

New York State Comprehensive Emergency Management Plan

Fatality Management Annex



**Disaster Preparedness
Commission**

**Prepared by the New York State
Disaster Preparedness Commission**

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Section I: General Considerations and Planning Guidelines

A. Introduction

The State of New York is subject to a wide variety of natural, technological, and human-caused hazards. The occurrence of such hazards has the potential to impact public and private property and critical infrastructure. They can also cause great economic hardship, and a significant toll to human lives. The crash of Trans World Airlines (TWA) Flight 800, the September 11 terrorist attacks, and Hurricane Katrina are several of the more notable incidents where the country has endured a significant loss of life. More recent incidents have shown that mass fatality incidents are an all too common occurrence.

While fatalities of any number are disturbing, note that the incidents above are single, isolated incidents within a defined geographical area. Other incidents, such as a pandemic, have the potential to cause more death and illness than any other public health threat.

There are more common characteristics than differences among mass fatality incidents. Depending on the nature of the incident, some characteristics require more focus than others. For example, an illness outbreak incident has a less intensive requirement for identifying human remains than an airplane crash. The most significant differentiator may be in how a mass fatality incident is managed. In most mass fatality incidents, counties can plan for assistance from outside resources from neighboring counties, from State resources, and if necessary, from Federal resources. The nature of a widespread illness outbreak like a pandemic will require counties to be self-sufficient because typical outside resources will not likely be available.

In New York State, fatality management is primarily a local/county responsibility. As such, State and Federal assistance is supplemental to local/county efforts. Some planning for mass casualties/fatalities already exists at the local level. Counties vary in their level of readiness to respond to a mass fatality incident due to differences in basic capabilities and/or levels of preparedness. Some localities/counties possess a wealth of resources, public and private, that could be called upon to support mass fatality management, while other areas would be quickly overwhelmed. Mass Fatality Incidents (MFI) are not defined by number of decedents, but rather the capacities and capabilities of the affected jurisdiction to manage fatalities prior to requesting assistance. The State must be prepared to provide whatever level of supplemental assistance is required. This functional annex to the New York State Comprehensive Emergency Management Plan (CEMP) provides an overview of the local/county response to mass fatality incidents and the State and Federal role supporting the response.

During the 2020-21 Novel Coronavirus response, New York State Office of Emergency Management (OEM), in collaboration with numerous partners, including Department of Health

(DOH), developed a task force with the sole responsibility of supporting the large-scale fatality management the State was experiencing. This response included pre-staged assets, deployment of personnel, and procurement of assets that were otherwise inaccessible. This task force managed multiple sites and staging areas across the State which housed refrigeration trucks, temporary morgue equipment, and other necessary resources for fatality management.

B. Purpose

The State CEMP has been structured into three distinct, but interconnected volumes. These are:

- **Volume 1: All-Hazard Mitigation Plan**
- **Volume 2: Response and Short-Term Recovery**
- **Volume 3: Long-Term Recovery Plan**

The purpose of the State CEMP is to identify the State's overarching policies, authorities and response organizational structure that will be implemented in an emergency or disaster situation that warrants a State response. In addition, the State CEMP identifies the lines of coordination and the centralized coordination of resources that will be used in directing the State's resources and capabilities in responding to and recovering from a disaster. Further, the State CEMP serves as the foundational framework for the State's response levels and serves as the operational basis upon which other functional and hazard-specific annexes will be built.

The purpose of this Annex is to ensure that the strategic and broad-based nature of the State CEMP is further defined to allow the State to adequately protect public health and prepare for, respond to, and recover from a mass fatality incident. This Annex establishes a concept of operations for response to a mass fatality incident and will use individual agency activities as well as the activities of the State's Emergency Support Functions (ESF), as appropriate. In addition, this Annex identifies key mechanisms in coordinating with the local response to provide for an effective and efficient multi-agency State response to a mass fatality incident, and will link local, State and Federal authorities when necessary to coordinate and/or implement State and Federal resources in response to a mass fatality incident in accordance with the State CEMP. This plan may be activated in conjunction with the implementation of the NYS Family Assistance Center Operations Guide.

C. Scope

This Annex applies to any incident that warrants a response beyond standard agency statutory obligations to a collective State Disaster Preparedness Commission (DPC) response. This Annex applies to all State agencies and authorities that may be directed to respond to such an incident and builds upon the process and structure of the State CEMP by addressing unique policies, situations, operating concepts, and responsibilities. Further, this Annex acknowledges that local and State response capabilities may be exceeded, necessitating the use of Federal agencies and resources.

Note that several other State plans, either agency-specific or multi-agency, may be used to support or augment the implementation of this Annex. For the purposes of redundancy, such plans are not reiterated here, but referenced. In addition, this Annex may be used to supplement or augment other State-level plans and annexes.

Figure 1 below identifies the structural relationship between the State CEMP, its annexes, and this Fatality Management Annex. In reviewing, note the linkage to other documents that fall under Volume 2. Additionally, several other documents exist in State OEM to manage the activities of the State Emergency Operations Center (State EOC) in response to the incident.

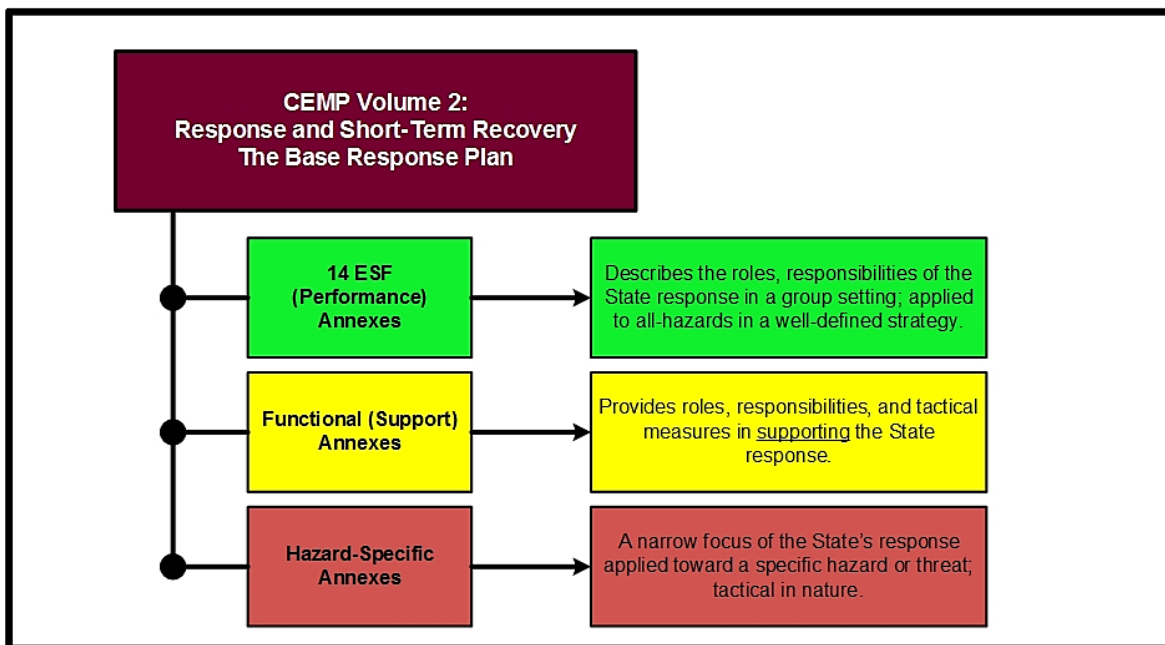


Figure 1: Structural Relationship of the State Comprehensive Emergency Management Plan and the NYS Fatality Management Annex

D. Situation

1. Overview

Most mass fatality incidents do not occur in isolation from a mass casualty incident, and often occur without warning. For most non-illness-based incidents, local emergency response agencies (fire, police, emergency medical services (EMS)) will be first on the scene of a mass casualty/fatality and will create the initial response organization in accordance with local/county plans and procedures. Most local/county response agencies use an incident management system such as the National Incident Management System (NIMS) to organize the response. For illness-based incidents, fatality management may need to be organized a large-scale, statewide focus. This could include pre-staged assets, mobilizing resources and personnel, and triaging resources to parts of the state, based on fatality rates and local capabilities.

2. Request Assistance

Local governments vary in their level of readiness to respond to a mass fatality incident due to differences in basic capabilities and/or levels of preparedness. When local/county resources are exhausted or specialized skills are required, a county can request assistance from outside resources such as other counties and the State. The assistance required may vary based on the type of incident. Some incidents may warrant an immediate State or Federal involvement, consistent with legal authority. Depending on the nature and complexity of the incident, for example in the incident of widespread biological incident, State and Federal mortuary assistance may be severely taxed and resources will be difficult to procure.

a. Assistance from other counties

- Counties may call on other counties through mutual aid agreements or through the Intrastate Mutual Aid Program (IMAP). Letters of Agreement/Memorandums of Understanding (LOAs/MOUs) may be put in place in advance of the incident.

b. Assistance available from New York State

State assistance is supplemental to local/county efforts.

- Counties should be prepared to:
 - Describe the type of assistance that is needed, e.g. transporting volunteers rather than requesting buses.
 - Counties will need to have the structure in place to coordinate and manage the incoming resources.
- All non-local mass fatality assistance is requested through State OEM. State OEM may identify sources of assistance from the State, other states, or the Federal government.
- A request for assistance from the State (to other states) would be processed through the Emergency Management Assistance Compact (EMAC).

c. Agencies with special authority during a disaster

Some incidents may warrant an immediate State or Federal involvement, consistent with legal authority, for including but not limited to:

- National Transportation Safety Board (NTSB) – Investigates every civil aviation accident in the United States, every commuter and passenger rail accidents, and significant accidents in other modes of transportation.
 - NTSB also has a mandate to establish and provide services in a Family Assistance Center (FAC) for aviation and passenger rail incidents
- Department of Defense (DOD) – Investigates when military resources are involved, including military aircraft.
- Federal Bureau of Investigation (FBI) – Investigates incidents that are the result of suspected or actual criminal activity.
- NYS Police - Lead State agency to investigate suspected criminal incidents.
- American Red Cross (ARC) – Identified, by NTSB, as the coordinating agency for mental health and spiritual care during any legislated incident or any other incident where NTSB has activated ARC.

3. Recover/Remove Remains

Depending on the type of hazard, removal/recovery of remains may be relatively routine or extremely complex. Removing remains from healthcare facilities and homes is substantially different than recovering remains from disaster sites.

When funeral firms exceed their capacity to transport remains, alternative means of transporting human remains will need to be deployed under the authority of the coroner/medical examiner (ME). When additional resources are required, local plans should provide for alternate vehicles and transport teams. These resources may be identified locally, or for some types of incidents they may be secured from other areas.

a. Recovery from Disaster Sites

When deaths occur at a disaster site, the on-scene response structure must establish a plan for the recovery operation managed through the incident command structure. This plan must assure the protection of evidence for investigative authorities unless disturbances are necessary to reach a survivor. Equipment must be acquired, documentation needs met, remains recovered, and remains transported to a morgue site.

Recovery and removal of remains will be under the auspices and oversight of the designated Coroner/ME, and as appropriate, in conjunction with local or other law enforcement or investigative units. No remains will be moved from their originally discovered positioning without the expressed permission of the agency/individual with the responsibility to lead or authorize remains recovery/removal from an incident and/or within the jurisdiction.

Transportation of remains will be in alignment with 10 NYCRR Part 13, section 13.1 allowing transportation of remains via common carrier within the designated precautionary measures defined within the regulation, and/or 10 NYCRR section 13.2 allowing funeral directors to designate agents for transportation purposes within the designated precautionary measures defined within the regulation. In such cases where alternative transportation mechanisms become necessary, resources may be requested from within the Mortuary Affairs Taskforce membership, however vehicles appropriate for remains transfer may need to be sourced locally, or through private sector partners.

4. Investigate Fatalities

a. Investigation

Crimes may be suspected for any type of mass fatality, but especially for unattended home deaths and deaths at disaster sites. The early isolation of a disaster site should be a priority objective of the local Incident Commander. Initial responding State agencies may be asked to assist with this effort. In some instances, the Division of State Police (DSP)

may be the primary resource available locally to implement site security and control and initiate preliminary investigative procedures.

Air crash scenes also have the potential to be crime scenes. All responders should keep this in mind upon arrival and treat the scene as such. No articles of personal property or parts of the aircraft should be unnecessarily disturbed or removed from the scene until authorized to do so by the NTSB (civilian aircraft) or military authorities (military aircraft).

The lead law enforcement agency will coordinate investigation efforts with other law enforcement agencies. State forensic support is primarily provided by the DSP. Other State agencies with specific investigative expertise, e.g. the Office of Fire Prevention and Control (OFPC) or the Department of Environmental Conservation (DEC), may be asked to participate in the investigation.

b. Morgue Site

The coroner/ME also plays a key role in investigation of the essential facts surrounding mass fatality deaths. Much of this investigation takes place at a morgue site. A decision needs to be made prior to the removal of the first body whether or not the regular morgue in the community is sufficient to handle the number of decedents from the incident and the associated additional number of workers.

New York State maintains equipment which can provide morgue surge with refrigerated trailers which include racking. In addition to the refrigerated assets, the State maintains a cache of mortuary supplies such as remains pouches, shroud kits, and other equipment.

A potential federal resource for additional morgue capacity is the Disaster Portable Morgue Unit (DPMU) maintained by the Department of Health and Human Services (HHS) Disaster Mortuary Operation Response Teams (DMORT) program. The DPMU is a depository of equipment and supplies for deployment to a disaster site. It contains a complete morgue with designated workstations for each processing element and prepackaged equipment and supplies. It is important to note that these assets are in limited quantities nationwide.

DMORT can also provide local/county authorities with technical assistance and personnel to recover, identify and process remains. There are ten teams positioned across the country consisting of coroners/MEs, pathologists, anthropologists, and other professionals. A team may be dispatched in part or in its entirety. This is also a limited resource as there are only 10 DMORT teams nationwide.

5. Temporarily Storage or Internment of Remains

The temporary storage of remains is a key component of mass fatality planning. This can be accomplished through refrigerated assets, refrigerated locations, and/or temporary internment. Locations which may be suitable for the temporary storage of remains should be identified at the State and local level. In addition, the State maintains a cache of refrigerated trailers along with identified contracts for refrigerated assets which can be deployed at the request of local government. These assets may be deployed to any location that is authorized to manage remains.

Temporary internment is also a method that should be considered at the local level. Most counties have plans for temporary internment. New York State's role in temporary internment is limited to any actions that would fall under their existing regulatory purviews.

6. Manage Information

a. Public Information

As soon as a mass fatality incident occurs, authorities will likely be expected to report the number of deaths and other information to designated authorities at specified intervals. At the request of local/county authorities, State agency communications resources may be called upon to support the emergency response organization. When requested, State OEM will provide logistical support in establishing a Joint Information Center (JIC), which will serve as the sole source of official information regarding all incident activities (Federal, State, county, local). The JIC will provide a forum for the coordinated release of all public information. The lead investigative agency, in conjunction with the coroner/ME, will determine when and what information is released to the media regarding all investigative activities. The coroner/ME, in conjunction with the lead investigative agency, will determine when and what is released regarding decedent information.

b. Family Information

The local coroner/ME or his/her designee is responsible for the release of all information to victims' families regarding the cause and manner of death and location of remains. Control and coordination of the release of the names of the decedents must be addressed by the investigating agencies and the coroner/ME.

7. Assist Families

FACs are typically established during a mass casualty/fatality incident to support families' information and bereavement needs. They facilitate the exchange of timely and accurate information with family and friends of injured, missing, or deceased disaster victims, the investigative authorities, and the coroner/ME. Types of services generally include: grief and/or crisis counseling, childcare, religious support, facilitation of family needs such as hotel,

food, and transportation, ante mortem data collection, and notification of death to the next of kin. FACs can be face-to-face or established remotely through virtual forms of communication.

- A Federal FAC may be established in a Federally managed mass casualty/fatality incident. Local and State agencies will support the operational functions of the FAC, providing those services essential to family assistance in a mass casualty/fatality incident.
- The NTSB has developed the Federal Family Assistance Plan for Aviation Disasters. This plan assigns responsibilities and describes specific procedures for family assistance after an aviation crash involving a significant number of passenger casualties/fatalities. Organizations assigned responsibilities under the plan will develop supporting agency plans and procedures.
- The New York State Funeral Directors Association and the ARC have the capability to operate virtual FACs. Both platforms are can be leveraged based on availability using the existing request process.

E. Planning Assumptions

1. A mass fatality incident results in a surge of deaths exceeding the jurisdiction's capacities and capabilities for fatality management.
2. Incidents resulting in mass fatalities may occur with little or no advance warning. The State may be requested to concurrently support multiple responses to various simultaneous or cascading incidents, including mass fatality responses.
3. Mass fatality incidents may be caused by an illness occurring under unsuspecting circumstances or may be human-caused and/or of a suspicious nature, creating a larger role for law enforcement.
4. Fatality management is primarily a local/county responsibility. As such, State and Federal assistance is supplemental to local/county efforts.
5. The local/county system will continue to experience daily deaths unrelated to the incident, as well as the case load from the mass fatality incident.
6. Some localities/counties possess a wealth of resources, public and private, which could be called upon to support mass fatality management, while other areas would be quickly overwhelmed.
7. Depending on the nature and complexity of the incident, State and Federal mortuary assistance may be unavailable.
8. In some incidents, fatality management may include the removal of remains in harmful environments, including floods, hurricanes, and incidents involving chemical, biological, radiological, nuclear, and/or explosive (CBRNE) materials. In such cases, removal may need to be delayed to avoid placing emergency workers at unnecessary levels of risk.
9. In cases of CBRNE incidents, the nature of the incident may put individuals that are called upon to support or implement mass fatality management activities at an increased level of risk. In addition, because of the nature of the materials, the processing of remains may be more complicated, possibly warranting different interment sites, handling procedures, and additional decontamination and storage safeguards.
10. Professionals who manage the dead, such as funeral directors and cemetery caretakers, will continue business as usual for as long as possible. In some mass fatality incidents, organizations ordinarily responsible for processing human remains may not have the

capacity to process the deceased in a typical fashion, and may run out of capacity, temporarily or for the duration of the incident.

11. During incidents resulting in mass fatalities there will be a demand for information from the public.
12. The request/assistance process for state assistance will be in tandem with the standard, day to day statutory obligations and mutual aid agreements currently in place.
13. The State Mortuary Affairs Task Force may be activated to provide guidance and assist with coordination.

F. Concept of Operations

The State may be engaged in providing mass fatality support in a multitude of ways. These mechanisms may include State involvement predicated on standard, day-to-day agreements, or statutory obligations, or they may be a component of a much larger overall State response.

If the Mass Fatality incident is a consequence produced by a concurrent incident, it is likely that the State CEMP or some component thereof, along with the State EOC has been activated in response to such an incident. In addition, availability of State and Federal resources may be limited if the mass fatality incident is very large in scope and/or coincides with a precipitous incident which has engaged local, State, and/or Federal agencies.

In some cases, State involvement in a Mass Fatality incident may be initiated through a typical concept of operations where local resources are unavailable or become exhausted and requests for assistance are received by the State. In other instances, the occurrence of an incident may warrant an immediate State (and Federal) response.

Therefore, for the purposes of this Annex, two potential concepts of operations are envisioned and identified below.

An incident that warrants a Local, State, and/or Federal response:

- a. A natural, technological, or human-caused incident occurs and warrants a local response. In response to such incidents, the impacted jurisdiction and local agencies typically follow standard protocols and statutory requirements in executing their missions. The incident may be limited in scope with a well-defined incident scene or may be of greater magnitude encompassing multiple jurisdictions. In addition, a host of operational needs may be required (e.g. shelter, evacuation, etc.) and may include managing emergency facilities.
- b. In response to the incident, local officials may incorporate various operational elements to effectively manage the incident. These elements may include establishing an Incident Command Post (ICP), activating the county EOC and response organization, declaring a local state of emergency and promulgating emergency orders to assist in the overall management of the incident. Local/county response efforts typically organize in a manner consistent with the NIMS.
- c. In response to such incidents, local coroners/MEs have primacy in fatality management and coordinate fatality management activities across several local agencies and organizations as well as the private sector, as appropriate.

- d. Local government serves as the front line of defense. When local resources are insufficient or exhausted, local government may request assistance from other jurisdictions and the State in an effort to manage the fatalities.
- e. State assistance will be supplemental to local efforts and may vary based on need and availability. The State may be asked to provide a single element of operational support to local government (e.g. law enforcement), or to provide all the resource support across a variety of areas and response functions as identified in this Annex including:
 - Removal of remains from healthcare facilities and/or homes, and recovery of remains from disaster sites.
 - Investigation of suspected crimes associated with the mass fatality incident.
 - Temporary storage or temporary interment of remains.
 - Assisting families of victims.
 - Supplementing supplies and/or equipment, facilities, and personnel support.
 - Providing security for mass fatality sites and/or processing human remains.
 - Decontamination of remains, rescue and recovery personnel, and facilities.
 - Decedent identification, decedent tracking, post-mortem/ante mortem examinations.
- f. If conditions warrant the activation of the State EOC, State OEM will notify other appropriate DPC representatives and activate several State agencies and/or ESFs, including ESF #6, Mass Care, Emergency Assistance, Housing, and Human Services, and ESF #8, Public Health and Medical Services. This may include the State Mortuary Affairs Task Force, which is comprised of numerous State and federal agencies, as warranted.
- g. The Governor may exercise their authority in declaring a State Disaster Emergency, directing any and all State agencies to provide assistance under the coordination of State OEM on behalf of the State DPC.
- h. In incidents of significant scope and impact which warrant a State request for Federal assistance (excluding NTSB driven transportation accidents), State OEM will coordinate with the Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) in implementing the activation of the National Response Framework (NRF) and Federal ESF #8 Public Health and Medical Services.
- i. Federal mortuary support may be provided under the U.S. Public Health Services (USPHS) via the DMORT. DMORT assets may be requested by the local coroner's/ME's office through the State, or on the State's initiative.

An incident that warrants an immediate State and/or Federal response:

- a. In certain no-notice type incidents, such as a transportation accident or terrorist incident (e.g. weapons of mass destruction (WMDs), improvised nuclear devices (INDs), or radiological dispersal devices (RDDs)), Federal agencies may respond and introduce Federal resources on their own initiative. In these Federally driven incidents, the State response structure will coordinate Federal response efforts and resources with those of local and State response organizations.
- b. In non-transportation incidents of significant scope and impact that warrant an immediate State response, State-level mass fatality support may be provided via day-to-day agreements or statutory obligations, or they may be a component of a much larger overall State response.
- c. State assistance being provided outside of day-to-day agreements or statutory obligations will be provided through the State EOC.
- d. In cases where mass fatality support is needed concurrent with State EOC activation, State support will be provided through the State EOC and the response structure in place.

- e. In cases where the State EOC is not activated, the State EOC will be activated and staffed to an operational response level that is appropriate for the magnitude of the incident.
- f. State assistance may vary in level and complexity, ranging from individual agency resource support to more encompassing resource support across a variety of areas and response functions.
- g. In providing assistance, the State response activities will be coordinated to work in support of local government, recognizing that local coroners/MEs will retain their primacy in fatality management.
- h. If Federal assistance is necessary, State OEM will coordinate with the DHS/FEMA in implementing the activation of the NRF and Federal ESF #8 Public Health and Medical Services.
- i. In the incident of a transportation accident that triggers a NTSB activation, the NTSB serves as the coordinator for the integration of Federal government resources in support of local and State response efforts. In addition, the NTSB plays the lead role in coordinating with the transportation carrier to meet the needs of accident decedents and their families. If a criminal act is believed to have caused the accident, the FBI becomes the lead investigative agency and is supported by the NTSB.
- j. Local authorities maintain the same jurisdictional responsibilities in regard to the initial accident response, recovery, security, site cleanup, and coroner/ME operations, while the NTSB leads the accident investigation.
- k. The NTSB will coordinate an appropriate response with the carrier based on the magnitude of the accident. Further, the NTSB possesses the authority to initiate Federal response activities and may solicit additional resources to support the overall Federal response. This notification may include the following Federal agencies:
 - ARC
 - Department of State (DOS)
 - HHS
 - FBI
 - DHS/FEMA
 - DOD
- l. The State response organization will play a pivotal role in serving as a facilitator and interoperating point for the influx of Federal assets. As such, the State may implement a variety of response components and structures to be in a position where it can best work in conjunction with incoming Federal resources and in support of local government. This may include activation of the State EOC and/or the State Mortuary Affairs Task Force.
- m. The NTSB will coordinate with the local coroner/ME and discuss the capabilities of the local coroner/ME staff regarding decedent identification and decedent processing. The local coroner/ME, State, and the NTSB will jointly examine the capabilities of local/State mass fatality resources, identify gaps given the particular incident, and determine how best to augment local government efforts in introducing DMORT resources and capabilities.
- n. State response activities will be coordinated via the multi-agency command structure in place at the time of the incident. Additional State resource support will be provided via the State EOC, as appropriate.
 - The transportation carrier has a fundamental responsibility to decedents and their families affected by an accident. In strict coordination with the NTSB, State, and the impacted jurisdiction(s), the carrier is primarily responsible for family notification and all aspects of decedent and family logistical support.

G. Legal Authorities

The authority to develop this Annex and implement specific response actions to effectively respond to a mass fatality incident can be found in a variety of New York State Laws, regulations, and Federal authorities, including the following:

1. Local Authorities

- **NYS County Law §673:** The coroner/ME has the jurisdiction and authority to investigate the following deaths within the county:
 - Violent death.
 - Unlawful act or criminal neglect.
 - Suspicious, unusual, or unexplained manner.
 - Unattended by a physician.
- **NYS County Law §674:** The coroner/ME:
 - Once notified of a death under the circumstances in §673 shall go to where the body is and take charge of it.
 - Has the authority to remove the body to the extent required for investigation
 - Shall investigate essential facts concerning the death, taking the names and addresses of witnesses, and before leaving the site, reducing the facts to writing.
 - Shall take possession of all portable objects, which in his/her opinion may be useful in establishing the cause of death.
 - Has the authority to perform an autopsy.
 - Has power to subpoena and question witnesses under oath as a magistrate holds a court of special session.
 - Has the authority to order and conduct an inquest.

2. State Authorities

- **Article 2-B of the New York State Executive Law:** Enacted in 1978, created the State DPC. It shifted emphasis from civil defense to all-hazards preparedness. This law provides that:
 - Local government and emergency service organizations continue their essential role as the first line of defense in times of disaster.
 - The State provides appropriate support services to the extent necessary.
 - Local government officials take an active role in the development and implementation of disaster preparedness programs.
 - State and local natural disaster and emergency response functions be coordinated in order to bring the fullest protection and benefit to the people.
 - State resources be organized and prepared for immediate effective response to disasters which are beyond the capability of local governments and emergency service organizations.
- **Executive Order 26:** Issued by Governor Pataki in 1996 established the National Interagency Incident Management System (NIIMS) as the State standard command and control system that will be used during emergency operations. This Executive Order was updated by Governor Spitzer via Executive Order 26.1 of 2006 to reflect

the change to the NIMS and has been continued by Governor Paterson's Executive Order No. 9 and Governor Cuomo's Executive Order No. 2.

- **Public Health Law 225(4) and 225(5) (a):** Provides that the Public Health Council, which exists within the DOH, shall have the power to establish, amend and repeal regulations known as the State Sanitary Code, which may deal with any matters affecting the security of life or health or the preservation and improvement of public health in the State of New York and with any matters as to which the jurisdiction is conferred upon the Public Health Council.
- **Public Health Law Sections 4140 – 4147:** In the incident of a declared state of emergency such as a mass fatality incident the Commissioner of Health may be given the authority to temporarily modify existing public health procedures. These modifications may include assignment of temporary authority to register death certificates, extension of filing deadlines and streamlined death certificate registration.
- **Executive Law, Section 223 (State Law Enforcement):** Providing authority to oversee peace and order, security and safety, and enforcement of criminal law.
- **Public Cemetery Law:** Not-for-profit Corporation Law, Article 15 regulates the interment, cremation and related documentation for human remains.

3. Federal Authorities

- **Federal Robert T. Stafford Disaster Assistance and Relief Act:** A United States Federal law designed to bring an orderly and systemic means of Federal natural disaster assistance for state and local governments in carrying out their responsibilities to aid citizens.
- **Homeland Security Presidential Directive (HSPD) 5:** Enhances the ability of the United States to manage domestic incidents by establishing a single, comprehensive NIMS.
- **Presidential Policy Directive (PPD) 8:** Requires the development of a national all-hazards preparedness goal which shall define the core capabilities necessary to prepare for the specific types of incidents that pose the greatest risk to the security of the Nation, and shall emphasize actions aimed at achieving an integrated, layered, and all-of-Nation preparedness approach that optimizes the use of available resources.
- **The Aviation Disaster Family Assistance Act of 1996:** Requires that if the incident is the result of a commercial airline crash, the airline is responsible for providing assistance to families. Once Federal, State, and local resources have been coordinated, a FAC will be established.
- **49 U.S. Code § 1131. General authority:** Requires that the NTSB will be the lead investigative agency when any civil aviation, rail, or other serious transportation incident results in fatalities.
- **49 U.S. Code § 1139. Assistance to families of passengers involved in rail passenger accidents:** Requires that the NTSB will establish and provide assistance through a FAC, including but not limited to mental health assistance, environment to grieve, the arrangement of memorial services, and meet and/or communicate with passengers' families.
- **49 U.S. Code § 41313. Plans to address needs of families of passengers involved in foreign air carrier accidents:** Requires that any foreign air carrier should develop and

submit plans to address the needs of families of passengers involved in an aircraft accident, which involved an aircraft under the control of a foreign air carrier and results in any loss of life. Establishes requirements of what the plans should include. These provisions include, but are not limited to, establishment and publication of a toll-free telephone number, notification of families, consultation of disposition of passenger remains with family, and return of possessions.

H. Annex Maintenance, Distribution, and Revision Process

The State OEM Planning Section has the responsibility for the development, review, and maintenance of all multi-agency response plans under the State CEMP. As required under New York State Executive Law Article 2-B, each ESF annex shall undergo an annual review and update on or before February 15th of each year and be posted online (if applicable) no later than March 31st of each year.

During the annual review by the Planning Section for its material, this plan is examined for both content and format. For updates that do not impact operational mechanisms or processes, the appropriate edits are initiated within the Planning Section and do not warrant external involvement. Plan updates will also be conducted based upon experiences and lessons learned from exercises or real-world incidents, or through administrative changes in government. Planning Section updates and/or edits affecting operational capabilities, responsibilities, or otherwise impacting operations will engage stakeholders in a variety of ways, such as verbally, by document review, meetings, webinars, or any combination thereof. Final drafts will be socialized to all appropriate agencies/personnel upon completion.

New York State Comprehensive Emergency Management Plan

Fatality Management Annex

Section II: Preparedness

A. State Level Planning Efforts

Volume 1 of the State CEMP is the State Multi-Hazard Mitigation Plan. Pursuant to the requirements of 44 CFR 201.4, the State Multi-Hazard Mitigation Plan is required to focus on natural hazards that are likely to cause a substantial impact on the state. The mitigation plan outlines the State's overall strategic hazard and risk policies for natural hazards mitigation and provides a support basis for local governments to use in their individual and collective mitigation planning efforts for all hazards. Mitigation efforts which culminate in the reduction of a particular incident's impact on the population may by extension reduce the probability of a consequential mass fatality incident.

In 2019, a multi-agency working group assembled to develop a county level mass fatality guidance document. The Division of Homeland Security and Emergency Services (DHSES), DOH, and various State, local, and private partners produced the planning guidance. The guidance was based on evidence-based information, as well as anecdotal experiences during fatality management incidents.

The State also possesses a number of hazard-specific annexes. In developing these annexes, risk and vulnerability assessments identify at risk populations subject to specific hazards. These assessments provide the operational basis for formulating the State's response plans to such incidents. State hazard-specific annexes that detail such strategies include the Pandemic Influenza Annex and the Coastal Storm Annex.

Through several previous planning efforts, the State also possesses annexes that provide operational guidance in responding to a mass fatality incident. These documents are narrow in scope and application, designed to manage fatalities in response to a specific hazard or risk.

B. Training and Exercising

The State of New York sponsors and conducts a variety of training to improve response capability. This includes varying levels of training in the Incident Command System (ICS) and the Professional Development Series (PDS) curriculum. The State also participates in a wide variety of specialized training, including training to meet Federal program and grant requirements. Further, many State agencies identify training requirements within their own organization to meet the needs of the agency for that specific discipline. State, county, and local planning representatives have attended a variety of State sponsored and endorsed training in support of their preparedness efforts. The State facilitates training for local planners and stakeholders who in turn support local plan development and decision making during an actual incident.

The State also conducts a variety of exercises to assess and improve upon its response capabilities. As an integral part of the planning process, an exercise component is used to test the effectiveness of an emergency management plan. In most cases, the State uses an exercise methodology consistent with the practices and principles identified in the Homeland Security Exercise and Evaluation Program (HSEEP). These exercises provide viable input into plan development and help to ensure that the plan is effective in its scope and application.

As part of a comprehensive planning, training, and exercise program, State OEM will endeavor to conduct training sessions, seminars, and briefings on this Annex with the appropriate stakeholders. The formal training and outreach process will be concurrent with each plan revision cycle.

1. Real World Incidents and After-Action Reports

a. New York State

The State of New York has practical experience in responding to mass fatality incidents, including support of response and recovery efforts for the following historical incidents:

- Superstorm Sandy: After striking the Caribbean and moving along the East Coast of the United States, Post-Tropical Cyclone Sandy combined with an Arctic cold front, producing a powerful “snowcane-style” storm. Superstorm Sandy made landfall in the greater metro-area of New York City and New Jersey, on October 29, 2012, causing severe coastal flooding, power outages, and extensive damage across the area. Sandy claimed 147 lives; 72 in the United States and 48 in New York alone.
- The American Civic Association Shooting: On the morning of April 3, 2009, a lone gunman entered the American Civic Association building in Binghamton (Broome County) and opened fire. Fourteen people were fatally wounded.
- Continental Airlines Flight 3407 crashed in a residential area on the night of February 12, 2009 in the Town of Clarence (Erie County) as it approached the Buffalo-Niagara International Airport and claimed 50 lives.
- The Ethan Allen, a 40-foot, glass-enclosed tour boat, operated on Lake George in Warren County: On the afternoon of October 2, 2005, with 47 passengers (mostly seniors) aboard, the Ethan Allen capsized and sank just south of Cramer Point in the Town of Lake George. Twenty passengers died.
- American Airlines Flight 587, an Airbus A300 jet which crashed in a residential neighborhood in the Belle Harbor area of Queens shortly after taking off from New York (JFK) on the morning of November 12, 2001. A total of 265 people were killed, including all 260 people aboard the aircraft and five persons on the ground.
- World Trade Center: On the morning of September 11, 2001, a total of 19 hijackers took control of four commercial airliners in route to San Francisco and Los Angeles from Boston, Newark, and Washington, D.C. (Washington Dulles International Airport). At 8:46 AM, American Airlines Flight 11 was crashed into the World Trade Center's North Tower, followed by United Airlines Flight 175 which hit the South Tower at 9:03 AM. The impacts, fires, and subsequent collapse of both buildings claimed the lives of more than 2,750 passengers, building occupants, and responders in New York City.

- TWA Flight 800, a Boeing 747 jet which exploded mid-air and crashed into the ocean south of Long Island shortly after taking off from New York (JFK) on the evening of July 17, 1996. All 230 people aboard perished.
- Schoharie Limousine Crash: In the afternoon of October 6, 2018, a limo crashed at the junction of New York State Routes 30 and 30A, north of Schoharie. There were 20 people killed including the driver, 17 passengers, and two pedestrians. The investigation revealed many pre-existing problems including two failed inspections due to deficient brakes and a lack of the required endorsement on the driver's license. The operator of the company was aware of these problems and charged and indicted with 20 counts of criminally negligent homicide and second-degree manslaughter.

Given the diverse nature of these incidents, the State has proven capable of an appropriate and effective emergency response. State support included the deployment of personnel and resources of multiple State agencies to the affected area(s) and State EOC activation to coordinate and support multi-agency response and recovery efforts. The after-action reports (AARs) produced from these and other incidents with similar loss of life provided tremendous insight into areas where the State and county governments could improve their respective plans, policies, and procedures.

b. Nationally

The U.S. have experienced a multitude of incidents with large loss of life. These incidents have varied between natural disasters, technological failures, and human caused incidents. Some incidents have resulted in immediate evidence of an immense loss of life, while others the death toll was unknown for months, if at all.

- Stoneman Douglas High School Shooting: On February 14, 2018, a 19-year-old former student opened fire with a semi-automatic rifle in Parkland, Florida. After killing seventeen people he was arrested and charged with 17 counts of premeditated murder and attempted murder, each.
- Las Vegas Shooting: During the Route 91 Harvest Musical Festival on the night of October 1, 2017 a man committed the deadliest mass shooting in the United States by killing 58 people and injuring 413 people from the 32nd floor of his hotel window. The man fired more than 1,100 rounds of ammunition with the help of bump stocks. He was found dead about an hour later with a self-inflicted gun wound.
- Pulse Nightclub Shooting: On June 12, 2016, a 29-year-old male initiated a stand-off and active shooter incident at Pulse, a gay nightclub in Orlando, FL. The result was 49 deaths and 53 people wounded. The incident was deemed a terrorist attack, and was the deadliest incident committed against the LGBT community in the US and deadliest terrorist attack since September 11th.

C. State Stockpiles of Supplies and Equipment

Caches of supplies and equipment are routinely maintained to support mass fatality incidents.

New York State has established stockpiles of mass fatality supplies to supplement local supplies. These include, but are not limited to:

- Human remains pouches.
- Shroud kits.
- Refrigerated assets with racking (racking can be used independent of the trailers).
- Cremation containers.
- Pinewood coffins.
- Trays.
- N-95 disposable respirators.
- Surgical masks.
- Nitrile gloves.
- Cremation compatible body bags suitable for EVD human remains disposition.

New York State Comprehensive Emergency Management Plan

Fatality Management Annex

Section III: Response

A. Alert, Notification, and Activation

Local government serves as the front line of defense and has the primary responsibility to respond to emergencies within their jurisdiction. Such primacy exists at all levels of government throughout New York State, with jurisdictions dependent on the State to support response activities, as appropriate.

Mass fatalities occur as a direct result of an incident. The response to that incident may be adequate using only local resources, or it may be one that necessitates/warrants a State response. As such, State involvement may be initiated in a variety of ways as various mechanisms are in place to serve as conduits to the request, acquisition, and deployment of State assistance. Several State agencies continuously operate their own warning points, operational centers, dispatch centers, or reporting systems that field requests for State assistance. Pursuant to Federal, State, executive, and agency-specific protocols, these systems are routinely used for notifications of significant or reportable incidents and/or make emergency notifications to State personnel. Included among these is the State Watch Center (SWC) at the State EOC. State assistance is often provided through these reception points which become more centralized under an overall State response upon activation of the State EOC.

As identified in the State CEMP Volume 2, Response and Short-Term Recovery, the State EOC maintains several activation levels based upon incident severity and the overall level or volume of State response operations. These levels are indicated in response to a specific hazard or threat and include a host of operational functions and mechanisms. Those functions may be broad in scope, or may be narrow, such as providing assistance in fatality management and support.

The following levels of activation outline the operational steps the State may take in responding to any incident. The inclusion of fatality management mechanisms is identified where indicated. In addition, fatality management mechanisms for no-notice incidents (e.g. terrorism or transportation accident) are included in almost all response levels. Note that the linkage of fatality management to State EOC levels listed below should serve only as a guide to readers. In a functional annex such as this, it is impossible to outline the pathway and activation mode that would be employed for every conceivable incident for every jurisdiction that could request mass fatality support. The four State EOC levels are as follows:

Level 4: This level is utilized for internal and external coordination only.

Goal: Coordinate situational awareness and the application of State agencies co-incident with a low-level activation. Agencies/ESFs will not be in position at the State EOC.

At this level, the following actions may be taken:

- At the discretion of the State OEM Director, the State EOC would activate with a limited staff to ensure effective response coordination.
- A Multi-Agency Coordination (MAC) Group call will be convened to discuss the scope and scale of the incident and the level of ESF involvement that is necessary.
- The State Mortuary Task Force may be activated.

Level 3 & 2: These levels may be initiated as conditions warrant. State ESFs and member agencies will be activated based upon the demands of the incident.

Goal: Increase State response efforts to provide the necessary support and services that may be needed during a mass fatality incident.

At this level, the following actions may be taken:

- A MAC Group call will be convened to discuss the scope and scale of the incident and the level of ESF involvement that is necessary.
- As warranted, the State EOC will activate and request ESF Coordinating and Support agencies as appropriate.
- At this time, the ability to provide available DHSES-based assets would be evaluated to ensure a state of readiness. This includes logistical facilities, emergency stockpiles, supplies, and equipment.
- The State Mortuary Task Force may be activated.

Level 1: This level will be activated when a Federal Disaster Declaration has been issued, and/or the incident is a Federally legislated incident that requires response from Federal resources, including, but not limited to:

- DHS/FEMA
- NTSB
- U.S. Department of Transportation (USDOT)
- U.S. Coast Guard (USCG)
- FBI
- Bureau of Alcohol, Tobacco, Firearm, and Explosives (ATF)
- HHS
- DMORT

Goal: Provide coordination between Federal, State, and local resources when responding to a mass fatality incident which warrants a Federal response.

At this level, the following actions may be taken:

- A MAC Group call will be convened to discuss the scope and scale of the incident and the level of ESF involvement that is necessary.

- Depending on the Federal response, actions could include, but are not limited to, the following:
 - Coordinate response efforts between local, State, and Federal resources,
 - Establish a JIC to ensure information dissemination is performed in a manner consistent with the need, authorization, and authentication, and
 - Provide investigative assistance with specialists in the fields warranted for the incident.
- Ensure an expedient and efficient response, in order to allow for a speedy recovery for the families and locations affected.

The following ESFs, and their corresponding agencies, may be activated as deemed necessary based on the situation, and the level of response required, as detailed above:

- **ESF #2: Communications**
 - Office of Interoperable Communications (OIEC)
 - Information Technology Services (ITS)
 - Division of Military and Naval Affairs (DMNA)
 - DSP
- **ESF #5: Information & Planning**
 - DHSES/State OEM
- **ESF #6: Mass Care, Emergency Assistance, Housing, & Human Resources**
 - DHSES
 - Department of Correction and Community Supervision (DOCCS)
 - Office of Children and Family Services (OCFS)
 - State Education Department (SED)
 - Office of General Services (OGS)
 - DOH
 - Department of Labor (DOL)
 - Office of Mental Health (OMH)
 - Office of Temporary and Disability Assistance (OTDA)
 - Department of Financial Services (DFS)
 - State Office for the Aging (SOFA)
 - Office of Victim Services (OVS)
 - Veterans Affairs (VA)
 - NYS Voluntary Organizations Active in Disaster (NYSVOAD)
- **ESF #7: Logistics**
 - DHSES/State OEM
 - DOCCS
 - OIEC
 - OGS
 - DMNA
 - Office of Parks, Recreation, and Historical Preservation (OPRHP)
 - NY Thruway Authority (TA)
 - Department of Transportation (DOT)

- **ESF #8: Public Health & Medical Services**
 - DOH
 - DOCCS
 - DOS
 - DEC
 - DOL
 - OMH
- **ESF #9: Search & Rescue**
 - OFPC
 - DEC
 - DMNA
 - OPRHP
 - DSP
- **ESF #10: Oil and Hazardous Materials**
 - DEC
 - DOH
 - DMNA
 - OFPC
- **ESF #13: Public Safety & Security**
 - DSP
 - DOCCS
 - DEC
 - DMNA
 - OPRHP
- **ESF #15: External Affairs**
 - DHSES/Public Information Office (PIO)
 - Public affairs staff from agencies that are responding to the incident may be asked to support ESF #15.
- **State Mortuary Affairs Task Force**
 - DHSES (Coordinating Agency)
 - State OEM
 - DHSES Finance
 - DOH
 - Office of Health Emergency Preparedness
 - Bureau of Funeral Directing
 - Bureau of Vital Statistics
 - Division of Legal Affairs
 - Department of State – Division of Cemeteries
 - DMNA
 - DOD (if federal assets are engaged)
 - FEMA (if federal assets are engaged)

B. Resource Management and Direction and Control

All State operations and response activities will be coordinated through the State EOC. Agencies requesting assistance from field locations will do so directly to the State EOC. Counties that are requesting assistance will do so through the traditional means by requesting resources support via New York Responds (NYR).

Information management and situational awareness is critical in responding to a large-scale emergency or disaster, and even more so when mass fatalities are involved. Command structures at all levels need an accurate, articulate, and continuous operating picture of the incident. This operating picture, combined with ongoing situational awareness, can provide local and State leadership with the specifics to make informed and accurate decisions. Timely, accurate, and verified information allows leaders at all levels to somewhat predict or prepare for response issues in advance, allowing them to contingency plan, and correct actions before executing operational plans. As conditions demand, the activities of the MAC Group will be a key resource in assessing the overall impacts of the incident, and will have the ability to ascertain, process and verify information received from the ESFs, Federal, State, and local coordinative lines, and from counterparts in the field, such as representatives in county EOCs or at forward coordinative points.

C. Response Organization

The State of New York endorses the use of one response organizational structure that will include all responding agencies: local, State, and Federal. State agencies will be organized under the framework of the ICS, as required by Executive Order 26.1 of 2006 and by HSPD-5. ICS will be incorporated at the local and Federal levels as well.

The overarching structure of State command and control will be organized as stated in Volume 2 of the State CEMP, Response and Short-Term Recovery. Specific to providing mass fatality support, the State will use a Unified Command structure to coordinate the overall State response. This may include the use of a MAC Group that will identify the policies and objectives for the State's response to the incident. New York State will be represented at multiple field locations, including on-scene, the county EOC, the FAC (if active), and the Joint Field Office (JFO) (when established), to assist in the local/State/Federal coordination of State and/or Federal assets.

The State may use and deploy the State's Incident Management Team (IMT) to the area of impact. The IMT will serve to support county EOC interagency coordination between responding disciplines, local governments, and the State EOC. The IMT possesses the ability to fall back and operate as an Area Command or a field-level operational component, as appropriate.

The State Mortuary Affairs Taskforce may be activated to assist with the coordination of the State response and federal response and provide technical assistance or other help to localities. The State Mortuary Affairs Taskforce can manage the acquisition of necessary equipment and

the coordination of the appropriate resources. The Taskforce, during the COVID-19 response, provided an efficient and effective resource to managing the fatality response efforts.

D. Public Information and a Joint Information Center

In response to major incidents, local and State government typically work together in establishing a JIC. The overarching goal of a JIC is to provide timely, reliable, and effective communications regarding the incident. Its purpose is to provide a platform for media inquiries, rumor control, and to provide essential information to the general public. JICs are typically established in response to an incident and provide a venue for the centralized release of broad-based information, including the locations of shelters, protective actions, self-help measures, and the ongoing status of emergency operations. Information regarding fatalities would also be coordinated at a JIC.

In some cases, JICs are not activated as part of the overall response. In other cases, an isolated incident such as the Binghamton shooting can warrant the activation of a JIC. Historically, local or State-established JICs are capable of managing information in regard to mass fatalities. Agency representatives that comprise the JIC serve as the lead in providing information based on their authority or area of expertise. The release of fatality information is no exception and needs to be carefully vetted and processed through law enforcement and the coroner/ME to ensure accuracy as well as to ensure that next of kin notifications have been completed prior to any public release of decedent information.

In response to some incidents, the Federal government has the authority to establish a JIC or some facsimile thereof. This capability exists under the authority of the NTSB (for transportation accidents), as well as under Federal ESF #15 – External Affairs. In the case of the former, the NTSB has a lead role in facilitating the release of information in regard to the circumstances leading to the fatalities, not the fatalities themselves. This formal release of information typically occurs through briefings led by the NTSB. For the latter, the implementation of a federally established JIC under ESF #15 is more encompassing, covering broad areas of information in regard to the incident. In both cases, the Federal government can come into the state and establish the JICs with or without State/local support. This raises concerns for several reasons, including the fact that these JICs have a propensity to serve as a venue for releasing decedent information. Therefore, State and local agency participation and leadership are strongly encouraged.

E. Agency Roles and Responsibilities

This section reviews existing roles, responsibilities and capabilities of local government, State Agencies/ESFs, and provides an overview of the Federal response.

1. Local Government

Local government will be actively involved in the response and should be used to the fullest extent possible. Each county and many local governments have a CEMP that provides the framework for the jurisdiction's response to emergencies and disasters for all hazards. Many jurisdictions in the State do not possess a local mass fatality plan or annex to their CEMP. In addition, most jurisdictions have minimum mass fatality capabilities. Similar to State planning efforts, local government will be responding to the incident that has occurred and is warranting the local response. As such, local government will be responding to a host of operational needs, as well as attempting to manage fatalities. Therefore, many jurisdictions will quickly be overwhelmed in supporting such a response.

The local coroner/ME possesses the authority and responsibility for managing fatalities within his or her jurisdiction. That authority is not relinquished upon the involvement of State and/or Federal agencies. Rather, agencies operating in the jurisdiction work to support the coroner/ME in managing fatalities.

The establishment and continued operation of a FAC is pivotal in providing support to deceased family members. In most cases, local government has the lead in establishing a FAC. The purpose of the FAC is to coordinate information regarding those who may have perished, provide decedent identification capabilities, and support the surviving family members of the deceased. In NTSB-driven incidents, the Federal government takes a proactive lead in establishing and maintaining the FAC and does so with a wealth of operational support.

Regardless of the initiation of the facility, local resources would be used to support FAC operations. This support ranges from decedent identification and tracking, to ante mortem interview and testing, remains handling, security, working with funeral homes and cemeteries, and supporting grieving family members. As history has already demonstrated, the needs associated with maintaining a FAC will likely overwhelm local government. State agencies supporting the FAC will do so in a coordinative and cooperative manner, similar to the manner in which the State supports a Disaster Assistance Service Center (DASC) or Disaster Recovery Center (DRC).

2. State ESFs and Agencies Roles and Responsibilities

State response activities may be agency-specific to meet statutory obligations or may be performed under a multi-agency setting to meet common operating goals or objectives. The 14 ESF annexes to the State CEMP identify multi-agency activities in coordinating a collective State response in support of a specific function or activity. Each ESF is comprised of various agencies that are assembled to support the coordination of their agency's activities in support of the overall mission of an ESF. Agency-specific support of the ESF supplies an individual focus of that agency from the agency representative. In addition, dependent on the incident, agency representatives may also provide support to activities that fall outside the

parameters or mission of an ESF, thereby warranting an agency-specific focus on providing support. Moreover, some State Agencies support multiple ESFs.

State Agencies and ESFs that are activated in support of this Annex will collectively use the resources available to them pertinent to the operation. Coordinating agencies will coordinate such actions within the ESF to effectively respond to the demands of the incident. ESFs will coordinate their actions cognizant of over-arching policies and authorities, statutory or otherwise, as outlined in each ESF Annexes and the State CEMP.

Note that some of the capabilities that are identified in the following text may not be available in all incidents. In smaller, isolated incidents, State mass fatality resource support may be in ample supply and be available to provide resource support in various functions. However, in larger, perhaps catastrophic incidents, the agencies that comprise the list below may have other operational responsibilities, statutory and otherwise, that warrant a full commitment of their agency's resources. Those operational areas that State assistance is unable to support will be categorized as gaps that the State command structure will pursue filling with regional, Federal, or EMAC-based assets.

State

The following State ESFs may have the corresponding roles and responsibilities, as identified below:

- **ESF #2: Communications**
 - Provide emergency communications capabilities.
 - Provide mobile emergency coordination vehicles.
 - Provide technical expertise to assist in providing communications to response personnel on incident site, internment sites, processing sites, and FACs.
 - Establish communication systems for responders and personnel through deployment of resources, including Strategic Technology Reserves (STR).
- **ESF #5: Information and Planning**
 - Collect, process, analyze, and distribute information critical to guide response and short-term recovery efforts.
 - Prepare situation reports for the Governor.
 - Receives and acts on requests for information.
 - Provide staff support for, and coordination of, DPC activities.
- **ESF #6: Mass Care, Emergency Assistance, Housing, and Human Resources**
 - Establish and manage the FACs.
 - Provide counseling resources.
 - Provide interpreters.
 - Provide food and shelter to those who require it.
 - Provide necessary administrative/support staff for the FAC.
 - Coordinate efforts to provide necessary services, such as temporary assistance, housing and support services, and other similar aid.

- **ESF #7: Logistics**
 - Provide the services and resources needed that are not readily available through currently activated agencies, or that requires augmentation.
 - The OGS maintains many contracts, as well as an inventory of supplies readily available for immediate use.
 - Provide additional communications resources, as necessary, for all responders involved at the scene, processing and internment sites, and other locations involved.
 - Provide any necessary vehicles for the purpose of transporting personnel, equipment, and decedents.
 - Provide facility space through various agency resources and contracts.
- **ESF #8: Public Health & Medical Services**
 - Provide personnel and resources to assist in the identification, processing, and internment of decedents.
 - Assist in the process of producing Electronic Death Records.
 - Provide guidance on waivers to expedite the death record process.
 - Establish an Emergency Help Line for local and State resources to utilize.
 - Assist Funeral Directors by providing necessary resources, personnel, and assisting with any, and all, waivers for regulatory relief.
 - Redeploy cemetery resources as needed.
 - Provide the appropriate resources, personnel, and equipment to ensure the safety and well-being of all responders, i.e. Personal Protective Equipment (PPE).
 - Establish a safety plan, coordinate with the Safety Officer, and hold Safety Briefings.
 - Provide mental health support to those at the FAC, including both families and responders.
 - Provide mental health support to those working in locations such as the incident, internment, and processing locations.
 - Can request Anthropologists to support Coroners and MEs.
- **ESF #9: Search & Rescue**
 - Provide specialized resources for various scenarios, including boats, UTVs, ATVs, and radio-equipped vehicles.
 - Assist with GPS/Mapping for the purpose of documenting body locations, scene documentation, and any potential evidence locations.
 - In the incident of a collapse, or similar incident, provide resources specializing in entrapment rescue and recovery.
- **ESF #10: Oil and Hazardous Materials Response**
 - Provide resources and supplies for PPE and decontamination.
 - Lead in any efforts to decontaminate decedents, equipment, personnel, and location.
 - Provide expertise and lead in any incident where CBRNE may be involved.
- **ESF #13: Public Safety & Security**
 - Provide site security for the incident, FAC, internment sites, and processing sites.
 - Assist with the identification of decedents through fingerprinting, forensics, and photography.
 - Provide security for the movement of personnel and decedents to and from the incident, internment, and processing sites.

- Provide cadaver dogs to assist in the search and recovery of any decedents.
- Assist the Federal agencies with any investigation.
- Perform GPS/Mapping of the scene to document decedent and/or evidence locations.
- **ESF #15: External Affairs**
 - Provide resources to assist in the collection, confirmation, and dissemination of information to external partners, including the media and general public.

New York City

- **NYC Office of Chief Medical Examiner (OCME):** The resources of the NYC/OCME are under the local control of New York City. Any request for assistance for OCME assets will be strictly coordinated through NYC Emergency Management (NYCEM) as appropriate.
 - Equipment and staffing for incident scene operations, including remains collection staff, site documentation staff, security staff, decontamination PPE and supplies, refrigeration, coroner/ME support for decedent identification, and numerous staff for FACs.

F. Federal Assets that Support Mass Fatality Operations

Federal

Federal mass fatality management and support is identified as ESF #8 Health and Medical. The HHS is the lead Federal agency in the ESF and is the primary agency responsible to coordinate fatality management activities at the Federal level and deploy Federal assets in support of affected local and state governments. HHS's responsibilities in fatality management include:

- Assisting state and local health officials and coroners/MEs in coordinating response activities.
- Requesting DHS/FEMA to activate and deploy appropriate ESF #8 partners including health and medical personnel, equipment, and supplies in response to requests for Federal public health and medical assistance. This may include DMORT assets under the USPHS.
- Deploying the appropriate ESF #8 personnel, which may include regional emergency coordinators, subject matter experts, an incident response coordination team to coordinate ESF #8 requests and missions, a Senior Health Official, contractors, and other entities as appropriate.
- Working with the national associations (e.g. funeral directors, coroners/MEs, dentists, and emergency managers) to provide additional personnel surge capacity if required.
- DHS/FEMA coordinates the implementation of the NRF and supports operations at the FAC as needed.

1. US Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA)

DHS/FEMA is the coordinating Federal agency for all federally declared (Stafford Act) disasters and the primary agency to field requests from the State for any Federal assets during a federally declared incident. While HHS, under Federal ESF #8, is the primary agency responsible for coordinating fatality management efforts at the Federal level, all requests for Federal assistance will be coordinated through DHS/FEMA in a federally declared disaster.

For any non-declared incident, Federal response and/or assistance may be coordinated by several Federal agencies or departments as appropriate.

2. US Department of Health and Human Services (HHS)

HHS is responsible for managing ESF #8, which is comprised of 17 mission areas, including Mortuary Affairs.

- HHS is the parent Federal agency of the Centers for Disease Control and Prevention (CDC), which provides guidance regarding health concerns specific to disease outbreak. CDC also addresses safe handling of biologically contaminated decedents.
- HHS manages the National Disaster Medical System's capability and under the USPHS, provides the DMORT.

3. Disaster Mortuary Operational Response Team (DMORT)

A standard DMORT is comprised of 30 specialized personnel and comes equipped with basic equipment to establish an off-site mortuary and ante mortem data collection center.

Personnel usually include a mix of coroners/MEs, pathologists, forensic anthropologists, medical records technicians, fingerprint technicians, forensic odontologists, dental assistants, radiologists, funeral directors, mental health professionals, and support personnel. During an emergency response, DMORT works in support of local authorities by providing technical assistance and personnel to recover, identify, and process decedents as well as gather ante mortem data. DMORT capabilities include:

- Conducting an assessment of the incident to determine where DMORT will establish ante mortem and postmortem processing locations.
- Establishing temporary mortuary facilities to conduct postmortem exams.
- Tracking and documenting decedents and their associated personal effects during postmortem processing.
- Reducing the hazard associated with CBRNE contaminated decedents, when indicated and possible.
- Collecting ante mortem data in a compassionate and culturally competent fashion.
- Performing postmortem data collection and documentation.
- Providing technical assistance and consultation (e.g. regarding decedent recovery or final disposition).
- Assisting the local officials with identifying and re-casketing decedents that have become de-casketed or when caskets have become disinterred as a result of the disaster.
- DMORT limitations include:
 - The need for the local coroner/ME to provide an environmentally controlled workspace, information technology connectivity, life support (e.g., rest room, food, lodging, and transport), security, hazardous waste disposal, and biological waste disposal.
 - DMORT does not typically search or recover decedents from a field location.
 - Team members may not hold professional licenses in the affected jurisdiction.
 - Standard DMORT personnel cannot process suspected contaminated decedents and do not carry PPE capable of operating in a WMD environment.
 - Personnel rotate after a specified period of time (e.g., 2-3 weeks).

4. US Department of State (DOS)

The DOS provides assistance to local governments regarding foreign nationals and can:

- Assist with obtaining relevant ante mortem data to identify foreign national decedents.
- Coordinate the return of foreign national decedents to their home country.

5. US Department of Justice (DOJ) & Federal Bureau of Investigation (FBI)

The FBI is traditionally the lead Federal investigating agency for any credible or actual terrorism threat to the public. In such cases, the FBI can:

- Assist in decedent identification.
- Provide legal advice concerning the identification of decedents.
- Share missing persons data.
- Provide security in support of decedent identification.
- Conduct criminal scene investigation and gather evidence supporting cause and manner of death.
- Provide forensic support as appropriate.
- Provide assistance with funeral costs and related expenses for specific types of cases.
- Serve as liaison to Interpol, who can provide assistance to identify foreign national decedents and coordinate with their family members located abroad.

6. US Environmental Protection Agency (EPA)

The EPA is responsible to assist the Federal health and medical response operations by providing technical assistance and environmental information including:

- Federal Radiological Monitoring and Assessment Center (FRMAC) and appropriate advisory teams.
- Environmental technical assistance and information.
- Air monitoring and analysis, as appropriate.

7. US Department of Transportation (USDOT)

The USDOT can provide transportation assets as well as identifying and arranging for all types of transportation (e.g. air, rail, ground, marine). The USDOT can assist by:

- Providing refrigerated storage assets and different types of transport assets to move large numbers of decedents from one location to another.
- Coordinating the support for logistical movement of technical equipment and supplies.
- Providing temporary remains storage facilities as requested, such as at body collection points.

8. National Transportation Safety Board (NTSB)

The NTSB is the lead agency for investigating every civil aviation and other type of transportation (e.g. railroad, highway, marine, or pipeline) accidents in the United States. The NTSB can:

- Provide family/decedent support coordination during transportation accidents. In such cases, the NTSB also ensures the establishment of FACs, forensic services, communication with foreign governments, and interagency coordination between communities and commercial carriers.

9. US Department of Labor (DOL)

The U.S. Department of Labor Occupational Safety and Health Administration (OSHA) can assist in worker exposure assessment and responder and worker risk management. OSHA and its State Plan partners help set and implement national safety and health standards for emergency responders. Foremost among these standards is the Hazardous Waste Operations and Emergency Response standard of 29 CFR 1910.120(q).

10. US Department of Agriculture (USDA)

The USDA is able to provide limited support, including:

- Set up and manage base camps to support mass fatality management workers.
- Provide guidance on decontaminating refrigerated storage containers that may have a future use for food stuff.

11. US Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

The ATF is a law enforcement agency who specializes in the investigation of crimes related to the use of illegal firearms, arson, explosives, and distribution and sale of alcohol and tobacco. During a mass fatality incident, where the use of firearms, arson, or explosives are utilized, whether in the commission of a crime or an act of terrorism, the ATF will be involved in the investigative process, and will have the resources necessary to assist.

Augmented Federal Support for Catastrophic Incidents

Existing Federal-level planning efforts also include the presence of a Catastrophic Incident Supplement (CIS). This document is designed to be used in a catastrophic incident and provides for Federal support in a more aggressive posture, which includes “push packages” of fatality resource support. The current CIS includes provisions for fatality push packages comprising of the following resources to be deployed within 24 hours:

- Two DMORTs.
- One Deployable Portable Mortuary Unit.
- One DMORT- All Hazards/Weapons of Mass Destruction (AH/WMD) Team.
- One DMORT cache of medical equipment and supplies to support their team members.
- Deployment of additional DMORTs to backfill operations.

Following a CBRNE catastrophic incident within the United States, U.S. Northern Command (USNORTHCOM) directs appropriate entities (e.g., Army North/Joint Forces Land Component Commander) to engage their assets in support of civilian authorities affected by the disaster. As such, USNORTHCOM may direct apportioned forces to support mortuary affairs operations to accomplish the search, recovery, storage, evacuation, and postmortem processing of decedents. The DOD is still developing the best means to manage CBRNE contaminated decedents. Currently, the DOD has limited capability to perform hazard mitigation for CBRNE contaminated remains. Under ideal conditions, each platoon-sized element of DOD Mortuary Affairs personnel can process up to 80 non-contaminated and approximately 5-10 contaminated decedents per day.

G. Non-Governmental Organizations (NGOs)

- **NYS County Coroners and Medical Examiners Association**
 - Surge capacity for morgue services.
- **NYS Funeral Directors Association**
 - Provide support and coordination/assistance for a FAC.

New York State Comprehensive Emergency Management Plan

Fatality Management Annex

Section IV: Recovery

A. Family and Victim Support Services

1. Disaster Assistance Service Center

The State of New York may bring together a range of disaster-related resources in one place in the form of a DASC. A DASC is a State managed organization designed to meet the needs of individuals impacted by the disaster.¹ Those who visit the center will find staff from State, local, and voluntary agencies on hand. Visitors will be screened upon arrival and directed to representatives of the programs and services best able to meet their needs. Agency representatives at the DASC can provide advice and information on disaster housing and relocation, unemployment benefits, crisis mental health counseling, low-interest disaster-related loans, legal and insurance issues, and more. Immediate financial assistance for food and clothing and emergency expenses may be available as well.

2. Disaster Recovery Center

A DRC is a readily accessible, federally managed facility or mobile office where program applicants may go for information about FEMA or other disaster assistance programs, or for specific questions related to particular applicant cases.

Some of the services that a DRC may provide include:

- Guidance regarding disaster recovery.
- Clarification of any written correspondence received.
- Housing Assistance and Rental Resource information.
- Answers to questions, resolution to problems and referrals to agencies that may provide further assistance.
- Status of applications being processed by FEMA.
- New York State Bar Association (NYSBA) program information if there is a NYSBA Representative at the DRC site.

3. Family Assistance Center

FACs are typically established during a mass casualty/fatality incident to support families' information and bereavement needs. They facilitate the exchange of timely and accurate information with family and friends of injured, missing, or deceased disaster victims, the investigative authorities, and the coroner/ME. Types of services generally include: grief and/or crisis counseling, childcare, religious support, facilitation of family needs such as hotel, food, and transportation, ante mortem data collection, and notification of death to the next of kin. FACs can be face-to-face or established

¹ The New York State ESF #6 Annex contributes to this initiative.

remotely through virtual forms of communication.

Specific activities typically executed in a Family Assistance Center may include:

- Make initial notification to family members of decedents involved in the incident based on manifest documents and other available information.
- Monitor search and recovery operations conducted by the local/county jurisdiction and offer assistance where needed.
- Determine the status and location of victims.
- Assist the coroner/ME in the identification of fatalities and the notification of their families.
- Provide psychological and logistical support and services to decedents and their family members.
- Provide daily briefings to families on the progress of body recovery efforts, identification of victims, the investigation, and other areas of concern.
- Arrange for a family memorial service for the dead.
- Provide for the return of personal effects.
- Maintain contact with decedents and their families to provide updates on the progress of the investigation and other related matters.

The NTSB has developed the Federal Family Assistance Plan for Aviation Disasters.² This plan assigns responsibilities and describes specific procedures for family assistance after an aviation crash involving a significant number of passenger casualties/fatalities. Organizations assigned responsibilities under the plan will develop supporting agency plans and procedures.

² Public Law 104-264, Title VII, Aviation Disaster Family Assistance Act of 1996