

November 22, 2022

NW-638

**AGENDA FOR DELTA COUNTY COMMISSIONERS COURT**

Meeting time is 9:15 AM, Monday, November 28, 2022 in the District Courtroom on the Second Floor of the Delta County Courthouse, located at 200 West Dallas Avenue, Cooper, Texas 75432.

11:50A  
FILED FOR RECORD  
AT 11:50A M  
NOV 22 2022

Order  
Pledge of Allegiance  
Invocation  
Announcements

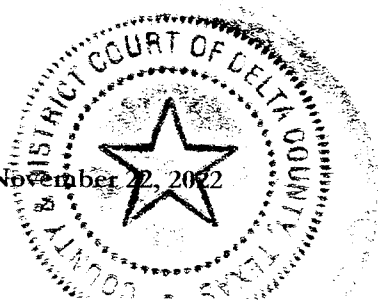
Jane Jones, County Clerk  
DELTA COUNTY, TEXAS

AGENDA

1. Public participation
2. Discuss and possible action – Approve Commissioners Court minutes of November 14, 2022 – Jane Jones
3. Discuss and possible action – Approval on final sub-division plats: #1 – FM 1533; #2 – FM 2949; #3 – 198 and #4 – Enloe Estates – Doug Weyer
4. Discuss and possible action – Designate Eagle Springs solar reinvestment zone number one – Jeff Snowden
5. Discuss and possible action – Resolution for FY 2023 Formula Grant Application – Debbie Huie
6. Discuss and possible action – Receive into the minutes updates of the Delta County Emergency Plan Annex U – Leal, Annex E – Evacuation, and Annex G – Law Enforcement - Tanner Crutcher
7. Discuss and possible action - Approval of award for Public Assistance disaster assistance for FEMA project DR-4586 – Tanner Crutcher
8. Discuss and possible action - Issuances of renewal of elected officials bonds, including the newly elected officials, and receiving the bonds into the records of the Court and filing with the County Clerk’s office – Tanner Crutcher
9. Discuss and possible action – A resolution for Delta County (SART) Sexual Assault Response Team – Charla Singleton
10. Discuss and possible action - Jail report - Charla Singleton
11. Discuss and possible action – Payment of bills – Jennifer Houchins
12. Adjourn

Reminder of Texas Government Code Chapter 551 regarding open meetings that if a member of the public or of the Board inquires about a subject that is not on the agenda, and for which notice has not been given as required any discussion of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a future meeting. This notice is given pursuant to “Section 551.002, Government Code”; and the notice shall be posted at the Courthouse, being a place convenient to the public, for at least 3 days.

*Jane Jones*  
ATTEST: Jane Jones, County Clerk – November 22, 2022



*Jason Murray*  
Jason Murray, County Judge

DELTA COUNTY COMMISSIONERS COURT

REGULAR TERM, NOVEMBER 28, 2022

BE IT REMEMBERED THAT A MEETING OF THE DELTA COUNTY COMMISSIONERS COURT WAS HELD THIS DAY AT THE COURTHOUSE IN COOPER, TEXAS.

THOSE ATTENDING WERE:

MORGAN BAKER, COM. PREC. #1

JIMMY SWEAT, COM. PREC. #2

ANTHONY ROBERTS , COM. PREC. #3

MARK BRANTLEY, COM. PREC. #4

MEETING WAS CALLED TO ORDER BY JUDGE MURRAY.

PLEDGE OF ALLEGIANCE WAS LED BY JUDGE MURRAY.

INVOCATION WAS GIVEN BY COMMISSIONER BRANTLEY.

ANNOUNCEMENTS: COMMISSIONER SWEAT APPEARED BY TELEPHONE.

DAWN MOODY, TAX ASSESSOR, IS RECOVERING AT HOME. SHE WILL HAVE TO HAVE ANOTHER PROCEDURE.

THERE WILL BE A PARADE ON DECEMBER 3, 2022 AT 6 P.M. AND A , SILENT AUCTION AFTERWARD AT THE CIVIC CENTER FOR THE RED AND WHITE SANTA HELD BY THE SHERIFF'S OFFICE TO BENEFIT THE CHILD WELFARE BOARD,

AGENDA

1. PUBLIC PARTICIPATION- NONE
- 2 . DISCUSS AND POSSIBLE ACTION- APPROVE COMMISSIONERS COURT MINUTES OF NOVEMBER 14, 2022.

COMMISSIONER BRANTLEY: I MAKE THE MOTION TO APPROVE THE MINUTES OF NOVEMBER 14, 2022 AS PRESENTED.

COMMISSIONER BAKER: SECOND

JUDGE: MOTION MADE AND SECOND TO APPROVE THE MINUTES OF NOVEMBER 14, 2022 AS PRESENTED. ANY DISCUSSION? COURT VOTES? 4 TO 0, AYES HAVE IT, MOTION CARRIED.

3. DISCUSS AND POSSIBLE ACTION-APPROVAL ON FINAL SUB-DIVISION PLATS: #1-FM 1533; #2- FM 2949; #3 -198 AND #4-ENLOE ESTATES- DOUG WEYER.

THIS WILL BE SERVICED BY WEST DELTA WATER AND MUD DISTRICT WATER AND THE LAND WILL BE FARM USE.

SEE ATTACHED.

COMMISSIONER BRANTLEY: I MAKE THE MOTION TO APPROVE THE FINAL PLAT FOR SUB-DIVISION PLATS #1-FM 1533; #2-FM 2949; #3 -198 AND #4- ENLOE ESTATES-DOUG WEYER.

COMMISSIONER BAKER: SECOND

JUDGE: MOTION MADE AND SECOND TO APPROVE THE FINAL PLAT FOR SUB-DIVISION PLATS #1-FM 1533; #2-FM 2949; #3 198 AND #4 ENLOE ESTATES. ANY DISCUSSION? COURT VOTES? 4 TO 0, AYES HAVE IT, MOTION CARRIED

WE ARE GOING TO ADJOURN AND HAVE THE PUBLIC HEARING BEFORE THE NEXT ITEM .

THE MEETING IS NOW OPEN IS THERE ANY COMMENTS FROM THE PUBLIC.

ONE PERSON HAD A COMMENT ABOUT THE MINERAL RIGHTS TO HIS FAMILY'S PROPERTY...

4. DISCUSS AND POSSIBLE ACTION- DESIGNATE EAGLE SPRINGS SOLAR REINVESTMENT ZONE NUMBER ONE-JEFF SNOWDEN.

COMMISSIONER BAKER- I MAKE THE MOTION TO DESIGNATE EAGLE SPRINGS SOLAR REINVESTMENT ZONE NUMBER ONE.

COMMISSIONER BRANTLEY- SECOND

JUDGE- MOTION MADE AND SECOND TO DESIGNATE EAGLE SPRINGS SOLAR INVESTMENT ZONE NUMBER ONE. ANY DISCUSSION? COURT VOTES? 4 TO 0, AYES HAVE IT, MOTION CARRIED.

5. DISCUSS AND POSSIBLE ACTION-RESOLUTION FOR FY 2023 FORMULA GRANT APPLICATION-DEBBIE HUIE.

MRS. HUIE STATED THAT THE COUNTY HAD BEEN OUT APPROXIMATELY \$20,000.00 FOR ATTORNEYS INDIGENT APPLICANTS.

COMMISSIONER BAKER: I MAKE THE MOTION TO APPROVE THE FY 2023 FORMULA GRANT APPLICATION AS SUBMITTED.

COMMISSIONER ROBERTS: SECOND

JUDGE: MOTION MADE AND SECOND TO APPROVE THE FY 2023 FORMULA GRANT APPLICATION AS SUBMITTED. ANY DISCUSSION? COURT VOTES? 4 TO 0, AYES HAVE IT, MOTION CARRIED.

6. DISCUSS AND POSSIBLE ACTION-RECEIVE INTO THE MINUTES UPDATES OF THE DELTA COUNTY EMERGENCY PLAN ANNEX U-LEAL, ANNEX 3-EVACUATION , AND ANNEX G-LAW ENFORCEMENT-TANNER CRUTCHER.

SEE ATTACHED.

COMMISSIONER, MORGAN- I MAKE THE MOTION THAT WE ACCEPT THE UPDATES OF THE DELTA COUNTY EMERGENCY PLAN ANNEX U-LEAL, ANNEX 3-EVACUATION, AND ANNEX G-LAW ENFORCEMENT AS PRESENTED.

COMMISSIONER ROBERTS: SECOND

JUDGE: MOTION MADE AND SECOND THAT WE ACCEPT THE UPDATES OF THE DELTA COUNTY EMERGENCY PLAN ANNEX U-LEAL, ANNEX 3-EVACUATION AND ANNEX G-LAW ENFORCEMENT AS PRESENTED. ANY DISCUSSION? COURT VOTES? 4 TO 0, AYES HAVE IT, MOTION CARRIED.

7. DISCUSS AND POSSIBLE ACTION-APPROVAL OF AWARD FOR PUBLIC ASSISTANCE DISASTER ASSISTANCE FOR FEMA PROJECT DR-4586-TANNER CRUTCHER .

MR. CRUTCHER WAS NOT PRESENT. THIS ITEM IS TABLED

8. DISCUSS AND POSSIBLE ACTION-ISSUANCE OF RENEWAL OF ELECTED OFFICIALS BONDS, INCLUDING THE NEWLY ELECTED OFFICIALS, AND RECEIVING THE BONDS INTO THE RECORDS OF THE COURT AND FILING WITH THE COUNTY CLERK'S OFFICE-TANNER CRUTCHER.

WITH MR. CRUTCHER NOT BEING PRESENT, MRS. HOUSHINS STATED THAT THE NEWLY ELECTED OFFICIALS FOR JUDGE AND COUNTY & DISTRICT CLERK ALREADY HAD THEIR BONDS.

NO ACTION.

9. DISCUSS AND POSSIBLE ACTION-A RESOLUTION FOR DELTA COUNTY (SART) SEXUAL ASSAULT RESPONSE TEAM-CHARLA SINGLETON.

SEE ATTACHED.

COMMISSIONER BAKER: I MAKE THE MOTION TO APPROVE THE RESOLUTION FOR DELTA COUNTY (SART) SEXUAL ASSAULT RESPONSE TEAM AS PRESENTED.

COMMISSIONER ROBERTS: SECOND

JUDGE: MOTION MADE AND SECOND TO APPROVE THE RESOLUTION FOR DELTA COUNTY (SART) SEXUAL ASSAULT RESPONSE TEAM AS PRESENTED.

10. DISCUSS AND POSSIBLE ACTION- JAIL REPORT- CHARLA SINGLETON.

MRS. SINGLETON STATED THEY HAD 16 INMATES IN JAIL.

11. DISCUSS AND POSSIBLE ACTION- PAYMENT OF BILLS-JENNIFER HOUCHINS.

COMMISSIONER BRANTLEY: I MAKE THE MOTION TO PAY ALL BILLS AS PRESENTED.

COMMISSIONER BAKER-SECOND

JUDGE: MOTION MADE AND SECOND TO PAY ALL BILLS AS PRESENTED. ANY DISCUSSION? COURT VOTES? 4 TO 0, AYES HAVE IT, MOTION CARRIED.

12. ADJOURN.

IF THERE IS NO FURTHER ACTION, THIS MEETING IS ADJOURNED.

**2023 Delta County Resolution  
Indigent Defense Grant Program**

FILED FOR RECORD  
9/15A  
NOV 28 2022

WHEREAS, under the provisions of the Texas Government Code Section 79.037 and Texas Administrative Code Chapter 173, counties are eligible to receive grants from the Texas Indigent Defense Commission to provide improvements in indigent defense services in the county; and

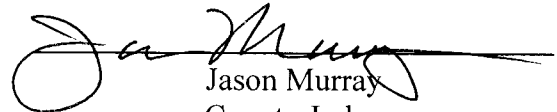
WHEREAS, this grant program will assist the county in the implementation and the improvement of the indigent criminal defense services in this county; and


WHEREAS, Delta County Commissioners Court has agreed that in the event of loss or misuse of the funds, Delta County Commissioners assures that the funds will be returned in full to the Texas Indigent Defense Commission.

NOW THEREFORE, BE IT RESOLVED and ordered that the County Judge of this county is designated as the Authorized Official to apply for, accept, decline, modify, or cancel the grant application for the Indigent Defense Formula Grant Program and all other necessary documents to accept said grant; and

BE IT FURTHER RESOLVED that the County Auditor is designated as the Financial Officer for this grant.

Adopted this 28 day of November, 2022.

  
Jason Murray  
County Judge

Attest:  
  
County Clerk

# ANNEX U

## LEGAL



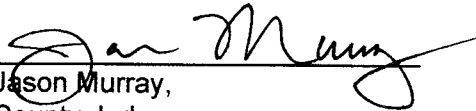
***Delta County***

# APPROVAL & IMPLEMENTATION


## Annex U

### LEGAL


This annex is hereby approved for implementation and supersedes all previous editions.

  
\_\_\_\_\_  
Jason Murray,  
County Judge

11-28-22  
Date

  
\_\_\_\_\_  
Tanner Crutcher,  
Emergency Management Coordinator

11-9-2022  
Date

  
\_\_\_\_\_  
Edgar J. Garrett,  
County Attorney

11/14/2022  
Date



## State Planning Standards Checklist for Annex U, Legal

**Jurisdiction(s):** Delta County, Texas, including the City of Cooper & City of Pecan Gap


**Annex Date:** November 28, 2022 **Date of most recent change, if any:** November 28, 2022

(The date which appears on the signature page)

**Note:** The annex will be considered Deficient if the *italicized* standards are not met.

This Annex shall:	Section/paragraph
I. Authority	
U-1. Identify local, state, and federal legal authorities pertinent to the subject of the annex, in addition to those cited in the basic plan.	I.
II. Purpose	
U-2. Include a purpose statement that describes the reason for development of the annex.	II.
III. Explanation of Terms	
U-3 Explain and/or define terms and acronyms used in the annex.	III.
IV. Situation & Assumptions	
U-4. <i>Include a situation statement related to the subject of the annex or refer to the general situation information contained in the basic plan.</i>	IV.A
U-5. <i>Include a list of assumptions used in planning for legal services during emergency situations.</i>	IV.B
V. Concept of Operations	
U-6. <i>Outline the process for requesting an emergency declaration by the Governor for a local emergency situation.</i>	V.A.1
U-7 <i>Outline the process for issuing, extending, and terminating a local disaster declaration.</i>	V.A.2.a, d
U-8. <i>Outline the process for invoking the emergency powers of the chief elected official of the jurisdiction during a disaster.</i>	V.A.2.b
U-9 <i>Include a list of actions by phases of emergency management to be taken to ensure adequate legal services during emergency situations.</i>	V.B
VI. Organization & Assignment of Responsibilities	
U-10. <i>Describe or depict the legal services organization that will support the jurisdiction during emergency situations.</i>	VI.A
U-11. <i>Include a listing by organization and/or position of the legal service tasks to be performed.</i>	VI.B
VII. Direction & Control	
U-12. <i>Identify by position the individual who will oversee the provision of legal services during emergency situations.</i>	VII.A
VIII. Readiness Levels	
U-13. <i>Describe actions to be taken at various readiness levels.</i>	VIII
IX. Administration & Support	
U-14. Include policies on maintaining/preserving records and training.	IX
X. Annex Development & Maintenance	
U-15. Specify the individual(s) by position responsible for developing and maintaining the annex.	X.A

XI. References		
U-16. Identifies references pertinent to the content of the annex.		XI
Other		
U-17. <i>Includes sample documents for requesting an emergency declaration, issuing, extending or terminating a disaster declaration, and invoking emergency powers.</i>		Appendices 1-5
U-18. <i>Includes sample documents for prohibiting or restricting outdoor burning during periods of high wildfire threat (county and interjurisdictional plans only).</i>		Appendices 6-7

FOR LOCAL GOVERNMENT USE	Signature	Date
This Checklist Completed By		11/09/2022

FOR TDEM USE	Initials	Date
TDEM Regional Liaison Officer Review		
TDEM Preparedness Section Processing		



# APPROVAL & IMPLEMENTATION

## Annex U

### LEGAL

This annex is hereby approved for implementation and supersedes all previous editions.

\_\_\_\_\_  
Jason Murray,  
County Judge

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tanner Crutcher,  
Emergency Management Coordinator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Edgar J. Garrett,  
County Attorney

\_\_\_\_\_  
Date

# ANNEX U

## LEGAL

### I. AUTHORITY

- A. See Section I of the **Basic Plan** for general authorities.
- B. Texas Local Government Code, Chapter 203 (Management and Preservation of Records), and Chapter 229 (Miscellaneous Regulatory Authority of Municipalities).

### II. PURPOSE

The purpose of this annex is to make provision for legal services during emergency situations or when such situations appear imminent, and to provide guidance for invoking the emergency powers of government when necessary.

### III. EXPLANATION OF TERMS

EOC	Emergency Operating Center
FEMA	Federal Emergency Management Agency
IC	Incident Commander
TAC	Texas Administrative Code
TGC	Texas Government Code

### IV. SITUATION & ASSUMPTIONS

#### A. Situation

Delta County and its Cities face a number of hazards that could threaten public health and safety and personal and government property; see Section IV.A of the **Basic Plan** for a summary of these hazards. Legal issues requiring timely resolution may arise during pre-disaster hazard mitigation designed to lessen the effects of known hazards, during pre-disaster preparedness activities designed to enhance the local capability to respond to a disaster, during the actual response to a disaster, or during the post-disaster recovery process.

#### B. Assumptions

1. Local emergency preparedness plans and programs should have a sound legal basis.
2. In responding to major emergencies and disasters, local officials may be required to take extraordinary measures to protect public health and safety and preserve property. They will also require timely advice regarding the legality of proposed measures.

3. Implementation of measures to protect public health and safety and preserve property during emergency recovery and mitigation activities generally require issuance of appropriate legal documents. These should be prepared by competent legal service professionals.

## V. CONCEPT OF OPERATIONS

### A. General

#### 1. Emergency Declaration

- a. Pursuant to Chapter 433, Texas Government Code (TGC), the chief elected official or the governing body of a city or county may request the Governor declare a state of emergency for a jurisdiction or a portion thereof. For purposes of this statute, an emergency exists in the following situations: riot or unlawful assembly by three or more persons acting together by use of force or violence, the existence of a clear and present danger of violence, or a natural or man-made disaster. The Governor may proclaim a state of emergency and issue directives to control and terminate the emergency and protect life and property. Directives issued by the Governor for a state of emergency expire 72 hours after issuance; however, successive states of emergency may be declared by the Governor. A sample request for an emergency declaration is provided in **Appendix 1**.
- b. The emergency declaration process is generally not used for natural or man-made disasters because: (1) it requires action by the Governor to resolve local problems rather than facilitating action by local officials, (2) the Governor's directives require advance notice before they become effective, and (3) directives are of very limited duration – 72 hours. Hence, a disaster declaration may be more appropriate for responding to natural or technological emergencies. An emergency declaration may be appropriate for security-related incidents where local law enforcement resources are inadequate to handle the situation.
- c. If the actions taken by the Governor after an initial emergency declaration do not resolve the emergency situation, the chief elected official or governing body may request that the emergency declaration be continued. If the local emergency situation that was the basis for an emergency declaration is resolved before the Governor's directives expire, it is desirable to advise the Governor that the emergency declaration is no longer required.

#### 2. Disaster Declaration

- a. The Texas Disaster Act, Chapter 418, TGC, provides that the presiding officer of the governing body of a political subdivision (the County Judge of a county or the Mayor of a municipality) may declare a local state of disaster. A disaster declaration may be issued when a disaster has occurred or appears imminent. Chief elected officials, in order to respond to or recover from a significant natural or man-made disaster, typically use the disaster declaration process. A sample disaster declaration is provided in Appendix 2. Copies of a disaster declaration should be filed with the Texas Division of Emergency Management (TDEM) and the County Clerk or City Secretary.

- b. Chapter 418.108 of the Texas Government Code provides that county judges and mayors may, when a state of disaster has been declared, exercise similar powers on an appropriate local scale as have been granted to the Governor in the Disaster Act. Among those powers is the authority suspend procedural laws and rules, use public and private resources to respond to the disaster, control the movement of people, restrict the sale and transportation of certain items, and take a number of other actions. Once a state of disaster is declared, a city or county may enact an emergency ordinance or order describing the specific emergency regulations that are to be put into effect during the disaster. A sample emergency powers ordinance is provided in **Appendix 5**.
- c. Texas statutes (Chapter 229 of the Local Government Code and Chapter 433 of the Texas Government Code) limit the seizure and/or confiscation of any firearm or ammunition from individuals, except under specific circumstances.
- d. A disaster declaration may not be continued in force for more than seven days unless renewed by the Commissioners Court or City Council. A sample ordinance/court order extending a disaster declaration is provided in **Appendix 3**. The Commissioners Court or City Council may terminate a state of disaster at any time; this approach is typically used when the threat that gave rise to the disaster declaration has subsided. Alternatively, the Commissioners Court or City Council may choose to simply let the declaration expire by taking no action to extend it. A sample ordinance / court order terminating a disaster declaration is provided in **Appendix 4**.

### 3. Continuity of Government

Pursuant to Chapter 418 of the Texas Government Code, the Commissioners Court of the Delta County has adopted a plan for the continuity of the functions of the County during a presidential and/or gubernatorial declared disaster or other catastrophic event. The County Continuity of Operations Plan provides for:

- a. The delegation of administrative duties of the Commissioners Court or any official or employee of the County to another appropriate person;
- b. The establishment of orders of succession for performing essential functions of the County;
- c. The establishment of meeting procedures for the Commissioners Court; and
- d. The plan does not provide for the delegation of a duty required by the Texas Constitution.
- e. The waiving of the requirement for a quorum for members of the Commissioners Court, except where otherwise prohibited by law, if:
  - 1) The County is wholly or partly in the area of a disaster declared by the presidential or governor; and
  - 2) A majority of the Commissioners Court are unable to be present at a meeting as a result of the disaster.

### 4. Authority for Evacuations

State law provides a County Judge or Mayor with the authority to order the evacuation of all or part of the population from a stricken or threatened area within their respective jurisdictions.

## 5. County Regulation of Outdoor Burning & Use of Fireworks

One of the effects of drought conditions is an increased threat of wildfires. Many municipalities have enacted ordinances that prohibit or restrict open fires within their corporate limits at all times. The Local Government Code gives counties authority to mitigate the risk of wildfire by restricting outdoor burning and the use of fireworks in unincorporated areas under certain circumstances.

- a. Pursuant to §240.906 of the Local Government Code, The Commissioners Court of a county by order may restrict outdoor burning in general or outdoor burning of a particular substance in all or part of the unincorporated area of the county if drought conditions have been determined by the Texas Forest Service to exist and county officials find that circumstances exist in all or parts of the unincorporated areas of the county such that outdoor burning would create a public safety hazard. The normal procedure for implementing restrictions on outdoor burning is for the County Judge to issue a disaster declaration pursuant to the Texas Disaster Act based on the imminent threat of wildfire. Then, the Commissioners Court issues an emergency order restricting outdoor burning in all unincorporated areas of the county or portions of those areas. A sample disaster declaration based on a threat of wildfire is provided in **Appendix 6**. A sample Commissioners Court order banning outdoor burning is provided in **Appendix 7**.
- b. Pursuant to §240.904 of the Local Government Code, counties may restrict the use of fireworks in unincorporated areas of the county if drought conditions have been determined to exist by the Texas Forest Service. An order adopted must specify the period during which outdoor burning is prohibited or restricted. The period may not extend beyond the 90<sup>th</sup> day after the date the order is adopted. **Such orders for the Fourth of July fireworks season must be issued by June 15<sup>th</sup> ending sales by midnight July 4<sup>th</sup> and by December 15<sup>th</sup> ending sales by midnight January 1<sup>st</sup> for the December fireworks season.**

## B. Activities by Phases of Emergency Management

### 1. Prevention

- a. Brief the elected officials and department heads on possible liabilities arising from disaster operations, procedures for invoking the emergency powers of government, and legal documents relating to emergency powers.
- b. Maintain current copies of existing disaster-related laws, regulations, and orders.
- c. Develop local procedures for invoking emergency powers.
- d. Prepare sample legal documents (included in this annex) for approval by elected officials.

### 2. Preparedness



- a. Ensure that local emergency call-out rosters include the County or City Attorney, who should maintain current telephone numbers and addresses for the legal staff.
  - b. Review plans and procedures.
  - c. Review mutual aid agreements submitted to the jurisdiction for approval and prepare mutual aid agreements to be submitted to other jurisdictions for approval.
3. Response
- a. Advise the County Judge or Mayor and emergency services staff on legal implications of response activities.
  - b. Prepare, have approved and signed, and disseminate legal documents declaring a disaster, terminating a disaster declaration, or invoking emergency powers, if required.
  - c. Advise the Incident Commander (IC) on legal matters, such as emergency proclamations, legality of evacuation orders, and legal rights and restrictions pertaining to media access.
4. Recovery
- a. Advise local officials on legal aspects of recovery operations.
  - b. Assist officials in preparing emergency ordinances, permits, applications for state or federal assistance, grant applications, and, if necessary, litigation.

<b>VI. ORGANIZATION &amp; ASSIGNMENT OF RESPONSIBILITIES</b>
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**A. General.**

Overall responsibility for providing legal services to the County Judge or Mayor, the Commissioners Court or City Council, department heads, and other local officials during an emergency rests with the County or City Attorney. The County or City Attorney will be assisted by his or her subordinates.

**B. Task Assignments**

1. The County Judge or Mayor

- a. Will take such actions that are legal and necessary to manage the disaster at hand.
- b. If the situation warrants, may declare a local state of disaster. Issuance of a local disaster declaration is advisable if an emergency situation has resulted in substantial damage to privately-owned or government property and state or federal assistance will be needed to recover from the incident. If a local disaster declaration is issued, it shall be given prompt and general publicity.

- c. If the situation warrants, may request the Governor to declare a state of emergency.
  - d. If requesting state assistance to cope with a local disaster, should attach copies of any local disaster declaration that has been issued to the request for state assistance. See **Annex J, Damage Assessment**, for further information.
2. The County or City Attorney will:
- a. Advise elected officials and department heads regarding the emergency powers of local government and necessary procedures for invoking measures to:
    - 1) suspend procedural laws and rules
    - 2) establish curfews
    - 3) restrict or deny access to a disaster area
    - 4) control the movement of persons and occupancy of premises in a disaster area
    - 5) implement wage, price, and rent control;
    - 6) establish rationing for critical supplies
    - 7) limit or restrict use of water or other utilities
    - 8) use any publicly owned resource to respond to the disaster
    - 9) commandeer private property, subject to compensation requirements, to respond to the disaster
    - 10) remove debris from publicly or privately-owned property
    - 11) restrict outdoor burning and use of fireworks
  - b. Advise officials on possible liabilities arising from disaster operations, including the exercising of any or all of the above powers.
  - c. Prepare and recommend legislation to implement the emergency powers that may be required during an emergency.
  - d. Advise local officials and department heads on record keeping requirements and other documentation necessary for the exercising of emergency powers.
  - e. Prepare and keep current this annex.
  - f. During an emergency, report instances of overcharging for emergency supplies, equipment, and repair materials to the Consumer Affairs section of the Office of the Attorney General.
3. The City Secretary or County Clerk will:
- a. Publish the required agenda of all meetings.
  - b. Prepare a record of public meetings
  - c. Receive a copy of disaster declarations and documents extending or terminating a state of disaster.
  - d. Ensure proper protection of all records.

## **VII. DIRECTION & CONTROL**

- A. General.** The County Attorney is responsible for providing legal services to the County Judge, Commissioners Court and department heads; and for preparing all legal documents necessary for the conduct of emergency operations and the exercise of emergency powers. Supervisors will exercise their usual supervisory responsibilities over legal personnel.
- B. Coordination.** The County Attorney will designate a person to coordinate with the County Judge and the EOC, if activated. The County Attorney will identify staff members to be called for emergency duty and will designate those responsible for contacting such staff members.
- C. Line of Succession.** The line of succession for legal services personnel will be:
1. City Attorney, Quitman
  2. City Attorney, Mineola
  3. City Attorney, Yantis

## **VIII. READINESS LEVELS**

### **A. Readiness Level IV – Normal Conditions**

See the prevention and preparedness activities in paragraphs V.B.1) and V.B.2) above.

### **B. Readiness Level III - Increased Readiness**

1. The County or City Attorney will review the potential emergency situation, determine staff availability, and review emergency tasks assigned in the emergency management plan and this annex.
2. The County or City Attorney will designate the personnel on call for emergency duty.

### **C. Readiness Level II – High Readiness**

1. Senior officials and department heads will be briefed on the legal ramifications, if any, of the potential emergency situation.
2. The County or City Attorney will brief the legal staff on the potential emergency situation and plans to deal with it should it occur and ensure that on-call staff members are available by telephone and ready to report duty if called.

### **D. Readiness Level I – Maximum Readiness**

The designated on-call legal services representative will proceed to the EOC if requested.

## **IX. ADMINISTRATION & SUPPORT**

- A. Maintenance of Records.** All records generated during an emergency will be collected and filed in an orderly manner so a record of events is preserved for use in determining response costs, settling claims, and updating emergency plans and procedures.
- B. Preservation of Records.** Vital legal records should be protected from the effects of disaster to the maximum extent feasible. Should records be damaged during an emergency situation, professional assistance in preserving and restoring those records should be obtained from a firm specializing in these tasks as soon as possible.
- C. Training.** Legal services personnel who will be participating in EOC operations shall receive training on the operating procedures for that facility.

**X. ANNEX DEVELOPMENT & MAINTENANCE**

- A. Development.** The Delta County Attorney is responsible for developing and maintaining this annex.
- B. Maintenance.** This annex will be reviewed annually and updated in accordance with the schedule outlined in Section X of the **Basic Plan**.

**XI. REFERENCES**

- A.** Texas Division of Emergency Management *Local Emergency Management Planning Guide (DEM-10)*.
- B.** FEMA *Comprehensive Preparedness Guide (CPG-101)*

**APPENDICES:**

Appendix 1 ..... Sample Request for Emergency Declaration  
 Appendix 2 ..... Sample Disaster Declaration  
 Appendix 3..... Sample Extension of Disaster Declaration  
 Appendix 4..... Sample Termination of Disaster  
 Appendix 5..... Sample Emergency Powers  
 Appendix 6 ..... Sample Disaster Declaration for Wildfire Threat  
 Appendix 7 ... Sample Burn Ban

**SAMPLE REQUEST FOR EMERGENCY DECLARATION**

The Honorable \_\_\_\_\_  
Governor of Texas  
c/o State Coordinator  
Texas Division of Emergency Management  
P. O. Box 4087  
Austin, Texas 78773-0001

Date:

Dear Governor \_\_\_\_\_:

The [County of \_\_\_\_\_ /City of \_\_\_\_\_], Texas, is facing significant threats to life, health and property due to:

- [Provide a description of the threat and the area or areas affected. Threats may include:
- riot or unlawful assembly of three or more persons acting together by use of force or violence
  - the existence of a clear and present danger of the use of violence
  - a natural or man-made disaster
- (For these threats, a disaster declaration may be more appropriate.)]

The potential impact of this threat is:

[Provide an estimate of the impact on public health, safety, and property if the threat is not dealt with.]

I have determined that this incident is of such severity and magnitude that an effective response is beyond the capability of the [county/city] to control. Pursuant to §433.001 of the Texas Government Code, I am requesting that you declare a state of emergency for [county/city], Texas, and issue appropriate directives to deal with the emergency; including:

[Indicate what measures that you want the Governor to take.]

Furthermore, I am asking that successive proclamations be issued and remain in effect until the threat of loss of life, injury, or damage property is contained.

A timely response to this request would be appreciated.

signature \_\_\_\_\_  
[County Judge/Mayor]\_\*

\* NOTE: The statute provides that either the chief elected or the governing body of a city or county may request the Governor issue an emergency declaration. If a governing body makes a request, this letter should be appropriately modified.

**SAMPLE DISASTER DECLARATION**

**DECLARATION OF DISASTER**

WHEREAS, the [County of \_\_\_\_\_/City of \_\_\_\_\_] on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, has suffered widespread or severe damage, injury, or loss of life or property (or there is imminent threat of same) resulting from

[Briefly describe the disaster situation.] , and

WHEREAS, the [County Judge/Mayor] of \_\_\_\_\_ has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property,

NOW, THEREFORE, BE IT PROCLAIMED BY THE [COUNTY JUDGE/MAYOR] OF \_\_\_\_\_:

1. That a local state of disaster is hereby declared for \_\_\_\_\_ pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to §418.018(b) of the Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the [City Council/Commissioners Court] of \_\_\_\_\_.
3. Pursuant to §418.018(c) of the Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the [City Secretary/County Clerk].
4. Pursuant to §418.018(d) of the Government Code, this declaration of a local state of disaster activates the [county/city] emergency management plan.
5. That this proclamation shall take effect immediately from and after its issuance.

ORDERED this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ .

\_\_\_\_\_  
signature  
[County Judge/Mayor]

**SAMPLE EXTENSION OF DISASTER DECLARATION**

CITY ORDINANCE or COMMISSIONERS COURT ORDER

WHEREAS, on [ \_\_\_ date \_\_\_ ], the [County Judge/Mayor] issued a proclamation declaring a state of disaster for [ jurisdiction name \_\_\_ ] resulting from

[Provide a brief description of the disaster];

WHEREAS, the conditions necessitating declaration of a state of disaster continue to exist; and

WHEREAS, §418.108(b) of the Texas Government Code provides that a local state of disaster may not be continued for a period of excess of seven days without the consent of the governing body of the political subdivision;

NOW THEREFORE, BE IT [ORDERED/ORDAINED] BY THE [COMMISSIONERS COURT/CITY COUNCIL] of \_\_\_\_\_:

1. That the state of disaster proclaimed for the \_\_\_\_\_ by the [County Judge/Mayor] on \_\_\_\_\_ shall continue until terminated by order of the [COMMISSIONERS COURT/CITY COUNCIL].

2. This ordinance is passed as an emergency measure and pursuant to [local authority for emergency measures] and shall become effective on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PASSED AND ADOPTED, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

APPROVED, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
[County Judge/Mayor]

[Commissioners Court orders will normally include the signature of the County Judge and the County Commissioners.]

**SAMPLE TERMINATION OF DISASTER**

CITY ORDINANCE or COMMISSIONERS COURT ORDER

WHEREAS, on \_\_\_\_\_, the [County Judge/Mayor], pursuant to the Texas Government Code, Chapter 418, (the "Texas Disaster Act"), issued a proclamation declaring a local state of disaster for the [County of \_\_\_\_\_ / City of \_\_\_\_\_] resulting from:

[Describe the situation that occasioned the disaster declaration];

WHEREAS, the conditions necessitating the proclamation of a local state of disaster have ceased to exist; and

WHEREAS, the Texas Disaster Act provides that a local state of disaster may be terminated by the governing body of the political subdivision or by executive order of the [County Judge/Mayor],

NOW THEREFORE, BE IT [ORDERED/ORDAINED] BY THE [COMMISSIONERS COURT/CITY COUNCIL]:

1. The [Commissioners Court/City Council], as the governing body of \_\_\_\_\_, hereby terminates the proclamation of a local state of disaster described in the preamble above.

2. A public emergency exists requiring that this ordinance be passed formally on the date of its introduction; therefore, this [ordinance/order] shall take effect immediately upon its passage and approval by the [County Judge/Mayor].

PASSED AND ADOPTED, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

APPROVED, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
[County Judge/Mayor]

[Commissioners Court orders will normally include the signature of the County Judge and the County Commissioners.]



**SAMPLE EMERGENCY POWERS**

CITY ORDINANCE or COMMISSIONERS COURT ORDER

WHEREAS, by proclamation issued [date of disaster declaration], the [County Judge/Mayor] declared a state of disaster for \_\_\_\_\_ ] resulting from

[Briefly describe the situation]; and

WHEREAS, said state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor Relating to Emergency Management; now, therefore, the following regulations shall take effect immediately upon issuance, and shall remain in effect until the state of disaster is terminated:

*[Eliminate sections below describing measures that will not be used.]*

1. CURFEW

- (a) A person shall not remain or travel upon any public or private property in the following area(s) between the hours of \_\_\_\_\_ and \_\_\_\_\_:

[Insert description of applicable areas]

- (b) Subsection (a) shall not apply to:

- (1) a person authorized by the Emergency Management Director to assist in the production of the health, safety, or welfare of the public; or
- (2) a person who remains or travels upon private property which is owned by him or upon which the person has been invited.

2. MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES

- (a) A person shall not remain or travel upon any public or private property in the following area(s):

[Insert description of applicable areas]

- (b) Subsection (a) shall not apply to a person authorized by local government officials to assist in the protection of the health, safety, or welfare of the public.

3. UTILITIES

All utility services shall be discontinued in the following area(s):

[Insert description of applicable areas]

#### 4. FLAMMABLE PRODUCTS

- (a) A person shall not sell or give away gasoline or other flammable or combustible products in the following area(s):

[Insert description of applicable areas]

- (b) All gasoline stations shall be closed in the following area(s):

[Insert description of applicable areas]

#### 5. EXPLOSIVES

- (a) A person shall not sell, barter, loan, or give away arms, ammunition, dynamite, or other explosives in the following area(s):

[Insert description of applicable areas]

- (b) All establishments where arms, ammunition, dynamite, or other explosives are sold shall be closed in the following area(s):

[Insert description of applicable areas]

#### 6. ALCOHOLIC BEVERAGES

- (a) A person shall not sell or distribute beer, wine, liquor, or alcoholic beverages of any kind in the following area(s):

[Insert description of applicable areas]

- (b) Subsection (a) shall not apply to the sale of medicine which contains alcohol.

#### 7. PRICE CONTROLS

A person shall not sell any of the following goods or services for more than the price the person charged for the goods or services on (date of disaster declaration):

- (a) groceries, beverages, toilet articles, ice
- (b) construction and building materials and supplies, and earthmoving equipment and machinery
- (c) electrical and gas generating and transmission equipment, parts and accessories
- (d) charcoal briquettes, matches, candles, lamp illumination and heat unit carbides, dry batteries, light bulbs, flashlights, and hand lanterns
- (e) hand tools (manual and power), hardware and household supplies, and equipment rental
- (f) automotive parts, supplies, and accessories
- (g) plumbing and electrical tools and supplies
- (h) apartment, duplex, multi-family dwelling, rooming house, hotel and motel rental
- (i) gasoline, diesel oil, motor oil, kerosene, grease, and automotive lubricants

- (j) restaurant, cafeteria, and boarding-house meals
- (k) services of roofing and building contractors, plumbers, electricians, mechanics, tree surgeons, and automobile wrecker companies
- (l) medicine, pharmaceutical, and medical equipment and supplies
- (m) blankets, quilts, bedspreads, bed linens, mattresses, bedsprings, bedsteads, towels, and toilet paper
- (n) furniture and clothing

8. SUSPENSION AND MODIFICATION OF ORDINANCES

- (a) The following ordinances and regulations are hereby suspended or modified as indicated:

[List the relevant ordinances and regulations]

- (b) The suspension or modifications of the ordinances and regulations listed in Subsection (a) shall remain in effect until (date 60 days from the date these regulations are issued), or until the state of disaster is terminated, whichever is sooner.

9. PENALTIES

- (a) These regulations shall have the effect of ordinances when duly filed with the [County Clerk/City Secretary].
- (b) A person who violates any provision of these regulations, upon conviction, is punishable by a fine of not more than five hundred dollars (\$500.00).

10. EMERGENCY

This [ordinance/order] shall take effect immediately from and after its passage and publication, and it is accordingly so ordained.

PASSED AND ADOPTED, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

APPROVED, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
[County Judge/Mayor]

[Commissioners Court orders will normally include the signature of the County Judge and the County Commissioners.]

**SAMPLE DISASTER DECLARATION FOR WILDFIRE THREAT**

PROCLAMATION

WHEREAS, Delta County has not had rainfall for an extended period and weather forecasters offer little promise of a change in the hot, dry conditions in the near future; and

WHEREAS, these hot, dry conditions pose the threat of large, dangerous and fast-moving wildfires: and,

WHEREAS, such fires have the potential of endangering lives and damaging property on a large scale; and

WHEREAS, the Texas Disaster Act of 1975 authorized declaration of a state of disaster "if the threat of disaster is imminent" and

WHEREAS, the magnitude of the potential damage and the rapidity at which such a fire could escalate to major proportions constitute an imminent threat of disaster; and

WHEREAS, declaration of such disaster authorized the imposition of controls on activities which tend to increase the likelihood of fires; and

WHEREAS, such controls, once implemented, have the potential of protecting lives and property by mitigating the threat of dangerous fires;

BE IT THEREFORE PROCLAIMED, that I \_\_\_\_\_, County Judge of Delta County, do hereby declare a state of disaster based on the threat of large wildfires in Delta County, Texas; and

BE IT ALSO PROCLAIMED that this state of disaster will continue until rescinded in accordance with the above statute and order, but in no instance will this declaration continue for more than seven days without authorization by the Delta County Commissioners Court;

BE IT ALSO PROCLAIMED that this state of disaster is being declared solely for the purpose of implementing controls aimed at mitigating the hazard posed by wildfires during the current hot, dry weather.

BE IT ALSO ORDERED THAT the purpose of this order is the mitigation of the hazard posed by wildfires by curtailing the practice of outdoor burning, which purpose is to be taken into account in any enforcement action based upon this order

IN WITNESS WHEREOF, I affix my signature this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
County Judge

**SAMPLE BURN BAN**

COMMISSIONERS COURT ORDER  
PROHIBITION OF OUTDOOR BURNING

WHEREAS, in accordance with provisions of the Texas Disaster Act of 1975, a state disaster has been based on the imminent threat of disaster from wildfire; and

WHEREAS, declaration of such disaster authorized the imposition of controls on activities which tend to increase the likelihood of such fires:

BE IT THEREFORE ORDERED that the following emergency regulations are hereby established for all unincorporated areas of Delta County, Texas for the duration of the above-mentioned declaration;

1. Actions Prohibited:

A person violates this order if he or she burns any combustible material outside of an enclosure serving to contain all flames and/or sparks, or orders such burning by others.

2. Enforcement:

A. Upon notification of suspected outdoor burning, the fire department assigned to the location of the fire shall respond to the scene and take immediate measures to contain and/or extinguish the fire.

B. As soon as possible, a duly commissioned peace officer shall be sent to the scene to investigate the nature of the fire.

C. If in the opinion of the officer at the scene and/or the fire chief, the goal of the order can be attained by informing the responsible party about the prohibitions established by this order, the officer may, at his discretion, notify the party about the provisions of this order and request compliance with it. In such instances, an entry of the notification shall be made into the dispatchers' log containing the time, date, and place of the warning, and the name of the person receiving the warning.

3. At the discretion of the peace officer or the fire chief, second or flagrant violations of this order may be prosecuted in accordance with the statutes and procedures governing misdemeanors.

BE IT ALSO ORDERED that this order may be enforced by any duly-commissioned peace officer and that the venue for prosecution of this order will be the Justice of the Peace.

APPROVED, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
County Judge

[Commissioners Court orders will normally include the signature of the County Judge and the County Commissioners.]

# ANNEX E

## EVACUATION



***Delta County***


# APPROVAL & IMPLEMENTATION

## Annex E EVACUATION

This annex is hereby approved for implementation and supersedes all previous editions.

  
\_\_\_\_\_  
Jason Murray,  
County Judge

11-14-22  
Date

  
\_\_\_\_\_  
Tanner Crutcher,  
Emergency Management Coordinator

11-14-2022  
Date

## State Planning Standards Checklist for Annex E, Evacuation

**Jurisdiction(s):** Delta County, Texas; including City of Cooper & City of Pecan Gap

**Annex Date:** November 9, 2022 **Date of most recent change, if any:** November 9, 2022  
 (The date which appears on the signature page)

**Note:** The annex will be considered Deficient if the *italicized* standards are not met.

<b>This Annex shall:</b>	<b>Section/paragraph</b>
<b>I. Authority</b>	
E-1. Identify local, state, and federal legal authorities pertinent to the subject of the annex, in addition to those cited in the basic plan.	I
<b>II. Purpose</b>	
E-2. Include a purpose statement that describes the reason for development of the annex.	II
<b>III. Explanation of Terms</b>	
E-3. Define terms and explain acronyms and abbreviations used in the annex.	III
<b>IV. Situation &amp; Assumptions</b>	
<i>E-4. Include a situation statement related to the subject of the annex.</i>	IV.A
<i>E-5. Include a list of assumptions used in planning for emergency evacuation.</i>	IV.B
<b>V. Concept of Operations</b>	
<i>E-7. Outline factors to be considered in evacuation decision-making.</i>	V.B
<i>E-8. Describe potential evacuation areas and hazard-specific planning for those areas, referencing appropriate portions of the plan.</i>	V.C
<i>E-9. Indicate how transportation will be provided for those individuals and facilities that need it during an evacuation.</i>	V.D
<i>E-10. Explain how evacuation warnings and evacuation-related public information will be provided to institutional facilities and individuals with access and functional needs.</i>	V.F
<i>E-11. Outline considerations for the evacuation of institutional facilities and populations with access and functional needs</i>	V.G
<i>E-12. Provide guidance for handling evacuees with pets.</i>	V.H
<i>E-13. Outline requirements for securing evacuated areas.</i>	V.I
<i>E-14. Provide guidance for the return of evacuees and indicate who shall authorize re-entry into evacuated areas.</i>	V.J
<i>E-15. Include a list of actions pertinent to the evacuation function by phases of emergency management.</i>	V.K
<b>VI. Organization &amp; Assignment of Responsibilities</b>	
<i>E-16. Indicate how the jurisdiction will be organized to carry out evacuations.</i>	VI.A
<i>E-17. Include a listing of the responsibilities for evacuation tasks assigned to local officials, departments, and agencies.</i>	VI.B
<b>VII. Direction &amp; Control</b>	
<i>E-18. Identify by position the individual(s) with the authority to order an evacuation and direct and control evacuation operations.</i>	VII.A



<b>VIII. Readiness Levels</b>	
E-19. Describe actions to be taken at various readiness levels.	VIII
<b>IX. Administration &amp; Support</b>	
E-20. Outline policies on reporting and the maintenance of records of emergency operations.	IX.A-B
E-21. Provide for a post-incident review of emergency operations involving large-scale evacuations.	IX.D
<b>X. Annex Development &amp; Maintenance</b>	
E-22. Specify the individual(s) by position responsible for developing and maintaining the annex.	X.A
E-23. Make reference to the schedule for review and update of annexes contained in the section X of the basic plan.	X.B
<b>XI. References</b>	
E-24. Identify references pertinent to the content of the annex.	XI
<b>Other</b>	
E-25. Include a general evacuation checklist.	Appendix 1
E-26. Describe potential major evacuation areas indicating the population of such areas and evacuation routes from them. Include a map depicting those evacuation routes.	Appendix 2
E-27. Include detailed planning for hurricane evacuation. (Required only for jurisdictions located in a hurricane risk area) <ul style="list-style-type: none"> <li>• Provides an estimate of hurricane evacuees.</li> <li>• Includes provisions for transportation of evacuees without vehicles.</li> </ul>	

<b>FOR LOCAL GOVERNMENT USE</b>	<b>Signature</b>	<b>Date</b>
This Checklist Completed By		11/09/2022



**ANNEX E**  
**EVACUATION**

**I. AUTHORITY**

See Basic Plan, section I.

**II. PURPOSE**

The purpose of this annex is to provide for the orderly and coordinated evacuation of all or any part of the population of Delta County if it is determined that such action is the most effective means available for protecting the population from the effects of an emergency situation.

**III. EXPLANATION OF TERMS**

**A. Acronyms**

EMC	Emergency Management Coordinator
EOC	Emergency Operating or Operations Center
ICP	Incident Command Post
ICS	Incident Command System
NRF	National Response Framework
NIMS	National Incident Management System
PIO	Public Information Office or Officer
SOP	Standard Operating Procedure

**B. Definitions**

1. Institutional Facilities. Certain facilities which house or serve populations that cannot care for themselves during emergency situations and/or require unique support services. Such facilities include:
  - Schools and day care centers, where students require supervision to ensure their safety.
  - Hospitals and nursing homes, where patients need specialized health care personnel and equipment to maintain their health.
  - Correctional facilities, where offenders require security to keep them in custody.
2. Evacuation. The National Incident Management System (NIMS) defines evacuation as an organized, phased, and supervised withdrawal, dispersal, or removal of civilians from dangerous or potentially dangerous areas, and their reception and care in safe areas.
3. Individuals with Access and Functional Needs. Persons who may have additional needs before, during and after an incident in functional areas, including but not limited to: maintaining independence, communication, transportation, supervision, and medical care. Individuals in need of additional response assistance may include those who have

disabilities; live in institutional settings; are older; are children; are from diverse cultures; have limited English proficiency or are non-English speaking; or are transportation disadvantaged.

## IV. SITUATION & ASSUMPTIONS

### A. Situation

1. There are a wide variety of emergency situations that might require an evacuation of portions of the local area.
  - a. Limited evacuation of specific geographic areas might be needed due to a hazardous materials transportation accident, major fire, natural gas leak, or localized flash flooding.
  - b. Large-scale evacuation could be required in the event of a major hazardous materials spill, terrorist attack with chemical agent, or extensive flooding.
2. Authority for Evacuations. State law provides a county judge or mayor with the authority to order the evacuation of all or part of the population from a stricken or threatened area within their respective jurisdictions. Hence, the County Judge or Mayor may order a mandatory evacuation of our County or one of its cities upon issuing a local disaster declaration. The County Judge or Mayor may also take subsequent action to control re-entry, curtail movement, and deny building occupancy within a disaster area.

### B. Assumptions

1. Most people at risk will evacuate when local officials recommend that they do so. A general estimate is 80% of those at risk will comply when local officials direct an evacuation. The proportion of the population that will evacuate typically increases as a threat becomes more obvious to the public or increases in severity.
2. Some individuals will refuse to evacuate, regardless of the threat.
3. When there is sufficient warning of a significant threat, many individuals who are not at risk will evacuate.
4. Evacuation planning for known hazard areas can and should be done in advance.
5. While some emergency situations are slow to develop, others occur without warning. Hence, there may be time for deliberate evacuation planning or an evacuation may have to be conducted with minimal preparation time. In the case of short notice evacuations, there may be little time to obtain personnel and equipment from external sources to support evacuation operations.
6. The need to evacuate may become evident during the day or at night and there could be little control over the evacuation start time.
7. In most emergency situations, most evacuees will seek shelter with relatives or friends or in commercial accommodations rather than in public shelter facilities.

8. Most evacuees will use their personal vehicles to evacuate; however, transportation may need to be provided for evacuees without personal vehicles.
9. When confronting a major disaster or catastrophic incident, it may be necessary to employ all modes of transportation to include state and/or federal assistance to effectively evacuate our population.

## V. CONCEPT OF OPERATIONS

### A. General

1. Evacuation is one means of protecting the public from the effects of a hazard; protection is achieved by moving people away from the hazard. In planning for evacuation, the characteristics of the hazard and its magnitude, intensity, speed of onset, and anticipated duration are all significant factors. These will determine the number of people to be evacuated, the distance people must be moved to ensure their safety, the need for reception facilities, and the extent of traffic control and security required.
2. We must be prepared to conduct both small-scale and large-scale evacuations at all times of the day both from known hazard areas and from unexpected incident locations. A General Evacuation Checklist, provided in **Appendix 1**, has been developed to guide the execution of evacuation operations.

### B. Evacuation Decisions

1. The Incident Commander or, for large-scale evacuations, the Emergency Operations Center (EOC) shall assess the need for evacuation, plan evacuations, and coordinate support for the evacuation effort. Evacuation planning should resolve the following questions:
  - a. What areas or facilities are at risk and should be evacuated?
  - b. How will the public be advised of what to do?
  - c. What do evacuees need to take with them?
  - d. What travel routes should be used by evacuees?
  - e. What transportation support is needed?
  - f. What assistance will populations with access and functional needs require?
  - g. What traffic control is needed?
  - h. Does the anticipated duration of the evacuation make it necessary to activate shelter and mass care facilities?
  - i. How will evacuated areas be secured?
2. Evacuations that must be conducted because of incidents that occur without warning may have to be planned quickly and carried out with only those resources that can be mobilized rapidly.
3. The decision to recommend an evacuation of the populace in and around the area of an incident site rests with the Incident Commander managing the incident. In general, the County Judge or Mayor shall issue the order for large-scale evacuations.

### C. Hazard Specific Evacuation Planning

1. Hazard-specific evacuation planning information will be developed for certain known hazards and included as appendices to this or other annexes. These appendices will describe the potential impact areas for known hazards, the number of people in the threatened area, and any populations with access and functional needs affected. Such appendices should also identify potential evacuation routes and, where appropriate, transportation pickup points or assembly areas.
2. Likely major evacuation areas, other than hazardous materials or hurricane risk areas, and the potential evacuation routes for those areas are described and depicted in **Appendix 2** to this annex.
3. Hazardous materials risk areas and potential evacuation routes from those areas are described and depicted in the appendices to **Annex Q, Hazardous Materials and Oil Spill Response**.

### D. Transportation

1. Individuals. It is anticipated that the primary means of evacuation for most individuals will be personal automobiles. Many people do not own vehicles and others will need assistance in evacuating. Provisions must be made to furnish public transportation during an emergency evacuation.
2. Institutional Facilities and Populations with Access and Functional Needs. Public schools normally maintain transportation resources; private schools and day care centers may also have limited transportation assets. Most other Institutional facilities rely on commercial or contract transportation companies for their accessible transportation needs. Unfortunately, many of these providers cannot provide sufficient equipment to evacuate a sizeable facility on short notice. Hence, local government may be requested to assist in providing transport.
3. Emergency transportation may be provided by school buses, rural transportation system buses, ambulances, and other vehicles. See **Annex S, Transportation**, for transportation guidance; see **Annex M, Resource Management**, for transportation resources. In the case of large-scale evacuations with advance warning, pickup points may be designated or a telephone bank established to receive and process requests for transportation.
4. Public information messages emphasizing the need for citizens to help their neighbors who lack transportation or need assistance can significantly reduce requirements for public transportation during an evacuation.

### E. Traffic Control

1. Actual evacuation movement will be controlled by local law enforcement agencies.
2. When possible, two-way traffic will be maintained on all evacuation routes to allow continued access for emergency vehicles.
3. For large-scale evacuations when time permits, traffic control devices, such as signs and barricades, will be provided by the various city Public Works Departments and the County

Road & Bridge Department upon request. Additional resource requests may be made to the Texas Department of Transportation (TxDOT) or by utilizing local private resources, if necessary.

4. Law enforcement will request wrecker services when needed to clear disabled vehicles from evacuation routes.

## F. Warning & Public Information

1. The Incident Commander will normally decide if an evacuation warning should be issued in and around an incident site. Respective EOCs or Local Warning Point (see **Annex A, Warning**) will normally disseminate warnings for large-scale evacuations beyond the incident site or where evacuation is conducted because of an imminent threat.
2. Advance Notice of Possible Evacuation
  - a. For slow developing emergency situations, advance warning should be given to affected residents as soon as it is clear evacuation may be required. Such advance notice is normally disseminated through the media. Advance warning should address suitable preparedness actions, such as securing property, assembling disaster supplies, fueling vehicles, and identifying evacuation routes.
  - b. Advance warning should be made to Institutional facilities in a threatened evacuation area as early as possible. During notification, request facility staff review and prepare to implement their evacuation plans. Facility staff should also report their periodic status and any requirements for assistance to the EOC.
  - c. Populations with access and functional needs should also be given advance notice. Notifying and preparing this segment of the population for evacuation will likely require additional time and resources. Any unique circumstances or requests for assistance should be reported to on-scene authorities or EOC.
3. Evacuation Warning
  - a. Evacuation warning should be disseminated through all available warning systems. See **Annex A, Warning**, for further information.
  - b. In the case of immediate evacuation in and around an incident site, route alerting using siren and speaker-equipped vehicles moving through the affected area is usually effective. When possible, two vehicles should be employed—the first to get the attention of the people and a second will deliver the evacuation message. Door-to-door notification should be considered for large buildings and in rural areas where residences may be some distance from the road.
  - c. Institutional facilities may be notified directly by on-scene authorities or by the EOC staff. However, if both the incident command staff and the EOC will be making notifications, a specific division of responsibilities for notification should be made so that no facilities are inadvertently overlooked.
  - d. Law enforcement personnel should sweep the evacuation area to insure all those at risk have been advised of the need to evacuate and have responded. Persons who

refuse to evacuate will be left until all others have been warned and then, time permitting, further efforts may be made to persuade these individuals to leave.

#### 4. Emergency Public Information

- a. Warning messages disseminated through warning systems alert the public to a threat and provide basic instructions. They are necessarily short and to the point. The public will often require amplifying information on what to do during an evacuation. The Public Information Officer (PIO) will insure that such information is provided to the media on a timely basis for further dissemination to the public. Provisions must be made to disseminate information to individuals with functional and access needs, including individuals with visual or hearing impairments and those with limited English proficiency and non-English speakers. Specific public information procedures are contained in **Annex I (Emergency Public Information)**.
- b. Amplifying instructions for an evacuation may include information on the location of shelter and mass care facilities, specific evacuation routes, guidance on securing their homes, and the need for evacuees to take certain items with them during an evacuation. When school children are evacuated, parents need timely information on where to pick them up.
- c. When the incident that generated the need for evacuation is resolved, evacuees must be advised when it is safe to return to their homes and businesses.

### G. Institutional Facilities and Populations with Access and Functional Needs

1. Institutional facilities are responsible for the welfare and safety of their students, clients, patients, and inmates. Virtually all of these facilities are required to maintain an emergency plan that includes provisions for an emergency evacuation; however, in order to effectively implement those plans, they must be warned of emergency situations.
  - a. Schools & Day Care Centers
    - 1) If evacuation of public schools is required, students will normally be transported on school buses to other schools outside of the risk area, where they can be picked up by their parents. It is essential that the public be provided timely information on these arrangements. In the case of a large-scale emergency situation with advance warning, schools will generally be closed and students returned to their homes so they can evacuate with their families.
    - 2) Private schools and day care centers, including adult day care facilities, typically maintain limited transportation resources and may require government assistance in evacuating.
  - b. Hospitals, Nursing Homes, & Correctional Facilities.
    - 1) If evacuation of these facilities is required, patients and inmates should be transported, with appropriate medical or security support, to a comparable facility. The facility operator is responsible for making arrangements for suitable transportation and coordinating use of appropriate host facilities. In the case of short-notice or no-notice emergency situations, facilities may be unable to make



the required arrangements for transportation and may need assistance from local government with transportation and in identifying suitable reception facilities.

- 2) Medical patients, homeless, registered sex offenders, and prisoners should not be housed in shelter and mass care facilities with the general public.
2. Citizens with Access and Functional Needs may require additional evacuation assistance, transportation, shelter facilities, and medical care during major evacuations (See **Annex H – Health and Medical**). Our County emergency management plans identify by type and estimated number of citizens with Access and Functional Needs and address their needs before, during, and immediately after a major disaster or catastrophic incident.

## **H. Handling Pets during Evacuations**

1. Evacuees who go to the homes of relatives, friends or commercial accommodations with their pets normally do not pose difficulties during evacuation. Studies indicate that some people, particularly the elderly, will not leave their homes if they cannot take their pets with them. Hence, it is desirable to make reasonable arrangements for evacuees who come to public shelters with pets. The Animal Control Officer should coordinate these arrangements.
2. Depending on the situation and availability of facilities, one or more of the following approaches will be used to handle evacuees arriving with pets:
  - a. Provide pet owners information on shelter rules for evacuees with pets; provide information on nearby kennels, animal shelters, and veterinary clinics that have agreed to temporarily shelter pets.
  - b. Direct pet owners to a public shelter with covered exterior corridors or adjacent support buildings where pets on leashes and in carriers may be temporarily housed.
  - c. Set up temporary pet shelters at fairgrounds, rodeo or stock show barns, livestock auctions, and other similar facilities.

## **I. Access Control & Security**

1. Security in evacuated areas is extremely important. Those who have evacuated may not do so in the future if their property has been damaged or stolen during their absence. Law enforcement should establish access control points to limit entry into evacuated areas and, where possible, conduct periodic patrols within such areas to deter theft by those on foot. To the extent possible, fire departments will take measures to insure continued fire protection.
2. If an evacuated area has sustained damage and cannot be reoccupied for an extended period of time, it may be desirable to implement a permit system to limit access to emergency workers, homeowners, business owners, utility workers, and contractors restoring damaged structures and removing debris. Refer to Annex G, Law Enforcement, for further information.

## **J. Return of Evacuees**

1. Evacuees returning to their homes or businesses in evacuated areas require the same consideration, coordination, and control as the original evacuation. For limited incidents, the Incident Commander will normally make the decision to return evacuees and disseminate it as appropriate. For large-scale evacuations, the decision will normally be made by the County Judge or Mayor and disseminated through the media.
2. The following conditions should prevail in the evacuated area before evacuees are authorized to return:
  - a. The threat prompting the evacuation has been resolved or subsided.
  - b. Sufficient debris has been removed to permit travel and roads and bridges are safe to use.
  - c. Downed power lines have been removed; ruptured gas, water, and sewer lines have been repaired; and other significant safety hazards have been eliminated. However, utility services may not be fully restored.
  - d. Structures have been inspected and deemed safe for occupancy.
  - e. Adequate water is available for firefighting.
3. For return and re-entry, it may be necessary to provide transportation for those who lack vehicles. Traffic control along return routes may also be required.
4. Public information intended for returnees should address such issues as:
  - a) Documenting damage for insurance purposes.
  - b) Caution in reactivating utilities and damaged appliances.
  - c) Cleanup instructions.
  - d) Removal and disposal of debris.

## **K. Actions by Phases of Emergency Management**

1. Mitigation
  - a. Where possible, undertake mitigation for known hazards that have in the past led to evacuation.
  - b. Discourage development, particularly residential construction, in potential risk areas, including floodplains, areas downstream from suspect dams and dikes, and areas adjacent to facilities that make, use, or store hazardous materials.
  - c. Seek improvement to preplanned evacuation routes if needed.
  - d. Enhance warning systems to increase warning times and reduce the need for hasty evacuations.
2. Preparedness

- a. Identify areas where previous major evacuations have occurred and additional areas that may require large-scale evacuation in the future due to known hazards. See **Appendix 2** for potential major evacuation areas other than hazardous materials risk areas; hazardous materials risk areas are described in **Annex Q, Hazardous Materials & Oil Spill Response**. Determine the population of risk areas and identify facilities that may require additional assistance during evacuation (hospitals, nursing homes, schools, etc.) to determine potential transportation requirements.
- b. To the extent possible, identify individuals with access and functional needs who would require assistance in evacuating and maintain contact information for those individuals.
- c. Identify primary and alternate evacuation routes, taking into account road capacities.
- d. Review the disaster preparedness plans of institutional facilities and advise facility operators of any changes that may be needed to make them more workable.
- e. Include evacuations in the scenario of periodic emergency drills and exercises.
- f. Conduct public information programs to increase citizen awareness of possible reasons for evacuation, preplanned evacuation routes, availability of transportation, the need to take appropriate food, clothing, and other disaster supplies during an evacuation, and the desirability of helping neighbors who may need assistance during an evacuation.
- g. Promulgate procedures for protecting government resources from known hazards by relocating them.

3. Response

See the General Evacuation Checklist in **Appendix 1**

4. Recovery

- a. Initiate return of evacuees, when it is safe to do so.
- b. Coordinate temporary housing for those who cannot return to their homes
- c. Provide traffic control for return.
- d. Initiative recovery activities for evacuees who have suffered loss of or damage to their homes or businesses.
- e. Carry out appropriate public information activities.

<b>VI. ORGANIZATION &amp; ASSIGNMENT OF RESPONSIBILITIES</b>
--

**A. Organization**

1. Our normal emergency organization, described in Section VI.A of the **Basic Plan** and depicted in Attachment 3 to the **Basic Plan**, will plan and carry out evacuations and the return of people to their homes or businesses. Incident Command System (ICS) – EOC Interface
  - a. As noted previously, the Incident Commander will normally determine the need for, organize, and conduct limited evacuations in the immediate vicinity of the incident site. If large-scale evacuation is required, our chief elected official should make the recommendation for such evacuation to the public.
  - b. A division of responsibility for evacuation tasks should be agreed upon between the Incident Commander and the EOC. The Incident Commander will normally manage evacuation operations at the scene, while the EOC coordinates operations beyond the incident site, such as coordinating traffic control along evacuation routes, arranging for the activation of shelter and mass care facilities, and advising other jurisdictions of the evacuation.

## **B. Assignment of Responsibilities**

### 1. The County Judge or Mayor will:

- a. For emergencies and disasters, issue the order directing citizens to evacuate, when appropriate.
- b. Approve release of warnings, instructions, and other emergency public information relating to evacuation ensuring the needs of the whole community are addressed.
- c. Coordinate evacuation efforts with other local governments that may be affected by the evacuation, where appropriate.
- d. Direct the relocation of at risk essential resources (personnel, equipment, and supplies) to safe areas.
- e. Direct the opening of local shelter and mass care facilities, if needed.

### 2. The Incident Commander will:

- a. Identify risk areas in the vicinity to the incident site and determine protective actions for people in those risk areas.
- b. If evacuation of risk areas and institutional facilities is required, plan, organize, and conduct the evacuation with the resources assigned.
- c. Request support from the EOC to assist in coordinating evacuation activities beyond the incident site, such as activation of shelter and mass care facilities, if required.

### 3. The EMC will:

- a. Develop and maintain evacuation planning information for known risk areas, including population of the area, and primary evacuation routes.

- b. Review evacuation plans of Functional and Access Needs institutions within known risk areas and determine possible need for evacuation support.
  - c. Coordinate evacuation planning to include:
    - 1) Selection of suitable evacuation routes, based on recommendations from law enforcement.
    - 2) Movement control, based on recommendations from law enforcement.
    - 3) Transportation arrangements.
    - 4) Shelter and mass care arrangements.
    - 5) Demographics of populations with access and functional needs and evacuation support requirements.
4. Common Tasks of All Organizations
- a. If time permits, secure and protect facilities in evacuation areas.
  - b. If time permits, relocate essential equipment, supplies, and records to non-risk areas.
5. Law Enforcement will:
- a. Recommend evacuation routes to the Incident Commander or EOC staff.
  - b. Assist in evacuation by providing traffic control.
  - c. Protect property in evacuated areas and limit access to those areas.
  - d. Secure and protect or relocate prisoners.
  - e. Coordinate law enforcement activities with other emergency services.
  - f. Assist in warning the public.
  - g. Provide information to the PIO for public news releases on the evacuation routes.
6. The Fire Service will:
- a. Be responsible for fire protection in the vacated area.
  - b. Assist in warning the public.
  - c. Assist in evacuating individuals with Access and Functional Needs as requested.
7. The Public Information Officer (PIO) will:
- a. Disseminate emergency information from the County Judge or Mayor advising the public of evacuation actions to be taken.

- b. Coordinate with area news media for news releases.
8. The Public Works or Road & Bridge Department will:
- a. Provide traffic control devices upon request.
  - b. Assist in keeping evacuation routes open.
  - c. Provide barricades and barriers to restrict entry to evacuated areas and other areas where entry must be controlled.
9. The Transportation Officer will:
- a. Coordinate transportation for evacuees without vehicles or who may need assistance in evacuating, determining and establishing pickup points if necessary.
  - b. Coordinate transportation assistance for the evacuation of institutional facilities and individuals with access and functional needs.
  - c. Coordinate all transportation relating to relocation of essential resources.
  - d. Provide information to the PIO on pickup points or special pickup routes for those who require transportation, so that this information may be provided to the public.
10. The Shelter Officer will:
- a. For short-term evacuations, coordinate with operators of government-owned buildings, schools, churches, and other facilities for use of their facilities as temporary evacuee holding areas.
  - b. For other than short-term evacuations, coordinate with the American Red Cross, Salvation Army, and other service organizations to open shelters and activate mass care operations. See **Annex C, Shelter & Mass Care**, for further information
11. Health and Medical will monitor evacuation institutional facilities such as nursing homes and hospitals and coordinate evacuation assistance, if requested.
12. Animal Control will:
- a. Coordinate arrangements to provide temporary facilities for pets arriving with evacuees.
  - b. Be prepared to provide shelter managers with information on procedures for handling evacuees with pets.
13. Institutional Facilities (schools, hospitals, nursing homes, correctional facilities) will:
- a. Close and supervise evacuation of their facilities.

- b. Coordinate appropriate transportation for evacuees and enroute medical or security support.
- c. Arrange for use of suitable host facilities.
- d. Request emergency assistance from local government if assistance cannot be obtained from other sources.
- e. Ensure assigned personnel are trained and knowledgeable of evacuation procedures.
- f. Disseminate public information to advise relatives and the general public of the status of their facilities and the patients, students, or inmates served by those facilities.

## VII. DIRECTION AND CONTROL

### A. General

1. The County Judge or Mayor has the general responsibility for ordering an evacuation, when deemed the most suitable means of protecting the public from a hazard.
2. In situations where rapid evacuation is critical to the continued health and safety of the population, the on-scene Incident Commander may recommend evacuation of people at risk in and around an incident scene and direct and control the required evacuation.
3. Large-scale evacuations and evacuations conducted due to imminent threat where there is no current incident scene will normally be coordinated and directed by the EOC.

### B. Evacuation Area Definition

1. Areas to be evacuated will be determined by those officials with the authority to direct a mandatory evacuation based on the counsel of those individuals and agencies with the necessary expertise, the use of specialized planning materials or decision aids, the recommendations of state and federal agencies, and, where appropriate, advice from other subject matter experts. Evacuation recommendations to the public should clearly describe the area to be evacuated with reference to known geographic features, such as roads and rivers.
2. The hazard situation which gave rise to the need for evacuation should be continually monitored in case changing circumstances, such as an increase in rainfall or wind shift, change the potential impact area and, thus, the area that must be evacuated.

### C. Lines of Succession

1. The lines of succession for the County Judge, Mayor and EMC are outlined in Section VII of the **Basic Plan**.

2. Lines of succession for each department and agency head shall be according to the standard operating procedures established by each department.

## **VIII. INCREASED READINESS ACTIONS**

### **A. Level IV - Normal Conditions.**

See the prevention and preparedness activities in section V.K, Actions by Phases of Emergency Management.

### **B. Level III - Increased Readiness.** Increased Readiness may be appropriate if there is a greater than normal threat of a hazard which could necessitate evacuation. Level III readiness actions may include:

1. Review information on potential evacuation areas, facilities at risk, and evacuation routes.
2. Monitor the situation.
3. Inform first responders and local officials of the situation.
4. Check the status of potential evacuation routes and shelter/mass care facilities.

### **C. Level II - High Readiness.** High Readiness may be appropriate if there is an increased risk of a hazard which necessitates evacuation. Level II readiness actions may include:

1. Monitor the situation.
2. Alert response personnel for possible evacuation operations duty.
3. Coordinate with institutional facilities to determine their readiness to evacuate.
4. Check the status of resources and enhance short-term readiness if possible. Monitor the availability of transportation assets and drivers.
5. Advise the public, populations with access and functional needs and institutional facilities to monitor the situation.

### **D. Level I - Maximum Readiness.** Maximum readiness is appropriate when there is a significant possibility that evacuation operation may have to be conducted. Level I readiness actions may include:

1. Activate the EOC to monitor the situation and track resource status.
2. Place first responders and transportation providers in an alert status; place off-duty personnel on standby.
3. Update the status of resources.
4. Check the status of evacuation routes and pre-position traffic control devices.



5. Update plans to move government equipment to safe havens.
6. Select shelter/mass care facilities for use.
7. Provide information to the public on planned evacuation routes, securing their homes, and what items they need to take with them. Prepare to issue a public warning if it becomes necessary.

## **IX. ADMINISTRATION AND SUPPORT**

### **A. Reporting**

Large-scale evacuations should be reported to state agencies and other jurisdictions that may be affected in the periodic Situation Reports prepared and disseminated during major emergency operations. The Situation Report format is provided in **Annex N, Direction & Control**.

### **B. Records**

1. Activity Logs. The Incident Commander and, if activated, the EOC shall maintain accurate logs recording evacuation decisions, significant evacuation activities, and the commitment of resources to support evacuation operations.
2. Documentation of Costs. Expenses incurred in carrying out evacuations for certain hazards, such as radiological accidents or hazardous materials incidents, may be recoverable from the responsible party. Hence, all departments and agencies will maintain records of personnel and equipment used and supplies consumed during large-scale evacuations.

### **C. Resources**

General emergency response resources that may be required to conduct an evacuation are listed in **Annex M, Resource Management**.

### **D. Post Incident Review**

For large-scale evacuations, the County Judge, any affected Mayor or City Manager and the EMC shall organize and conduct a review of emergency operations by those tasked in this annex in accordance with the guidance provided in Section IX.D of the **Basic Plan**. The purpose of this review is to identify needed improvements in this plan, procedures, facilities, and equipment.

### **E. Exercises**

Local drills, tabletop exercises, functional exercises, and full-scale exercises shall periodically include an evacuation scenario based on the hazards faced by this jurisdiction.

**X. ANNEX DEVELOPMENT AND MAINTENANCE**

- A. The Sheriff is responsible for developing and maintaining this annex. Recommended changes to this annex should be forwarded as needs become apparent.
- B. This annex will be revised annually and updated in accordance with the schedule outlined in Section X of the **Basic Plan**.
- C. Departments and agencies assigned responsibilities in this annex are responsible for developing and maintaining SOPs covering those responsibilities.

**XI. REFERENCES**

FEMA, *Comprehensive Preparedness Guide (CPG-101)*

**APPENDICES:**

- 1 ..... General Evacuation Checklist
- 2 ..... Potential Evacuation Areas

**GENERAL EVACUATION CHECKLIST**

✓	Action Item	Assigned
	<b>PLANNING:</b>	
	1. Determine area(s) at risk: <ul style="list-style-type: none"> <li>▪ Determine population of risk area(s)</li> <li>▪ Identify institutional facilities and populations with access and functional needs in risk area(s)</li> </ul>	
	2. Determine evacuation routes for risk area(s) & check the status of these routes.	
	3. Determine traffic control requirements for evacuation routes.	
	4. Estimate public transportation requirements & determine pickup points.	
	5. Determine temporary shelter requirements & select preferred shelter locations.	
	<b>ADVANCE WARNING:</b>	
	6. Provide advance warning to Institutional facilities & advise them to activate evacuation, transportation & reception arrangements. Determine if requirements exist for additional support from local government.	
	7. Provide advance warning of possible need for evacuation to the public, clearly identifying areas at risk. See Annex I, Emergency Public Information.	
	8. Develop traffic control plans & stage traffic control devices at required locations	
	9. Coordinate with institutional facilities regarding precautionary evacuation. Identify and alert populations with access and functional needs	
	10. Ready temporary shelters selected for use.	
	11. Coordinate with transportation providers to ensure vehicles & drivers will be available when and where needed.	
	12. Coordinate with school districts regarding closure of schools.	
	13. Advise neighboring jurisdictions that may be affected of evacuation plans.	
	<b>EVACUATION:</b>	
	14. Advise neighboring jurisdictions & the local Disaster District that evacuation recommendation or order will be issued.	
	15. Disseminate evacuation recommendation or order to institutional facilities and populations with access and functional needs. Provide assistance in evacuating, if needed.	
	16. Disseminate evacuation recommendation or order to the public through available warning systems, clearly identifying areas to be evacuated.	
	17. Provide amplifying information to the public through the media. Emergency public information should address: <ul style="list-style-type: none"> <li>▪ What should be done to secure buildings being evacuated</li> <li>▪ What evacuees should take with them</li> <li>▪ Where evacuees should go &amp; how should they get there</li> <li>▪ Provisions for populations with access and functional needs and those without transportation</li> </ul>	
	18. Staff and open temporary shelters	
	19. Provide traffic control along evacuation routes & establish procedures for dealing with vehicle breakdowns on such routes.	
	20. Provide transportation assistance to those who require it.	

	21. Provide security in or control access to evacuated areas.	
	22. Provide Situation Reports on evacuation to the local Disaster District.	
	<b>RETURN OF EVACUEES</b>	
	23. If evacuated areas have been damaged, reopen roads, eliminate significant health and safety hazards, & conduct damage assessments.	
	24. Determine requirements for traffic control for return of evacuees.	
	25. Determine requirements for & coordinate provision of transportation for return of evacuees.	
	26. Advise neighboring jurisdictions and local Disaster District that return of evacuees will begin.	
	27. Advise evacuees through the media that they can return to their homes and businesses; indicate preferred travel routes.	
	28. Provide traffic control for return of evacuees.	
	29. Coordinate temporary housing for evacuees that are unable to return to their residences.	
	30. Coordinate with institutional facilities regarding return of evacuees to those facilities.	
	31. If evacuated areas have sustained damage, provide the public information that addresses: <ul style="list-style-type: none"> <li>▪ Documenting damage &amp; making expedient repairs</li> <li>▪ Caution in reactivating utilities &amp; damaged appliances</li> <li>▪ Cleanup &amp; removal/disposal of debris</li> <li>▪ Recovery programs See Annex J, Recovery.</li> </ul>	
	32. Terminate temporary shelter & mass care operations.	
	33. Maintain access controls for areas that cannot be safely reoccupied.	

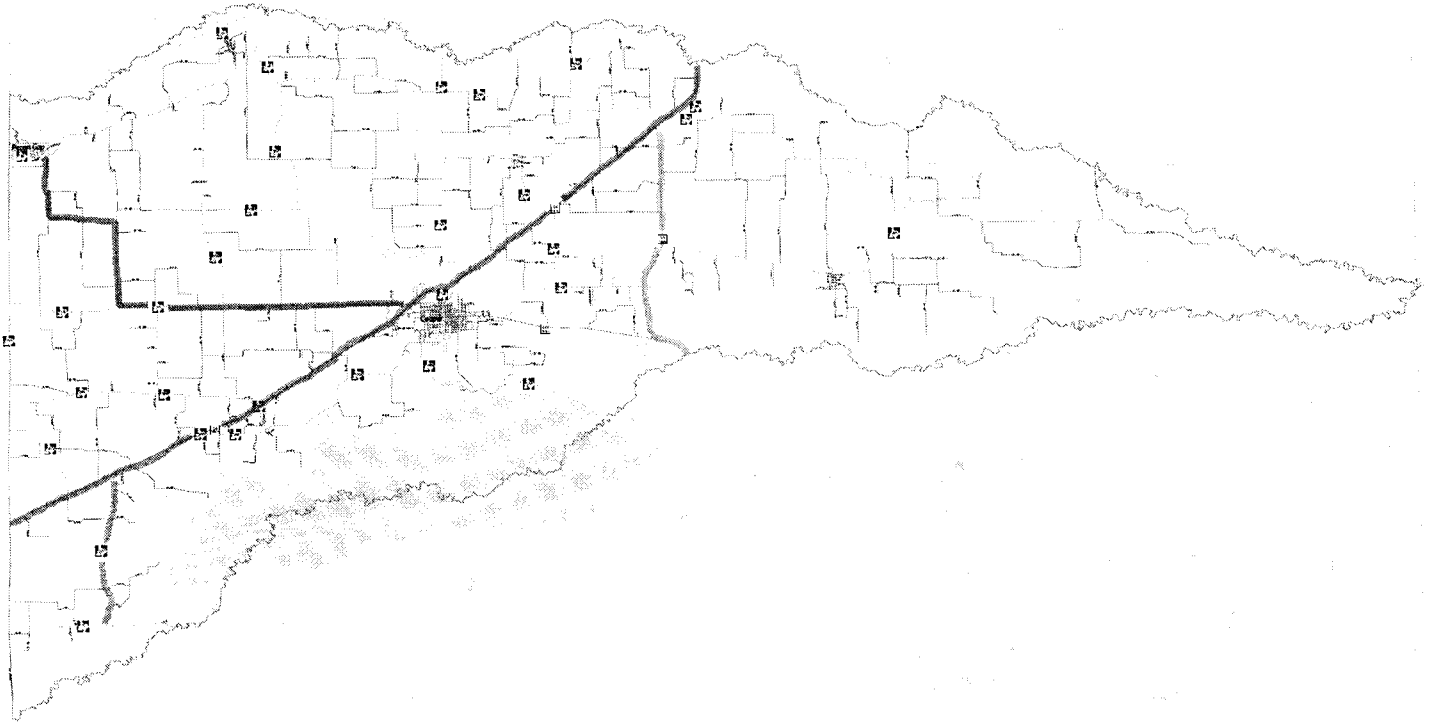
**POTENTIAL EVACUATION AREAS  
(LIST)**

**ID#:** E-1  
**Description:** TX SH 24 from County Line to County Line  
**Hazard:** Four-lane divided, potential for minor flooding  
**Est. Population:** 2,000  
**Evacuation Routes:** FM 64 W, TX SH 19, FM 1531  
**Est. Evacuation Time:** 30 minutes

**ID#:** E-2  
**Description:** E. Dallas Avenue and W. Dallas Avenue  
**Hazard:** Two-lane with potential for minor flooding  
**Est. Population:** 2,000  
**Evacuation Routes:** FM 64 W, TX SH 24  
**Est. Evacuation Time:** 30 minutes

## POTENTIAL EVACUATION AREAS MAP

TX SH 24 (shown in purple), TX SH 19 (shown in orange), FM 64 W (shown in red), FM 1531 (shown in blue) would be the two major evacuation routes used.



# **ANNEX G**

## **Law Enforcement**



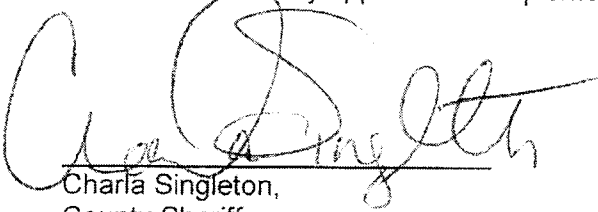
***Delta County***

# APPROVAL & IMPLEMENTATION

## Annex G

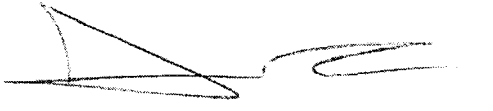
### Law Enforcement

This annex is hereby approved for implementation and supersedes all previous editions.



Charla Singleton,  
County Sheriff

11/16/2022  
Date



Tanner Crutcher,  
Emergency Management Coordinator

11-9-2022  
Date



## State Planning Standards Checklist for Annex G – Law Enforcement

**Jurisdiction(s):** Delta County, Texas, including the City of Cooper and City of Pecan Gap

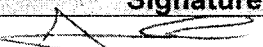
**Annex Date:** November 9, 2022    **Date of most recent change, if any:** November 9, 2022

(The date which appears on the signature page)

**Note:** The annex will be considered Deficient if the italicized standards are not met.

This Annex shall:	Section/paragraph
<b>I. Authority</b>	
G-1. Identify local, state, and federal legal authorities pertinent to the subject of the annex, in addition to those cited in the basic plan.	I
<b>II. Purpose</b>	
G-2. Include a purpose statement that describes the reason for development of the annex.	II
<b>III. Explanation of Terms</b>	
G-3. Define terms and explain acronyms and abbreviations used in the annex.	III
<b>IV. Situation &amp; Assumptions</b>	
G-4. <i>Include a situation statement related to the subject of the annex.</i>	IV.A
G-5. <i>Include a list of assumptions used in planning for law enforcement operations during emergency situations.</i>	IV.B
<b>V. Concept of Operations</b>	
G-6. <i>Summarize the general concept of law enforcement operations during emergency situations, including how it relates to NIMS operating principles.</i>	V.A-B
G-7. <i>Explain the role of law enforcement agencies in evacuations.</i>	V.D
G-8. <i>Describe the role of law enforcement agencies in warning.</i>	V.E
G-9. <i>Describe how security will be provided for evacuated or damaged areas and access to incident scenes controlled.</i>	V.F
G-10. <i>Outline possible requirements for providing protection to key facilities, including in the event of a credible terrorist threat.</i>	V.G.1-2
G-11. <i>Describe the role of law enforcement agencies in terrorist incident response.</i>	V.H
G-12. <i>Outline the role of law enforcement agencies in disaster reconnaissance.</i>	V.I
G-13. Indicate how you will get law enforcement assistance from the State.	V.J
G-14. <i>Include a list of actions by phases of emergency management to be taken to ensure adequate law enforcement support during emergency situations.</i>	V.K
<b>VI. Organization &amp; Assignment of Responsibilities</b>	
G-15. <i>Describe the emergency organization that will carry out law enforcement operations during emergency situations.</i>	VI.A
G-16. <i>Include a listing by organization and/or position of the responsibilities for law enforcement tasks during emergency situations.</i>	VI.B
<b>VII. Direction &amp; Control</b>	

G-17. Describe how law enforcement efforts in support of emergency operations will be directed and controlled.	VII.A
G-18. Indicate the line of succession for key law enforcement personnel.	VII.C
<b>VIII. Readiness Levels</b>	
G-19. Describe law enforcement actions to be taken at various readiness levels.	VIII
<b>IX. Administration &amp; Support</b>	
G-20. Include policies on record keeping and reporting.	IX.A-B
G-21. Provide for a post-incident review of emergency operations by those tasked in this annex in accordance with the guidance in Section IX.E of the Basic Plan.	IX.C
G-22. Describe or depict law enforcement communications connectivity.	IX.D, Appendix 2
G-23. Include a listing of law enforcement resources or make reference to such a listing in the resource management annex.	IX.E
G-24. Include a list of key facilities.	IX.F, Appendix 1
<b>X. Annex Development &amp; Maintenance</b>	
G-25. Specify, by position, the individual responsible for developing and maintaining the annex.	X.A
G-26. Make reference to the schedule for review and update of annexes contained in the Basic Plan.	X.B
<b>XI. References</b>	
G-27. Identify references pertinent to the content of the annex in addition to those listed in the Basic Plan.	XI

FOR LOCAL GOVERNMENT USE	Signature	Date
This Checklist Completed By:		11-9-2022

FOR DEM USE	Initials	Date
DEM Regional Liaison Officer Review		
DEM Preparedness Section Processing		





# ANNEX G

## LAW ENFORCEMENT

### I. AUTHORITY

See Section 1 of the **Basic Plan** for general authorities.

### II. PURPOSE

The purpose of this annex is to define the organization, operational concepts, responsibilities, and procedures to accomplish emergency law enforcement requirements. This annex is applicable to all agencies, organizations and personnel assigned law enforcement functional responsibilities.

### III. EXPLANATION OF TERMS

#### A. Acronyms

DDC	Disaster District Committee
DPS	Department of Public Safety
EMC	Emergency Management Coordinator
EOC	Emergency Operations or Operating Center
FBI	Federal Bureau of Investigation
IC	Incident Commander
ICP	Incident Command Post
ICS	Incident Command System
JFO	Joint Field Office
JIC	Joint Information Center
JOC	Joint Operations Center
NIMS	National Incident Management System
NRF	National Response Framework
PIO	Public Information Officer
SOC	State Operations Center
SOPs	Standard Operating Procedures
UC	Unified Command

#### B. Definitions

1. Anti-terrorism Activities. Use of defensive methods, including intelligence collection, investigation, passive protection of facilities, implementation of physical and personnel security programs, and emergency planning, to combat terrorism.

2. Consequence Management. Measures taken to protect public health and safety, restore essential government services, and provide emergency relief to governments, businesses, and individuals affected by the consequences of terrorism. Emergency management agencies normally have the lead role in consequence management.
3. Counter-terrorism Activities. Use of offensive measures to combat terrorism, such as use of law enforcement and military resources to neutralize terrorist operations.
4. Crisis Management. Measures taken to define the threat and identify terrorists, prevent terrorist acts, resolve terrorist incidents, investigate such incidents, and apprehend those responsible. Law enforcement agencies will normally take the lead role in crisis management.
5. Hazmat. Hazardous materials. The National Response Framework (NRF) defines Hazmat as a substance or material, including a hazardous substance, that has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce, and which has been so designated (see 49 CFR 171.8). The term is also intended to mean hazardous substances, pollutants, and contaminants as defined by the National Oil and Hazardous Substances Pollution Contingency Plan.
6. Incident Action Plan. An oral or written plan containing general objective reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods.
7. National Incident Management System (NIMS). The NIMS provides a consistent nationwide approach for Federal, State, territorial, tribal, and local governments to work effectively and efficiently together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.
8. National Response Framework (NRF). An all-discipline, all-hazards plan that establishes a single comprehensive framework for the management of domestic incidents. It provides the structure and mechanisms for the coordination of Federal support to State and local and tribal incident managers and for exercising direct Federal authorities and responsibilities.
9. Terrorist Incident. According to the National Response Framework (NRF), a terrorist incident is any activity that (1) involves an act that (a) is dangerous to human life or potentially destructive of critical infrastructure or key resources; and (b) is a violation of the criminal laws of the United State or of any State or other subdivision of the United States; and (2) appears to be intended (a) to intimidate or coerce a civilian population; (b) to influence the policy of a government by intimidation or coercion; or (c) to affect the conduct of a government by mass destruction, assassination, or kidnapping.

## **IV. SITUATION & ASSUMPTIONS**

### **A. Situation**

1. Law enforcement agencies are expected to continue their efforts to protect lives and property during emergency situations.
2. During large-scale emergencies and major disasters, law enforcement agencies may be required to expand their operations and undertake certain tasks that are not performed on a day-to-day basis.
3. Large-scale emergencies and acts of terrorism may adversely impact law enforcement personnel, equipment, and facilities.

### **B. Assumptions**

1. During large-scale emergency situations, some normal law enforcement activities may be temporarily reduced in order to provide resources to respond to the emergency situation.
2. During large-scale evacuations, law enforcement support may be needed to control traffic. In the aftermath of an evacuation, security must be provided for areas that have been evacuated to protect property and deter theft.
3. In the aftermath of a disaster, it may be necessary to control access to damaged areas to protect public health and safety and deter theft.
4. If there is a threat of terrorism or civil disturbance, key local facilities that house government operations or provide essential services to the public may require protection.

## **V. CONCEPT OF OPERATIONS**

### **A. General**

1. Local law enforcement agencies have the primary responsibility for enforcing laws and protecting lives and property during emergencies. Our law enforcement resources include:
  - a. The Sheriff's Office and its reserves.
  - b. The Cooper Independent School District (ISD) Police Department
  - c. The Constable of Delta, who shall, when requested by the Sheriff, augment the Sheriff's Office during major emergencies.
  - d. State and Federal Law Enforcement Resources, when requested, will augment our local resources.
2. Our law enforcement emergency response operations are in accordance with National Incident Management System (NIMS), which employs two levels of incident management structures.
  - a. The Incident Command System (ICS) includes a core set of concepts, principles, and terminology applicable to single or multiple incidents regardless of their scope.

- b. Multi-agency Coordination Systems integrate a combination of facilities, equipment, personnel, procedures, and communications into a common framework, which allows for the coordination and support of incident management.
3. Many of the tasks required of law enforcement during emergency operations are simply an expansion of normal daily responsibilities. These responsibilities include enforcing laws, maintaining order, traffic control, and crowd control.
4. During emergency situations, law enforcement may be called on to undertake a number of tasks not typically performed on daily basis, including protecting key facilities, enforcing curfews and restrictions on the sales of certain products, and controlling access to damaged areas.

## **B. Implementation of NIMS/ICS**

1. The first official responder on the scene of an emergency situation should initiate the ICS and establish an ICP. As other responders arrive, the individual most qualified to deal with the specific situation present should serve as the IC. The IC will direct and control responding resources and designate emergency operating areas. The EOC will generally not be activated.
2. During major emergencies, disasters, or catastrophic incidents, it may be necessary to transition from the normal ICS structure to a Multiagency Coordination System. The EOC is central to this System, and functions as a conduit for coordinating information and resources. The IC will manage and direct the on-scene response from the ICP. The EOC will mobilize and deploy resources for use by the IC, coordinate external resource and technical support, research problems, provide information to senior managers, disseminate emergency public information, and perform other tasks to support on-scene operations.

## **C. Law Enforcement**

1. Law enforcement personnel are expected to enforce the laws and regulations during emergency situations in the same way that they do on a daily basis.
2. During emergency situations, particularly major disasters, some disaster-related laws and regulations may be put into effect for a limited period; these must also be enforced by local law enforcement agencies. When a disaster threatens or has occurred, the County Judge or Mayor may issue a disaster declaration. The County Judge or Mayor may then issue an order or the Commissioners Court or City Council may enact an emergency order suspending other orders or ordinances and/or putting into effect temporary emergency regulations. **Appendix 5 to Annex U, Legal**, outlines the types of emergency measures that may be promulgated.

## **D. Evacuation Operations**

1. State law provides a county judge or mayor with the authority to order the evacuation of all or part of the population from a stricken or threatened area within their respective jurisdictions. Hence, the County Judge or Mayor may order a mandatory evacuation of our County or any City, upon issuing a local disaster declaration. The County Judge or Mayor may also take subsequent action to control re-entry, curtail movement, and deny



building occupancy within a disaster area. Law enforcement agencies have the lead role in planning and conducting evacuations. See **Annex E, Evacuation**, for more detailed information on this emergency function.

2. Evacuation may be expedient or preplanned. Evacuation preplanning should be performed for those geographic areas known to be at risk from specific hazards. Such risk areas include hurricane risk areas, areas subject to recurrent flooding, areas downstream from unsafe dams, and areas at risk from a release of hazardous materials from facilities that make, use, or store such materials.

- a. Expedient Evacuation

Expedient evacuations are evacuations that must be conducted with little notice, frequently in response to a request from the Incident Commander at the scene.

- b. Preplanned Evacuation

For known risk areas, evacuation preplanning will be conducted and primary and alternate evacuation routes identified as part of this plan. Such evacuation preplanning should involve the emergency management staff and other emergency services. Known hazardous materials risk areas and the evacuation routes from those areas shall be described in **Annex Q, Hazardous Materials & Oil Spill Response**. Other known risk areas and the evacuation routes from those areas shall be described in **Annex E, Evacuation**. The County Judge or Mayor will normally initiate preplanned evacuations.

- c. During evacuations, law enforcement will:

- 1) Determine preferred evacuation routes, based on the status of preplanned primary and alternate routes and the current situation.
  - 2) Provide information on evacuation routes to the Public Information Officer (PIO) for dissemination to the public through the media.
  - 3) Alert those in the affected area who have not been warned by other means.
  - 4) Deploy units to direct and control traffic.
  - 5) If the evacuation of correctional facilities becomes necessary, provide security support for such operations.
  - 6) If time permits, alter traffic signal timing and request that [Public Works] deploy signs and other traffic control devices to expedite the flow of traffic.
  - 7) Notify adjacent jurisdictions that may be affected by the evacuation, preferably before the evacuation commences.
- 
- 8) Monitor traffic flow and resolve problems; report evacuation progress to the Emergency Operating Center (EOC).
  - 9) Provide appropriate road condition information and travel recommendations to the public through the PIO.
  - 10) For large-scale evacuations, ensure that there are provisions to remove disabled vehicles or those that run out of fuel from evacuation routes in a timely manner.

## **E. Warning**

1. The Sheriff's Office Emergency Communications Center has primary responsibility for the warning function and operates the local warning system. See **Annex A, Warning**, for further information on this emergency function.
2. Law enforcement agencies and other emergency services may be required to disseminate emergency warnings to the public who cannot be reached by primary warning systems, such as outdoor warning sirens and the Emergency Alert System. In most areas, law enforcement units and other vehicles equipped with sirens and public address systems can be used for route alerting. In some areas, such as large office or residential buildings, door-to-door warning may be necessary.

## **F. Area Security and Incident Scene Control**

### **1. Incident Scene Control**

In response to a request from the Incident Commander, the Sheriff's Office or local Police Department will provide traffic control and perimeter control at incident scenes, including hazmat spills, major fires and explosions, and other types of incidents.

### **2. Security for Evacuated Areas**

In an evacuation, the security of evacuated areas is extremely important. Those who have evacuated may not do so in the future if their property has been damaged or stolen during their absence. Experience has shown that law enforcement agencies must provide security in evacuated areas to minimize looting. Access to such areas will be controlled by roadblocks and, where appropriate, barricades. Access controls should be supplemented by periodic roving patrols, particularly within areas that are readily accessible by persons on foot.

### **3. Access Control and Security for Damaged Areas**

- a. In areas that have suffered damage, access must be controlled to protect health and safety, as well as to protect property. When a County Judge or Mayor has issued a local disaster declaration, he or she may take action to control re-entry into a stricken area and the movement of people and occupancy of buildings within a disaster area. Law enforcement agencies will control access to such areas with roadblocks and, where appropriate, barricades. Access controls should be supplemented by periodic roving patrols, particularly within areas that are readily accessible by persons on foot. Re-entry to damaged areas will generally be conducted in the three phases outlined below:
  - 1) Phase One – Emergency Workers. Admit police, fire, EMS, utility crews, emergency management personnel, building inspectors, limited media, state and federal response agencies.
  - 2) Phase Two – Concerned Parties. Admit homeowners, business owners, insurance agents, media, and contractors making temporary repairs. The

following conditions should prevail before these individuals are authorized to enter the damaged area:

- (a) The threat that caused the evacuation has been resolved.
- (b) Sufficient debris has been removed to permit travel and roads and bridges are safe to use.
- (c) Downed power lines have been removed; ruptured gas, water, and sewer lines have been repaired or rendered safe; and other significant safety hazards have been eliminated.
- (d) Structures have been inspected and those unsafe to enter are so marked.
- (e) Some means of fire protection is available.

3) Phase Three – General Public.

4. Guidance for Personnel Staffing Access Control Points

- a. To ensure consistent treatment, personnel staffing access control points shall be provided with clear written guidance on who may be admitted to damaged areas in each phase or reentry. This guidance should be formulated by the law enforcement staff, coordinated by the EMC, and approved by the County Judge or Mayor.
- b. A pass or permit system may be implemented to simplify regular ingress and egress. If a pass or permit system is used, passes or permits and appropriate written instructions for their use should be developed by the law enforcement staff, coordinated by the EMC, and approved by the County Judge or Mayor. Copies should be provided to all personnel staffing access control points. Common sense suggests that identification cards issued by government, utilities, insurance companies, and the media to their employees be honored as passes or permits for those individuals, unless questions arise regarding their authenticity.

## G. Security of Key Facilities

1. There are a number of public and private facilities that must remain in operation during and after an emergency situation to provide essential services to the public. These include selected government direction and control facilities, operating locations for emergency response units, utilities, medical facilities, food suppliers, and key communications services. When there is a credible threat to these facilities that threatens to disrupt continuity of government or provision of essential services to the public, law enforcement may be requested to provide security for these key facilities. A list of key facilities is provided in **Appendix 1** to this annex.
2. In the event there is a credible threat of terrorist action within the State of Texas, the State Operations Center may provide an alert to the DDC located in Tyler requesting an increase of security personnel at the critical infrastructure facilities (listed in **Appendix 1**) and other potential targets throughout the affected jurisdiction(s). Law enforcement personnel shall then alert the appropriate officials, who shall review the potential emergency situation, plans, and procedures, and implement appropriate readiness actions as determined by the County Judge, Mayor, EMC, and/or appropriate facility personnel. See **Annex V, Terrorist Incident Response**, and Readiness Levels for a complete description of readiness actions.

## H. Terrorism Incident Response

### 1. Crisis Management

Law enforcement agencies have the lead in terrorism crisis management activities. Pre-incident crisis management activities include efforts to define the threat, identify terrorists, and prevent terrorist acts. Post incident crisis management activities include efforts to resolve the terrorist incident, investigate it, and apprehend those responsible. The Sheriff's Office or local Police Department has the lead local role in terrorism crisis management and will coordinate its efforts with state and federal law enforcement agencies as appropriate. Refer to **Annex V, Terrorist Incident Response**, for more information on the response to terrorist threats and activities. The requirements of crisis management and consequence management are combined in the National Response Plan.

### 2. Consequence Management

Consequence management activities undertaken to deal with effects of a terrorist incident are conducted in essentially the same manner as the response and recovery operations for other emergencies or disasters. Post-incident crisis management activities, such as investigation, evidence gathering, and pursuit of suspects, may continue during consequence management. The lead agencies for crisis management and consequence management should mutually determine when crisis management activities are complete. The lead role in terrorism consequence management may be assigned to one of several local departments or agencies, depending on the type of incident that has occurred. Law enforcement agencies will typically play a significant supporting role in the conduct of consequence management activities. The requirements of crisis management and consequence management are combined in the National Response Plan.

## I. Disaster Reconnaissance

In the immediate aftermath of an emergency situation, the Incident Commander or the EOC staff may request law enforcement units to conduct reconnaissance to identify specified areas affected and provide an initial estimate of damages. Timely initial disaster reconnaissance, also referred to as a windshield survey, is important in deciding what assistance is needed immediately and where limited resources should be initially committed.

## J. External Assistance

If local law enforcement resources and those available through inter-local agreements are insufficient to deal with an emergency situation, local officials may request support from the State using the procedures outlined in Section V of the **Basic Plan**. Cities must seek assistance from their county before requesting resource assistance from the State.

## K. Actions by Phases of Emergency Management

### 1. Prevention

- a. Operate a local warning system (see **Annex A, Warning**).
- b. Carry out anti-terrorist activities (see **Annex V, Terrorist Incident Response**).

- c. Avoid locating correctional facilities in known hazard areas so as to preclude the need for evacuation during emergency situations.

## 2. Preparedness

- a. Review and update plans and procedures.
- b. Identify preplanned evacuation routes for known risk areas and prepare traffic control plans.
- c. Identify key facilities and determine possible security requirements.
- d. Develop communications systems that provide for connectivity of all local law enforcement agencies and external agencies that may respond pursuant to inter-local agreements.
- e. Train primary and auxiliary law enforcement personnel to conduct emergency operations.
- f. Identify and train law enforcement personnel to staff the EOC and ICP.
- g. Conduct drills and exercises to test plans, procedures, and training.

## 3. Response

- a. Maintain law and order.
- b. Carry out backup warning (see **Annex A, Warning**).
- c. Perform traffic control for evacuations (see **Annex E, Evacuation**) and other appropriate situations.
- d. Carry out crowd control where needed.
- e. Provide security for key facilities (See **Appendix 1** to this annex).
- f. Provide security for evacuated areas.
- g. Provide security for shelter and mass care facilities.
- h. Conduct counter-terrorism operations.
- i. Conduct initial disaster reconnaissance.
- j. Support other emergency operations.

## 4. Recovery

- a. Continue security operations as needed.
- b. Perform traffic control for return of evacuees, if needed.
- c. Provide access control for damaged areas, issuing passes/permits if required.
- d. Assist in damage assessment.

# VI. ORGANIZATION & ASSIGNMENT OF RESPONSIBILITIES

## A. General

Our normal emergency organization, described in Section VI.A of the **Basic Plan** and depicted in **Attachment 3 to the Basic Plan**, will plan and carry out law enforcement operations.

## B. Task Assignments

1. The Sheriff's Office or local Police Department will:
  - a. Prepare law enforcement inter-local agreements.
  - b. Maintain law and order during emergency situations.

- c. Plan, direct, and control evacuations (see **Annex E**).
  - d. Provide security for key facilities.
  - e. Protect property in evacuated areas.
  - f. Provide access control to damaged areas.
  - g. Carry out traffic control when and where needed.
  - h. Provide crowd control when needed.
  - i. Manage the local warning system (see **Annex A**).
  - j. Manage the local emergency communications network (see **Annex B**).
  - k. Conduct counter-terrorism and anti-terrorist operations (see **Annex V**).
  - l. Support search and rescue operations (see **Annex R**).
  - m. Assist in hazardous materials incidents (See **Annex Q**).
  - n. Provide security for shelter and mass care operations (See **Annex C**).
  - o. If necessary, evacuate prisoners from the jail to another suitable facility.
  - p. Provide qualified individuals to staff the EOC and ICPs when those facilities are activated.
  - q. Support other emergency functions as necessary.
2. Constables will, upon request of the Sheriff, augment the Sheriff's Office during major emergencies.
  3. School District Police will, upon request of the Police Chief, augment the Police Department during major emergencies.
  4. The Incident Commander will:
    - a. Establish an incident command post (ICP) and control and direct emergency response resources at the incident scene from that ICP to resolve the incident.
    - b. Provide an initial incident assessment, request additional resources if needed, and provide periodic updates to the EOC.
    - c. Establish a specific division of responsibilities between the incident command operation and the EOC, if the EOC has been activated.
    - d. Determine and implement initial protective actions for emergency responders and the public in the vicinity of the incident site.
  5. County or City Public Works will:
    - a. Upon request, place traffic control devices to facilitate evacuation travel.
    - b. Assist in keeping evacuation routes open.
    - c. Upon request, provide barricades and barriers to restrict entry to evacuated and damaged areas.
  6. The County or City Attorney will, upon request, advise law enforcement agencies regarding the emergency powers of local government and their potential impact on law enforcement requirements during emergency situations.

<b>VII. DIRECTION &amp; CONTROL</b>
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**A. General**

1. Routine law enforcement operations may continue during some emergency situations. Direction and control of such operations will be by those that normally direct and control day-to-day operations.
2. For most emergency situations, an Incident Commander will establish an ICP at the scene and direct and control emergency operations at incident site from that command post; law enforcement and other resources committed to the incident will carry out missions assigned by the Incident Commander. The Incident Commander will be assisted by a staff with the expertise and of a size required for the tasks to be performed. The individual most qualified to deal with the specific type of emergency situation present should serve as the Incident Commander. Hence, for incidents that primarily involve a law enforcement matter, the senior law enforcement officer present will typically serve as the Incident Commander.
3. In some situations, the EOC may be activated without an incident command operation. This type of organizational arrangement is most likely when: (a) a hazard threatens, but has not yet impacted the local area (such as a predicted flood), or (b) when a generalized threat exists and there is no identifiable incident site (as may be the case for a terrorist threat). During these situations, a senior law enforcement officer will normally direct the combined efforts of local law enforcement agencies from the EOC, receiving general guidance from the [County Judge/Mayor/EOC Supervisor], and coordinating as necessary with the law enforcement agencies concerned and other emergency functions.
4. External response agencies are expected to conform to the general guidance provided by our senior decision-makers and carry out mission assignments directed by the Incident Commander or the EOC. However, organized response units will normally work under the immediate control of their own supervisors.

## **B. Incident Command System- EOC Interface**

If both the EOC and an ICP are operating, the Incident Commander and the EOC must agree upon a specific division of responsibilities for emergency response activities to avoid duplication of effort and conflicting guidance and direction. The EOC and the ICP must maintain a regular two-way information flow. A general division of responsibilities between the ICP and the EOC that can be used as a basis for more specific agreement is provided in Section V of Annex N, Direction & Control.

## **C. Continuity of Government**

The line of succession for the Sheriff is:

1. Chief Deputy
2. Captain
3. Lieutenant
4. Sergeant

<b>VIII. READINESS LEVELS</b>
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## **A. Readiness Level IV – Normal Conditions**

1. Review and update plans and SOPs.
2. Maintain list of law enforcement resources (see **Annex M**).
3. Develop and update a list of key facilities that may require security during emergency situations. See Appendix 1 to this annex.
4. Maintain and periodically test equipment.
5. Conduct appropriate training, drills, and exercises.
6. Identify potential evacuation, traffic control and security issues and estimate law enforcement requirements.
7. Develop tentative task assignments and identify potential resource shortfalls.

#### **B. Readiness Level III – Increased Readiness**

1. Check readiness of law enforcement equipment, supplies and facilities.
2. Correct equipment and facility deficiencies.
3. Correct shortages of essential supplies.
4. Update incident notification and staff recall rosters.
5. Notify key personnel of possible emergency operations.
6. Update information on key facilities and related security requirements.
7. If evacuation of correctional facilities may be required, review procedures for relocating prisoners and determine availability of required specialized equipment.

#### **C. Readiness Level II – High Readiness**

1. Alert personnel to the possibility of emergency duty.
2. Place selected personnel and equipment on standby.
3. Alert reserve/auxiliary personnel.
4. Identify personnel to staff the EOC and ICP if those facilities are activated.
5. Alert external resources covered by inter-local agreements.

#### **D. Readiness Level I – Maximum Readiness**

1. Mobilize selected law enforcement personnel.
2. Consider precautionary deployment of equipment and personnel to enhance response time.
3. If an evacuation has been recommended or spontaneous evacuation is taking place, activate traffic control plans and deploy traffic control resources.
4. Dispatch law enforcement representatives to the EOC when activated.
5. Provide increased security at key facilities if needed.

### **IX. ADMINISTRATION & SUPPORT**

#### **A. Reporting**

In addition to reports that may be required by their parent organization, law enforcement elements participating in emergency operations should provide appropriate situation reports to the Incident Commander, or if an incident command operation has not been established, to the EOC. The Incident Commander will forward periodic reports to the EOC. Pertinent information will be incorporated into the Initial Emergency Report and the periodic Situation



Report that is prepared and disseminated to key officials, other affected jurisdictions, and state agencies during major emergency operations. The essential elements of information for the Initial Emergency Report and the Situation Report are outlined in Appendices 2 and 3 to **Annex N (Direction and Control)**.

## **B. Records**

1. Activity Logs. The Incident Commander and, if activated, the EOC, shall maintain accurate logs recording significant operational activities, the commitment of resources, and other information relating to emergency response and recovery operations. See Section IX.B of **Annex N, Direction and Control**, for more information on the types of information that should be recorded in activity logs.
2. Documentation of Costs. Expenses incurred in carrying out emergency response operations for certain hazards, such as radiological accidents or hazardous materials incidents, may be recoverable from the responsible party. Hence, all departments and agencies will maintain records of personnel and equipment used and supplies consumed during large-scale law emergency operations.

## **C. Post Incident Review**

For large-scale emergency operations, the County Judge, Mayor or City Manager and EMC shall organize and conduct a review of emergency operations in accordance with the guidance provided in Section IX.E of the Basic Plan. The purpose of this review is to identify needed improvements in this annex, procedures, facilities, and equipment. Law enforcement personnel who participated in the operations should participate in the review.

## **D. Communications**

General emergency communications capabilities and connectivity are discussed and depicted in **Annex B, Communications**. The communications connectivity of law enforcement agencies is depicted in **Appendix 2** to this annex.

## **E. Resources**

A listing of law enforcement resources is provided in **Annex M, Resource Management**.

## **F. Key Facilities**

A listing of key facilities that may require security during emergency situations is provided in **Appendix 1** to this annex.

# **X. ANNEX DEVELOPMENT & MAINTENANCE**

- A. The Sheriff is responsible for developing and maintaining this annex. Recommended changes to this annex should be forwarded as needs become apparent.
- B. This annex will be revised and updated in accordance with the schedule outlined in Section X of the **Basic Plan**.

- C. Departments and agencies assigned responsibilities in this annex are responsible for developing and maintaining SOPs covering those responsibilities.

**XI. REFERENCES**

- A. Annex A (Warning) to the *State of Texas Emergency Management Plan*
- B. Annex E (Evacuation) to the *State of Texas Emergency Management Plan*
- C. Annex G (Law Enforcement) to the *State of Texas Emergency Management Plan*
- D. Annex V (Terrorist Incident Response) to the *State of Texas Emergency Management Plan*

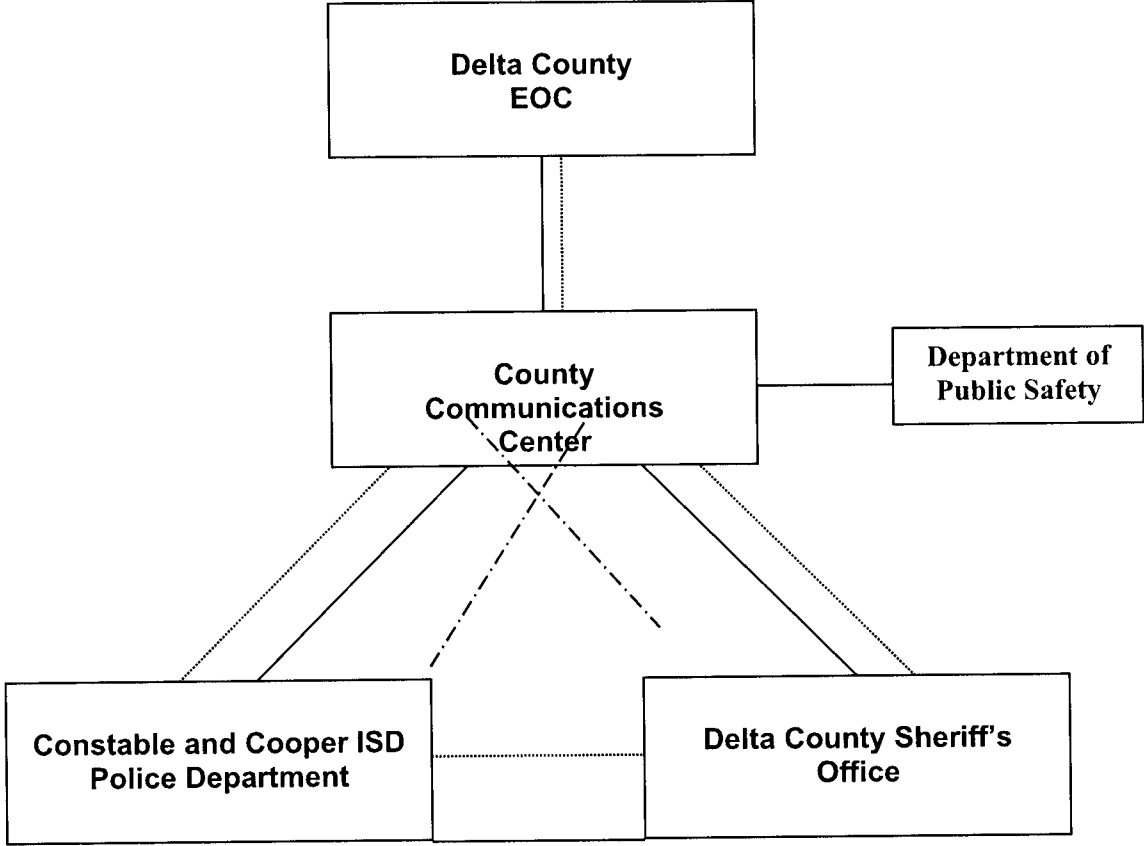
**APPENDICES**

- Appendix 1 .....Key Facilities
- Appendix 2 .....Law Enforcement Communications Diagram

<b>KEY FACILITIES</b>
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<b>FACILITY NAME</b>	<b>ADDRESS</b>	<b>POINT OF CONTACT</b>
<i>Govt. Direction &amp; Control</i>		
<b>TDEM</b>	<b>Mt. Pleasant, Texas</b>	<b>DDC</b>
<i>Emergency Response</i>		
<b>DPS</b>	<b>Mt. Pleasant, Texas</b>	<b>Captain</b>
<b>DPS</b>	<b>Garland, Texas</b>	<b>Dispatch</b>
<b>DPS</b>	<b>Paris, Texas</b>	<b>Sergeant</b>
<i>Utilities</i>		
<b>Lamar Electric Cooperative</b>	<b>Paris</b>	<b>Foreman</b>
<b>Oncor Electric</b>	<b>Greenville</b>	<b>Foreman</b>
<b>Atmos Energy</b>	<b>Greenville</b>	<b>Foreman</b>
<b>Farmers Electric Cooperative</b>	<b>Greenville</b>	<b>Foreman</b>
<i>Medical Facilities</i>		
<b>Christus Mother Francis – Sulphur Springs</b>	<b>Sulphur Springs</b>	<b>ER</b>
<b>Paris Regional Medical Center (PRMC)</b>	<b>Paris</b>	<b>ER</b>
<b>Hunt Regional – Commerce</b>	<b>Commerce</b>	<b>ER</b>
<i>Communications</i>		
<b>Delta County Dispatch</b>	<b>Cooper</b>	<b>Dispatch</b>
<b>Hopkins County EMS Dispatch</b>	<b>Sulphur Springs</b>	<b>Dispatch</b>
<i>Major Food Suppliers</i>		
<b>Local Supermarkets</b>	<b>Cooper</b>	<b>Store Manager</b>
<i>Fuel Distributors</i>		
<b>Local gas stations</b>	<b>County wide</b>	<b>Manager</b>

**LAW ENFORCEMENT COMMUNICATIONS DIAGRAM**



**LEGEND:**

- Phone
- VHF Radio
- Cell Phone

# DELTA COUNTY, TEXAS SEXUAL ASSAULT RESPONSE TEAM RESOLUTION (SART)

FILED FOR RECORD  
AT 9:25A M

NOV 28 2022

Jane Jones, County Clerk  
DELTA COUNTY, TEXAS

**WHEREAS**, sexual violence is a serious issue impacting the public health and safety; and

**WHEREAS**, according to a statewide prevalence study, 6.3 million or 33.2% of adult Texans have experienced some form of sexual assault in their lifetime; and

**WHEREAS**, sexual assault continues to be a severely underreported crime— only 9.2% of victims report their experience to the police according to the Institute of Domestic Violence and Sexual Assault; and

**WHEREAS**, in Texas, in 2020, there were over 30,000 sexual assaults reported to law enforcement, and over 50,000 survivors sought services at a rape crisis center; and

**WHEREAS**, sexual assault victims must live with the emotional and medical consequences of their assault, which are often chronic and severe; lifetime prevalence of post-traumatic stress disorder (PTSD) in women who are sexually assaulted is estimated to be 50%; and

**WHEREAS**, in their 2020 audit report to the Legislature on investigations and prosecutions of sexual assault statewide, the State Auditor's Office identified that only 32% of all reported sexual assaults in a 5-year period resulted in an arrest; and

**WHEREAS**, in their 2020 audit report to the Legislature on investigations and prosecutions of sexual assault statewide, the State Auditor's Office noted a lack of reliable data on sexual assault case dispositions and a lack of multidisciplinary responses to adults; and

**WHEREAS**, the 87th Texas Legislature has recognized the serious nature of this crime and has passed legislation requiring counties to form Adult Sexual Assault Response Teams; and

**WHEREAS**, counties with a population of 250,000 or less in a contiguous area may join together to form a regional response team; and

**WHEREAS**, Delta County recognizes that work must be done at a societal and local level to reduce the incidence of sexual assault, hold offenders accountable and to help heal victims: now, therefore;

**BE IT RESOLVED** by the Commissioners Court of Delta County, Texas. Delta County, Texas will join with Hopkins County, Texas to establish the Regional Adult Sexual Assault Response Team, effective December 1, 2022.

Delta County will appoint individuals to join and serve on the Hopkins Regional Sexual Assault Response Team, as requested.

- The Chief Administrator of sexual assault program;
- A prosecutor with jurisdiction over adult sexual assault cases in the County;
- The Sheriff each County, or their designee;
- The Chief of the largest municipal law enforcement agency, if one exists, or their designee;
- A Sexual Assault Nurse Examiner, Forensic Examiner that provides exams within the County, or if they do not exist, a representative from the largest healthcare provider in the County; and
- A mental or behavioral health provider within the County, or if they do not exist a representative from the public health department; and
- Other persons the presiding officer of the response team considers necessary for the operation of the response team or as recommended by the response team.

## **BE IT FURTHER RESOLVED**

That in order to create systems that reduce re-traumatization and prioritize victim safety, members of the Regional SART appointed by Delta County are directed to work with other team members to:

- Elect a presiding officer and any other organizational and decision-making structures deemed for the success of the team; and
- Recommend additional members to the team as necessary to fulfill the functions of the team; and
- Attend scheduled meetings of the team or provide a designee as permitted by statute; and
- Create a written interagency protocol that establishes local and regional processes for investigating and prosecuting sexual assaults, identifying and obtaining medical & forensic care, mental health care and advocacy resources for victims as required by Texas Local Government Code 351.256, no later than December 1, 2022; and
- In developing a protocol, the response team shall consider Chapter 56A, Code of Criminal Procedure; may provide different procedures for use within a particular municipality or area of the county served by the response team; and shall prioritize the health and safety of survivors, including those who choose not to make a police report; and
- Notify the Court of any statutory vacancies on the team that would require a new appointment within 30 days of those occurring; and
- Collect and maintain data on the number of sexual assaults reported to local law enforcement agencies and the investigation, prosecution and disposition of such offenses as required by Texas Local Government Code 351.257(A) that will culminate in a written summary to the Commissioners Court by December 1<sup>st</sup> of every odd numbered year; and
- Develop processes for information sharing and conflict resolution between team members; and
- Distribute the written protocol to all responding law enforcement and service providers throughout Delta County & Hopkins Region; and

- Participate in a minimum of 4 hours of annual cross training with other team members; and
- Evaluate the interagency protocol through the utilization of case reviews, with the signed, written consent of the victim as required by Texas Local Government Code 351.258(f); and
- Participate in writing the biennial report to the Commissioners Court as required by Texas Local Government Code 351.257.

**BE IT FURTHER RESOLVED**

That Delta County will fill any statutory vacancies, as requested, by the Hopkins Regional SART or Council of Government within 30 days of those vacancies occurring;

**BE IT FURTHER RESOLVED**

The written biennial report produced by the team shall be posted in a prominent place on the County's website and by law will be available to the public. The report shall not be redacted prior to its publication except for redactions needed to comply with the law to maintain privacy of individuals otherwise identified in the report.

X   
\_\_\_\_\_  
JASON MURRAY  
DELTA COUNTY JUDGE



# SEXUAL ASSAULT RESPONSE TEAMS

SB 476, 87th Texas Legislative Session

**W**ith the passage of SB 476, the 87th Texas Legislature is requiring all Texas counties to form an adult Sexual Assault Response Team (SART) in an effort to create a statewide infrastructure of resources, awareness, connection, and coordination to address sex crimes locally.

Texas Local Government Code, Chapter 351, Subchapter J requires **each commissioner's court of a county to establish an Adult Sexual Assault Response Team (SART)**. A SART is a formalized coordinated response to a sexual assault that allows multi-disciplinary professionals to coordinate and develop inter agency responses to work together to address sexual assault by providing wrap-around support and communication.

*Counties smaller than 250,000 residents have the option of partnering with other nearby, small counties to form a regional SART. The commissioner's court must invite all statutory members that provide services within a county to participate.*

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## WHO SERVES ON THE SART?

1. The Chief Administrator of a Sexual Assault Program that provides services within the county, or their designee;
  2. A prosecutor with jurisdiction over adult sexual assault cases in the county;
  3. The Sheriff of the county, or their designee;
  4. The chief of the largest municipal law enforcement agency, if one exists, or their designee;
  5. A Sexual Assault Nurse Examiner, Forensic Examiner that provides exams within the county, or if they do not exist, a representative from the largest healthcare provider in the county;
  6. A mental or behavioral health provider within the county, or if they do not exist, a representative from the public health department; and
  7. Other persons or professionals the SART considers necessary for the operation of the response team.
- \*The professionals specifically named above are the minimum team membership required by law.*

## WHAT DOES THE SART HAVE TO DO?

- The response team must meet at least quarterly;
- No later than the 90th day after the last day of a regular legislative session, the SART must review and amend any response team protocols, forms, or guidelines required by Texas Local Government Code, Chapter 351, Subchapter J.
- Once the SART has selected their leadership, it must develop a written protocol for responding to adult survivors within the community.
- The SART must present a report to their Commissioners Court no later than December 1 of each odd-numbered year. That report must include a list of active members, a copy of their written protocol, and a summary of report numbers and case dispositions.

## OTHER SART DELIVERABLES

- Quarterly meetings
- Written inter agency protocol
- Cross training
- Evaluation/Case Reviews
- Biennial report of activities



Texas Association  
of Regional Councils



## REGIONAL SART

While all counties are **statutorily required** to have a SART, smaller counties may join a regional SART. The regional SART can be made up of two or more counties, each with a population of 250,000 or less, within a contiguous area.

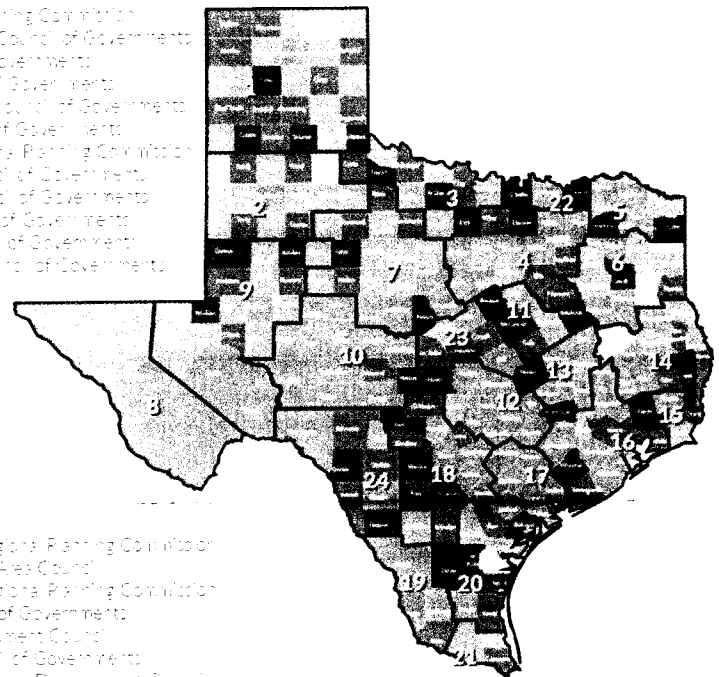
Counties are already familiar with their council of governments (COG) and partner for a number of program areas, including criminal justice and victim services.

COGs can serve as the coordinating entity for regional SARTs to assist smaller counties with meeting this statutory requirement.

Eligible counties can enter into interlocal agreements to form regional SARTs.

## TEXAS REGIONAL COUNCILS OF GOVERNMENTS & LOCATIONS OF EXISTING SEXUAL ASSAULT RESPONSE TEAMS (SARTS)

1. Panhandle Region Planning Commission
2. South Plains Association of Governments
3. North Region Planning Commission
4. North Central Texas Council of Governments
5. A&T Council of Governments
6. East Texas Council of Governments
7. West Central Texas Council of Governments
8. Rio Grande Council of Governments
9. Permian Basin Region Planning Commission
10. Central Valley Council of Governments
11. Heart of Texas Council of Governments
12. Capital Area Council of Governments
13. Brazos Valley Council of Government
14. Davis East Texas Council of Governments



15. South East Texas Region Planning Commission
16. Houston-Greater Area Council
17. Golden Crescent Region Planning Commission
18. Arma Area Council of Governments
19. South Texas Development Council
20. Coastal Bend Council of Governments
21. Lower Rio Grande Valley Development Council
22. Terlingua Council of Governments
23. Central Texas Council of Governments
24. Middle Rio Grande Development Council

Light gray: SART coverage  
Dark gray: Counties covered by multiple SARTs

## RESOURCES

**Texas Association of  
Regional Councils (TARC)**

**Find your COG**

**County Judges and  
Commissioners Association  
of Texas (CJCAT)**

**Texas Association Against  
Sexual Assault (TAASA)**

**Existing SARTs in Texas**

**An Introduction  
to SARTs in Texas**

## MARK YOUR CALENDARS!

To assist counties and COGs as they stand up the Sexual Assault Response Team (SART), TARC, CJCAT and TAASA will partner to provide a series of webinars to offer technical assistance. These webinars are open to all county judges, commissioners and COG staff.

### SART Basics - What is a SART?

Thursday, October 21, 10:00 AM CT

[Click here to register](#)

### SART Basics for Large Counties

Tuesday, October 26, 10:00 AM CT

[Click here to register](#)

*(Recommended for counties over 250k pop.)*

### SART Basics for Counties Interested in Regional Response

Thursday, November 11, 10:00 AM CT

[Click here to register](#)

*(Recommended for COGs and counties with 250k pop and smaller)*

To register for the webinars, visit [www.txregionalcouncil.org/](http://www.txregionalcouncil.org/).

10/11/21

# **DELTA COUNTY, TEXAS SEXUAL ASSAULT RESPONSE TEAM RESOLUTION (SART)**

**WHEREAS**, sexual violence is a serious issue impacting the public health and safety; and

**WHEREAS**, according to a statewide prevalence study, 6.3 million or 33.2% of adult Texans have experienced some form of sexual assault in their lifetime; and

**WHEREAS**, sexual assault continues to be a severely underreported crime— only 9.2% of victims report their experience to the police according to the Institute of Domestic Violence and Sexual Assault; and

**WHEREAS**, in Texas, in 2020, there were over 30,000 sexual assaults reported to law enforcement, and over 50,000 survivors sought services at a rape crisis center; and

**WHEREAS**, sexual assault victims must live with the emotional and medical consequences of their assault, which are often chronic and severe; lifetime prevalence of post-traumatic stress disorder (PTSD) in women who are sexually assaulted is estimated to be 50%; and

**WHEREAS**, in their 2020 audit report to the Legislature on investigations and prosecutions of sexual assault statewide, the State Auditor's Office identified that only 32% of all reported sexual assaults in a 5-year period resulted in an arrest; and

**WHEREAS**, in their 2020 audit report to the Legislature on investigations and prosecutions of sexual assault statewide, the State Auditor's Office noted a lack of reliable data on sexual assault case dispositions and a lack of multidisciplinary responses to adults; and

**WHEREAS**, the 87th Texas Legislature has recognized the serious nature of this crime and has passed legislation requiring counties to form Adult Sexual Assault Response Teams; and

**WHEREAS**, counties with a population of 250,000 or less in a contiguous area may join together to form a regional response team; and

**WHEREAS**, Delta County recognizes that work must be done at a societal and local level to reduce the incidence of sexual assault, hold offenders accountable and to help heal victims: now, therefore;

**BE IT RESOLVED** by the Commissioners Court of Delta County, Texas. Delta County, Texas will join with Hopkins County, Texas to establish the Regional Adult Sexual Assault Response Team, effective December 1, 2022.

Delta County will appoint individuals to join and serve on the Hopkins Regional Sexual Assault Response Team, as requested.

- The Chief Administrator of sexual assault program;
- A prosecutor with jurisdiction over adult sexual assault cases in the County;
- The Sheriff each County, or their designee;
- The Chief of the largest municipal law enforcement agency, if one exists, or their designee;
- A Sexual Assault Nurse Examiner, Forensic Examiner that provides exams within the County, or if they do not exist, a representative from the largest healthcare provider in the County; and
- A mental or behavioral health provider within the County, or if they do not exist a representative from the public health department; and
- Other persons the presiding officer of the response team considers necessary for the operation of the response team or as recommended by the response team.

## **BE IT FURTHER RESOLVED**

That in order to create systems that reduce re-traumatization and prioritize victim safety, members of the Regional SART appointed by Delta County are directed to work with other team members to:

- Elect a presiding officer and any other organizational and decision-making structures deemed for the success of the team; and
- Recommend additional members to the team as necessary to fulfill the functions of the team; and
- Attend scheduled meetings of the team or provide a designee as permitted by statute; and
- Create a written interagency protocol that establishes local and regional processes for investigating and prosecuting sexual assaults, identifying and obtaining medical & forensic care, mental health care and advocacy resources for victims as required by Texas Local Government Code 351.256, no later than December 1, 2022; and
- In developing a protocol, the response team shall consider Chapter 56A, Code of Criminal Procedure; may provide different procedures for use within a particular municipality or area of the county served by the response team; and shall prioritize the health and safety of survivors, including those who choose not to make a police report; and
- Notify the Court of any statutory vacancies on the team that would require a new appointment within 30 days of those occurring; and
- Collect and maintain data on the number of sexual assaults reported to local law enforcement agencies and the investigation, prosecution and disposition of such offenses as required by Texas Local Government Code 351.257(A) that will culminate in a written summary to the Commissioners Court by December 1<sup>st</sup> of every odd numbered year; and
- Develop processes for information sharing and conflict resolution between team members; and
- Distribute the written protocol to all responding law enforcement and service providers throughout Delta County & Hopkins Region; and

- Participate in a minimum of 4 hours of annual cross training with other team members; and
- Evaluate the interagency protocol through the utilization of case reviews, with the signed, written consent of the victim as required by Texas Local Government Code 351.258(f); and
- Participate in writing the biennial report to the Commissioners Court as required by Texas Local Government Code 351.257.

**BE IT FURTHER RESOLVED**

That Delta County will fill any statutory vacancies, as requested, by the Hopkins Regional SART or Council of Government within 30 days of those vacancies occurring;

**BE IT FURTHER RESOLVED**

The written biennial report produced by the team shall be posted in a prominent place on the County's website and by law will be available to the public. The report shall not be redacted prior to its publication except for redactions needed to comply with the law to maintain privacy of individuals otherwise identified in the report.

**X**

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JASON MURRAY  
DELTA COUNTY JUDGE

THIS IS TO CERTIFY THAT I, JANE JONES, COUNTY CLERK DO EREBY CERTIFY TO  
THE CORRECTNESS OF THE MINUTES OF Nov. 28, 2022 THIS THE 12  
DAY OF December, 2022.

[Signature]

[Signature]

Mark Brantley

[Signature]

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Jane Jones  
JANE JONES, CLERK