek to commit acts of violence against rally participants or law enforcement officials.”<sup>22</sup>

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<sup>22</sup> <https://governor.virginia.gov/newsroom/newsarticle?articleId=20895>

Details on known potentially violent participants, including their criminal backgrounds and photographs, were not evident in the Operational Plans or other documents supporting this event. Interviews indicated that VSP's interpretation of privacy policies and the lack of a clear nexus to crime prohibited the running of criminal history checks on known, potentially violent attendees. However, when intelligence suggests the potential for violence, every effort should be employed to mitigate the threat of potential in-state and out-of-state offenders. Many event participants often make their intentions known online via social media. Opposing groups have been known to gather and post intelligence on each other in preparation for an event. Press reports have cited rally-goers with a documented history of protest participation around the country, often with associated criminal records. Leveraging the Interstate Identification Index and National Law Enforcement Telecommunications System to obtain criminal history information where appropriate can provide tactical on-the-ground commanders with improved situational awareness.

Further, document reviews surfaced little evidence of shared intelligence related to common tactics of known groups and participants, including lessons learned from similar events in Berkeley, Portland, and other cities. Understanding how these groups tend to operate and behave is key to planning an effective response.

Additionally, interviews noted intelligence information from the Federal Bureau of Investigation cited five individuals of significant interest; however, this information reached state officials only two days prior to the event, leaving insufficient time to research and prepare a plan of action.

**Recommendations:**

- *Maximize online research of possible attendees, particularly those with serial nationwide participation.*
- *Run criminal histories on known or suspected attendees, where appropriate, providing results to incident commanders.*
- *Develop the information to provide situational awareness to line officers*
- *Research the training and tactics of known groups for integration into tactical response training.*

**Inter-Governmental Coordination and Community Engagement**

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While state and city police officials collaborated in planning and response to the events surrounding the Unite the Right rally, additional measures are needed to ensure application of best practices for protest crowd management.

**Executive Leadership's Role**

The significance of the Charlottesville Unite the Right rally was known early on. An event of this magnitude warrants involvement and collaboration of executive-level leadership from all entities. The chief executives of the involved law enforcement agencies were in regular communication and were reportedly in sync. Local commanders—a captain from CPD and a first sergeant from VPD—met frequently in advance. Despite these collaborations, the results of the day's events do not suggest all parties were on the same page.

Interviews through the course of this after-action review suggest that during planning meetings between VSP and CPD, state officials made recommendations and suggestions to the city on how to best prepare for a protest of this type and scale. State leaders also made recommendations directly to the mayor of Charlottesville. It is reported that many of the recommendations of the state to the city were rejected. Many of those recommendations followed industry best practices.

While it is important for law enforcement leaders to convene in advance of a significant event to review and agree on a plan of action, it is also incumbent upon government leaders to collaborate and work out any misunderstandings about roles and responsibilities. In the end, all leaders should understand and agree on the final plan.

**Recommendation:**

- *Prior to major events involving multidisciplinary resources, executive leadership from all entities, including political leadership, should meet to review the IAP, discuss role definition, deconflict response protocols, and ensure everyone agrees on goals, objectives, and rules of engagement.*

**Community Engagement**

Messaging to and collaboration with local business and community groups in advance of the rally could have been improved and aided the police response to the event.

Restricted access to nearby public and private spaces for law enforcement limited effective police response. Response plans include use of a nearby public library and church parking lot as staging areas for law enforcement mobile field forces, but access was denied. Loss of these staging areas resulted in loss of time and caused responding officers to be out of sync in clearing the park, thus slowing the response. Use of these spaces would have aided in separation of the opposing groups.

The broader issue of community engagement by law enforcement in advance of an event of this nature also bears consideration. Interviews indicated there was a disconnect between VSP and CPD on messaging to downtown businesses impacted by the rally. As a result, there was widespread confusion and uncertainty among community member and business owners about the plan for the day's event.

As a state agency contributing significant resources to a local event, VSP needs an understanding of the community's perspective and expectation. VSP should be engaged in the community outreach process, in full collaboration with local authorities, and have a seat at the table for any community briefings leading up to an event of this magnitude. Moreover, a coordinated and consistent message must be developed and deployed to all impacted parties (e.g., businesses, community groups, etc.). Early communication stressing the potential for violence and danger would be helpful in allaying concerns and gaining local cooperation. Findings from the review team indicate that community engagement, particularly with the downtown Charlottesville business community, was limited, bifurcated between city and state law enforcements, and may have played into inaccessibility of select properties.

**Recommendations:**

- *Public safety officials should prioritize engagement of community members and business owners who are likely to be impacted by a planned rally or protest.*

- *Law enforcement should work collaboratively to inform community groups and solicit their support and cooperation. Consideration should be given to hosting a community business briefing with state agency representation prior to similar events to communicate key information, including the importance of cooperating with the police to protect property.*
- *Explore what legal authority is available to the state or locality to commandeer and use private property for the purposes of public safety when a state of emergency is declared.*

### Defining the State's Role

Despite front-end collaboration and significant dedication of state resources, the planning leaders of the state agencies had limited control over physical planning on the ground in Charlottesville.

The City of Charlottesville was the lead on planning for the event. State assets were supplied in support of the city's public safety effort. This stance is the established doctrine of VSP, consistent with the Code of Virginia and the Virginia Emergency Operations Plan (ESF#13), which state that local authorities have primary responsibility in states of emergency and Commonwealth assets are deployed to supplement local resources.<sup>23</sup> This framework was clearly in place during the preparation and execution of the Charlottesville event and echoed by state leadership:

Governor McAuliffe's August 11 statement on the planned rally in Charlottesville states that VSP "will be on the scene in a support capacity before, during, and after the planned rally."<sup>24</sup> After the event, in the establishment of the task force, the governor stated:

"While I ordered unprecedented state resources to assist Charlottesville in responding to the Unite the Right demonstration, current law dictated that the state play only a supporting role, with local government officials holding key decision-making authority over permitting and command of the police response. I never again want to be in a position where state resources are needed to protect public safety, but the state is not vested with control over the events that ultimately could lead to a public safety emergency."<sup>25</sup>

Desire to maintain this support role is understandable. Local control of local events is to some extent a tenet of American democracy. However, maintenance of a state's supporting role to local jurisdictions becomes tenuous when: 1) state assets vastly outnumber local assets, 2) the incident command infrastructure is nebulous, and 3) state and local leaders are out of step on roles and responsibilities. Such was the case in Charlottesville.

As noted previously, improved collaboration at the executive level would help clarify roles and define rules of engagement.

**Observation:** *The IACP stops short of providing a clear recommendation on this point but urges further exploration of this topic. The state should reevaluate the extent to which it is comfortable remaining in a*

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<sup>23</sup> Code of Virginia, § 44-146.21 and Commonwealth of Virginia Emergency Operations Plan, Emergency Support Function #13, August 2012

<sup>24</sup> <https://governor.virginia.gov/newsroom/newsarticle?articleId=20895>

<sup>25</sup> <https://governor.virginia.gov/newsroom/newsarticle?articleId=21017>

*support role to local jurisdictions, particularly following a declared state of emergency and when large numbers of state resources are allocated.*

## **Event Funding**

All needed financial support on the state level was given to prepare and respond to this event. There were no reports of need as the result of lacking financial support. The prevailing attitude was that cost was not a barrier to provide the needed resources. Nothing demonstrated that more than the VSP commitment of resources to the event. It should be noted that leadership in the VSP was adamant that the state cost for events that are locally centered should not be passed onto localities. That concept of charging localities for the deployment of state resources would have a chilling effect on managing events in a safe and responsible manner.

## **Equipment Considerations**

VSP personnel were well equipped overall with no major equipment issues; however, several potential areas of need were identified that may improve future responses.

- Equip all VSP with demonstration management equipment.
- Explore lighter equipment where practicable.
- Explore the potential for using bike response teams to steer and contain crowds.
- Prioritize earpiece mics over shoulder mics to secure communications of tactical personnel.
- Manage mobility of tactical teams with busses or vans to limit demands of walking distances in heavy gear and equipment.
- Ensure personnel have easy access to food, water, shade, and rehab vehicles.
- Leverage technology, including GPS, to better monitor and utilize resources and provide situational awareness of on-the-ground resources.

## **Interoperability**

Limited communications interoperability was an issue and a concern raised repeatedly through the review process. The issue of effective communication is historically a challenge in major operations. The ability to establish an interoperable communication is part of planning leading up to the event and should be included in IAP. The goal is to establish the ability for all similar functions to communicate on the same radio frequency, despite what agency is involved. In the interview process it was learned that this was not accomplished. There were assumptions by those interviewed in Charlottesville that as result of the same issue being present in the July 8, 2017, KKK rally that the issue was going to be resolved in the planning process for the August 12, 2017, rally. That did not occur and the result was at times information had to be relayed two to three times in order to reach those who needed the information or needed to make a decision. The process of relaying information and not receiving it directly can lead to distortion of information. This also highlights the importance of the law enforcement organization having control of and adequate funding for voice and data communications.

## Promising Practices in Preparation for Civil Unrest

Demonstrations like the Unite the Right rally are occurring with some frequency and appear to be gaining momentum. By necessity, the police response is quickly evolving, with each locality eager to learn from the last. Through the course of this review, the team interviewed several police leaders who have planned for and responded to similar events, both before and since Charlottesville. This, combined with the IACP's prior work on crowd control and management, yields the beginning of a set of promising practices for preparing law enforcement response to demonstrations and civil unrest. While not all of these actions are feasible or appropriate in every case, depending on local laws and situations, each bears some measure of consideration.

### Pre-Event

- Prohibition of firearms/weapons of any sort within a 10-block area
- Prohibition of signs, poles, or any items that could be used as weapons
- Reducing the time allowance for the event
- Blocking access to the event venue up to 24 hours prior, including use of K9 sweeps
- Strong messaging from government officials calling for peaceful demonstrations and stating zero tolerance for violence or criminal activity
- Joint training, including onsite walkthroughs the day prior
- Maintain open lines of communication with affected community groups and business owners
- Early declaration of emergency where appropriate, particularly when violence is anticipated

### During Event

- Limit parking to designated areas, separate for each group
- Bus protesters and counter protesters to and from the demonstration area
- Employ layers of hard and soft barriers and checkpoints, allowing multiple "looks" by officers
- Use metal detectors where feasible
- Strict enforcement of timelines, including prohibition of early access to the venue
- Quick identification and removal of early agitators, where practicable
- Quick arrests of unlawful actors

## Conclusion

The Commonwealth of Virginia recognized the significance of the Unite the Right rally and provided ample resources to respond to anticipated violence. The state also respected its role as a support entity augmenting the City of Charlottesville, the primary lead.

There was much done that was positive. The Commonwealth of Virginia provided a large amount of personnel and other resources/assets. State representatives spent a great deal of time on the planning process. The state provided the experience and expertise that Charlottesville needed to address the demonstration. That support cannot be understated. In interviews with various officials in Charlottesville they spoke very highly of the support received from the Commonwealth, in particular the support from the Virginia State Police. There was very good cooperation in the planning stage and

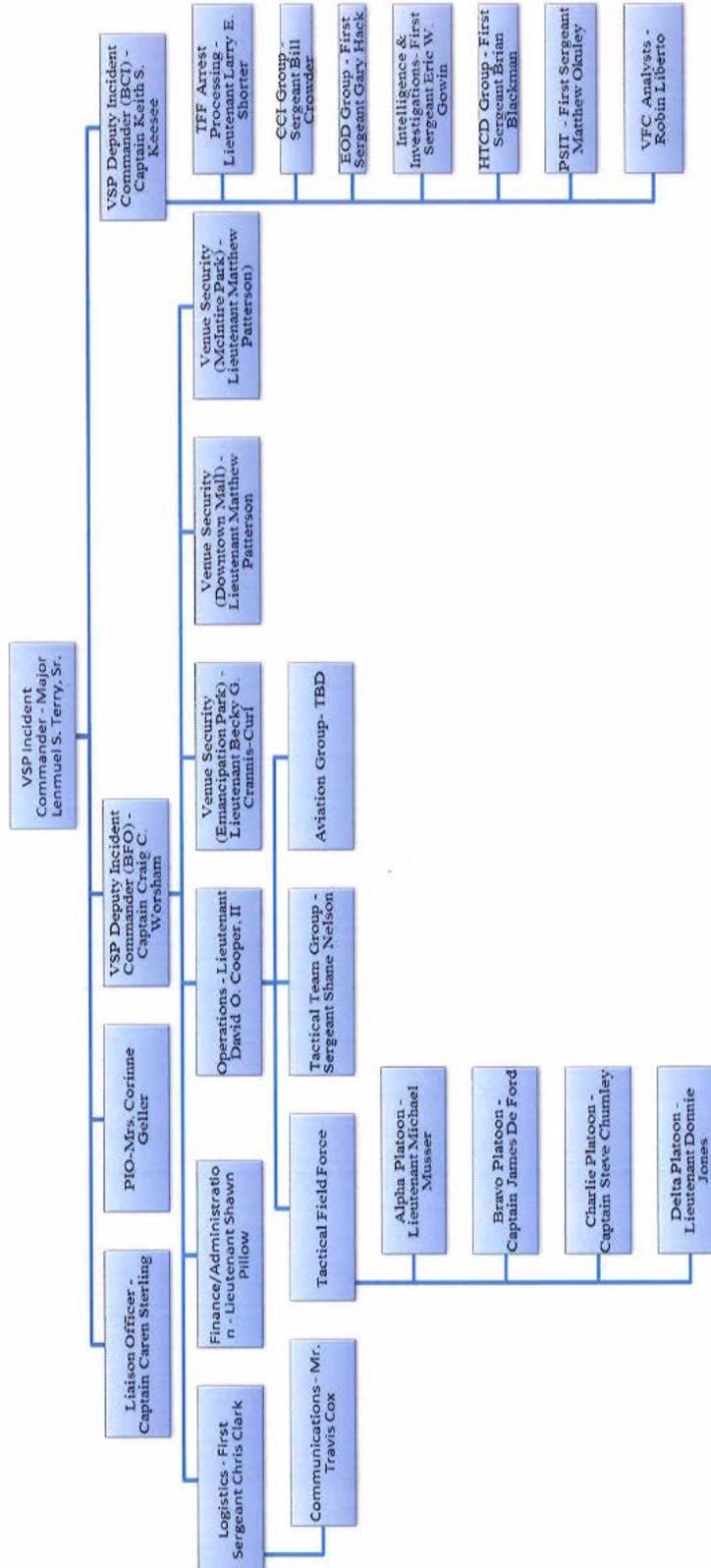
everyone was doing what they thought was the absolute best in preparing and planning for the event. Nothing that is highlighted for recommendation should diminish the hard work that was done by the state. Although the cooperative effort resulted in low arrest and little to no property damage, it did not prevent the death of Heather Heyer and the injury to more than a dozen individuals. That tragedy should cause all of those who were involved in the planning and execution of the plan to pause and seriously evaluate how that could have been prevented. This AAR is not directed at any singular agency, entity, or organization. It is not speaking to just the Commonwealth of Virginia. The recommendations are directed at all agencies involved in the event.

As was stated in the body of the after-action review, the ground is shifting when it comes to demonstrations. That shift will require policymakers to challenge some of the prior assumptions and practices and look for new best practices to effectively manage these events in the future in order to safeguard lives and property while ensuring First Amendment rights.

APPENDIX A

VSP Organizational Chart for the Unite the Right Rally

Source: VSP Unite the Rally Operations Plan



**APPENDIX B**

Source: FEMA NIMS (Third Edition, 2017)  
 Incident Command System (ICS)

ICS is a standardized approach to the command, control, and coordination of on-scene incident management that provides a common hierarchy within which personnel from multiple organizations can be effective. ICS specifies an organizational structure for incident management that integrates and coordinates a combination of procedures, personnel, equipment, facilities, and communications. Using ICS for every incident helps hone and maintain skills needed to coordinate efforts effectively. ICS is used by all levels of government as well as by many NGOs and private sector organizations. ICS applies across disciplines and enables incident managers from different organizations to work together seamlessly. This system includes five major functional areas, staffed as needed, for a given incident: Command, Operations, Planning, Logistics, and Finance/Administration.

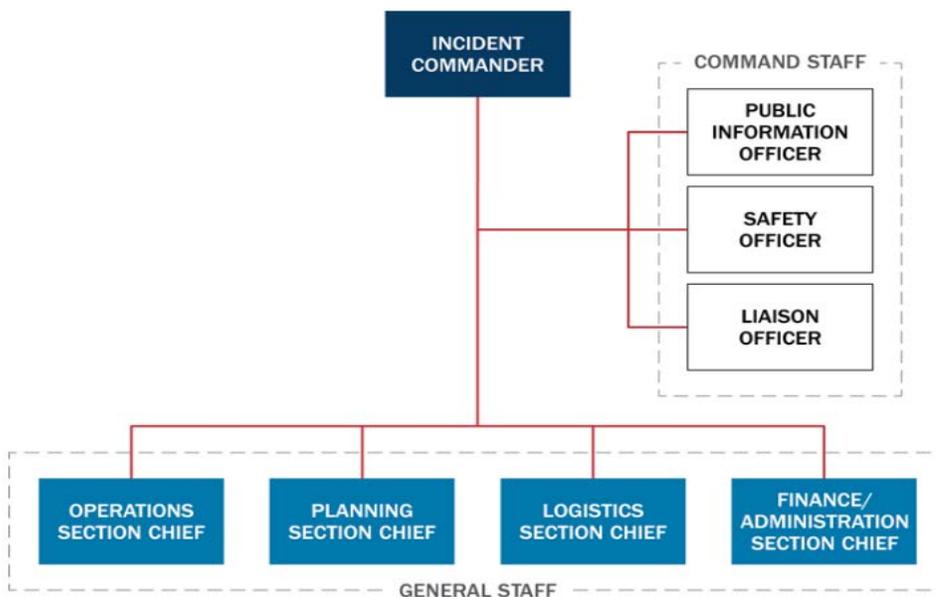
**Incident Command and Unified Command**

Incident command is responsible for the overall management of the incident. A single Incident Commander or Unified Command conducts the command function on an incident. Command and General Staff support the incident command to meet the incident’s needs.

*Single Incident Commander*

When an incident occurs within a single jurisdiction and without jurisdictional or functional agency overlap, the appropriate authority designates a single Incident Commander who has overall incident management responsibility. In some cases where incident management crosses jurisdictional and/or functional agency boundaries, the various jurisdictions and organizations may still agree to designate a single Incident Commander. Figure 3 depicts an example organizational structure for an ICS organization with a single Incident Commander.

**Figure 1: Example of an ICS Organization with a Single Incident Commander**



### Unified Command

Unified Command improves unity of effort in multijurisdictional or multiagency incident management. The use of Unified Command enables jurisdictions and those with authority or functional responsibility for the incident to jointly manage and direct incident activities through the establishment of a common set of incident objectives, strategies, and a single IAP. However, each participating partner maintains authority, responsibility, and accountability for its personnel and other resources, and each member of Unified Command is responsible for keeping other members of Unified Command informed.

### Responsibilities of the Incident Commander and Unified Command

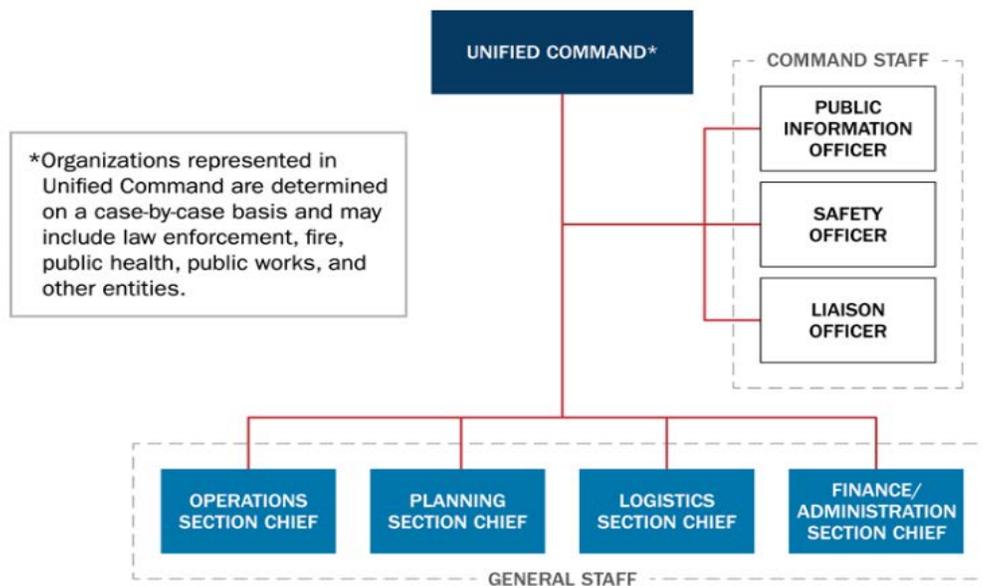
Whether using a single Incident Commander or a Unified Command, the command function:

- Establishes a single ICP for the incident;
- Establishes consolidated incident objectives, priorities, and strategic guidance, and updating them every operational period;
- Selects a single section chief for each position on the General Staff needed based on current incident priorities;
- Establishes a single system for ordering resources;
- Approves a consolidated IAP for each operational period;
- Establishes procedures for joint decision making and documentation; and
- Captures lessons learned and best practices.

### Unified Command Composition

The exact composition of the Unified Command depends on factors such as incident location (i.e., which jurisdictions or organizations are involved) and the nature of the incident (i.e., which agencies from the jurisdiction(s) or organization(s) involved are needed). Figure 4 depicts a sample Unified Command structure. The organizations participating in the Unified Command use a collaborative process to establish and rank incident priorities and determine incident objectives.

**Figure 2: Example of an ICS Organization with Unified Command**



## APPENDIX C

Source: FEMA NIMS (Third Edition, 2017)

### Incident Action Planning

The incident action planning process and Incident Action Plans (IAPs) are central to managing incidents. The incident action planning process helps synchronize operations and ensure that they support incident objectives. Incident action planning is more than producing an IAP and completing forms—it provides a consistent rhythm and structure to incident management.

Personnel managing the incident develop an IAP for each operational period. A concise IAP template is essential to guide the initial incident management decision process and the continuing collective planning activities. The IAP is the vehicle by which leaders on an incident communicate their expectations and provide clear guidance to those managing the incident. The IAP:

- Informs incident personnel of the incident objectives for the operational period, the specific resources that will be applied, actions taken during the operational period to achieve the objectives, and other operational information (e.g., weather, constraints, limitations, etc.);
- Informs partners, EOC staff, and MAC Group members regarding the objectives and operational activities planned for the coming operational period;
- Identifies work assignments and provides a roadmap of operations during the operational period to help individuals understand how their efforts affect the success of the operation;
- Shows how specific supervisory personnel and various operational elements fit into the organization; and
- Often provides a schedule of the key meetings and briefings during the operational period.

### The Incident Action Planning Process

The IAP provides clear direction and includes a comprehensive listing of the tactics, resources, and support needed to accomplish the objectives. The various steps in the process, executed in sequence, help ensure a comprehensive IAP. These steps support the accomplishment of objectives within a specified time.

The development of IAPs is a cyclical process, and personnel repeat the planning steps every operational period. Personnel develop the IAP using the best information available at the time of the Planning Meeting. Personnel should not delay planning meetings in anticipation of future information.

During the initial stage of incident management, the Incident Commander typically develops a simple plan and communicates the plan through concise oral briefings. In the beginning of an incident, the situation can be chaotic and situational awareness hard to obtain, so the Incident Commander often develops this initial plan very quickly and with incomplete situation information. As the incident management effort evolves, additional lead time, staff, information systems, and technologies enable more detailed planning and cataloging of events and lessons learned. The steps

of the planning process are essentially the same for the first responders on scene determining initial tactics and for personnel developing formal written IAPs.

**Planning “P”**

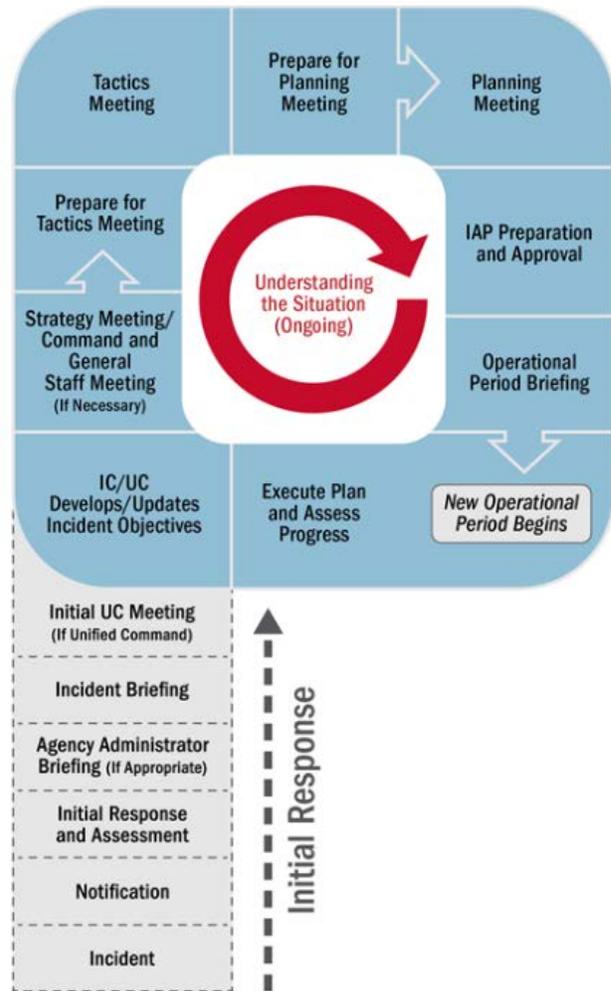
Many incident management organizations use a formal planning cycle with established meetings and deliverables to mark their progress through the planning process and enable coordination of the entire team. The Planning P, illustrated in Figure A-12, is a graphical representation of the sequence and relationship of the meetings, work periods, and briefings that comprise the incident action planning cycle. Other versions of the Planning P may be used as training and operational aids. The leg of the “P” describes the initial stages of an incident, when personnel work to gain awareness of the situation and establish the organization for incident management. Incident personnel perform the steps in the leg of the “P” only one time. Once they are accomplished, incident management shifts into a cycle of planning and operations, informed by ongoing situational awareness and repeated each operational period.

*Initial Response and Assessment*

The responder(s) who is first to arrive at the incident scene conducts the initial assessment and takes whatever immediate response actions are appropriate and possible. The initial or rapid assessment is essential to gaining and maintaining situational awareness. It enables the Incident Commander to request additional resources and/or support, develop, and implement initial tactics. Jurisdiction officials might decide to activate an EOC based on the initial assessment.

*Agency Administrator Briefing*

The Agency Administrator Briefing is a presentation to the personnel who will be managing or supporting the incident by the administrator or other senior official of the jurisdiction, agency, or organization affected by the incident. This briefing occurs when the Incident Commander or Unified Command are assuming duties outside their normal responsibilities or are from an entity or jurisdictional area that does not possess authority to the manage the incident they are being assigned. In such cases, the briefing provides supporting details to the delegation of authority or other document



**Operational Period Planning Cycle**

that the jurisdiction, agency, or organization typically provides to the Incident Commander or Unified Command.

During the briefing, the agency administrator or a designee provides information, guidance, and direction—including priorities and constraints—necessary for the successful management of the incident. The briefing is intended to ensure a common understanding between the jurisdiction, agency, or organization and the incident personnel regarding such things as the environmental, social, political, economic, and cultural issues relevant to the incident and its location.

### *Incident Briefing*

The incident briefing marks the transition from reactive to proactive incident management. The initial responder(s) typically delivers the briefing to the incoming Incident Commander or Unified Command. This meeting enables the incoming Incident Commander or Unified Command to initiate planning for the next operational period.

### *Initial Unified Command Meeting*

If a Unified Command is managing the incident, the Initial Unified Command Meeting allows members of the Unified Command to meet in private to discuss each jurisdiction or organization's priorities and objectives as well as any limitations, concerns, and restrictions. During the Initial Unified Command Meeting, members of the Unified Command generally accomplish the next step by developing the initial joint incident objectives.

### *Objectives Development/Update*

The Incident Commander or Unified Command establishes the incident objectives for the initial operational period. After the initial operational period, the Incident Commander or Unified Command reviews the incident objectives and may validate them, modify them, or develop new objectives. Incident objectives are based on incident priorities and other requirements. Clearly communicated priorities and objectives support unity of effort among incident personnel and enable the development of appropriate strategies and tactics. When the members of the team clearly understand the intent behind their instructions, they are better equipped to act decisively and make good decisions.

### *Strategy Meeting/Command and General Staff Meeting*

After developing or revising the incident objectives, the Incident Commander or Unified Command typically meets with the Command and General Staff, and sometimes others, to discuss the incident objectives and provide direction. This meeting may be called the Strategy Meeting or the Command and General Staff Meeting and is held as needed to determine how best to meet the incident objectives. The initial Strategy Meeting, which is held the first time through the planning cycle, is particularly important, because it allows team members to share information and jointly determine the initial approach to response operations. The initial Strategy Meeting may include the initial Incident Commander and a representative from the Agency Administrator.

### *Preparing for the Tactics Meeting*

Once the approach to achieving or working toward achieving the incident objectives is determined, the Operations Section Chief and staff prepare for the Tactics Meeting by developing tactics and determining the resources that will be applied during the operational period.

### *Tactics Meeting*

The Tactics Meeting is a forum for key players to review the proposed tactics developed by the Operations Section staff and to conduct planning for resource assignments. The Operations Section Chief leads the Tactics Meeting, and key participants include the Logistics Section Chief, Safety Officer, a representative from the Planning Section—typically, the Resources Unit Leader—and other technical specialists or team members invited by the Operations Section Chief, Logistics Section Chief, or Safety Officer. The team uses ICS Forms 215 and 215A, the Operational Planning Worksheet and the Incident Action Plan Safety Analysis, to facilitate and document decisions they make during the meeting.

### *Preparing for the Planning Meeting*

Following the Tactics Meeting, preparations begin for the Planning Meeting. Team members collaborate between the Tactics Meeting and the Planning Meeting to identify support needs and assign specific operational resources to accomplish the operational plan.

### *Planning Meeting*

The Planning Meeting serves as a final review and approval of operational plans and resource assignments developed during and after the Tactics Meeting. Ideally, the Planning Meeting involves no surprises and simply serves as a review of a plan that the Command and General Staff have collaboratively developed and agreed upon. At the end of the Planning Meeting, Command and General Staff, and any agency officials involved, confirm that they can support the plan.

The table below lists the elements responsible for completing each form for inclusion in the IAP.

<b>Component</b>	<b>Normally Prepared By ICS</b>
Incident Objectives (ICS Form 202)	Incident Commander or Unified Command
Organization Assignment List or Chart (ICS Forms 203, 207)	Resources Unit
Assignment List (ICS Form 204)	Resources Unit
Incident Radio Communications Plan (ICS Form 205) Or Communications List (ICS Form 205A)	Communications Unit
Medical Plan (ICS Form 206)	Medical Unit
Incident Maps	Situation Unit
General Safety Message/Site Safety Plan (ICS Form 208)	Safety Officer
<b>Other Potential Components</b>	<b>(Incident Dependent)</b>
Air Operations Summary	Air Operations
Traffic Plan	Ground Support Unit
Decontamination Plan	Technical Specialist
Waste Management or Disposal Plan	Technical Specialist
Demobilization/Deactivation Plan	Demobilization Unit
Site Security Plan	Law Enforcement, Technical Specialist, or Security Manager
Investigative Plan	Intelligence/Investigations Function
Evacuation Plan	As needed
Meeting Schedule (ICS Form 230)	Situation Unit
Sheltering/Mass Care Plan	As needed
Other (as needed)	As needed

Based on concurrence from all elements at the end of the Planning Meeting, the Incident Commander or Unified Command approves the plan. After this final approval, the Planning Section staff assemble the plan and ensure that it is ready for use during the Operational Period Briefing.

A written IAP is composed of a series of standard forms and supporting documents that convey the intent of the Incident Commander or Unified Command, as well as the Operations Section Chief for the operational period. The Incident Commander or Unified Command determines which ICS forms and attachments to include in the IAP; the Planning Section Chief ensures that staff in the appropriate sections, branches, or units prepare the forms and attachments. The Incident Commander or Unified Command gives final approval of the written IAP before Planning Section staff reproduce and disseminate it. IAPs may be distributed electronically, in hard copy, or both.

### *Operational Period Briefing*

Each operational period starts with an Operational Period Briefing. Incident supervisory and tactical personnel receive the IAP during the briefing. During this briefing, various members of the Command

and General Staff present the incident objectives, review the current situation, and share information related to communications or safety. Following the Operational Period Briefing, supervisors brief their assigned personnel on their respective assignments as documented in the IAP. During longer operational periods, shift change briefings may be conducted within an operational period.

## APPENDIX D

### *INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE (IACP)*

The International Association of Chiefs of Police (IACP) is the world's largest and most influential professional association for police leaders. With more than 30,000 members in 150 countries, the IACP is a recognized leader in global policing. Since 1893, the association has been speaking out on behalf of law enforcement and advancing leadership and professionalism in policing worldwide.

The IACP is known for its commitment to shaping the future of the police profession. Through timely research, programming, and unparalleled training opportunities, the IACP is preparing current and emerging police leaders—and the agencies and communities they serve—to succeed in addressing the most pressing issues, threats, and challenges of the day.

The IACP is a not-for-profit 501c(3) organization headquartered in Alexandria, Virginia. The IACP is publisher of *The Police Chief* magazine, the leading periodical for law enforcement executives and host of the IACP Annual Conference, the largest police educational and technology exposition in the world. IACP membership is open to law enforcement professionals of all ranks, as well as non-sworn leaders across the criminal justice system. Learn more about the IACP at [www.theIACP.org](http://www.theIACP.org).

### *IACP TEAM*

**Mr. James W. Baker** is the director of advocacy at the IACP. Mr. Baker is the retired colonel/director of the Vermont State Police where over his 31 years of service held many positions and roles that had direct oversight of major events. He also served as executive director of the Vermont Criminal Justice Training Council and chief of police in the City of Rutland, Vermont.

**Mr. Gil Kerlikowske** was the commissioner of U.S. Customs and Border Protection. He also served as the Director of the White House Office of National Drug Control Policy. He was the deputy director of community-oriented policing services in the Department of Justice. He has been a police chief in four cities, including Seattle for nine years, where he was responsible for the response to many protests and disturbances, and Buffalo for five years. He is currently a professor of practice in the School of Criminal Justice at Northeastern University.

**Dr. Ronal Serpas** is a professor at Loyola University New Orleans. Dr. Serpas had a lengthy career in law enforcement to include serving as the chief of the Washington State Patrol, the chief of police in Nashville, and the superintendent of the New Orleans Police Department in New Orleans, Louisiana, where he oversaw countless major events, including crowd control at Mardi Gras.

**Maj. Marc Partee** of the Baltimore City Police Department is a visiting fellow at the IACP. Maj. Partee holds a master's degree in criminal justice and was one of the field commanders during the civil unrest in Baltimore after the death of Freddie Gray.

**Tracy Phillips** is a program manager at the IACP responsible for research, writing, and data analysis/synthesis on a variety of association projects and services. Ms. Phillips has nearly 20 years of project management experience with state, local, and nonprofit organizations, including the Fayetteville (North Carolina) Police Department and the Georgia Department of Audits. She holds a master's degree in public administration from the University of Georgia.