

**POLICY
435**

**EFFECTIVE
DATE
5-20-16**

**Eugene
Police Department**



Airport Procedures

435.1 PURPOSE AND SCOPE

This policy provides guidance for Eugene Police activities related to security issues at the Eugene Airport. For information regarding disasters and aircraft emergencies, refer to the City's *Emergency Management Plan* and the *Airport Emergency Plan*. For information on aircraft accidents, refer to Policy 434.

435.1.1 DEFINITIONS

Gate security checkpoint (GSC): An area containing metal detectors, x-ray devices, and/or other detection technologies that are used to screen airline passengers and their carry-on luggage for weapons and explosives.

435.2 RESPONSE TO AIRPORT INCIDENTS

435.2.1 AIRPORT SCREENING AREA INCIDENTS

- a. Federal Aviation Regulations (49 CFR 1542 *et seq.*) require that police respond to any security incidents in the airport passenger screening area within ten minutes, as the Eugene Airport is classified as a Category II Airport Non-Hub.
- b. The address of the airport is 28801 Douglas Drive. The passenger screening area is located on the ground level, near the center of the Terminal Building. The Eugene Airport provides a secure office for police within the airport.
 1. Screening personnel are unarmed, and are not trained (or expected) to deal with suspects physically.
 2. Screening personnel will contact a Transportation Security Administration (TSA) supervisor if they detect a security violation, such as a firearm or explosive device. They will attempt to retain control of any involved baggage and may request that the suspect move to a location away from the screening area.

435.2.2 PROCEDURES

- a. When responding, officers should remember that the east (front) side of the terminal building is primarily glass, and that responding marked units will be visible from a considerable distance. Notify the Explosive Disposal Unit (EDU) in all cases of suspected explosive devices.

- b. Notify the FBI if the incident involves one of the following:
 - Any intentional attempt to smuggle a weapon into the secure area
 - Possession of an actual or suspected explosive device
- c. Officers should consider taking appropriate enforcement action for violation of city ordinances and state law pertaining to weapons and other applicable offenses.

435.3 OFFICIAL BUSINESS AT THE AIRPORT

If official business requires an officer to go beyond a GSC, and the officer does not have airport credentials to allow such access, the officer must:

- Show his or her police identification to airport security personnel (a badge alone will not be accepted)
- Notify airport security personnel of his or her need to proceed past the GSC
- Sign the TSA log book if requested to do so by TSA personnel
- Wait for an EPD officer who has access credentials for the secure area and
- Be escorted through the airport's secure area by the EPD officer with authorized access.

435.3.1 Emergency Situation

- a. In an emergency situation in which an officer must take action immediately and that does not allow time to be escorted past the GSC, the involved officer will proceed past the GSC without consulting airport security or waiting for an escorting credentialed EPD officer. As the officer passes the GSC, he or she will in a clearly audible voice:
 - Announce his or her presence
 - Identify himself or herself as a police officer
 - State that an emergency exists and
 - Briefly describe the nature of the emergency to the extent feasible
- b. If feasible, the officer will notify dispatch that he or she is doing this to help authenticate to responding officers that it is an EPD officer who has breached security.
- c. This action will alert airport officers that someone has passed unchecked through a GSC. TSA personnel will likely follow the officer who has passed the GSC until a credentialed airport officer arrives. An airport officer will locate the officer, verify that he or she is an officer, and assist in resolving the emergency. Once the emergency is resolved, the officer who breached security will respond to the GSC and comply with any applicable TSA procedures.

435.4 INCIDENTS ON BOARD COMMERCIAL AIRCRAFT

- a. Federal laws, outlined in the United States Code (49 USC 46314, 46502, 46504, 46505, 46506, 46507) deal with a number of offenses on board commercial aircraft (e.g., assault on a flight crew member, interference with a flight crew member or security screening personnel.)

- b. The FBI should be contacted when an officer responds to a complaint of a criminal incident that occurs on board an aircraft that interferes with, or constitutes an attempt to interfere with, the flight crew or operation of a commercial aircraft . They will determine whether or not they will respond to handle the incident. In some cases, where a violation of state law has occurred and the crime occurred in Oregon airspace, a decision may be made to proceed with state charges. (Note: *ORS 131.315[5]* provides that in the case of an offense occurring on an aircraft, train, boat, vehicle or other conveyance in transit, and it cannot be readily determined in which county the offense was committed, the offense can be prosecuted in any county through or over which the conveyance passed.)
- c. A report of the incident should be prepared and copies forwarded to the FBI and TSA. It is particularly important to obtain identifying and contact information regarding potential witnesses, as many persons aboard the aircraft may not be available for future contact locally.
- d. Even in cases where criminal prosecution is not pursued, the TSA has authority to levy substantial civil penalties against offenders.

435.5 USE OF LASERS AGAINST AIRCRAFT

- a. Any use of a laser device that is pointed at an aircraft that is in operation (either in the air or on the ground) potentially creates a hazard for the flight crew and may constitute a violation of federal law (e.g., laws regarding interference with aircraft or flight crews contained in 18 USC § 32 and 14 CFR § 91.11) and/or state law (e.g., menacing, recklessly endangering another person.)
- b. The FBI should be notified of any such violation, and a copy of any related report should be forwarded to them.

435.6 REPORTS

- a. Complete a report when there is a potential violation of any state law or city ordinance when enforcement action is being taken or when the case is to be forwarded to the applicable prosecutor for review.
- b. The report should include the following information (when applicable to the case):
 - How and where was the weapon discovered?
 - Was the weapon loaded or unloaded? Were other rounds available?
 - If the weapon is found in a bag or other container: Did the suspect know the gun was in the container? Who packed the container? (A photograph or a good description of the bag/container should be included in the report.)
 - Does the suspect have a gun permit?
 - If the suspect is a passenger: what air carrier and flight number was involved?
 - If the suspect is a non-passenger: what was suspect's reason for being at the airport?
 - What was the disposition of the weapon?

- c. Copies of reports should be forwarded to the FBI and TSA.

PETE KERNS
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