



TESTIMONY

Before

COMMONWEALTH OF PENNSYLVANIA JOINT HEARING OF THE SENATE AND HOUSE VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS COMMITTEES

BY

**Robert G. Werts, Program Manager
Northeast Pennsylvania Regional Counter Terrorism Task Force**

**How will the proposed changes to
Title 35 impact on the Regional Task Forces**

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Good morning ladies and gentlemen. I would like to thank you for the opportunity to speak here today. I believe it is important that you have at least some knowledge of the individual who sits before you and offers testimony on such a vital issue as Homeland Security.

I have spent my entire adult life in service to my nation, my state and my community. I served 5 years as a Navy Corpsman with the Second Marine Division, which was followed by nearly 35 years as a member of the Pennsylvania State Police, where I rose from Trooper to the rank of Lt. Col. and served as the Deputy Commissioner of Operations. I am presently employed as the Program Manager for the Northeast Pennsylvania Regional Counter Terrorism Task Force (NEPRCTTF).

The NEPRCTTF area comprises eight (8) counties in northeast Pennsylvania. Those counties are Carbon, Lackawanna, Lehigh, Monroe, Northampton, Pike, Susquehanna and Wayne. The Task Force was formed under an Inter Governmental Agreement signed by the governing bodies of each of the counties. Authority is derived from Title 35 and Act 227. The Task Force Executive Committee is comprised of the eight Emergency Management Agency Directors in each county.

The Task Force is further organized in a number of sub-committees. Those committees are:

Hospitals – which represent the 18 hospitals in the task force area; the EMS work Group; Mental Health agencies and the Public Health work group which includes The Pennsylvania Department of Health and the Municipal Health Bureaus

Communications – The 911 Directors of each county along with the Communications Utility Group make up this sub-committee.

Support Services Committee – is comprised of Volunteer Organizations, such as The American Red Cross, the Salvation Army and various churches in the area.

School Committee – this is made up of the 46 public and 2 parochial school districts.

Fire/Rescue/Hazmat Committee – over 1200 fire, rescue and hazmat agencies are represented by this committee.

Law Enforcement Committee – comprised of members of Federal Law Enforcement Agencies, the Pennsylvania State Police and nearly 150 municipal law enforcement agencies, corrections officials, sheriffs departments, bomb squads and Special Weapons and Tactics (SWAT) Teams.

The Urban Search and Rescue – a complete company trained and equipped that exactly mirrors the FEMA Team and consists of 33 members is available to respond within the Commonwealth when needed.

Coroners – comprised by the eight county coroners.

The committees meet on a monthly basis for the purpose of discussing equipment, training and other resources necessary to deal effectively in preventing, mitigating, responding to or recovering from a terrorist event or natural disaster.

EQUIPMENT

It is vital that our first responders are properly equipped and trained. If I may I would like to provide this committee with a partial list of some of the equipment that the Task Force has provided to first responders.

2400 Millennium Chemical, Biological, Radiological, Nuclear (CBRN) Gas Mask Kits for every police officer in the Task Force area.

1200 Positive Air Purifier Respirators (PAPR) with Personal Protection Equipment (PPE) for police and EMS agencies.

9 Hostage Negotiator Phone Sets for the area Police SWAT Teams.

4 Bomb Robots, 2 Bomb Containment vessels and 3 trucks to move this equipment.

2 fully equipped inflatable “Surge” hospitals, with trailers.

8 complete Decontamination Units, one for each county. 32 Fire Companies are in the process of being trained to use this equipment. In addition decontamination units have been purchased for all 18 hospitals in the area.

The equipment necessary to stand up one complete USAR Team.

2 Command Post buses.

Equipment necessary for the eight (8) county coroners to deal with an incident involving mass casualties.

371 GPS systems for each EMS Unit in the area.

TRAINING

This is, as I mentioned, only a partial list of equipment that the Task Force has provided to first responders. Just as important as the equipment is the training which we provide to these agencies.

We recently concluded a series of six “Exercises” to test the efficiency and effectiveness of fire, hazmat, EMS, Law Enforcement, Coroners and Hospitals. The Task Force retained Cocciardi and Associates, Inc. to develop, present and evaluate a series of county based full scale counter-terrorism exercises during 2006-07. A validated Weapons of Mass Destruction (WMD) terrorism scenario was developed through the use of a mock terrorist group. This scenario was then applied to each NEPRCTTF county. During the course of the exercises, 3,401 individuals participated in response and recovery events, representing 285 public safety, public health and hospitals, law enforcement and governmental agencies. Two-hundred seventy-five (275) critical tasks were reviewed and evaluated representing more than 1,600 required actions during the series of exercises. One hundred twenty-five (125) improvement actions were recommended and four (4) best practices were noted.

In addition to the foregoing the National Tactical Officers Association regularly provides training in such areas as:

- Terrorism Tactics – Homicide Bombers
- Terrorism Intelligence Profiles
- Protective Operations – Dignitary Protection
- Basic SWAT Training
- Basic Crisis Negotiations
- Hostage Rescue Training
- Tactical Emergency Medical Support
- Critical Incident Management
- High Risk Transport – Corrections
- Advanced Crisis Negotiations
- Workplace Violence – Response

All 18 hospitals have upgraded their required personnel to Hazmat Technician level through the U.S. Environmental Protection Agency (EPA) training.

A separate two day course of instruction for Law Enforcement, School Personnel and Hospital Personnel in News Media Relations has been offered to insure those persons having the responsibility of informing the public, during a crisis, have the training and ability to do so properly.

Training in the National Incident Management System (NIMS) has been attended by municipal/public officials.

A program dealing with Violence in Schools in conjunction with Crisis Management and NIMS training has been offered to and presented at a number of the public schools in the task force area.

PLANNING

The Task Force has begun planning on a number of possible scenarios that would have a detrimental affect on the area.

Evacuation – while it is necessary to plan on evacuating residents from this area, it is more likely that this region of Pennsylvania would be the location where evacuees from the major cities, New York and Philadelphia, would attempt to flee to in the event of man-made or natural disaster. It is possible that within one hour of a disaster in New York, the Pocono Mountains would begin to see a huge increase in traffic. It should be noted that nearly one-third of the population of Monroe County now commutes to New York City. This along with other evacuees could cause “grid-lock” on our Interstates, much the same as was seen in Texas during Hurricane Katrina. Issues such as Interstate Highway ramp closures, the utilization of tanker trucks to fuel vehicles and staging areas for evacuees to report to prior to their assignment to a specific shelter are just a sampling of subjects presently being discussed in order to formulate an effect plan.

Strategic National Stockpile – in the event of a terrorist group attacking with weapons of mass destruction, such as chemical, biological, radiological, nuclear, or explosive devices, or a major natural disaster, the affected counties within the task force area will rapidly deplete the local cached pharmaceuticals and medical equipment. If this occurs it is essential that a re-supply of large quantities of essential medical material be deployed within twelve hours. In counties that have no Department of Health it falls to the Director of Emergency Services or the EMA Director to have in place a plan for the distribution of these medical materials. The task force is presently involved in the planning of Points of Distribution (PODs). Locations have been determined and we are presently conducting meetings to identify the persons responsible to insure the distribution of these medicines is completed within the time frame set by the Federal Government, the Center for Disease Control and the U.S. Department of Health and Human Services.

Pandemic Influenza – the same responsibilities as mentioned in the previous paragraph will also have to be met with respect to the vaccination of large numbers of people during a pandemic. However along with the responsibility of insuring the proper distribution system is in place, the NEPRCTTF has the added issue that the only facility in the world that manufactures this vaccine is located within our area. In addition to the foregoing preparations, the task force has also been involved with the manufacturing company, the Department of Homeland Security, state and municipal law enforcement and others in developing a buffer protection plan and other security measures regarding the transportation, storage and dispensing of this vaccine.

***Note:** It should be noted that the Task Force has brought together members of Law Enforcement Committee, the School Committee, the Hospital Committee along with local public health officials, doctors, nurses and pharmacists to develop a comprehensive plan to effectively manage the dispensing of medications to a large number of people if either of the above events occurs.

Multi-Agency Command Center (MACC) – The Pocono International Raceway (PIR), located in Long Pond, PA is the site of two NASCAR events during the year. These races, the Pocono 500 and the Pennsylvania 500, each attract in excess of one hundred and sixty thousand people (160,000). Due to the potential of a terrorist incident or a natural disaster at the raceway, and at the request of the owner of PIR, the Monroe County Office of Emergency Services (OES) and the NEPRCTTF has assisted the PIR with developing an Emergency Plan. As part of that plan the MACC concept is utilized. This concept brings together a number of federal, state, county and municipal agencies. There are three objectives of the MACC. They are: To insure the safety of the fans, spectators, drivers and all attendees at these events; To provide capability for Central Unified Command and Control as specified in NIMS and; To provide a central location for coordination of federal, state, local, non-governmental and private sector organizations with primary responsibility for threat response and incident support. The following is a list of the agencies represented at the MACC.

Federal: Federal Bureau of Investigation, Alcohol, Tobacco and Firearms, Environmental Protection Agency, Federal Aviation Agency, Department of Homeland Security, Civil Support Team, the FBI's Law Enforcement On-Line (LEO).

State: Pennsylvania State Police, Pennsylvania Emergency Management Agency, Pennsylvania Department of Transportation, Pennsylvania Department of Environmental Protection, Office of Homeland Security, Eastern Pennsylvania Regional EMS Council.

County: Monroe County Office of Emergency Services, Monroe County 911 Center, Monroe County Planning Commission, Carbon County Office of Emergency Services, Urban Search and Rescue-PA Company Three.

Municipal: Pocono Mountain Regional Police Department, Tunkhannock Volunteer Fire Department, Tunkhannock Township Emergency Management Agency.

It should be noted that since the participation of the NEPRCTTF and the utilization of the MACC concept that NASCAR now considers the Pocono International Raceway one of its most secure sites.

We are also pleased to report the Communication Committee recently completed a project consisting of connecting the eight county 911 centers together via secure microwave radio connectivity. By design they used a majority of existing infrastructure which was already in-place and owned by the eight counties. In addition we partnered with the Eastern Pennsylvania Emergency Medical Services Council's "Medcom" system and the Pennsylvania Game Commission.

Since we used the existing infrastructure this allowed us to expand the connection beyond our region and now we have direct and secure communications with: Berks and Schuylkill Counties as well as access to sixteen hospitals and seven aero-medical helicopter programs through Medcom.

Furthermore there was a communications network created for the eight county emergency management officials so they too would have a secure communications link. The system is used on a daily basis for any and all situations which require interaction between counties and/or regions.

It seems the two questions that the members of this committee are most interested in hearing an answer to is, **"How prepared is Pennsylvania to Respond to a Terrorist Attack or Natural Disaster?"** And, **"How does the proposed changes to Title 35 impact on the Task Force?"**

On September 11, 2001 the nation found out how prepared we were to deal with these situations. It was further emphasized during hurricane Katrina and the devastation and death that occurred in the Gulf States. Lessons were learned, the hard way. Have we made progress? Yes, by leaps and bounds. Is there more to do? Definitely yes! The task force has equipped and trained agencies to respond to disasters, whether man made or natural. In most instances the cost to train and equip these first responders would have been impossible for these agencies to shoulder. The cooperation between federal, state and municipal agencies has improved dramatically. Planning to deal with these crises has been on-going and will continue.

I realize that all of this takes a tremendous amount of money and that there is a limit to funding. I would advise caution when determining the amount of funding that is designated to specific areas through Department of Homeland Security.

While I agree that major cities throughout the nation are more likely to be targeted by terrorists, they are **not** more likely to be the casualty of a natural disaster. In addition, as we have learned here in Pennsylvania, rural areas, because of their remoteness and the ability of terrorists to conceal their plotting, are more likely to be chosen to complete their planning.

Bombs or other weapons of mass destruction that accidentally detonate prior to their final delivery point become the problem of that particular municipality. Consequently rural areas are required to do as much planning to prevent, mitigate, respond to and recover from such an attack as urban areas and major cities.

In addition, and I am referring to Northeastern Pennsylvania at this point, once a terrorist attack or a natural disaster occurs, residents of New York, New Jersey and Philadelphia would most likely evacuate to the rural areas of the Commonwealth. In this case the Pocono Mountains. These evacuees would need food and sheltering for an undetermined amount of time. While emergency services in these cities would be dealing with the aftermath of the attack, it will be the rural areas that will be required to deal with the human suffering. Sheltering centers, hospitals and other medical facilities, would be overrun. Law Enforcement agencies that normally deal with thousands of people would now be dealing with hundreds of thousands if not millions.

Through funding from the Department of Homeland Security our region is more secure and our communities are safer than ever before. For that to continue and improve, the programs and funding must continue. There is much more work that needs to be done, and it will require additional supplies and training. The first responders in this region are dedicated and hard working, and many of them are volunteers. Our goal needs to be: to protect our region and the people who live here as well as to make sure all emergency personnel have the tools they need when disaster strikes.

You have listened to me talk about the NEPRCTTF and the many things that we have accomplished since 9/11. Let me assure you that all of the Task Forces throughout the Commonwealth have worked diligently to insure the safety and security of all our citizens.

My response to the second question, **“How do the proposed changes to Title 35 impact on the Task Forces?”** follows. Certainly one of the greatest benefits from the creation of the Task Forces has been the networking and cooperation that has come about. I believe that the Task Force concept is beneficial not only to the first responders that are the direct recipient of Task Force funding, but also to the communities they serve, many of whom could not shoulder the burden of paying for the resources and training their emergency personnel has received. This concept should be maintained by the Federal Government and the Commonwealth.

With respect to Sub-Chapter C of the Act that deals specifically with the Regional Task Forces and the Specialized Teams it is apparent that without guaranteed funding, Task Forces with specialized teams cannot begin to or continue to maintain Workman’s Compensation for the team members. It should be obvious that counties that have only one or two staff members working in emergency management cannot afford to pay, “the administrative and operational costs of the task force component or subgroup, its individual members and their employers.” There is simply not the funding available.

If I may I would like to address one issue that we do need help with. As you have heard the task force has purchased millions of dollars in equipment for our first responders. We have paid millions more to insure that those responding to a disaster, whether natural or man-made are trained to respond efficiently, effectively and safely.

We have gladly purchased the equipment and insured the training was done and we did so with the understanding that the equipment and the personnel that had been trained to use the equipment would respond to a call for help anywhere within the task force area when they were needed.

The first time we ran into a problem was asking one county's SWAT Team to respond to a barricaded gunman in an adjoining county. For the record both counties were part of the NEPRCTTF. We were informed that the team could not and would not respond as the members of the team, all police officers, had no jurisdiction in the adjoining county. As a former police officer I agree with that decision. It is one thing for a fire company to cross jurisdictional lines to assist another company in extinguishing a fire. It is another matter all together to have police officers leave their jurisdiction and, not only enforce the law, but in doing so possibly use deadly force.

What we need, whether it is in the present legislation or it is in legislation to be discussed at a later date, is the ability of task force members to respond to areas within the task force to accomplish the task for which they have been equipped and trained for and to have the authority of enforcing the law and to use whatever force is necessary as granted by the laws of the Commonwealth.

You may ask why a Memo of Understanding (MOU) between agencies would not work. It took two (2) years for the eighteen (18) hospitals in our task force area to agree to cooperate, share staff and resources and sign a MOU. There are well over 150 law enforcement agencies within our area. To get every agency, their municipal officials and their solicitor to agree on an MOU would take entirely too long.

While I certainly do not have all of the answers to the issues that could arise it seems to me that if we had the proper legislation in place that a request made by one member agency of the CTTF, i.e. police department or EMA Director, to another CTTF member, i.e. a specialized team, that the responding personnel would be legally authorized and protected by statute to enforce the laws of the Commonwealth as if they were in their own jurisdiction and further that those responding members would be covered under Workman's Compensation and insured for possible liability issues and that those costs would be covered by the Commonwealth.

Once again I would like to express my sincere appreciation to this committee for giving me the opportunity to discuss the Regional Task Force, our work, our accomplishments and our needs.