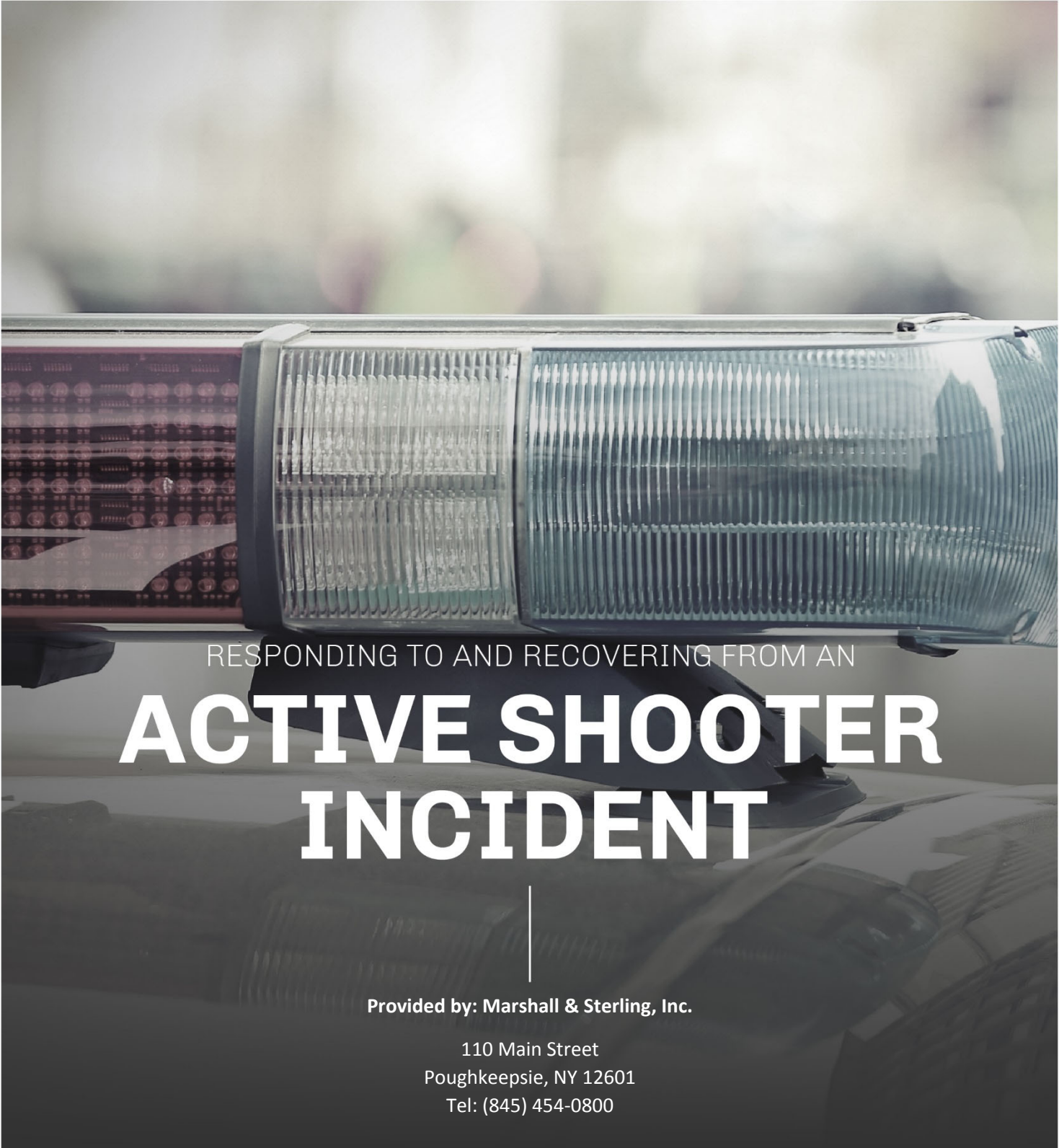




RESPONDING TO AND RECOVERING FROM AN

ACTIVE SHOOTER INCIDENT

Provided by: Marshall & Sterling, Inc.

110 Main Street
Poughkeepsie, NY 12601
Tel: (845) 454-0800

***Marshall
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INSURANCE

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TABLE OF CONTENTS

INTRODUCTION 3

MANAGERIAL ROLES DURING AN ACTIVE SHOOTER INCIDENT 4

 Familiarity with Knox® Boxes and Emergency Supply Kits 4

HOW TO RESPOND WHEN AN ACTIVE SHOOTER IS IN YOUR VICINITY..... 5

HOW TO RESPOND WHEN LAW ENFORCEMENT ARRIVES..... 7

DAY OF THE SHOOTING: COMMUNICATION IS KEY 9

AFTER THE SHOOTING: THE FIRST WEEK 10

 Managing Employees 10

 Health Leaves and Funerals..... 11

 Addressing Business Interruptions 11

AFTER THE SHOOTING: ONE MONTH AND BEYOND..... 12

 Utilize Your Employee Assistance Program (EAP) 12

 Conduct an After-action Report 12

COMPANY LIABILITY CONSIDERATIONS 13

 Insurance Considerations 13

APPENDIX 15

COMPONENTS OF AN EMERGENCY ACTION PLAN 16

EMERGENCY PREPAREDNESS KIT CHECKLIST 17

EMERGENCY ACTION PLAN: ACTIVE SHOOTER 18

 Applicability and Scope..... 18

 Key Individuals / Teams 18

 Lockdown Procedures 20

 Notification 20

 Evacuation, Assembly and Accountability..... 23

 First Responder Coordination..... 24

 Communications Management 25

 Recovery 26

 Business Continuity 26

 Training..... 27



INTRODUCTION

An active shooter is an individual who is actively engaged in killing or attempting to kill people in a confined and populated area, according to the Department of Homeland Security. In most cases, the situations are unpredictable and evolve quickly. Because active shooter situations are often over within 10 to 15 minutes—before law enforcement arrives on the scene—individuals must be prepared both mentally and physically to respond to an active shooter situation.

Even if the company is able to resume its operations after an active shooter incident, recovery can take an extensive amount of time. To recover from a shooting, organizations should make continuity planning, personnel issues and communication strategies top priorities. In this guide, we'll share recommendations from experts about what organizations can do to recover from an active shooter incident.

MANAGERIAL ROLES DURING AN ACTIVE SHOOTER INCIDENT

Employees and customers are likely to follow the lead of management and HR personnel during an emergency. Taking the time to devise an emergency action plan, and delegating certain tasks among management and HR can mean the difference between life and death. As such, managers should be prepared to do the following:

- Take immediate action.
- Remain calm.
- Evacuate staff and customers via a preplanned evacuation route to a safe area.
- Lock and barricade doors as necessary.

Familiarity with Knox® Boxes and Emergency Supply Kits

While getting out of the vicinity safely is of primary concern, knowing the location of Knox® boxes and emergency supply kits can be highly beneficial to employee safety and recovery efforts.

Knox Boxes

Knox® boxes are small, wall-mounted safes that hold building keys for first responders in emergency situations. At a minimum, designated personnel should know whether the building has one and where it is located.

Emergency Preparedness Kits

In the event of an emergency evacuation, safety is paramount. You should never go out of your way to grab personal belongings. However, business owners have a responsibility to keep their employees safe, besides worrying about whether they can remain fully functional as an organization. That is very difficult to do if you're not equipped with everything you might need as the incident unfolds—and the hours that follow.

Having an emergency preparedness kit ready to grab on the way out—or available for law enforcement to access when it is safe for them to do so—can be invaluable when you need to account for your employees, communicate with their emergency contacts, deal with the press and even potentially provide first aid.

Even when it is safe to re-enter the building, law enforcement may not allow you to. An emergency preparedness kit should contain whatever an employer needs to keep communication open between staff, customers and third-party vendors. It should be placed so that designated individuals can grab them quickly as they exit the building or in a predesignated meeting location off-site. Contents in the kits should be updated regularly, and they should be light enough to not become a burden. Some examples of what to put in an emergency preparedness kit can be found [here](#).

HOW TO RESPOND WHEN AN ACTIVE SHOOTER IS IN YOUR VICINITY

In the event that an active shooter is in the vicinity, remember that employees are likely to follow the lead of management, and customers are likely to follow the lead of employees. The Department of Homeland Security makes the following recommendations:

1. Evacuate

If there is an accessible escape path, attempt to evacuate the premises with the following considerations:

- Have an escape route and plan in mind.
- Evacuate regardless of whether others agree to follow.
- Leave your belongings behind. Managers or individuals responsible for your company's emergency preparedness kit should grab it on the way out only if doing so doesn't put them in further danger.
- Help others escape, if possible.
- Prevent individuals from entering an area where the active shooter may be.
- Keep your hands visible so the shooter does not see you as an immediate threat.
- Follow the instructions of any police officers.
- Do not attempt to move wounded people.
- Call 911 when you are safe.

2. Hide Out

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you. Your hiding place should have the following characteristics:

- Be out of the active shooter's view
- Provides protection if shots are fired in your direction (e.g., an office with a closed, locked door)
- Doesn't trap you or restrict your options for movement

You should also take some basic steps to prevent a shooter from noticing your presence or entering your hiding place:

- Lock any doors, if possible.
- Blockade the door with heavy furniture.
- Silence your cellphone.
- Turn off any source of noise (e.g., radios or televisions).
- Hide behind large items (e.g., cabinets or desks).

- Remain as quiet as possible.

If evacuation and hiding are not possible:

- Remain calm.
- Dial 911 to alert police to the active shooter's location, if possible.
- If you cannot speak, leave the line open and allow the dispatcher to listen.

3. Take Action Against the Shooter as a Last Resort

As a last resort, and only when your life is in imminent danger, attempt to disrupt and or incapacitate the active shooter by doing the following:

- Acting as aggressively as possible toward him or her
- Throwing items and improvising weapons
- Yelling
- Committing to your actions

HOW TO RESPOND WHEN LAW ENFORCEMENT ARRIVES

Law enforcement's purpose is to stop the active shooter as soon as possible. Officers will proceed directly to the area in which the last shots were heard. Be aware that:

- Officers usually arrive in teams of four.
- Officers may wear regular patrol uniforms or external bulletproof vests, Kevlar helmets and other tactical equipment.
- Officers may be armed with rifles, shotguns or handguns.
- Officers may use pepper spray or tear gas to control the situation.
- Officers may shout commands and may push individuals to the ground for their safety, as they are in a highly stressful situation and have seconds to make life or death decisions while searching for the shooter.
- Emergency medical services may accompany the officers to address life-threatening injuries.

When law enforcement arrives, do the following:

- Remain calm and follow officers' instructions.
- Put down any items in your hands, no matter how harmless they may seem (e.g., bags or jackets).
- Immediately raise your hands and spread your fingers.
- Keep your hands visible at all times.
- Avoid making quick movements toward officers, such as holding on to them for safety.
- Avoid pointing, screaming or yelling.
- Do not stop to ask officers for help or direction when evacuating, just proceed in the direction from which officers are entering the premises.
- Management should direct officers to Knox[®] boxes if asked.

Provide the following information to law enforcement or the 911 operator:

- Location of the active shooter
- Number of shooters, if there is more than one
- Physical description of the shooter(s)
- Number and type of weapons held by the shooter(s)
- Number of potential victims at the location

Once you have reached a safe location or an assembly point, you will likely be held in that area by law enforcement until the situation is under control and all witnesses have been identified and questioned. Do not leave until law enforcement authorities have instructed you to do so.

After the active shooter has been incapacitated and is no longer a threat, HR or management should engage in post-event assessments and activities, including the following:

- Account for all individuals at a designated assembly point to determine who is missing and potentially injured. Tools in the emergency preparedness kit should allow for this and be located somewhere that allows for quick retrieval on the way out of the building.
- Notify families of individuals affected by the active shooter, including notification of any casualties.

DAY OF THE SHOOTING: COMMUNICATION IS KEY

Having a well-prepared emergency action plan in place before an emergency is crucial, but executing that strategy is much more difficult in the face of tragedy. In order to effectively communicate with stakeholders and employees, businesses need to delegate responsibilities ahead of time. These responsibilities should be listed in the company's [emergency action plan](#) and include tasks such as communicating with family members and talking to the press, among others. Leadership should have several preplanned responses to rely upon and modify as needed. The [emergency preparedness kit](#) can help with this.

Keep in mind that, although social media makes a great tool for communicating with the public post-incident, it is not an appropriate platform for informing family members of any details. One communication option to consider is the use of dark websites that go live in the event of an emergency. When someone types in the main URL for the organization, they are redirected to a ghost site that has the latest information available.

Don't forget about visitors. Making sure visitors provide their cellphone numbers when they check in can help you contact them in any emergency situation. Ask law enforcement for access to your visitor log so you can account for all visitors who were in the building the day of the shooting.

AFTER THE SHOOTING: THE FIRST WEEK

It is unlikely that staff will have access to the building or areas where the incident occurred—even within the first week after an active shooter incident. Regardless, the ability to keep the lines of communication open with employees and business partners is critical. Businesses should delegate specific communications and operational duties among key employees to keep stakeholders aware of the situation and let them know about the potential for business interruptions. Again, this should be planned for in advance and listed in the [emergency action plan](#).

Managing Employees

Surviving an active shooter incident is traumatic. Giving employees the emotional support they need helps you retain your most experienced workers and, as a result, helps you recover quicker. Be prepared if an employee says they don't feel comfortable returning to work, even if it is months later, as they might not experience immediate signs of trauma. They may even feel guilty if they weren't at work during the shooting.

Businesses should keep the following considerations in mind when managing employees after an active shooter incident:

- **Modify office policies.** Relaxing dress codes and office phone use policies, along with allowing for flexible work schedules can make it easier for your employees to resume work duties after an active shooter incident.
- **Expand telecommuting options.** Consider allowing employees to telecommute if feasible, as they may not feel comfortable coming back to the site of the shooting.
- **Account for new hazards.** Throughout the recovery process, special care should be taken to make employees aware of hazards that are not normally present but may have been caused by the shooting. If employees do have to work in an area that presents a potential hazard, make sure you provide them with the proper safety equipment.
- **Prevent overwork and exhaustion.** Stress and lack of sleep can decrease alertness and impair judgment, putting employees at an increased risk for accidents. To prevent overwork, it is important to ensure that employees are not working too many hours and that they receive adequate breaks. Take into account that normal job functions may have to be reassigned while employees focus on recovery efforts. Set clear priorities for what needs to be accomplished now, while also postponing work that is not a necessity in the short term.
- **Consider an office remodel.** Employees who witnessed the shooting may have vivid memories that are difficult to forget. Changing the aesthetics of the office (e.g., new paint or carpet) can help employees disassociate the active shooter event from their new work environment.

Health Leaves and Funerals

As an employer, it can be a struggle to allow employees enough time off and be empathetic—all while making sure the business is operational. HR should be prepared to educate employees regarding their leave rights and options. They should also be ready to assist in the completion of the leave application process in accordance with company policies.

Be prepared to offer employees some flexibility for attending funerals in the event of a mass shooting, as this is not only respectful but an important step toward closure and recovery. Consider a bereavement policy that states that extended leave (paid or unpaid) may be available at management's discretion. This flexibility protects your business and your staff. If employees have questions about their own security, reassure them by reviewing the security procedures, and ask if they perceive any lapses in security that you can address. You can also suggest that employees take more frequent breaks or short walks if they're having trouble concentrating.

Addressing Business Interruptions

After taking care of your employees, you'll want to consider how the effects of a workplace shooting will trickle down to your customers, suppliers and anyone else that you conduct business with. Doing so will involve identifying and filling any critical personnel or operational gaps left in the organization as a result of the active shooter.

Remember that taking care of your employees is paramount—business comes second. And, although no business owner wants to tell a customer that they can't deliver on a promise due to business interruptions, an element of sympathy should help. Just be sure to keep the lines of communication open during recovery efforts and avoid making promises you can't keep.

AFTER THE SHOOTING: ONE MONTH AND BEYOND

Utilize Your Employee Assistance Program (EAP)

The stress of returning to work after an active shooter incident can cause employees to be unfocused at work. Their health may also suffer as a result, leading to higher medical costs and increased absenteeism. One solution for many employers is to offer an EAP to help employees recover. As a result, they're more likely to regain their former productivity levels and value to the company.

Conduct an After-action Report

To facilitate effective planning for future emergencies, it is important to analyze the recent active shooter situation and create an after-action report. The analysis and reporting contained in this report is useful for the following:

- Serving as documentation for response activities
- Identifying successes and failures that occurred during the event
- Providing an analysis of the effectiveness of the existing EAP
- Describing and defining a plan for making improvements to the EAP

COMPANY LIABILITY CONSIDERATIONS

Under the U.S. Occupational Safety and Health Act of 1970, U.S. employers are required to furnish to each of their employees “a place of employment, which is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to his employees.” An effective active shooter insurance policy is the first line of defense in terms of liability after a workplace shooting. It should provide coverage for liability and business interruption at minimum, but may also offer crisis response management, temporary security measures, payment of funeral expenses and victim counseling. Without such a policy, businesses have to manage those tasks on their own.

Insurance Considerations

If workplace violence does happen in your business, you’ll likely face questions like:

- Will the police investigation delay my ability to access the premises?
- Is temporary security needed?
- When will employees be healthy enough to return to work so business can resume?
- Will I recover lost business income if I cannot continue operations?
- Who will cover the costs of leasing a temporary space to get back to business?
- Who will pay the costs of employee benefits if the business cannot resume activities the day after the incident?

Do not assume that your standard commercial insurance policies will cover those expenses. Workers’ compensation, business interruption insurance and general liability insurance are unlikely to pay all costs related to a workplace shooting. Active shooter insurance is becoming a popular way for businesses to fill the gaps in coverage left by the following policies:

- **Workers’ compensation**—If an employee is severely injured during an active shooter incident, they are likely to be covered by workers’ compensation. However, if an employee witnessed a co-worker being shot and needs psychiatric care in order to come back to work without fear, the cost of care might not be covered by workers’ compensation in some states, simply because the employee didn’t suffer a physical injury. Active shooter insurance can pay the psychiatric medical bills of your employees regardless of which state your business is located in.
- **Business interruption**—Don’t assume that your business interruption insurance will cover you if you can’t conduct business due to a loss or disaster. For example, if an event is so tragic that you have to cease business operations despite the lack of physical property damage, that’s considered a business decision, not a covered loss under your business interruption policy. In contrast, active shooter insurance would pay for lost business income up to your policy limits in the event of a workplace shooting, regardless of the reason for closing your business.

- **General liability**—The impact of an active shooter can spread to business partners, clients and vendors, but general liability insurance won't automatically cover third parties. For example, if hurt on your premises, third parties may allege you didn't take proper precautions to keep them safe. If someone sues you and wins, your general liability policy will likely pay for covered damages and expenses up to the policy limits—but you will still likely end up paying for additional uncovered expenses.

Active shooter insurance is more suitable for covering a wide range of violence-related exposures to third parties—and it protects you whether you are negligent or not. In addition, it will cover medical and funeral expenses immediately following the incident. This may provide quick and compassionate relief to victims and decrease your risk of reputational damage.

These are just a few major exposures that active shooter insurance could cover, but be aware that not all policies are equal. A well-written policy can include coverage for temporary security for your business, media management and psychiatric care for witnesses. An experienced insurance advisor who is familiar with your business can customize a policy that meets your needs.

There are other steps you can take to prevent an active shooter situation. Contact your partners at Marshall & Sterling, Inc. for a guide on how to prepare your business for an active shooter, as well as other comprehensive articles and posters to safeguard your business and your employees.



APPENDIX

COMPONENTS OF AN EMERGENCY ACTION PLAN

To best prepare your staff for an active shooter situation, create an emergency action plan and conduct training exercises. Together, the plan and training exercises will prepare your staff to effectively respond and help minimize loss of life.

Create the emergency action plan with input from several stakeholders, including HR, your training department (if one exists), facility owners or operators, your property manager, and local emergency responders. An effective emergency action plan includes the following:

- A preferred method for reporting fires and other emergencies
- An evacuation policy and procedure
- Emergency escape procedures and route assignments (e.g., floor plans or safe areas)
- Contact information for and responsibilities of individuals to be contacted
- Information concerning local area hospitals (e.g., the name, telephone number and distance from your location)
- An emergency notification system to alert various parties of an emergency, including the following:
 - Individuals at remote locations within premises
 - Local law enforcement
 - Local area hospitals
 - Facility security

Make sure your facility's address, including floor, suite and room numbers, is also easily accessible, along with your office phone number and extension.

To assist those with special needs and disabilities, ensure that your emergency action plan includes evacuation instructions and any other relevant information to address those individuals.

For more information on creating an emergency action plan, contact the U.S. Department of Labor's Occupational Safety and Health Administration, www.osha.gov.

EMERGENCY PREPAREDNESS KIT CHECKLIST

Giving key employees access to an emergency preparedness kit can help with first-aid efforts and help businesses communicate with employees, their families, the media and third-party vendors. It can also help businesses recover as quickly as possible. Here is a basic list of items that both small and large businesses should consider in their emergency preparedness kits:

- ✓ First-aid supplies
- ✓ A full list of employees and their emergency contact information
- ✓ Seating assignments to help law enforcement locate missing employees
- ✓ Procedures for locking down areas that may pose threats or hazards to the public
- ✓ Communication methods for employees to contact their families and arrange for a ride home if the evacuation forces them to leave behind their mobile devices and car keys
- ✓ Means for contacting their insurance broker, parent corporations and customers
- ✓ Locations of safe gathering spots
- ✓ A rough plan describing:
 - Who will address the media
 - Who will and how to communicate with employees
 - Procedures for potential business interruption
- ✓ Copies of important records that may include:
 - Site maps
 - Building plans
 - Insurance policies
 - Employee phone numbers and addresses, as well as their emergency contact information
 - Supplier and shipping contact lists
 - IT information (e.g., passwords, procedures for running a dark website and instructions for accessing important information stored in the cloud)

EMERGENCY ACTION PLAN: ACTIVE SHOOTER

Organization:

Address:

City, State, ZIP code:

Phone number:

Website:

Applicability and Scope

The objective of this emergency action plan template is to help organizations prepare their personnel for active shooter scenarios. This template documents basic information recommended for an effective emergency action plan. Organizations are encouraged to consider their unique circumstances and structure to ensure a more comprehensive plan. It applies to permanent employees, temporary employees, contractors and visitors associated with this organization.

This plan should be updated when information listed below requires modification. The crisis manager will review this plan for accuracy on a reoccurring basis. Time frame: _____

Key Individuals / Teams

The organization's primary (P) or alternate (A) crisis manager responsible for this plan.

	POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL
P				
A				
A				
A				
A				

The following people will participate in developing the active shooter emergency action plan. Together, they will form the active shooter planning team.

[illegible]

The following personnel are responsible for conducting threat evaluations and intervening to reduce workplace violence. Together, they form the threat management team.

POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL

The following are external partners that will participate in active shooter planning.

ORGANIZATION	NAME	PHONE NUMBER	EMAIL

It is critical that only authorized personnel are granted access to the organization’s facilities. This requires HR, physical security and information security teams to collaborate. The following personnel are responsible for ensuring access rosters are regularly updated.

POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL

Lockdown Procedures

The following are the organization’s primary (P) or alternate (A) individuals responsible for initiating lockdown procedures.

	POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL
P				
A				
A				
A				
A				

Lockdown procedures are initiated in the following manner:

Notification

The following are the organization’s primary (P) or alternate (A) individuals responsible for ensuring the organization has an effective process to announce the presence of an active shooter.

	POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL
P				
A				
A				
A				
A				

The following methods are used to announce the presence of an active shooter.

Message displayed in all notifications:

Contacting 911 immediately is critical to ensuring first responders arrive quickly. The notification team should be trained to accurately describe the incident to 911 call centers. The following information will be provided to 911.

Employees will be notified in the following manner:

Visitors will be notified in the following manner:

Employees and visitors that are visually impaired will be notified in the following manner:

Employees and visitors that are hard of hearing will be notified in the following manner:

Employees that are non-English speakers will be notified in the following manner:

Evacuation, Assembly and Accountability

The ability to quickly and safely evacuate is critical to surviving an active shooter scenario. Personnel must be familiar with the evacuation plan and practice using the nearest exit without exposing themselves to danger.

They should also be familiar with the location of staging areas.

The following are the organization's primary (P) or alternate (A) individuals responsible for ensuring the organization has an evacuation plan.

	POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL
P				
A				
A				
A				
A				

The following areas will be checked regularly and updated if required.

- ☐ Building/site maps with designated evacuation routes are located at key locations. Exits are
- ☐ clearly marked.
- ☐ Evacuation plans include the ability to assist people with functional needs. Designated rally
- ☐ points are located a safe distance away.
- ☐ Primary and alternate rally points are identified.
- ☐ Employee rosters and contact information are updated regularly.

Conducting timely and accurate accountability is critical during and following an event. This information will prove vital when coordinating with first responders and communicating with concerned family. The following primary (P) and alternate (A) individuals are responsible for conducting accountability.

	POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL
P				
A				
A				
A				
A				

Listed below are the procedures for conducting accountability. It includes a process to account for employees conducting business away from the facility and those on leave. It also accounts for personnel visiting the organization.

First Responder Coordination

Communicating information to first responders in a timely manner is vital to quickly eliminating the active shooter threat. Following are the organization’s primary (P) or alternate (A) individuals responsible for providing information to first responders.

	POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL
P				
A				
A				
A				
A				

Advanced coordination with local law enforcement ensures the organization understands and is prepared to provide requested information. The local law enforcement contact information is provided below.

POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL

Local law enforcement requires the following information when responding to an active shooter event:

An emergency preparedness kit is a ready resource that assists law enforcement with navigating a facility. The kit is located at:

The emergency preparedness kit contains the following items. It will be inventoried regularly and updated as required.

Communications Management

Providing consistent and accurate information to authorities, employees, family and the media can reduce the impact of an active shooter scenario on an organization and its people. The following are the organization’s primary (P) or alternate (A) individuals responsible for communicating the organization's message internally and externally.

	POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL
P				
A				
A				
A				
A				

The following are key considerations the communication team must address:

Recovery

Recovery from an active shooter scenario will likely be a whole community effort. It may include hospitals, grief counselors, lawyers, employee assistance and other assistance as required. The following will be activated as needed:

ORGANIZATION	NAME	PHONE NUMBER	EMAIL

Business Continuity

Does your organization have a business continuity plan that allows for continuity of operations? This plan includes actions taken if a neighboring organization experiences an active shooter event. It also considers major suppliers and critical components in the supply chain.

The organization has a business continuity plan. ☐ Yes ☒ No

Training

Providing the necessary training for all employees is important to this plan’s success. Training should include “run, hide and fight” exercises to prepare individuals. Individuals listed in the plan should also be trained to carry out their responsibilities. The organization should also involve neighboring organizations, business affiliates and first responders in their training.

The following are the organization’s primary (P) or alternate (A) individuals responsible for ensuring all stakeholders are trained.

	POSITION/OFFICE	NAME	PHONE NUMBER	EMAIL
P				
A				
A				
A				
A				

A list of required training is provided below.

TRAINING	LOCATION (E.G., ONLINE OR IN-HOUSE)

This plan was last reviewed:

This plan is approved: