

# **2005 National Rainbow Family Gathering**

## **Law Enforcement Operations Summary**

### **INTRODUCTION**

The National Incident Management Team's (NIMT) Operation Section is headed by the Operations Chief. Working for the Operations Chief is three Division Supervisors. Each Division Supervisor is responsible for the management of approximately twelve officers over a twelve hour shift. The third Division Supervisor is responsible for the activities of the horse patrol.

This year's incident included an additional Division Supervisor while the gathering was not under an authorized special use permit. This was necessary to provide for overlapping shifts at the information/safety checkpoint, used to prevent the establishment of an illegal gathering by the Rainbow Family.

The Operations Section is responsible for developing plans for enforcement and investigative actions throughout the incident; safety and compliance being the main emphasis with all operations.

### **OPERATION OBJECTIVES**

The primary objective for the Operations Section was to plan for and prevent the 2005 Rainbow Gathering from establishing itself as an illegal event. This objective was met with great success.

Initial operations were concentrated on locating the site for the 2005 National Rainbow gathering. Many days were spent searching for staging/seed camps.

One operation was initiated at a "seed camp" established in early June. The rainbow group at the location was warned on numerous occasions to disperse and reduce their numbers to below 75 persons or apply for a noncommercial group use permit. With adequate effort by the team, no progress was made by the Rainbow Family to comply. An enforcement action was taken. Over 75 mandatory appearance Violation Notices were issued to the gatherers. This operation set the stage for the reminder of the

gathering. It was made clear to all participants that the Forest Service was serious about working together with the Rainbow Family to get them under a valid permit. This operation was accomplished without incident in regards to officer safety.

Eventually, an encampment for the Rainbow Gathering near the Otter Creek Wilderness was located. The area near the Otter Creek Wilderness, preferred by the Rainbow Family, was not suitable for a large gathering as determined by the Monongahela Forest Supervisor.

A permit was submitted to the Forest and denied for numerous reasons related to environmental issues. Once it was determined that the site had no authorized special use permit and the group was in excess of 74 participants, a safety information checkpoint was established.

The safety/information checkpoint was there to inform those people involved with the gathering that they were in need of a noncommercial group use permit. The Rainbow Family was advised if the number of participants remained over the number allowed prior to having a permit that a law enforcement action would take place.

With a strong law enforcement presence, the establishment of an illegal gathering did not occur. Eventually, the Rainbow Family conceded to the fact that they had to work with the Forest Service to find a suitable location and get under a valid special use permit.

This objective was a resounding success. It is hoped that this will turn the tide on the communication and cooperation between the Rainbow Family and the Forest Service in choosing future gathering sites.

Once the Rainbow Family located the gathering at one of the Forest Service's desired sites, near the Cranberry Glade Visitor Center, a field Incident Command post was established across from the gathering site.

A constant and firm law enforcement presence was established throughout the remainder of the gathering. This attributed to a reduction in significant illegal activities. The rapport the officers had obtained with the Rainbow family also contributed to the mood for lawless action to be minimized.

## **OTHER AGENCY INVOLVEMENT**

Law enforcement agencies that participated in the incident Unified Command included the Forest Service, Pocahontas County Sheriff's Department, Randolph County Sheriff's Department, West Virginia State Police, United States Marshall's Office, & the United States Attorney's Office Northern District of West Virginia.

The incident was located in the Cranberry Glade area in the northern portion of Pocahontas County, West Virginia. Two cooperative law enforcement agreements were executed to manage the incident. Pocahontas County Sheriff's Department received an additional \$3000 for a total of \$6,000. The money was used by the Sheriff's Department to supplement officers at the gathering site.

The West Virginia State Police received additional funding to supplement an existing Cooperative Law Enforcement. This funding was used to provide eight state police officers, one under cover drug officer, and an additional dispatcher. These agreements allowed the respective agencies to provide additional law enforcement patrol efforts and support FS LEOs on any gathering related issue.

The NIMT worked with the United States Attorney's office, United States Marshall's Service and the United States Magistrate to set two special court dates prior to the end of the gathering. A policy was developed to issue all citations as mandatory appearances if the offense took place prior to the court dates. These hearings were set to occur at the Forest Service Visitor Center. The Cranberry Glade Visitor Center was transformed into a Federal Courtroom at the request of the Federal Magistrate judge. This facility was located directly across a highway from the site of the gathering.

Magistrate Judge Kaull held court on June 28th and July 5th. The court sessions proved to be successful, allowing many cases to be cleared during the two days. This is another success story to add with the rest of the event. The Magistrate Judge and U.S. Attorney's Office had high praise for the professionalism and patience the officer showed at the gathering an in the courtroom.

## **LE&I STAFFING**

Forest Service law enforcement personnel will operate within the Incident Command System under the direction of Incident Commander: Tim Lynn.

All patrol shifts will be 12.5-hour shifts, 12 hours in pay status. All law enforcement personnel will be given a total of one-half hour for meal breaks during their assigned shift. Patrol Division Supervisors are responsible for assigning meal breaks. Time for patrol officers begins upon their departure from the housing area to complete travel to the ICP. Law enforcement emergencies or special assignments which occur during meal breaks or outside of scheduled shift time on the employee's home regularly scheduled workdays will be recorded as Administratively Uncontrolled Overtime (AUO) for LEO's or Law Enforcement Availability Pay (LEAP) for Special Agents. The first two hours past the scheduled 8 hour regular work day will be recorded as LEAP for Special Agents, the rest of scheduled tour is scheduled overtime. All scheduled hours past 8 will be recorded as overtime for Law Enforcement Officers.

Day Shift Division:	0700 to 1930 hours.
Afternoon Shift Division:	1200 to 0030 hours
Night Shift:	2400 to 0030 hours
Mounted Division:	0700 to 1930 hours
Command Staff	0700 to 1930 hours

Field Operations Staff:

- Two special agents
- Five patrol Officers (mounted)
- 33 patrol Officers (vehicle)

## **SUPERVISORY PERSONNEL**

Initially, three Division Supervisors were assigned to the incident. They were responsible for daily supervision of their respective shifts, day, night and mounted unit. Their early arrival was critical in the success of the operation. They did an outstanding job and took on the responsibilities with great enthusiasm and professional dedication. On more than one occasion their quick thinking and calm demeanor coupled with their skills and abilities helped prevent or reduce conflict and confrontation in arrest situations. Positive comments were made by every officer on the incident. Their ability to lead was made evident during those highly intense moments during which the officers were making arrests within the gathering.

## INVESTIGATIONS

Two investigators were assigned to the Incident in order to provide coverage for 24 hrs.

The investigators were assigned to support the LEOs with arrest procedures, coordination with Department of Justice, United States Attorney's Office, US Marshal Service and processing any felony cases that arise within the Gathering. The Investigators also coordinated with state and local investigators, including a Drug Task Force known as West Virginia State Police – Bureau of Criminal Investigations and the Central West Virginia Drug Task Force.

The US Attorney's Office agreed to prosecute any felony cases that may arise, including possession with intent to distribute controlled substances.

Both agents acted as evidence technician for their respective shifts.

Agents investigated approximately four stabbing incidents, one of which included one man cutting another man's throat during a fight. At the completion of the investigation, the victim would not agree to pursue charges.

The following is a summary of items seized by LEOs that was transferred to the agents for storage:

- Approximately 350 grams of marijuana seized and approximately 60 pipes with marijuana residue, marijuana seeds,
- two sets of scales,
- Approximately 2 ounces of psilocybin mushrooms,
- LSD,
- cocaine,
- hashish,
- hydrocodone prescription pills,
- opium
- methamphetamine.