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## ROLE AND TASKS OF THE POLICE IN AN AIRPORT CRISIS SITUATION

**Summary.** The article presented below refers to a crisis situation connected with a threat to public order in a public utility facility, such as an airport. The article presents the role and tasks of the police in releasing such a facility occupied by unauthorized people. An attempt to explain the basic concepts related to this issue has been made and the procedure, conditions and legal basis of the police intervention in conducting such an operation have been presented.

**Keywords:** Police, crisis management, airport, evacuation

### 1. INTRODUCTION

In today's world, human beings are constantly exposed to threats arising from the natural environment, as well as those caused by other human beings. Such a situation may occur as a result of the rapid development of civilization, which has contributed to numerous catastrophes caused, first and foremost, by human activities and the forces of nature. In the face of a threat to human life, health and property, we are forced to react swiftly, in such a manner that the consequences of such events are minimized as much as possible. By a "crisis situation", we mean an event resulting from a threat, which consequently leads to the rupture or severe violation of social ties, with a corresponding significant disturbance in the functioning of public institutions. However, the applied means necessary to ensure or restore security should not justify the introduction of any state of emergency, referred to

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in Article 228, Section 1, of the Polish Constitution (martial law, a state of emergency or a natural disaster).

## 2. AIRPORT CRISIS SITUATION

The term “crisis situation” is defined in various ways in the Polish legal system. In the Act of 26 April 2007, the legislator defines a crisis situation as a situation exerting negative influence on the level of human security, property of significant size or the environment, which causes significant limitations in the operations of competent public administrative authorities due to the inadequacy of possessed forces and measures<sup>2</sup>. According to Wikipedia (an Internet encyclopaedia based on an open-content model), a crisis situation occurs when there is a group of external and internal circumstances affecting a given system in such a manner that changes begin and continue therein. A new quality of the system, or a new structure and function in the already existing system, may result from these changes<sup>3</sup>. The police, in turn, defines a crisis situation as an event causing danger to human life, health or property, resulting from unlawful attacks violating these goods, or a natural disaster, characterized by the possibility of losing control over the course of events, or an escalation of a threat where, in order to protect security and public order, it is necessary to use a larger number of police officers, possibly organized in units or subunits, including armed ones<sup>4</sup>.

From the point of view of the police, a crisis situation may be compared to a special situation, which is characterized by abruptness and a considerable threat to human life, health or property of significant size, as well as a facilities, which are important for state security or defence, such that controlling it requires additional and extraordinary police forces and measures.

One such environment characterized by a high likelihood of an occurrence of an emergency or crisis situation related to the security of human life, health and property is an airport, which is a place where aircraft land, take off and taxi. The equipment found at an airport is varied, depending on the number of passengers and transported goods. A huge number of people of various nationalities travelling at the same time to different parts of the world generates a need to treat such a place in an exceptional manner.

The evacuation of passengers from an airport passenger terminal as a result of an abandoned suitcase or bag (including a simple plastic carrier) occurs very often. For the security personnel working at the airport, such an abandoned object means one thing: a bomb threat demanding the implementation the special operational procedures, which we define as a crisis situation.

It should be stressed that the awareness of the protection of all airport workers does not allow us to presume that such an abandoned object may constitute a false alarm, just another one of many situations of this kind. In such a situation, a real threat is always presumed.

In agreement with, first and foremost, the police and the users of the airport, an airport operator develops a plan for counteracting a crisis situation in civil aviation. The airport operator takes into account the conditions and mode of cooperation and coordination of the actions of particular entities included in the airport security system, as well as the manner of reacting to threats, acting in the crisis

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<sup>2</sup> Article 3(1) of the Act on Crisis Management of 26 April 2007 (*Journal of Laws*, no. 89, item 590, as amended).

<sup>3</sup> [https://pl.wikipedia.org/wiki/Crisis\\_situation](https://pl.wikipedia.org/wiki/Crisis_situation).

<sup>4</sup> Paragraph 2(6) of Regulation no. 213 of the Police Commander in Chief of 28 February 2007 on methods and forms of preparing and performing police tasks in the cases of a threat to human life, health or property, or security and public order (*Journal of Laws*, no. 5, item 49).

situation and informing those people responsible for the airport security system about the threat. During a crisis situation, reliable and precise communication between all levels of the crisis management team is crucial. It should be emphasized that, despite the fact that we describe a crisis situation at an airport, the consequences of such an act of unlawful interference will reach the highest of governmental authorities.

The role of the police, as a uniformed and armed formation serving society, which is intended for the protection of individuals' safety and maintenance of security and public order, is necessary in a situation where an extraordinary event related to threats occur, such as acts of public disorder or terrorism. The Act on the Police of 6 April 1990 defines the basic tasks of the police in this type of situation, which may also be implemented in other emergency situations. Such tasks include: 1) protection of human life, health and property against unlawful attacks violating these goods; 2) protection of security and public order, including ensuring peace in public places and on means of public transport, in traffic and on water intended for common use; 3) initiation and organization of actions aimed at preventing the commission of crime, offences and criminal phenomena, as well as cooperation in this area with state and local government authorities and social organizations; 4) detection of crime and offences, as well as the prosecution of the perpetrators; 5) supervision over specialist armed security formations to the extent specified in separate provisions; 6) control of adherence to public order regulations and administrative provisions related to public activity or which are applicable in public places; 7) cooperation with the police in other countries and their international organizations, as well as with EU authorities and institutions under international agreements and separate provisions; 8) collection, processing and forwarding of information about criminals and crime; 9) maintaining data sets comprising information on known fingerprints, unidentified fingerprints from scenes of crime and the results of DNA analysis, as collected by authorized bodies. The police also implement tasks arising from the provisions of EU law and international agreements on the principles and to the extent specified therein<sup>5</sup>.

As already mentioned, one of the crisis situations that may occur and that the police may encounter is public disorder in various public utility facilities. For the purposes of this article, the role and tasks of the police in releasing such a facility (an airport occupied by unauthorized people) will be presented.

At this point, it is worth mentioning that a facility is a building or a group of buildings, together with an adjacent area and equipment, as well as infrastructure located within it. Premises or a group of premises may also constitute a facility<sup>6</sup>. We talk about releasing when we undertake collaborative organizational, tactical, material and technical undertakings, which consist of removing people from such a facility who unlawfully occupy it, people who constitute a threat to security, or people who contribute to significant public disorder, in order to enable the functioning of the facility in accordance with its intended purpose.

The essence of releasing is the repelling of a dangerous, direct and violent attack on: 1) facilities and equipment significant for state security and defence; 2) headquarters of the main authorities, the main and central state administrative authorities or judicial authorities; 3) economic or national cultural facilities; 4) diplomatic representations and consular offices of foreign countries or international organizations; or 5) facilities supervised by an armed security formation established

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<sup>5</sup> Article 1, Section 2, of the Act on the Police of 6 April 1990 (consolidated text: *Journal of Laws of 2015*, item 355).

<sup>6</sup> Order no. 13 of the Police Commander in Chief of 25 August 1995 on tactics of coherent police subunit operations in the case of a crisis situation or violation of public order and pursuit of a dangerous offender (chapter VII, point 102).

under separate provisions. The removal of people by the police begins when public order is violated.

The decision of the President of the Council of Ministers, adopted at the request of the minister in charge of internal affairs and administration, constitutes a legal basis for using police forces (in urgent cases, the minister in charge of internal affairs takes the decisions and informs the President of the Council of Ministers about it).

The following criteria must be met for police intervention to take place: 1) an administrator (owner) or landlord of a facility should conduct negotiations with the people occupying a facility, determining the consequences of their unlawful behaviour and asking them to leave the facility voluntarily; 2) it is appropriate for a prosecutor, who should inform the people occupying the facility about the legal sanctions that might be imposed on them, to participate in talks, asking them to leave the facility, or, in the case of insubordination, threatening to use measures of direct coercion (participants of occupied facilities commit the crime defined in Article 193 of the Penal Code on the violation of domestic peace)<sup>7</sup>; and, 3) if the above undertakings prove to be ineffective, the landlord of the facility asks the police to restore the violated legal order in an informal manner (in writing) in the presence of the prosecutor. When the police arrive on the site, the action/operation commander is obliged to: 1) confirm with the people occupying the facility the fact that the landlord and the prosecutor have asked the police for help; 2) make sure that the previous negotiations with the people occupying the facility as undertaken and conducted by the landlord and prosecutor were ineffective; 3) where necessary, conduct negotiations by means of police negotiators; and 4) once again ask the people occupying the facility (and anyone who has immunity) to leave it voluntarily, indicate the time or period for leaving and, in the case of insubordination, warn them about the possibility of the police using measures of direct coercion. If the warning does not bring the expected results and the facility remains occupied, the action/operation commander takes the decision on removing these people by force.

If feasible, the administrator (owner of the facility) should, via their administrative services, guarantee the possibility of efficient entry of the police forces into the facility being released and into the particular premises, as well as expressing written consent concerning the potential damage caused by the operations of the police<sup>8</sup>. The action/operation commander, who should be a commissioner of a locally competent unit of the police or a police officer appointed by them, is appointed to perform the tasks to be undertaken by the police in relation to releasing the facility. The commander executes authority over all forces and measures allocated to releasing the facility<sup>9</sup>.

After arriving at the site, the commander is obliged to: a) confirm with the people occupying the facility the fact that the administrator (owner of the facility) and public prosecutor have asked the police forces for help; b) make sure that the previous negotiations undertaken by the administrator (facility owner) and prosecutor were inefficient; c) secure the assistance of the administrator, e.g., by assigning an employee responsible for the keys to the doors in the occupied facilities/premises or expressing written consent for the forcing of the doors; and d) again ask the people occupying the facility to leave it voluntarily and warn them about the necessity to use measures of direct

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<sup>7</sup> Any person who enters a house, a flat, premises, a room or a separated area belonging to another person or does not want to leave such a place against the request of an authorized person is subject to a fine, restriction of freedom or imprisonment of up to one year. Article 193 of the Penal Code (*Journal of Laws of 1997*, no. 88, item 553, as amended).

<sup>8</sup> Instruction no. 3 of the Police Commander in Chief of 16 June 2000 on the operations of the police under the conditions of a catastrophe..., op. cit. (part III, point 2).

<sup>9</sup> Procedures for the operations of the police within the scope of tactics of acting and commanding police units in the case of threats of public disorder or collective public order disturbances (part III).

coercion<sup>10</sup>, stating, for example: “Under the provisions of law, I advise you to immediately cease doing these actions consisting of the occupation of a building. I warn that the police does not bear material liability for damage to property related to use of coercion. Moreover, I ask those people who have immunity to leave this place”.

An announcement with such content should be made at least three times at 15-minute intervals. During this time, decisions are made on the potential withdrawal from blocking the facility. If the warnings fail to bring the expected results, the commander takes the decision to introduce coherent subunits to remove the people occupying the facility by force.

Prior to using subunits in order to release the facility by force, the commander should ensure the presence of the landlord of the facility and the prosecutor, as well as comprehensive access to information about the building, the adjacent area and the people who occupy it unlawfully. From the point of view of the police, we will call this process “identification” and it should be conducted in three directions: facility identification (also known as “internal identification”), adjacent area identification (also known as “external identification”) and the identification of the people occupying the facility (also known as “personal identification”).

Identification of an area adjacent to an external facility comprises, in particular, the collection of information regarding: 1) the location and the closest surroundings of the facility; 2) the shortest access roads, gates and entrances; and 3) available technical and physical (personal) protection. Upon conducting external identification, topographical, construction and architectural plans, as well as photos and visual observation, should be used. Internal identification of the facility comprises the collection of information on: 1) location of buildings and the passages between them; 2) internal communication in buildings (stories, staircases, passages, corridors, lifts); and 3) distribution of crucial points (alarm and signal devices, telephone exchanges, composition of explosives or inflammable materials, master power switches, water intakes, gas, dispatch offices and printing devices). Available architectural plans, technical documentation and information obtained from personal sources should be used upon conducting internal and external identification. Personal identification comprises, in particular, the collection of information on: 1) number and distribution of the people occupying the facility; 2) composition of the group in terms of gender; 3) mood, determination and intentions of the people occupying the facility; 4) those people who may have specialist training, first and foremost, in the field of pyrotechnics; 5) the possibility of reaching the people occupying the facility operationally or to directly reach an organizer; 6) the presumed behaviour of the people occupying the facility upon entry of police forces; 7) equipment and means of fighting collected or disposed of by the people occupying the facility; and 8) limitations in access to the facility implemented by the people occupying it and any system of control of people entering and leaving the facility. Furthermore, the operation commander should aim to obtain information pertaining to: 1) the reason for blocking the facility; and 2) the time and type of conflict. The commander may obtain the above-mentioned data directly from the operational headquarters or as a result of their own identification. Subsequently, on this basis, the operation commander assesses the operational situation. An analysis and assessment of personal potential, which constitutes a condition for selecting an appropriate option for the releasing actions, is a significant element of the situation assessment. On the site where the actions take place, the operation commander should verify and update any previously obtained information in order to develop an optimal idea regarding releasing actions.

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<sup>10</sup> Procedures for the operations of the police within the scope of tactics of acting and commanding police units in the case of threats of public disorder or collective public order disturbances (part III, point 2).

The following elements, which exert influence on preparing and conducting the assessment, should be taken into consideration while assessing the situation during the release of the facility: 1) assessment of the legal situation of the actions; 2) assessment of data concerning internal and external identification; 3) assessment of information on the people occupying the facility; 4) quantitative and qualitative assessment of personal potential; and 5) assessment of the cooperating forces. Moreover, the commander in charge of the action/operation should draw attention to particular elements, such as: 1) access to the region where the actions are taking place; 2) specificity of the area in terms of engaging services (posts, patrols, blockades, cordons); 3) behaviour of third parties; 4) how to act during an attempt to leave the facility by organized groups of the people occupying the facility; 5) organization of vehicle and pedestrian traffic in the region where the actions are taking place; 6) topography and communication inside the facility; 7) locations of potential entry into the facility; 8) distribution of critical points in the facility; 9) tactics concerning the how to act while taking control over critical points in the facility; 10) number, attitude and intentions of the people occupying the facility; 11) potential preparation for active resistance by the people occupying the facility; 12) the possibility of reaching the people occupying the facility operationally; 13) the manner of securing the facility by means of technical and physical protection of the people occupying the facility; 14) the organizational division of personal potential; 15) personal technical means; 16) the possibility and extent of applying measures of direct coercion; 17) the sequence of actions of particular groups of subunits; 18) camouflage activities and the start of actions; and 19) equipment and uniforms.

Advance preventive actions and negotiations aimed at solving the crisis situation amicably are conducted in parallel with the identification, preparation of forces, measures and developing the tactics of release. Negotiations with the people participating in the occupation may be conducted exclusively by the administrator or another person holding a legal title to the facility. If all possibilities of solving the dispute by negotiation and mediation have been exhausted, the commander assesses the operational situation and takes appropriate decisions. An order constitutes the basic form of forwarding a decision in the form of specified tasks. If the situation so warrants, the commander's order should be prepared in writing.

The assignment of tasks to particular specialist groups is a significant element in taking decisions aimed at releasing such an object as an airport. Such teams comprise a security group, whose tasks include preventing people from the outside entering the facility, preventing organized groups from leaving the facility, creating optimal conditions for police forces releasing the facility, and protecting the facility after conducting actions until control over it is taken by an authorized person. Protection measures take the form of: a complete blockade, which covers the region directly adjacent to the facility by means of police cordons and barriers made of police technical means and natural obstacles, as well as the use of the terrain or artificial obstacles; and a partial blockade to cover the further vicinity of the facility in a way that fulfils the regulatory functions, which may be constructed with the use of blockade and control posts, mobile patrols and observation posts.

Another measure involves an assault group, which performs its tasks by means of forcing entry into the facility, creating the conditions for use by other police forces, the immobilization of people occupying the facility who have been entrusted with the security (defence) of the facility by a protest organizer taking control over crucial points along with communication and alarm systems, forcing obstacles (barricades) and obstructions inside the facility, and transferring any detained people to a convoy group. Depending on the operational situation, an explosive and pyrotechnic detection group may be included in the assault group.

The tasks of the search group include a review of the buildings (premises) to be released, identifying and detaining people who are hiding, the location and, where possible, neutralization of potential traps, explosive or incendiary charges, as well as identifying other dangerous objects and evidence of criminal activities.

The tasks of the guard group include accepting and securing buildings, premises and crucial points as they are released by the assault groups, ringing and isolating buildings or premises in which the people occupying the facility are located, preventing the reoccupation of released premises, preventing the people occupying the facility from moving inside the facility or from escaping through windows and roofs, enabling a safe exit from the facility for people resigning from its blocking, and securing a method of withdrawal of the engaged police forces if the actions prove to be unsuccessful. The tasks of the convoy group include the efficient reception of detained people, searching people, receiving objects (evidence of crime committed), preparing reports on these activities, protecting material evidence, and taking the detained people, together with a deposit, to detention points or places where the investigation group works. The above-mentioned group should comprise an investigative group. The last group taking part in the described actions is a documenting group, which records the course of the release and preserves any traces of criminal activity by the people occupying the facility in terms of legal proceedings.

Police officers from the investigation departments and the forensic laboratory assigned to the commander maintain the procedural documentation and preserve any traces.

All releasing actions should be recorded on videotape (by means of the team's own camera operators). In addition, medical protection comprising doctors and paramedics who, if necessary, can provide first aid to all victims (police officers and occupying people) and take decisions on potential hospitalization, conduct a visual examination of anyone who has been injured or complains about ailments, and document these activities in accordance with the applicable provisions, all of which should not be forgotten when discussing the actions undertaken during the release of an airport.

The release should be characterized by activity, determination, diversity of actions undertaken, tempo and continuity of their conducting, as well as the graduation of the impact exerted on the people occupying the facility. One factor determining the success of such actions is the speed of conducting them, as well as the application of non-conventional methods and measures and the disorientation of the people occupying the facility.

The entry of groups (subunits) from various directions, including simulated ones, with the potential use of psychological effects, is desirable. All actions should ensure that the aim is achieved as quickly as possible, in accordance with the principle related to causing as little damage to the occupying people and the technical condition of the facility as possible. It should be noted that, during releasing actions, it is possible to use chemicals, smokescreens or explosives (however, the people occupying the facility should be notified of this fact during the informing procedure mentioned earlier), but only for the specifically defined "purpose of removing the people occupying the facility from the occupied premises, forcing them to leave blocked passages, barricades, places of gathering, immobilization and disorientation of such people, masking the actions of police forces, preventing the people occupying the facility from moving inside it, opening closed doors or special locks, creating new entries into buildings or premises, exerting psychological impact on the people occupying the facility, ensuring the security of the police forces performing operations, transmitting prearranged signals and instructions"<sup>11</sup>.

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<sup>11</sup> Procedures for the operations of the police within the scope of tactics of acting and commanding police units in the case of threats of public disorder or collective public order disturbances (part III, point 3(2)).

After removing the people occupying the facility, investigating the premises and potentially neutralizing any dangerous objects, devices or materials, the operation commander safeguards the facility by engaging a system of posts and patrols until control over it is taken by an authorized person (landlord)<sup>12</sup>.

During the releasing activities, from the beginning until the end of the operation, the operation commander bears full responsibility for the security of the people who are in a region where the activities of the police forces take place. The commander is also responsible for the lawful conduct of subordinate police officers and the use of measures of direct coercion, which should be appropriate to the resistance of the people occupying the facility.<sup>13</sup>

#### 4. CONCLUSION

In conclusion, it should be assumed that the police, as a formation whose main task is to ensure the security of citizens and public order, constitutes a significant element in the Polish system of reacting to events, which may constitute a serious threat to human life, health and property, as well as to the natural environment, significant facilities and institutions. The preparation and application of clear and legible procedures for actions intended to rescue people and their property, the proper organization of these actions, and the proper preparation of an integrated plan of cooperation between the various services and institutions are necessary in order for these actions to achieve the intended result.

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5. Penal Code. *Journal of Laws of 1997*, no. 88, item 553 as amended.
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<sup>12</sup> Instruction no. 13 of the Police Commander in Chief of 25 August 1995 on the tactics of coherent police subunit operations..., op. cit. (chapter VII, point 125).

<sup>13</sup> Procedures for the operations of the police within the scope of tactics of acting and commanding police units..., op. cit. (chapter III, point 4).





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