



Commonwealth of Virginia
Office of the Governor

Executive Order

NUMBER SIXTY EIGHT (2017)

ESTABLISHING THE TASK FORCE ON PUBLIC SAFETY PREPAREDNESS AND RESPONSE TO CIVIL UNREST

Importance of the Task Force

Acts of hate and violence like those that took place in Charlottesville, Virginia on August 12, 2017, and similar incidents across the country are becoming more prevalent and are endangering our communities. When large rallies or demonstrations become violent, it is not only the safety of our communities and citizens that is threatened, but also the safety of our men and women in uniform who risk their lives to protect us.

As a Commonwealth, we are heartbroken and shaken to our core. As we begin to recover and heal from the terrible events that claimed three lives and caused at least 35 injuries on August 12, we must take every step possible to prevent this type of tragedy from ever occurring again in Virginia. While I ordered unprecedented state resources to assist Charlottesville in responding to the Unite the Right demonstration, current law dictated that the state play only a supporting role, with local government officials holding key decision-making authority over permitting and command of the police response. I never again want to be in a position where state resources are needed to protect public safety, but the state is not vested with control over the events that ultimately could lead to a public safety emergency.

On August 18, 2017, I issued Executive Order 67, which temporarily suspended permitting for the Lee Monument in Richmond pending a thorough review of the events in Charlottesville and recommendations for best-practices in permitting. It is critical now more than ever that we are prepared and ready as a Commonwealth, across all levels of government, to respond to future incidents of civil unrest.

We must engage in a thorough review of the events that took place before, during and after the incident in Charlottesville and identify any existing gaps or issues that need to be addressed, including our permitting process. Following the completion of that review, we must take swift and immediate action to implement any necessary changes that will protect public safety and prevent further loss of life, while protecting constitutional rights.

Establishment of the Task Force on Public Safety Preparedness and Response to Civil Unrest

Accordingly, by virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, I hereby establish the Governor's Task Force on Public Safety Preparedness and Response to Civil Unrest ("Task Force").

Composition of the Task Force

The Task Force will be chaired by the Secretary of Public Safety and Homeland Security (the "Secretary") and will include representatives from the Virginia State Police, the Virginia National Guard, the Virginia Department of Emergency Management, local law enforcement agencies, local governing boards, the Office of the Attorney General, and any other relevant state and local agencies. The Secretary is granted discretion to compose the Task Force with other members and to seek input from whatever sources he deems fit.

Task Force Priorities

The Task Force will conduct a review of the following key areas:

1. After Action Review: The Task Force will review findings from an independent, comprehensive After Action Review and make recommendations to address any areas of concern. These recommendations shall include any proposed legislative or executive branch actions necessary, as well as any potential private sector engagement.
2. Policies, Regulations and Procedures Governing Rally Permits: The Task Force will review current policies, regulations, and procedures governing rally and demonstration permits. This review shall include criteria for issuance of permits, the review and consideration process, and any limitations that should be applied to protect public safety, consistent with the protections afforded by the First Amendment. The Task Force will develop a model permitting process that the Commonwealth and localities may adopt.
3. The Commonwealth's Preparedness as it Relates to Incidents of Civil Unrest: The Task Force will work with local, state and federal partners to assess our preparedness as a Commonwealth. Incidents of civil unrest are extremely complex, and involve numerous agencies with diverse missions and capabilities, as well as jurisdiction and authority. The Task Force is charged with working collaboratively with agencies across all levels of government to review and make recommendations to enhance the following areas: appropriate lines of authority and control, internal and external communication, planning, coordination of preparedness efforts, capabilities, deployment of resources, intelligence gathering and information sharing, and cyber security issues that could impact our ability to prepare and respond.

4. The Commonwealth's Ability to Successfully Carry Out a Coordinated Response: In addition to reviewing our preparedness as a Commonwealth, the Task Force will review our ability to successfully carry out a coordinated response to incidents of civil unrest. As noted above, the complexity of these incidents and involvement of numerous agencies can create challenges. The Task Force will work collaboratively with agencies across all levels of government to review and make recommendations to enhance the following areas: appropriate lines of authority and control, internal and external communication, planning, coordination of preparedness efforts, capabilities, deployment of resources, intelligence gathering and information sharing, and cyber security issues that could impact our ability to respond.

Staffing

Staff support for the Task Force will be furnished by the Office of the Secretary of Public Safety and Homeland Security and any other agencies or offices as designated by the Governor or the Secretary. The Task Force will complete its work by November 17, 2017, with a final report to the Governor due by December 1, 2017. All executive branch agencies shall cooperate fully with the Task Force and provide any assistance necessary.

Effective Date of the Executive Order

This Executive Order shall become effective upon its signing and shall remain in full force and effect unless otherwise amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 24th Day of August, 2017.

Terence R. McAuliffe, Governor

Attest:

Kelly Thomasson, Secretary of the Commonwealth