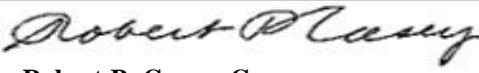


Commonwealth of Pennsylvania
GOVERNOR'S OFFICE

EXECUTIVE ORDER

Subject:		Civil Disorder and Emergency		Number:	1993-2
Date:	April 9, 1993	Distribution:	B	By Direction Of:	 Robert P. Casey, Governor

WHEREAS, the imminent threat of or existence of civil disorder within the Commonwealth may require the mobilization of State Police and/or National Guard forces, state supporting agencies, and/or federal assistance; and

WHEREAS, it is the policy of this administration to make every effort to assist in or respond to the resolution of community problems, to establish dialogue with lawful dissenters, to preserve rights of peaceful assembly and expression, and to exhaust all reasonable means to reduce tensions before employing law enforcement elements; and

WHEREAS, it is the policy of this administration that support rendered by the state will be provided to augment the municipal response efforts of locally elected officials in controlling the disorder; and

WHEREAS, it is the policy of this administration to act firmly to quell civil disorders in order to safeguard life and property, using only the minimum degree of force necessary to effectively control the disorder.

NOW, THEREFORE, I, Robert P. Casey, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby order and direct:

1. Command and Control.

a. The Governor will retain command of all state peacekeeping forces during a civil disorder. The Governor may designate the Lieutenant Governor or a member of the Governor's staff as his on-the-scene representatives with such power and authority as the Governor may deem necessary.

b. The General Counsel, after consultation with the Commissioner of the Pennsylvania State Police and/or the Adjutant General and/or the Pennsylvania Emergency Management Agency will prepare, for issuance by the Governor as required by law, any Executive Orders and proclamations necessary or appropriate for the activation and employment of their forces and for the conduct of peacekeeping and law enforcement operations in the disorder area. Such orders and proclamations shall contain the general constraints and objectives applicable to the conduct of Pennsylvania State Police and National Guard operations in the disorder area.

c. The Commissioner of the Pennsylvania State Police and the Adjutant General of Pennsylvania and the forces under their respective commands will be directly responsible to the Governor for the implementation of such orders and guidance as he may provide. Implementing orders necessary or appropriate for the designation and employment of forces under the command of the Commissioner of State Police or the Adjutant General, and for the conduct of their operations in the disorder area, shall be prepared by the Commissioner or the Adjutant General. The content of their orders shall be in accordance with Executive Orders and proclamations issued by the Governor.

d. In the event of disorder, no officer other than State Police, consistent with their established policy, or local police in the normal course of their duty, will carry loaded weapons. Weapons carried by the National Guard will not be loaded nor will bayonets be fixed without the specific order of the Governor, except that trained anti-sniper teams and military police of the National Guard may be armed with loaded weapons whenever National Guard troops are deployed.

e. Field commanders of the Pennsylvania State Police and National Guard are authorized to act independently in emergency situations when failure to act would seriously aggravate the disturbance, gravely undermine the effort to restore order, or jeopardize the lives of law enforcement officers, troops, or of civilians provided that such actions are consistent with the principles of application of only the minimum force necessary for the circumstances.

2. Planning and Coordination.

a. In the event of disorder, the Pennsylvania Emergency Management Council will convene pursuant to the *Emergency Management Services Code* to prepare for and coordinate planning and preparation between local and state government support agencies.

b. In the event a proclamation of disaster emergency is required to activate other emergency response agencies, to authorize the transfer of unused appropriations, to waive time-consuming bid and contract procedures and/or to invoke the assistance of the federal government, such proclamation shall be prepared by the Pennsylvania Emergency Management Agency.

c. Commonwealth agencies under the jurisdiction of the Governor shall make every effort to cooperate in planning for and in carrying out this order, and shall provide such assistance as is requested by the Governor or his designated representative to prevent civil disorder and restore peace and order. The coordination of such support from state agencies shall be the responsibility of the Pennsylvania Emergency Management Agency. All agencies will lend every assistance to reduce tensions and to help alleviate the causes of disorder, and will use such resources at their command as may be needed to establish and maintain lines of communication to an aggrieved community when called upon to do so.

d. In the event that assistance of federal agencies is necessary or appropriate, the Pennsylvania Emergency Management Agency shall also be responsible for coordinating acceptance and delivery of their assistance.

3. Rescission. Executive Order 1978-8 is hereby rescinded.