LAW ENFORCEMENT AND THE EFFECTIVE USE OF THE INCIDENT COMMAND SYSTEM

By

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Introduction:

In society today, the need to manage a critical incident effectively is the difference between life and death. All first responders are provided basic emergency management training; however, if those skills are not expanded when implementing them, it could be disastrous. Often when it comes to a critical incident, multiple agencies make communication difficult. Dr. Vincent Henry from Long Island University Homeland Security Management Institute states that poor communication can undermine the response (Moore, C 2006). When there is no control in a critical incident or the control is not made known, the incident is made drastically worse by the response itself. This issue was noted in the After-Action report from the Aurora, Colorado theatre shooting. The After-Action Report (2014) indicates that the responding personnel from multiple agencies were not clear who was in charge during this incident. The Report (2014) also indicates that the lack of leadership led to misallocation of resources and aid not being rendered. Communication is noted in the After-Action Report as a continued problem in this incident. The base training on emergency management communication and response is not enough in today's society. Law enforcement on all levels needs to train with partner agencies on critical communications and responses to ensure a successful response.

Statement of the Problem:

Often law enforcement does not see the need to participate in the structure of emergency management. The emergency management structure is unofficially seen as a firefighting way of operating. The roots of this structure are with the forestry fire fighting service. However, after the disaster on September 11, 2001 and hurricane Katrina in 2005, it was found that the Incident Command Structure (ICS) was an effective way to manage an incident. When ICS was initially implemented, it was not received well by many in law enforcement. Today, the reviews are mixed, even though studies have shown that ICS effectively manages significant and minor

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incidents. This study will show that ICS is a proven effective way to manage incidents if it is implemented correctly. This study will also show the problem trends that law enforcement has with implementing ICS and recommendations to overcome those trends.

Purpose of the Study

It is the purpose of the study to explain the importance of implementing ICS at every incident. This study will also show that proper training at all levels of law enforcement is key to building the knowledge to establish this successfully. ICS is critical to the outcomes of incidents, and if all levels of a department are not familiar with the components, it could lead to a failure of the incident. Agencies familiar with ICS have been able to successfully utilize the system at all incidents, large and small. ICS is a successful system no matter the size of the agency. In the first few hours of the incident, the role of emergency management will not fall to the person officially designated as emergency manager of the municipality; it falls to the person first on the scene. ICS does not designate leadership roles by title; it is designated by ability. This study will show the importance ICS has in the efficiency of critical incidents from law enforcement and the importance of training on ICS through all ranks of a department.

Significance and Implications

From national disasters to civil disturbances to active shooter incidents, law enforcement's participation in critical incidents is increasing. There was hesitation when FEMA first developed the ICS model to be used within the Department of Homeland Security and then mandated that all states and local municipalities adopt the model. However, history has proven that this model has shown success when appropriately implemented at all levels. The main issue with implementing the ICS model is the lack of knowledge on the ICS process throughout the ranks of law enforcement.

When a critical incident occurs, the typical law enforcement officer intends to respond to the incident and help the people who need help and stop the incident from getting worse. There is little emphasis on coordinating with other agencies who may be responding or officially "taking command" of the incident itself. ICS requires someone to "take command" to avoid confusion, and the scene is better managed.

This paper will show the law enforcement community that, even though critical incident call volumes are low, the use of ICS is crucial. Training on the ICS model needs to occur in order for confidence to be built in the lower ranks, as they will be in command until relieved. The result of this paper can change the mindset of how ICS is viewed and increase the efficiency of how critical incidents are managed.

Personal Interest and Knowledge

The experience that I have with this topic is extensive. I was part of the Department of Homeland Security when the department was formed in 2001. I was in the department when the National Incident Management System (NIMS) became a formalized system and saw ICS utilized successfully in large and small scale incidents. I have served in operations in the field and making decisions in the Emergency Operations Center. After leaving the federal workforce, I joined local law enforcement. I learned through the academy that ICS is trained more as a requirement than as a way to assist in an emergency. While working in law enforcement with different agencies, the impression of ICS has been the same, that it is a burden.

I can assist in writing the municipality's emergency operation plan and incident action plans for events in my current position. I also have the opportunity to train our officers on ICS. I have found that officers feel that it is less of a burden if they know that ICS can benefit them in their current roles, and ICS is not just a federal program or a system developed by firefighters.

Personal Bias

Having the knowledge, training, and experience with NIMS and ICS, I believe that it is a successful program. I believe that it can work if it is implemented correctly and trained appropriately. During my research for this paper, this bias for ICS may be detectable in the research conducted. I will overcome this bias by conducting research both in support of ICS in law enforcement and against the use of ICS in law enforcement.

Identifying research both in support of and against the use of ICS and including this research in this paper will allow the study to remain neutral. Researching both the pros and the cons will also allow my knowledge of this topic to grow. At this point, my experience has been positive when ICS has been implemented correctly. The negative aspects that I have observed have been when commands have resisted implementing ICS out of their own bias.

Assumptions

An assumption being made during the research for this paper is that every recruit is trained on ICS basics when hired, typically ICS-200 ICS for Single Resources and Initial Action Incidents and ICS-700 An Introduction to the National Incident Management System. Another presumption is that every municipality has required their police department to follow the ICS system during critical incidents. This assumption is made as the federal government required the states to adopt this National Incident Management System (NIMS) as part of Presidential Directive #5.

Limitations

This research paper is limited by the assumptions above. All the research is secondary, and no new research is being conducted. This study is limited to the information obtained from

published after-action reports and the data collected by FEMA. This research paper will only cover incidents that have published after-action reports. With the study being limited in nature, it is understood that the suggestions put forth to be implemented as a solution may not fit every situation.

Theoretical Framework

Incident Command System (ICS) was established, all the states adopted it, and policies were enacted to have law enforcement follow this system. Kurt Lewin described a management approach similar to what would be needed to impose this change onto the law enforcement community. Lewin's model comprises three stages: unfreezing, change, and refreezing (Galli, B 2018). Lewin described through his model that change can happen even with a drastic change such as ICS.

In the first stage, unfreezing, the organization needs to motivate the change, either intrinsic or extrinsic, or the change will not be successful (Galli, B. 2018). During the second or transitional stage, the employees need to be engaged with the change. With ICS and law enforcement, the agencies need to engage the employees with the history, and the training, and communicate the purpose behind the change to be successful. Lewin's third stage references the employee's attitude and behavior toward the change (Galli, B. 2018). The leadership of the organization is responsible for the success of the third stage. The change in the organization is going to occur. For the agency to be successful, the leadership needs to ensure the attitude and behavior towards the change are positive.

In the case of ICS for law enforcement, the first stage started from the Federal Government on September 11, 2001. The extrinsic motivation for the agency's need to keep the change moving toward implementing this large-scale change is the need for a better

communication and management system. Not just a communication and management system for one agency, this is a system for multiple agencies responding to one agency's request for assistance. For many first responders, this is the intrinsic motivation to keep working towards the change.

As with any large-scale change, engaging those affected by the change will lead to a successful transition. With ICS, the officers that are expected to follow this system need to understand the history behind the system, the reason behind the implementation, and they need to be engaged in the training. When imposing change with law enforcement, a professional organization that traditionally does not handle change well, the more transparent leadership is with the change, the greater chance of success.

With any large-scale change, leadership plays an essential role in the success or failure of the transition. During the third stage, the behavior and attitude towards the change can be significantly swayed by the leadership at every agency. The employees can be engaged during the training, but if the leadership has a negative attitude, that will reflect and sometimes be assumed by the employees. With ICS, it can be viewed as a process forced by the federal government. If that is the view from the leadership and there is no cooperation or buy-in, the employees will reflect the leadership.

All three stages can be completed successfully if employees and leadership are engaged and open during the transition. As Lewin describes, one stage needs to be completed to build and go on to the next. With a large-scale management change, such as ICS, leadership plays an essential role in completing stages two and three. Leadership needs to stay engaged with employees, listen to their feedback, and continue the training.

Supporting the change management model is the Authentic Leadership Theory. In 1938, Chester Barnard referred to authentic leadership (Covelli, B and Mason, I. 2017). More recently, in 2007, Bill George made authentic leadership theory popular again (Covelli, B and Mason, I. 2017). George conducted a study, and the conclusion indicated there was no one specific trait that linked authentic leaders (Covelli, B and Mason, I. 2017). Authentic leaders were influential because of their life story and their experiences. Authentic leadership theory suggests leaders are successful when combined with different behaviors and skills based on the situation (Covelli, B and Mason, I. 2017).

Leading a group through an incident with ICS is entirely situationally based. Leaders must rely on individuals with specific areas of expertise to step in and be leaders at specific times during the incident. ICS requires leadership not based on title but based on skill level. Authentic leadership theory shares the goal of ICS in this sense. Leaders have to be willing to be true to themselves, the mission, and the team they are leading. To be successful within ICS, leaders must look from within, use their own experiences, and come to unique conclusions to challenges.

During a critical incident, specific position titles are not used. Rank cannot hold back an individual from leading a team if they have a skill set needed for a specific mission. Authentic leadership details being a leader based on a specific situation, not necessarily based on specific guidelines. This can be a barrier to the success of ICS in traditional law enforcement; however, this barrier can be overcome with communication, training, and a shared vision.

Incident Command Background

In order to understand the importance of NIMS and ICS in law enforcement, it is first essential to learn and understand why ICS was developed. It is also essential to understand why law enforcement is required to utilize ICS during critical incidents. The United States has been

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through multiple natural disasters and critical incidents, such as terrorism and active shooter, that involved multiple agencies. During these incidents, it was discovered that the United States was not as prepared for multiple agency responses involving all levels of government as it was believed.

One of those examples was on September 11, 2001. Both the North and South towers of the World Trade Center came crashing down, causing a catastrophic event for first responders. A short period later, there was an additional critical incident at the Pentagon (National Commission on Terrorist Attacks, 2004.) These incidents placed a tremendous burden on all levels of government during the response phase. The first responders were faced with search and rescue, evacuations, scene safety and security, and managing responding units on a mass scale. It is estimated that 2,996 people lost their lives (National Commission on Terrorist Attacks, 2004). In the aftermath of this incident, there was both praise and criticism for the response effort. The responders themselves were praised for the effort and heroism displayed with the knowledge and tools that were had during the incident. The City of New York and the US Government faced criticism for the lack of coordinated effort in the response and no interoperability (National Commission on Terrorist Attacks, 2004).

As a result of the criticism the City of New York and the US Government faced from the events of September 11, 2001, the United States decided to remodel the country's security efforts altogether. In November of 2002, Congress passed the Homeland Security Act, which established the Department of Homeland Security. Some of the significant actions this act accomplished were to transfer emergency response, Federal Emergency Management Agency (FEMA), and the United States Coast Guard (USCG) into the Department of Homeland Security (DHS) authority (Department of Homeland Security, 2021). As a result of the 9/11 Commission,

it was found that interoperability was a contributing factor in the disaster of September 11, 2001 (National Commission on Terrorist Attacks, 2004). After DHS was formed, Homeland Security Presidential Directive-5 (HSPD-5) was established in 2003. HSPD-5 established the National Incident Management System (NIMS) for all levels of government.

In 2005, another event would strike the United States and test the newly formed DHS. HSPD-5 had only been in effect since 2004, and not all municipalities had adopted it yet. On August 29, 2005, Hurricane Katrina made landfall and caused widespread devastation to Louisiana and Mississippi. This hurricane caused significant flooding, destroyed infrastructure, and caused the deaths of over 1800 people. Like the devastation in New York, this event triggered a response from multiple agencies from all levels of government. Even though DHS was formed and HSPD-5 had passed, there were still issues with the response to this catastrophic incident.

During the aftermath of Hurricane Katrina, the United States witnessed and watched the failures of this response due to the extensive media coverage. Two of the contributing factors to the failure of the hurricane's response were the mismanagement of resources and the lack of training (US Senate, 2006). The resources that were needed to respond in the aftermath of the hurricane were not prepositioned, and after the storm passed could not gain access to the areas where they were needed. The officials in positions to lead lacked the knowledge, skills, and abilities required by FEMA to be in those positions (US Senate, 2006). Many first responders who responded to this event lacked the ability to communicate with each other and were also not trained in NIMS. By not being trained in NIMS, it proved challenging to work together as all the different agencies were conducting operations with different strategies and communications methods.

Both the events of September 11th and Hurricane Katrina proved that first responders need a system to be able to work together under the same set of operational parameters and communication guidelines. These incidents were significant events that included multiple agencies, including local, state, and federal governments. They were events that included multiple operational periods and lasted months/years until entirely resolved, and their command centers were able to be stood down. These events are what helped shape our current homeland security policies and incident command framework. However, since these are the incidents that most people think about, ICS can get overlooked when incidents occur on a local scale, with only one operational period, or with a recovery period of one or two days.

Law Enforcement Utilization of ICS

On July 20, 2012, Aurora, Colorado was shocked when a gunman entered a movie theater and started shooting at patrons inside the movie theater. During this incident, 70 people inside the theater were struck by the gunfire, 12 suffered fatal injuries (TriData Division, System Planning Corporation 2014). In the movie theater complex, an additional 12 people sustained injuries while attempting to exit after the shooting started (TriData Division, System Planning Corporation 2014). This incident prompted a response from the Aurora Police and Fire Department, FBI, ATF, along with assistance from neighboring jurisdictions. The communication for this incident was handled by the Aurora police and fire communication center.

As is typical in an incident of this scale, the first responding officers were not under a command structure at the beginning of this incident. All of the officers relied on their training and experience to set up perimeters and contain the area, which was accomplished within minutes of the initial call. However, since there was no established law enforcement command

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on the scene, the officers who responded and entered the theater parked the squad cars in front of the theater. The unattended squad cars and the civilian traffic that could not leave the area resulted in ambulances not being able to respond directly to the scene. Of the 60 patients transported to local hospitals, 27 were taken by squad cars, only 20 were taken by ambulance, and the rest were transported by civilian vehicles (TriData Division, System Planning Corporation 2014). One injured party actually walked to the nearest hospital instead of waiting for transportation (TriData Division, System Planning Corporation 2014).

It was noted in the after-action report for the incident in Aurora, Colorado, that communication was an issue during this event (2014). During this incident, an incident command post was not immediately established by law enforcement or the fire department, which is unusual given the magnitude of this incident. However, with established incident command, either unified or single, information could have been given to the responders and the command post could have handled the requests for assistance.

It was noted in the after-action report that a law enforcement lieutenant eventually took command of the law enforcement operations during this incident. The communication breakdown occurred when the fire command and law enforcement command did not speak to one another until approximately 28 minutes after the second fire command was established (2014). The lapse in communication led to a duplication of requests for resources and a duplication of reported injuries. It also led to miscommunication regarding if the scene was safe for additional rescue personnel to respond to the scene.

Virginia Beach was the scene of another traumatic incident where law enforcement could have used the incident command system more effectively. On May 31, 2019, a male subject entered the Municipal building for the City of Virginia Beach. The subject had pending

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disciplinary action and had just resigned from his position with the city. The day he resigned from his position, he completed working his shift, and at the end, he opened fire on his coworkers. At the end of the incident, the subject shot 16 people and killing 12 (Hillard Heintze, 2019).

Virginia Beach fire and law enforcement responded to this incident and began to take initial actions. Law enforcement took initial actions for an active shooter, and fire began staging for rescue operations. A law enforcement commander did identify himself as an incident command; however, he never made contact with the established fire and EMS unified command. Not making contact or joining unified command became an issue during the initial response phase of this incident. When law enforcement was attempting to locate the subject inside the building, they realized that they did not have access to the entire building because of the controlled access system. Had unified command been implemented, law enforcement command could have informed fire command of this major response problem. The fire department had access to all access systems through the Knox box system (Hillard Heintze, 2019). The fire department was not aware of the law enforcement's response problem, and law enforcement command did not have a system in place to notify them.

The Virginia Beach police department does have ICS built into their policy. The ICS system is intended to assist with the transfer of command and to assist with communication as an incident progresses. When SWAT arrived on the scene, operational control was not turned over to the SWAT commander required by department policy (Hillard Heintze, 2019). Since this transfer of operational control did not occur, it created a communication breakdown between the tactical officers on scene and the initial responders already inside the municipal building (Hillard Heintze, 2019).

During this incident, the City established and began running its Emergency Operation Center (EOC). However, critical roles were not filled at the EOC until hours into the incident (Hillard Heintze, 2019). One of the last roles to be filled at the EOC was the law enforcement role. While this incident was active, surrounding agencies were beginning to deploy to the area. Since there was no law enforcement representative at the EOC, managing the additional resources became a challenge (Hillard Heintze, 2019). Virginia Beach Police began managing some of the resources while the EOC managed others. The mismanaging of resources slowed the response of these resources to the incident. This also caused an issue for resource tracking as law enforcement command could not track the resources they were attempting to manage (Hillard Heintze, 2019).

When it comes to utilizing ICS and law enforcement, the traumatic event at Virginia Tech also highlights shortfalls. On April 16, 2007, a subject on the Virginia Tech campus began shooting, killing 32 people, and injuring 17 others (TriData Division, System Planning Corporation 2008). While the events of Virginia Tech's after-action report lean heavily on the college's responsibility for notification and mental health, ICS still has a role in this incident.

The role of ICS in local emergency services was relatively new when this incident occurred. The after-action report for this incident reflects that law enforcement conducted an initial response to this incident in accordance with an active shooting event. The first team that entered was made up of four officers, and the second was made up of a team of seven officers (TriData Division, System Planning Corporation 2008). There is no mention of a law enforcement command being established; but the report does reference a fire command being established. Multiple agencies responded during this incident, and there was not an EOC established during this event.

The three incidents discussed above; Aurora, Colorado, Virginia Beach, and Virginia Tech, are examples of incidents where law enforcement was involved and ICS was not implemented effectively. Traditionally, law enforcement excels at responding to an incident and accomplishing the initial law enforcement function they face. However, when confronted with the requirement of ICS, improvements can be made.

In all three of the examples referenced above, law enforcement acted honorably and as initial responders are expected to respond. However, if the concepts of ICS were implemented correctly, the incident could have been managed more efficiently. In the Aurora, Colorado incident, law enforcement and the fire department did not speak to one another until well into the incident. This led to miscommunication to where resources were needed and to mismanagement of resources (TriData Division, System Planning Corporation, 2014). In the Virginia Beach incident, law enforcement did not respond to the EOC until late into the incident. This also led to mismanagement of resources and a lack of communication (Hillard Heintze 2019). During the Virginia Tech incident, law enforcement is again not referenced as being at the unified command. There is no reference on a direct impact on the incident during this incident; however, this after-action report highlights more recommendations on mental health and communications for the college.

Law enforcement has had to go through a structural change with the implementation of ICS. With the creation of ICS, departments have either embraced this structure or viewed this system as a federal take over of their departments. Carole Moore (2006) writes that it is difficult for law enforcement to follow ICS because they are used to working independently. Moore (2006) cites in her writing how law enforcement traditionally works by themselves and can work through situations when they present themselves. Moore (2006) continues that this is different

from the fire service, which traditionally works in a team environment. ICS was developed from the fire service and embraced a group environment.

Even though it may be difficult for law enforcement to embrace the concept of ICS, it does not underestimate the importance of the ICS system during critical incidents. Moore (2006) also writes that during a critical incident, following ICS eliminates the confusion of who is in command, successfully manages resources, controls the perimeter for civilians and media, and assists with the post-incident response. ICS can also ensure that the person with the correct experience and knowledge has operational control during the correct phase of the incident. One of the essential aspects of ICS is the improvement of communication (Moore, 2006).

ICS can be implemented into all departments regardless of size and regardless of call scale or volume. An agency can improve planning, accountability, and communication (Phibbs, W.M. & Snawder, M. 2014). With the correct training, agencies can have officers applying ICS to complex and straightforward incidents. Hesitation to implement ICS is traditionally based on theories and training strategies from over 30 years ago (Phibbs, W.M. & Snawder, M. 2014). If these biases towards ICS are not changed, critical incidents will not be managed efficiently.

Phibbs and Snawder (2014) explain that if command posts are not utilized correctly during a critical incident, there could be confusion during the incident. When multiple command posts are established, confusion could be created on who is in charge during the incident (Phibbs, W.M. & Snawder, M. 2014). When ICS is not implemented, goals can still be accomplished; however, frequently, tasks are duplicated, resources are mismanaged and not tracked accurately, and there are delays in requests.

If law enforcement builds ICS into a daily routine, it will improve the willingness to utilize ICS during critical incidents. By increasing the use of ICS, law enforcement would know

how and where they fit when responding to a large scale incident (Phibbs, W.M. & Snawder, M. 2014). Law enforcement would also increase the awareness of their operations to all the stakeholders at the incident by being present at the EOC or unified command post. By successfully implementing ICS, multiple agencies can communicate and work together without having worked together before (Moore, 2006).

On June 12, 2016, first responders in Orlando, Florida responded to a critical incident involving an active shooter at the Pulse nightclub. During this incident, the sole shooter injured 53 people and killed 49 (Straub, F., Cambria, J., et al., 2017). This incident included an active shooter, which progressed to a barricaded subject that included hostages (Straub, F., Cambria, J., et al., 2017). The response to this incident began with an off-duty officer working at the nightclub and ended with twenty seven agencies responding to assist (Straub, F., Cambria, J., et al., 2017).

During this incident, a command center was established quickly. The Orlando Police Department immediately established incident command, and all jurisdictions that responded, including all state and federal, respected the ICS established ICS structure (Straub, F., Cambria, J., et al., 2017). With all agencies applying ICS strategies and working within the ICS structures, all aspects of this incident were covered immediately, even though multiple agencies responded to the incident which had never worked together before. The tactical operations continued to be effective while the media relations and public information were being disseminated (Straub, F., Cambria, J., et al., 2017). Triage of victims occurred while services for victims and their families were being arranged (Straub, F., Cambria, J., et al., 2017).

In this incident, all the agencies effectively utilized the ICS structure to manage the incident, but managing resources was still a problem. The problem did not arise from the

command center not communicating effectively; the problem occurred from resources, such as officers self-deploying to the scene and not checking in with the command post for an assignment (Straub, F., Cambria, J., et al., 2017). When the command post does not know when a resource is available, the resource can become a hindrance and not an aide to the incident.

Training on the ICS structure and strategy was key to the adequate flow of this incident. All Orlando officers must be trained on the Federal Emergency Management Agency's IS-700, IS-800, IS-200, and IS-100 courses (Straub, F., Cambria, J., et al., 2017). All senior and command staff officers are required to be trained on IS-300 and IS-400 (Straub, F., Cambria, J., et al., 2017). Even though there is a national mandate to incorporate the NIMS and ICS structure into policy, law enforcement agencies continually lack training in this area. The Pulse Night Club response is an example of an effective use of the ICS structure being implemented from the first officers arriving on scene, through task forces being established, the command center taking over command, and finally through the recovery phase.

On October 1, 2017, the events in Las Vegas, Nevada, are another example of how law enforcement effectively utilized the ICS structure during a critical incident. During this incident, a sole gunman opened fire on a crowd at a music festival and killed 58 people and injured over 850 people (Lombardo, J. 2017). It was discovered that the shooter was firing from the 32nd floor of the Mandalay Bay Resort, which is owned and operated by MGM Hotels. When this incident was broadcast over law enforcement radio system, mutual aid agreements went into effect and other officers began to self-dispatch from across southern Nevada. The response to this incident was different from the other incidents noted in this study. This incident had an established ICS structure in place, as an Incident Action Plan had been created for this event.

This event was a three day event with an estimated twenty two thousand people in attendance (Lombardo, J. 2017).

As this was a preplanned event, Las Vegas Police Department did have an established command post with a designated incident commander. Fifty officers were working under the incident commander. This does not follow the subordinate to supervisor ratio of the ICS structure; however, the after-action report does not detail any designated strike teams leading up to the incident (Lombardo, J. 2017). The police department required the presence of all external stakeholders at the command post. This aided in the flow of communication when the incident occurred. Inside the command post were liaisons from event planning, MGM, private ambulance companies, fire inspectors, and private security. The command post was set up to document tracking of resources, financial tracking, internal dispatching for the event.

As the incident began to unfold and additional resources began responding to the scene, there was a transfer of command. This transfer of command was announced over the radio, and all resources were aware of the new incident commander (Lombardo, J. 2017). During the transfer of command, a new command post was also being established. This was also announced over the air, and critical personnel began to be transferred to the new command post. The transfer of command and a new command post was needed due to the scale of the incident and the location of the incident in relation to the initial command post (Lombardo, J. 2017). When the new command post was established and unified command was in place, one of the first tasks was to conduct a roll call of resources and establish all active resources into strike teams (Lombardo, J. 2017). This was done to maintain accountability of the resources on the grounds and inside the resort. During this active incident, there were 5,500 law enforcement officers on the scene; the event started with a staff of 50 (Lombardo, J. 2017).

During this event, the ICS structure was established and maintained. This allowed for all details to be recorded, all resources to be tracked and managed, and all requests for assistance to be triaged and completed. This initial scene was chaotic, with shots being fired, hundreds of people fleeing the scene, and injured people on the ground. With an established ICS structure in place, the unified command was able to gather initial intel, route responding officers, keep ingress routes clear for responding vehicles, establish additional triage areas for the wounded, and secure the scene for the criminal investigation.

Even though this incident had a well-established ICS structure, it also had areas of improvement. These issues that developed during this incident were through communication and resources self-deploying. This incident had a staging area established with a staging manager dispatching assignments. However, some officers were overhearing radio transmissions and responding to the calls directly instead of following the directions of the staging manager (Lombardo, J. 2017). Some of the resources that responded to this incident never reported to the staging area, as is required by ICS, and responded to information they heard over the radio (Lombardo, J. 2017).

As stated earlier in this report, this event already had an established ICS structure; however, there was a lapse in typical ICS planning even with that structure in place. Even though there were lapses, this incident followed many of the protocols of ICS. Las Vegas Police conduct training on ICS with all their officers regularly (Lombardo, J. 2017). The training occurs to ensure the ICS process is followed during all the department's large scale events. The agency admittedly does not include all of their departments in training, which proved to be a fault during this incident (Lombardo, J. 2017).

When reading all of the after-action reports above, some agencies implemented the NIMS/ICS structure more effectively than others. When the ICS structure was implemented, the incident was managed more effectively and efficiently. The question of the usefulness of NIMS/ICS should not come down to ease of use but the efficiency of managing the incident.

Hillyard (2000) evaluated responses to crisis events and identified three distinct variables. The variables that Hillyard (2000) was able to identify are intensity, familiarity, and complexity. The intensity of the incident increases when multiple situations occur during the same incident. Complexity relates to the number of jurisdictions, or resources, involved in the incident. Finally, familiarity relates to the frequency the incident occurs and the first responders' experience level with the incident or situations. Hillyard (2000) describes that incidents of low intensity, low complexity and that are very familiar are the easiest for first responders to resolve. The opposite would be the most challenging type of incident to resolve. Hillyard (2000) believes that the NIMS/ICS structure was explicitly designed for incidents of lower complexity and intensity and a high amount of familiarity.

Hillyard (2000) continues to describe a situation of high levels of intensity and complexity with low familiarity as simply "chaos." Hillyard (2000) believes NIMS/ICS is not intended to manage incidents of chaos. If responders applied Hillyard's definitions to today's incidents, they would be responding to "chaos" constantly, and no system of management would work. Chaos is the definition of what the initial first responders observe when arriving on the scene. Based on their training and experience, the initial responder relays information, takes appropriate initial action, or establishes a team to take action. This initial action is intended to allow additional responding resources to establish a management structure. However, that structure cannot be established if officers are not trained and do not understand the system.

Assessment

  As noted in the after-action reports referenced in this report, multiple jurisdictions respond to an agency's request for assistance during critical incidents. This is often done with preestablished mutual aid agreements; other times, it is done through resources self-dispatching. The initial response is traditionally the primary agency, followed by a few resources from neighboring agencies. However, the response continues to grow. Soon there maybe hundreds of resources on the scene. Now comes the task of managing the resources, triaging requests for assistance, and, above all else, communication. Communication needs to be maintained with all law enforcement resources and all the rest of the stakeholders involved in the incident.

  When ICS was first established as the standard for critical incidents, it was intended that all agencies would train and respond within the ICS structure. As it is evident in the after-action reports referenced above, the training needed to be proficient is not at the level it needs to be for critical incidents to be managed efficiently. Law enforcement responds to situations deemed as "chaos" by others. The ICS structure is intended to take the "chaos" and ensure that communication is not overlooked, resources are managed, and the incident has a continuous command presence by the appropriate service or joint services. Currently, law enforcement needs to increase training and implement ICS within its culture to achieve these goals.

  For example, there was no unified command established during the Aurora, Colorado incident (TriData Division, System Planning Corporation 2014). Also, during the response, all law enforcement responded to the shooting, and there was no initial command established (TriData Division, System Planning Corporation 2014). This allowed for mismanagement of resources and a "bottleneck" of responding police vehicles to the point where no ambulances could gain access to the theatre (TriData Division, System Planning Corporation 2014). Had a

law enforcement command been established, the flow of responding resources could have been controlled. During a unified command, police and fire could have discussed the need for EMS resources.

This was also the case during the Virginia Beach incident. During this incident, communication was an issue and could have been resolved if the unified command had been established. Law enforcement did not have access to the building because of the access control system, and the fire department could have assisted (Hillard Heintze, 2019). The training was also an issue during this incident. ICS is written into their policy; however, during this incident, the transfer of command was not followed and created a communication breakdown (Hillard Heintze, 2019).

There has been research conducted identifying that critical incidents are chaotic scenes. This research indicates that ICS may not be the structure to manage a chaotic scene. However, the NIMS/ICS system was structured by the California wildlife firefighting service who respond to critical incidents. Also, the NIMS/ICS system is currently utilized by local municipalities, first responders, and the federal government to respond to critical incidents such as hazardous material incidents, natural disasters, and active shooters. All of these incidents are classified as critical incidents and chaotic scenes. When implemented correctly, these scenes are initially responded to, made safe, a command structure is implemented, and the incident is managed efficiently. This can occur through proper training and the willingness to implement this structure from the agencies and the governments involved.

This was displayed during the Pulse Night Club incident. The Orlando Police Department was able to establish command and manage the resources on the scene (Straub, F., Cambria, J., et al., 2017). Communication between the agencies on the scene was established

because of the ICS structure and established relationships before this incident (Straub, F., Cambria, J., et al., 2017). Law enforcement agencies in Florida are also known for their comprehensive ICS training programs.

The Las Vagas incident also describes an incident where ICS was utilized to manage a chaotic event. The command post had already been established in this incident since it was a preplanned event; however, the command post quickly became part of the incident (Lombardo, J. 2017). The incident commander realized a transfer of command was needed, and a new command post was established. Since training and prior relationships were established, this transfer of command occurred quickly. Communication is key to incidents like these being managed effectively. When their permanent command post was established, all stakeholders were on scene and included (Lombardo, J. 2017). This ensured that all aspects of this incident, from initial response through recovery, were included within the scope of this response.

Recommendation and Conclusion

Throughout this research, it has been demonstrated that when the ICS structure has been implemented and followed, the incident at hand has been managed effectively and efficiently. Managing a critical incident is to take the chaotic situation and implement control over the situation. As all first responders know and understand, all critical incidents are in a state of chaos upon arrival. How they are responded to and managed will determine the extent to which chaos rises or becomes under control.

The after-action reports referenced throughout this report have shown the results of when ICS has been implemented successfully. ICS cannot be a structure discussed in basic police academy training, forgotten about, and then implemented at an incident. To be successful and to be able to manage an incident while utilizing this structure, agencies need to embrace this

structure throughout the agency. This is done through building relationships, training, and

learning that leadership is based on skillset and not position or title.

ICS is based on the California Wildfire Service of responding to incidents. It has

changed over time; however, it is continued to be heavily used by the firefighting service. Since

law enforcement agencies were slower to take hold of this structure, most ICS trainers are

current, or are former, firefighters. When law enforcement attends this training, this can

reinforce to some officers that this structure is only for the firefighting service. This culture

needs to change. More training needs to be held cooperatively with both services, or law

enforcement needs to lead ICS training for law enforcement agencies. By making this switch,

the training will be tailored to the law enforcement response to a crisis. The training needs to be

continuous and can not only be at one time in someone's career. If the ICS training does not

continue and advance, it will not be reinforced in the officer's daily routine. ICS does not have

only to be used at significant incidents. If it is constantly being trained on, ICS will start to work

on all calls for service.

Another key to success for ICS with a law enforcement agency is to build relationships.

Command level officers in a law enforcement agency and in a fire service in a community should

not be meeting for the first time at a critical incident. Command officers need to be proactive

and communicate with each other either at tabletop exercises, meetings, or during live training.

By communicating with each other, both agencies will learn what other's expectations and needs

are during critical incidents. This will also show the importance of a unified command during a

critical incident. Law enforcement is typically not in favor of unified command because of

operations and intelligence. However, as this research has shown, not having a unified command

communication is severely limiting. The entire incident can suffer, resources can be

mismanaged, and intelligence can be missed or overlooked. Building on these relationships will benefit the entire community during a critical incident.

The authentic leadership theory describes placing people in positions during critical times based on their skill sets, not their positions. This theory is critical when discussing ICS. When responding to critical incidents, task forces and strike teams are immediately established. When responding to these incidents, there maybe people within the agency who have the skillset to lead and respond who may not have a leadership title or position. These people should be utilized as functional leaders during this time. Their skills should not be overlooked simply because of a title or position. Within the ICS structure, skills are what places someone with a specific position, not their title.

More research is needed in the area of ICS and how it is implemented in local municipalities. The majority of current research is limited to after-action reports which occur after a critical incident. Agencies desire to improve on the response and the protection of their communities. If research increased in this area, it could also lead to improved training in this area. The desire would be to discover ways to improve the response to critical incidents based on the past and not at the expense of an additional critical incident.

The agencies that are the most successful at utilizing ICS practice, build relationships, and use officers based on their skill. The result is to effectively manage a critical incident through the effective use of ICS. Loss of leadership during a critical incident leads to a misallocation of resources and aid not being rendered. The impression of loss of leadership can lead to a lack of communication between operations and command and a lack of communication between responding agencies. By implementing ICS as soon as practical during a critical incident, a scene of chaos can be managed effectively and efficiently. All community members

rely on first responders during a critical incident, whether it is human made or a natural disaster. First responders owe it to the community to not make the incident worse by mismanaging the incident. The ICS structure can work at all levels of government and all levels of incidents. The culture of law enforcement, at all levels, needs to embrace this structure to improve the response they offer to the community.

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