

1. To ensure the prompt response of personnel and equipment to the scene of an emergency incident (e.g., Level 1 Mobilization), the Patrol Supervisor concerned has specific duties as outlined in Patrol Guide 213-02. All of the following are correctly stated duties of the Patrol Supervisor **except**:
  - A) Establish command post with telephone, if necessary
  - B) Establish a mobilization point of sufficient size to accommodate a Level 2 mobilization
  - C) Transmit the mobilization point and route to Communications Section
  - D) Request command post flag and log as necessary.
  
2. You are Sergeant Harren, Patrol Supervisor in the 88<sup>th</sup> Precinct when a Level 4 mobilization is activated in Coney Island and you are directed to respond with eight Police Officers from your precinct. After arriving at the 88 stationhouse and inspecting your eight cops, you have secured a van and are now driving to Coney Island. According to 213-03, Rapid Mobilizations, which of the following statements is **not** a proper step for you to now take?
  - A) Direct all members in the van to tune their radios to the designated frequency
  - B) Have all members in the van except you and your driver turn their radios off
  - C) Prepare Detail Roster/Assignment upon arrival at the mobilization point
  - D) Receive instructions at mobilization point and go with squad to staging area or post.
  
3. You are newly promoted Sergeant Morales, Desk Officer at Transit District 11. A large scale disorder is occurring in lower Manhattan in the vicinity of City Hall and a Level 3 mobilization has been activated. Members of your command have been directed to respond. In accordance with 213-03, "Rapid Mobilization." Which of the following is a properly stated duty for you to take?
  - A) Stage required personnel
  - B) Inspect responding members for proper equipment
  - C) Supply members with a van to respond to mobilization point
  - D) Notify affected patrol personnel of transit facility designated for response.
  
4. Sergeant Russo is at the scene of an unlawful eviction. The landlord has changed the locks to 10 apartments and has turned off the hot water to those apartments because he has not received any rent for 9 months. The tenants claim there is a rent strike because of poor living conditions. The landlord has agreed to provide the tenants with keys and allow them to re-enter their apartments but still refuses to turn the hot water back on. In accordance with 214-12, "Unlawful Evictions," Sgt. Russo should;
  - A) Have the landlord arrested, do not process him for a DAT, and do not take any fingerprints
  - B) Have the landlord issued a C-summons returnable to Criminal Court for each offense where the tenant agrees to be the complainant
  - C) Have the landlord issued 10 Criminal Court summons, if he is properly identified
  - D) Have the landlord arrested, process him for a DAT if he qualifies, and take fingerprints.
  
5. Police Officer Wright responds to a call from the NYC Marshall regarding a repossession order. In accordance with 214-13, "Evictions," It would be correct for P.O. Wright to do all the following, except:
  - A) Not assist the City Marshall in entering the premises
  - B) Maintain the peace at the repossession action
  - C) Inspect the City Marshals ID for validity
  - D) Remain at the scene until the Marshall successfully enters the premise.

1. **B)** 213-02, Note following step 6. Accommodate a Level 3 or 4.
2. **C)** 213-03, Note following step 23, and step 24 –This was actually asked once. The reason Choice C) is wrong; you prepare the roster while “**enroute**” not “~~upon arrival~~”
3. **D)** 213-03, step 15. This is the question where the point is found in the ‘big picture.’ Choices A), B) & C) are absolutely correct for a Desk Officer, in fact they are verbatim steps 16-18 BUT they are **not** for a **Transit** D.O, they’re for **other** D.O.s! The body of the question told us we were a Desk Officer in TRANSIT!! Transit does not 10-2 and climb in a van, they take the train directly to the mobilization so there would be no way for the D.O. to stage or inspect them.
4. **C)** 214-12, step 1. The only time a landlord is arrested is when he is unidentified or refuses to allow re-entry. B? the complainant doesn’t have to press charges, you can sign the summons based on ‘information and belief’ A & D: no DAT if arrest was made.
5. **D)** 214-13, step 5. Remain until the eviction or civil process *is complete*.

## 213-02 Emergency Incidents


### UMOS

- If you need Personnel & Equipment, call thru radio **Before** you call a boss.
- Call for Patrol Supervisor/Platoon Commander.

### Platoon Commander/Patrol Supervisor

- Review Cop's Actions get more resources if necessary
- Call "Level 1" (Thru Radio Or Ops By Phone) when appropriate.
- Establish 'Command Post' with telephone (If Necessary)
- Notify:
  - Desk
  - Operations
  - Boro
  - Communications Section
- Tell Them:
  - Location & Nature of Emergency
  - Location & Phone # of Command Post
  - Location of; & Route to Mobilization Pt.

Sgt/Lt. can't call a Level 2, 3 or 4 but they should make the Mobilization Point big enough to accommodate them.

 4 initial notifications BUT only update 2 out of those 4!!  
(See 213-02, steps 6 & 11)

### Assign Command Post Staff and Request Flag & Log as Necessary

- CIMS says this will be done by the "Command Element" (Incident Commanders)
  - Command Post Staff = operations officer, intelligence officer, personnel officer, logistics officer

### Patrol Supervisor

- Make Detail Roster, if applicable & Update: Desk & Operations.
- Inform responding Captain of Details, Actions taken & Personnel /Equipment Present/ requested

### Incident Commander (I.C.)

- If no Captain or above then Platoon Cmndr or Patrol Spvsr PCT/TD/PSA of occurrence
- Depending on size/situation, the **PATROL** Duty: Captain, Inspector, Chief or Boro C.O/X.O. may respond and **either** assume command **or** designate the IC.

### If incident is in transit, housing or is a traffic situation, shouldn't the IC be a boss from that bureau?

- No they'll be the Operations Section Chief (or someone with that experience from any bureau)
- Authority of I.C. only superseded by the Police Commissioner, 1<sup>st</sup> Deputy Commissioner, Chief Of Department OR the "Senior Ranking Operational Bureau Chief" Other Deputy Commissioner's may advise –Not Command

### Scuba Divers:

- FDNY for fire Incident Requiring Divers.
- PD (divers work out of aviation):
  - Get them thru radio in Emergency, SOD (Chief of Special Operations) otherwise

### ESU/ Harbor

- Go to All Occupied Vehicle, Plane, Boat Collisions

## 213-03 Rapid Mobilization

### Patrol Supervisor

- Call Level 1 -*Thru Radio*
  - If for MISSING PERSON, consult with C.O./duty capt PRIOR to activating Level 1, absent exigent circumstances
  - Also call Capt if you need a higher level mobilization (CAPT: Immediately respond)

### You only get what you call for:

- Call a level 3 and you don't get what Level 2 would have brought.
- Tell Ops what you DON'T want

### Activating Supervisor

- Tell Ops & Boro Why (& Update Both)
- Designate Mobilization Pt & tell Radio of Pt & Route (make traffic posts for quick access)
- Get Security For Point & Staging Area
- Incident C.O. till out-ranked, demobilized, etc
  - Be prepared to brief ranking MOS

*If it goes to Level 2, 3, or 4*

### Desk Officer (including Housing):

- Stage, Inspect & Supply responders with a Van & send them to the mobilization point
  - Except Transit, they just go by train

### Bureau Exceptions

#### **Transit:**

- D/O notifies affected patrol cops of which TB facility to respond to.
- Has them respond BY TRAIN to facility.
- D/O notifies CP of personnel avail. at facility.
- Supv at CP communicates with TB units that don't have citywide on their radios

#### **Transit & Housing:**

Level 3 only cover their own turf  
Level 4 go wherever needed

### **Why P.G. 213 tends to be confusing**

The "Jurisdiction" of 213-03, a procedure that directs HOW to call a mobilization ends here.

- The text of the procedure goes on for 10 more steps however, giving direction to "Responding Sergeants and Lieutenants," it shouldn't. ALL of the next procedure, 213-05 is a directive to the responders.
- These last few steps in 213-03 match up with 213-05 with one major exception: 213-03 says to go direct to the mobilization, 213-05 says to 10-02 FIRST, then go. On the test, you should be guided by the governing procedure; 213-05: **10-02 First.**

## 213-05 Duties at a Disorder

### Sergeant

- 10-02, form a **squad of 8**, ensure they're properly equipped & in a van
  - On 1<sup>st</sup> platoon that becomes a **squad of 2**.
- Write & Roll (make roster enroute). Hand roster into Lt.
- May assist I.C. as CP Staff (Ops, Personnel, Intel, Logistics).
- Inspect @ point, instruct as you were instructed & hand in your ROSTER.
- Direct parking only in designated areas –have keys given to security detail, if required.
- While enroute all in van will have radios tuned to the correct frequency but only Sgt and van operator will have their radios on.

MFF = Mobile Field Force

- Equivalent to a Platoon

### Lt's instructions that Sgt gives to cops:

- Importance of TEAM CONCEPT in disorder control and the mission of the team.
- No independent action, follow direction and adhere to team concept.
- Post/Sector boundary, Nature of disorder, Location & phone # of CP & arrest process area
- ID of Incident Commander, their MFF Lt, etc
- Equipment information, proper radio frequency & their MFF call sign.
- Use minimum Force, Don't PUNISH, rather, be PROFESSIONAL.
- Tolerate verbal abuse by crowd attempting to incite.
- Maintain formation of 1 arm's length between adjoining MOS.
- Be in 'onguard' stance when in 'line or wedge' formation.
- Watch rooftops & high-ground and maintain firearms discipline.
- Arrest team boss, don't wade into crowd, ensure a/o observes perps actions.
- Prohibited: complacency, breaking formation, unnecessary conversation & congregating
- Don't assign cop ALONE to Rooftops, Alley, Rear yards (uniform only in those three places).

### Cop

- 10-02 **OR** go to the Mobilization point, as directed (don't drive through disorder to get to pt.).
- Put radio on proper channel when directed.
- Follow ALL instructions listed above and RECORD the important ones:
  - Sector/Post Boundaries, Nature of disorder, Mission of TEAM, Equipment info, Location & phone # of CP and Arrest Process Area, ID of bosses & Radio Frequency & call signs.

### Proper Uniform & Equipment

- Sgt & Cop, while ON PATROL, must have in RMP: Helmet, Baton, Flashlight & Disorder Guidelines.
- For Sgt add **ROSTERS** to the list.

213-03 Versus 213-05	
213-03 how to CALL	213-05 how to RESPOND
Sgt: Go direct to the Mobilization Point	Sgt: 10-02 FIRST
PO: Gives no direction to the responding P.O.	PO: 10-02 First OR go direct, as directed

## 🔑 Inspections

When they 10-02 & are preparing to go to the mobilization

- Desk Officer (except TD) stages & inspects for proper equipment 213-03, steps 16, 17 & 19
- Sgt ensures proper equipment 213-03, step 21

Upon arrival @ mobilization point

- Sgt conduct thorough inspection of members assigned 213-05, step 32
- Lt inspect Sgt & warn against “unauthorized transmissions” after you get the rosters 213-05, step 17

After getting instructions @ point & enroute to ‘staging area’ or post

- Sgt ensure proper equipment 213-03, step 21

🔑🔑 There are TWO DIFFERENT TYPES of mobilizations. 🔑🔑

Levels 1 & 2	Levels 3 & 4
<u>Levels 1 &amp; 2</u> are SRG* Mobilizations	<u>Levels 3 &amp; 4</u> are PCT/TD/PSA Mobilizations
<u>Level 1</u> = SRG from affected Patrol Borough <ul style="list-style-type: none"> <li>• *BUT, also 1 Patrol Supv from affected TD/PSA</li> </ul>	<u>Level 3</u> = Pcts/TD/PSAs from affected Patrol Boro <ul style="list-style-type: none"> <li>• 1 &amp; 8 from each PCT/TD/PSA in the Borough</li> </ul>
<u>Level 2</u> = SRGs Citywide <ul style="list-style-type: none"> <li>• *BUT, also 1 Patrol Supv from affected TD/PSA</li> </ul>	<u>Level 4</u> = Pcts/TD/PSAs Citywide <ul style="list-style-type: none"> <li>• 1 &amp; 8 from each PCT/TD/PSA Citywide</li> </ul>

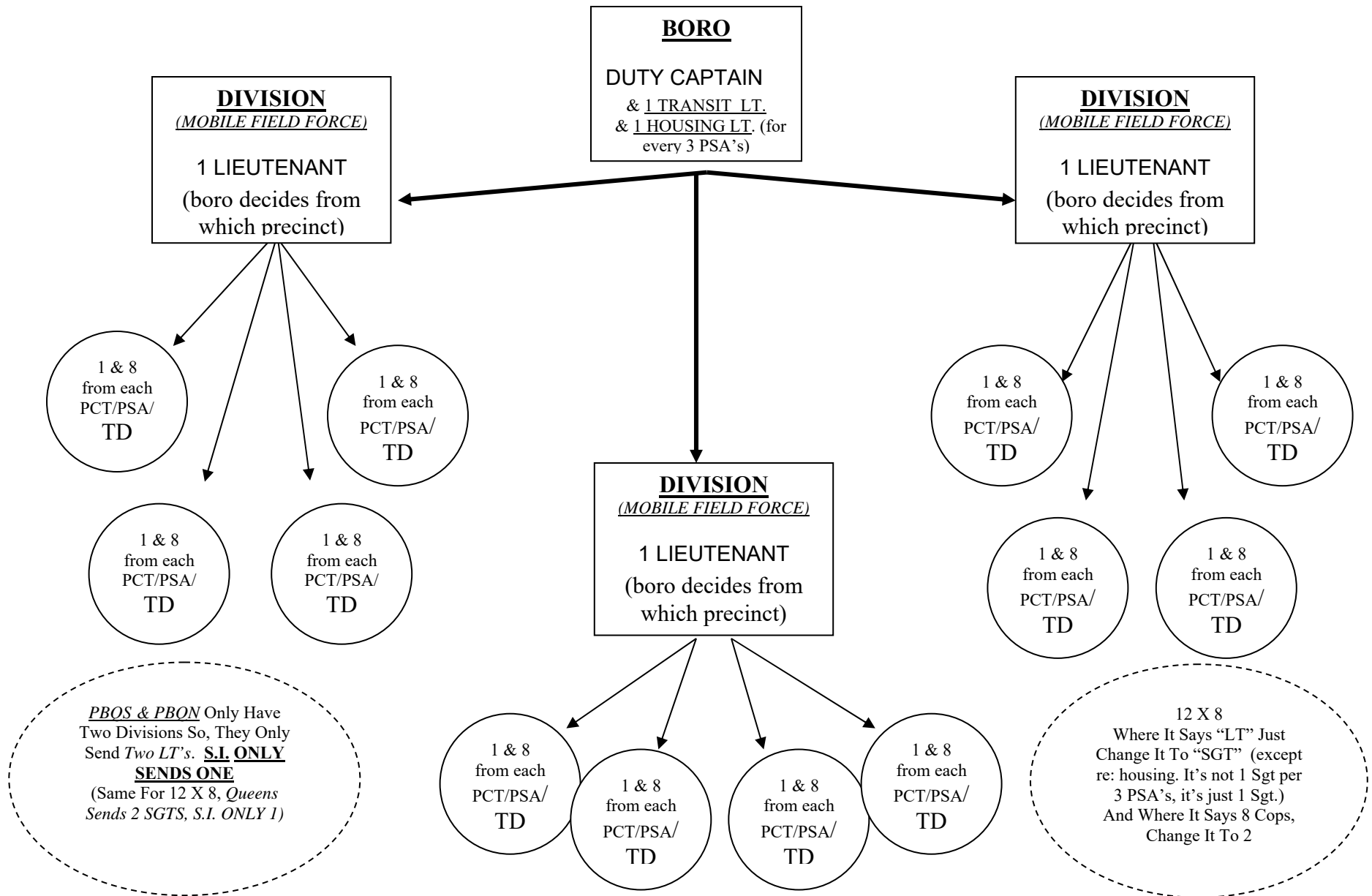
Level 3 & 4  
 1<sup>st</sup> Platoon, instead of 1 & 8 from each cmd, it's 1 Sgt from 3 cmds picked by Operations & 2 P.O.s from each cmd.

Only Levels 3 & 4 involve Precincts BUT, as a Duty Captain, if your SRG goes, you go with it along with a “Command Post Staff.”

So, on ANY Mobilization, the Duty Captain is going!!

**The old “Zone Command” structure is used to direct who goes on a Level 3 and 4**

There is little difference between 3 & 4. It’s basically a replication to double, triple, etc. your resources.



# Supervision & Other Resources for Mobilizations

## SRG "Type" Mobilizations

### Level One:

- SRG, Boro of occurrence
- 1 Patrol Supervisor from affected PSA/TD

**Capt**

### Level Two:

- SRG, City Wide (Ops decides which ones)
- 1 Patrol Supervisor from affected PSA/TD

**D.I.**

## Precinct "Type" Mobilizations

### Level Three:

- PCT/TD/PSA's Boro of occurrence

**Capt**

### Level Four:

- PCT/TD/PSA's Citywide (Operations decides which boros)

**Insp & Chief**

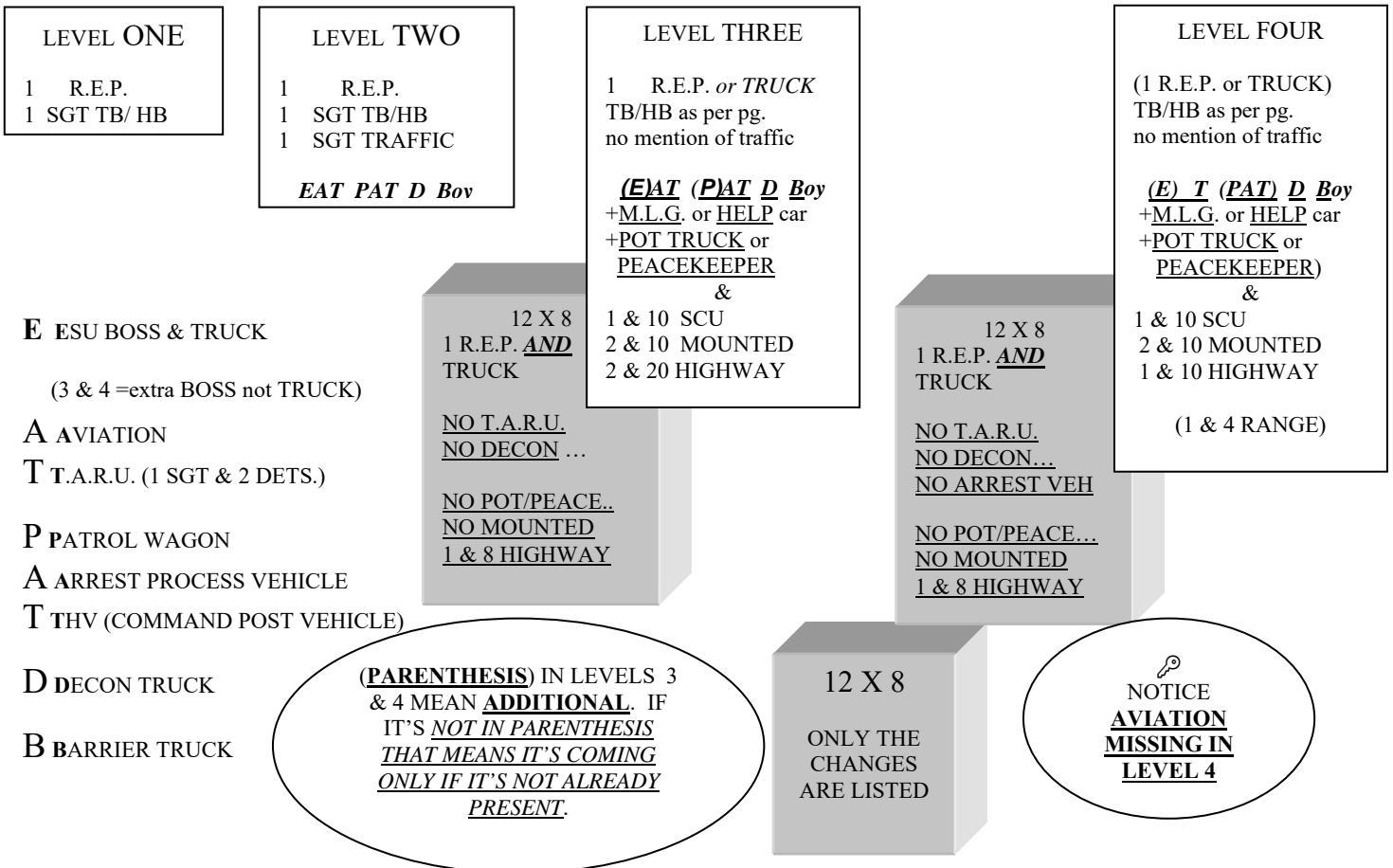
## Supervision Levels

The lower "Types" (1 & 3) only get a Capt

The higher "Types" (2 & 4) get more.

- **Level 2; SRG citywide** gets a Duty Inspector (boro of incident) & a Duty Captain with each SRG
- **Level 4; Precincts citywide** gets the Duty Chief & Duty Inspector (boro of incident) & Duty Captain with each boro AND 1 Traffic Operations District supervisor (if not already present) AND TB/ HB Duty Capt. if available

## Other Resources





## 214-12 Unlawful Evictions (Residential ONLY, not Commercial)

They give a separate definition of “Multiple” dwelling but it makes NO difference procedurally –a dwelling is a dwelling, period.

### Dwelling Unit

- Any building or portion of, used as a home, residence or sleeping place
  - DoesN’T include hospital, convent, monastery, NYCHA Prop (Gov’t housing exempt)
  - DOES include private owned hotels, including those taking Gov’t funding (HRA, etc).

### Legitimate Occupancy

- Is occupied pursuant to a lease, lawfully occupied for **30 consecutive days** or more,
- Hotel SRO and occupant requests a lease (a mere verbal request is sufficient).
- Sublet tenant (Tenant who sublets is considered an owner).

### Unlawful Eviction:

- Use/threaten force, violence, interfere with occupant’s comfort, repose, peace & quiet
- Deny, interrupt, or discontinue essential services (heat, water, electricity),
- Remove possessions. Remove/disable/change entrance door or lock.
- Fail to take reasonable and necessary action to restore occupancy, if any of the above occur.

#### **Key Note (tricky bullsh\*t)**

- Past exam had hot water cut off –NOT an eviction
  - Cut the heat; yes. the water; yes. hot water; No

### **Legal Bureau Bulletin (LBB) Vol 49 #1 (Dated August, 2019)**

- The LBB adds; “allowing other serious Building and Health Code violation.”
- The LBB also says that the above acts count if done for *purpose* of eviction. Example: if the Landlord doesn’t want to pay the oil bill –failed to provide heat but not for purpose of eviction.

### Enforcement Action

- Summons if victim allowed to re-enter and violator IDed, otherwise ARREST.
  - If re-entry allowed but services (Heat) NOT turned back on, NO arrest –summons.

### **Procedure**

#### Summons

#### Domestic Violence

- If potential for violence, demanding re-entry NOT required. Follow 208-36

- Separate summons for each offense (numerous apartments = numerous summonses) for either;
  - NYC Admin Code or NYS Real Property Actions and Proceedings Law.
- Anywhere except Staten Island, make returnable to SAP of Manhattan Criminal Court
  - Return date, weekday at least 21 days; Manhattan & Bx =Tues. Bklyn & Qns = Thurs.
  - In Staten Island it goes to S.I. Crim Ct, returnable (at least 21 days) 1<sup>st</sup> Wed of month
- Complete “Complaint/Information” on front of summons with specific details of violation.
  - If in your presence, **sign** “C/I” sec. If not, ensure crime was committed & compl. signs
  - If complainant refuses, you may sign “based on information & belief,” if info complete.

- Since compl is civilian, cross out; “~~Complainant’s~~” “~~Complainant~~” and substitute, “Officer’s” “Officer” on front and then cross out “~~I personally observed...~~” above complainant’s name.
  - With civilian, their name, address, phone# go on bottom, rear of Original under “COMPLAINANT’S FULL NAME PRINTED” “FULL SIGNATURE OF COMPLAINANT” “DATE AFFIRMED”
- Personally serve violator with Criminal Court (pink) copy of summons.

**Arrest**

- Just an OLBS, no 61, **no Fingerprints** (It’s a Class “A” Misd but it’s NOT in the Penal Law)
- Bring violator to Criminal Court for “prompt arraignment” –No DAT,

**Victims unable to get temporary housing**

- Refer to NYC Department of Homeless Services.

**LBB Vol 49 #1:** Can NOT break-in to let tenant re-enter UNLESS there’s medicine inside that is vital to life!!!

**214-13 (Legal) Evictions, Repossession And Other Civil Process**

- Desk Officer assign UMOS to assist
- UMOS preserve peace and protect life/property. (Don’t assist in entry or damaging property).
  - Examine Marshall/Sheriff’s ID & warrant (Marshall will enter in least disruptive way)

**Subject allows entry**

- Enter & remain until process executed. Notify Desk Officer when eviction is complete
- A/L entry with: Name/Shield of Marshall/Sheriff, Time entered. Name of Subject and whether they were present. Who is responsible for property –The Marshall or The Landlord
  - If Landlord endorses warrant, he is responsible for property & eviction is complete.
  - If Marshall is taking property, A/L gets: Name/address of moving company, Name of driver of each van, Time van left & Location of warehouse for storage.

**Subject refuses entry**

- UMOS notify D/O & request response of P/S *before* taking any further action.
- Patrol Supervisor respond and Assess (consider making them an EDP)

🔑 Watch for this curve ball: Search Warrant hours are 0600 to 2100

**From Legal Bureau Bulletin Vol 14 #8 Warrant of Eviction**

- “72 hour Notice of Service” prior to eviction advises tenant they will be removed if they don’t leave w/in 72 hours. Starts day after service, not including Sat/Sun/Holidays.
- No 72 hour notice necessary for Repossession Orders
- Once eviction complete “Stay of Eviction” is N.G. as are attempts to pay-up. No re-entry.
- Must execute Warrant of Eviction Monday-Friday 0800-1700.
- Order to Seize Property does not authorize forced entry unless explicitly stated on “Order.”