New York State Emergency Support Function Annex

ESF #13 Public Safety and Security

ESF #13 Coordinating Agency:
Division of State Police (DSP)

DPC Member Agencies:
Department of Environmental Conservation (DEC)
Department of Corrections and Community Supervision (DOCCS)
Division of Criminal Justice Services (DCJS)
Division of Military and Naval Affairs (DMNA)
Metropolitan Transportation Authority (MTA)
Office of Parks, Recreation, and Historic Preservation (OPRHP)
Port Authority of New York and New Jersey (PANYNJ)

Non-DPC Members:
State University of New York (SUNY)

EXECUTIVE SUMMARY

Emergency Support Functions (ESFs) provide the structure for coordinating response activities for disasters or emergencies that go beyond the capability of the local resources. The ESFs are a mechanism used to group functions most often needed to respond to incidents. At the State level, ESF #13 will coordinate the activities of public safety and security services to protect people throughout New York State during the response and short-term recovery phases of a disaster. It is imperative that there is continuity in everyday public safety and security activities, in addition to the operational activities as related to emergencies, disasters, and State-led security actions.

SECTION I: General Considerations and Planning Guidelines

Introduction

The ESF #13 coordinating agency is the New York Division of State Police (DSP). As the coordinating agency, DSP will ensure the activities of the ESF are consistent with this Annex, and that agencies are operating in unison to achieve the common goal or mission of the ESF. New York State will continue to experience inevitable disasters and emergencies of various origins and magnitudes. The ESF #13 Annex outlines an active approach to provide State-level public safety and security services throughout New York State during the response and short-term recovery phases of a disaster as outlined in the State Comprehensive Emergency Management Plan (State CEMP).

Purpose

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

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

Critical Capability

ESF #13 would support the following Critical Capabilities in New York State: Planning and Law Enforcement Response Operations.
• 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 which warrants a State response. The State CEMP serves as the foundational framework for the State’s response levels and serves as the operational basis of which other ESFs, functional, and hazard-specific annexes are built upon. These ESFs and annexes address a broad range of capabilities in response to the State’s highest rated hazards.

The purpose of ESF #13 is to coordinate support for incident security, including mutual aid of law enforcement personnel, to protect life and property and, if applicable, to coordinate Federal resources requested to assist in the State’s response. Additionally, the purpose of ESF #13 is to augment local law enforcement response activities across a broad range of hazards via multi-agency capabilities when local resources have been, or are expected to become, overwhelmed.

Scope

This Annex is an operational level document that outlines basic concepts required to manage and coordinate State agencies providing response and short-term recovery assistance to localities within New York State. It applies to all incidents and events requiring State-level public safety and security support within a multi-agency setting. This Annex provides general guidance for services related to protection of life and property during statewide all-hazard responses when local capabilities have been, or are expected to be, overwhelmed. This includes events requiring the activation of multiple levels of government, up to and including the activation of and integration with Federal ESF #13. ESF #13 will support local efforts in the following core functional areas:

- Protection of life and property.
- Evacuations.
- Perimeter control.
- Maintenance of traffic and access control points.
- General law enforcement (patrolling).
- Investigative support.
- Security support.

Situation

From time to time, disasters and disaster emergencies occur. Each emergency event is unique and may bring distinct challenges not foreseen by planners or addressed in their plans. Requests for assistance during an emergency will be dependent upon the needs of the operation and may be outside the guidance provided in this Annex. In all cases, the needs of the operation, the capabilities of the agencies associated with ESF #13, and the availability of personnel and material resources will be considered to determine if a request can be fulfilled.

ESF #13 support will be managed by the ESF #13 coordinating agency, DSP, at the State Emergency Operations Center (EOC).

Member agencies maintain a number of qualified personnel and mobile assets capable of accessing impacted areas throughout New York State. State agencies are prepared for, and capable of responding to, incidents that require gathering situational information and collecting preliminary damage assessment data within affected areas of the state.

Member agencies are prepared to assist local authorities, medical examiners, and coroners in locating, identifying, and the disposition of deceased victims of a disaster event or mass casualty incident.

Linkage to other State Plans

ESF #13 will be used to support the New York State CEMP Volume 2, Response and Short-Term Recovery, as well as the following: Fatality Management Annex and the Radiological Emergency Preparedness (REP) Plan.
Member agencies maintain sufficient personnel to respond to emergencies and conduct routine business simultaneously. Agencies are prepared to augment existing security services, including the protection of logistical supplies and security at sites providing services to the general public. Personnel are prepared to assist with the security and protection of identified critical infrastructure statewide.

ESF #13 maintains a limited capability to respond to contaminated crime scenes and areas affected by chemical, biological, or nuclear contamination. In the event of a perceived intentional release of a biological disease, public safety and security personnel will work with other non-law enforcement agencies to determine the cause and identify those person(s) responsible. Agencies are ready to support efforts to minimize the spread of disease.

In the event of incidents involving the release of hazardous materials, ESF #13 is prepared to support the securing of ports of entry if response operations include trade restrictions and embargos to limit the distribution of products or commodities. ESF #10 will resolve any contamination issues, especially if the contamination hinders the activities of ESF #13.

ESF #13 maintains modern communications equipment and software capabilities. Personnel are sufficiently trained and qualified to support interagency communications and information sharing, both inside and outside of New York State. ESF #13 will utilize specialized communication equipment including radio, computer, and phone systems to ensure secure information sharing among responders and coordination of the incident response.

In the event of an incident involving suspected criminal acts, ESF #13 can coordinate investigative efforts with State, federal, and local law enforcement agencies. Additionally, ESF #13 will also support and coordinate with ESFs #4 and #9 for search and rescue activities, evacuation, and site security.

Planning Assumptions

1. Incident priorities will include life safety and property protection.
2. Incident objectives will be Specific, Measurable, Achievable, Relevant, and Timely (SMART).
3. Disaster response activities will begin and end at the local level.
4. State assistance will only be requested when a local government recognizes that local resources have been, or are expected to be, overwhelmed.
5. One or more local entities have declared a State of Emergency in response to a disaster and the State has been called upon to assist or the Governor declares a State Disaster Emergency.
6. Coordination between State agencies and ESF #13 will involve personnel, assets, and equipment from throughout the state.
7. The DSP is responsible for coordination of State activities within ESF #13.
8. Federal agencies may engage in a unilateral response and/or offer assistance under their statutory authority to affected areas in lieu of a presidential declaration.
9. Not all law enforcement agencies possess the same level of training or authority. Therefore, some agencies may have limitations regarding certain types of law enforcement activities.
Concept of Operations

1. The State Office of Emergency Management (OEM) will make determinations as to the level of activation necessary for the State response to an incident.

2. The State OEM and DSP will jointly determine the ESF representation needed for the incident response at the State EOC.

3. If Federal assistance is requested, ESF #13 will integrate with the Federal ESF #13 as outlined under the National Response Framework (NRF).

4. ESF #13 will coordinate activities with other activated ESFs via the State EOC to assure a cohesive and coordinated response.

5. When the situation warrants demobilization of ESFs, ESF #13 will begin demobilization and transition to the necessary Recovery Support Functions (RSFs), if needed.

6. For incidents associated with suspected criminal activity, a criminal investigation will be initiated during the response and/or recovery phases of the incident. Investigations may involve all levels of government to include local, State, and Federal entities.

7. Aircraft usage, including unmanned aerial vehicles (UAVs), may be utilized by multiple ESFs for various missions simultaneously. The Air Operations Group (AOG) will be managed and coordinated under the scope of the NYS Airspace Control Plan in support of ESF #1. ESFs will maintain control of, and responsibility for, individual missions.

Policies or Authorities

- New York State Executive Law, Article 2-B
- New York State Military Law, Article 6
- New York State Constitution, Article XII, §13.
- Executive Order 26.1 of 2006
- New York State Anti-Terrorism Act of 2004
- Individual State agencies and departments may also have specific legal policies or authorities that are required and/or authorize certain emergency planning and response actions that are not included in this document.

Plan Updates and Maintenance

The NYS OEM Planning Section has the responsibility for the development, review, and maintenance of this Annex and all multi-agency response plans under the New York State CEMP. As required under New York State Executive Law Article 2-B, each 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 events, 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 distributed to all appropriate agencies/personnel upon completion.
SECTION II: Preparedness

Mitigation

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. Mitigation planning efforts for technological and human-caused hazards are also recognized and are being implemented throughout the State as well. New York State participates in Federal, State, and local mitigation programs and identifies ongoing mitigation opportunities. The State takes maximum advantage of available Federal funding to implement mitigation measures at the State and local levels. Throughout the past several years, a substantial amount of funding has been invested in mitigating the impacts of various disasters in all parts of the State. Volume 1 addresses the overall State hazard mitigation planning process, risk assessment, strategy development, and plan maintenance. The State Multi-Hazard Mitigation Plan was federally approved by the DHS/FEMA in December 2018.

Risk Assessment

A variety of mechanisms are used to understand the various risks and associated threats and hazards facing the State. As required by the Homeland Security Grant Program (HSGP) and the National Preparedness Goal (NPG), the State must complete an annual Threat Hazard Identification Risk Assessment (THIRA). The THIRA process involves the identification of scenarios that will most stress the State’s capabilities and an assessment of those capabilities. Those capabilities are then mapped to the core capabilities in each of the ESF Annexes created under the State CEMP. Further, New York State has developed additional programs and methodologies to better understand risk at the local level. This includes a County Emergency Preparedness Assessment (CEPA), which the State has conducted in each of the 57 counties of New York, and New York City. CEPA provides great insight as to the State’s risk profile from a local level perspective.

Training, Exercising, and Testing

The State of New York sponsors and conducts a variety of training to improve knowledge and response capability. This includes varying levels of training in the Incident Command System 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, such as the Emergency Management Performance Grant (EMPG). Further, many State agencies identify training requirements within their own organization to meet the needs of the agency for that specific discipline.

The training offered by the State and various State agencies assists ESF#13 with identifying and mitigating internal and external hazards by affording agencies the opportunity to assess their capabilities and limitations in a controlled environment. Lessons learned from training are applied toward the mitigation of identified risks and used to improve agency response activities.

The State of New York has incorporated the Homeland Security Exercise and Evaluation Program (HSEEP) into its emergency management program. HSEEP consists of both doctrine and policy for designing, developing, conducting, and evaluating exercises. The State has instituted HSEEP into a host of exercise activities, including those that involve tests and activations of the State EOC.

The State also utilizes an exercise component as part of the planning process to test the effectiveness of emergency management plans. These exercises vary in scope and cross several State-level plans or annexes. As a point of reference, the planning process that resulted in the creation of all of the State’s ESF annexes included an exercise component.

Capability Assessment

As part of the THIRA process, the State was required to assess its capabilities under Presidential Policy Directive (PPD-8). In doing so, the state assessed its Critical Capabilities using the construct outlined in the
CEPA program. The assessment provided the State with information regarding statewide capability trends and potential gaps that can then be planned for and addressed. Those capabilities have been mapped or linked to each one of the ESF annexes under Volume 2 of the State CEMP.

Memorandums of Understanding (MOUs)/Letters of Agreement (LOAs)

The Office of Parks Recreation and Historical Preservation has an MOU to supplement New York State Police and Department of Environmental Conservation operations.

SECTION III: Response

Alert and Notification

The State Watch Center (SWC) serves as the focal point for receiving or providing notification of incidents in the State. In response to an incident that warrants an increase in State response posture, the SWC will be used to notify agencies that the State EOC is activating.

Activation

State OEM will assess the potential needs and demands of the incident, and then determine the level of activation necessary to effectively manage the response to the incident. The capabilities that are needed to support activation are identified and agencies are notified to staff the State EOC using the ESF construct.

Flexibility will be key in activating this ESF. Not all incidents are the same, and not all activations of this ESF will require the full list of agencies to support the demands of the incident. Therefore, the representation of agencies that will be necessary to support the ESF may vary from incident to incident. The State CEMP identifies four activation levels of the State EOC. This ESF will activate to one of those levels as conditions warrant, with the DSP serving as the ESF coordinator. These are:

Level 4 Enhanced Monitoring: A small, isolated, or potential event that has some indicators that warrant extra attention, enhanced monitoring, or external communication.
- State OEM Staff only.
- Agencies may be asked individually to support any remote operations or reporting from their home agency.

Level 3 Partial Activation: An incident or event requiring a partial activation of the State EOC with ESF coordinating agency activation.
- DSP is activated on an as needed basis.
- Additional agencies will be determined at the time of the event.

Level 2 Full Activation: An incident requiring full activation of the State EOC with ESF activation.
- DSP is activated on an as needed basis.
- Additional agencies will be determined at the time of the event.
- ESF agencies will work in partnership with DSP to operate and report under the ESF.

Level 1 Full State/Federal Response: An incident requiring full activation of the State EOC with ESF activation, and Federal ESF integration and coordination.
- DSP is activated.
- Most, if not all, member agencies will be activated.
- ESF agencies will work in partnership with the DSP to operate and report under the ESF.
- The activities of the ESF will be integrated with those of their Federal ESF counterparts.
Direction and Control

As the coordinating agency, DSP will ensure the activities of the ESF are consistent with this Annex, and that agencies are operating in unison to achieve the common goal or mission of the ESF.

ESF#13 is part of the Public Safety Branch under the Operations Section of the State EOC and the member agencies of ESF #13. All requests for assistance will be managed through the OSC to the DSP for availability of resources/missions. The DSP will be given latitude to facilitate solutions in response to the request. Confirmation of a solution will be provided to the OSC to ensure the State maintains visibility of its resources and responses to requests.

Assignment of Responsibilities

The responsibilities for each agency identified in this ESF are listed below. As a number of these agencies are comprised of sworn law enforcement personnel, there is considerable overlap in their responsibilities and missions. It should be noted that the finite resources possessed by member agencies have application in other emergency support functions. The resources identified below include the total agency strength shared across the entire state during routine day-to-day business and across the spectrum of possible emergency missions identified by all ESFs.

1. Coordinating Agency

NYS Division of State Police (DSP)

DSP is a full time and full service law enforcement agency equipped with the personnel and resources necessary to provide a full spectrum of law enforcement services to the people of New York State. In addition, DSP can provide emergency operations personnel and equipment in support of activities to local first responders. DSP's responsibilities as a law enforcement and public safety agency include:

- Serving as the Coordinating Agency for ESF #13.
- Preventing crime and enforcing the law.
- Responding to reports of crime.
- Responding to emergencies and disasters.
- Ensuring highway safety and rendering general assistance.
- Providing fixed and rotary-wing aircraft in support of law enforcement missions and for other missions as authorized in support of State objectives.
- Providing evacuation assistance by supporting traffic and access control points.
- Providing preliminary damage assessment and situational information from affected areas.
- Providing perimeter security and authorized entry control.

2. ESF Member Agencies

NYS Department of Environmental Conservation (DEC)

DEC's responsibilities as a member agency of ESF #13 include:

- Providing general statewide law enforcement support.
- Responding to emergencies and disasters.
- Providing evacuation support and assistance statewide.
- Providing assistance with preliminary damage assessments and preliminary assessments of environmental/public health and safety hazards.
- Providing personnel and specialized patrols, including 4x4 law enforcement vehicles, all-terrain vehicles, and snowmobiles.
- Providing personnel and marine vessels for a wide range of applications and operating conditions rapidly deployable across the state.
- Providing limited CBRNE detection and interdiction capability to support other statewide CBRNE resources.
- Providing personnel with training and experience in ICS roles during emergency responses.
NYS Department of Corrections and Community Supervision (DOCCS)

DOCCS’s responsibilities as a member agency of ESF #13 include:
- Providing evacuation assistance.
- Providing perimeter security and authorized entry control.
- Providing vehicle support with secure transport vehicles.
- Ensuring that restraint equipment is strategically located at various regions in the state.
- Providing K-9 units for drug detection.
- Maintaining and providing a CERT with specialized training in disturbance control techniques.

NYS Division of Criminal Justice Services (DCJS)

DCJS does not possess any law enforcement assets. However, DCJS can request and coordinate resources from town and county law enforcement agencies across the state to include:
- Evacuation assistance through traffic and access control.
- Perimeter security and authorized entry control.

NYS Division of Military and Naval Affairs (DMNA)

By order of the Governor under Section 6 of the New York State Military Law, DMNA can provide the following support to ESF #13:
- Military forces are not first responders, but the National Guard is the first level of military response.
- General security augmentation and provide security assets.
- Civil disturbance support through crowd control equipment.
- DMNA is not a law enforcement agency and does not possess an investigative capability.

Metropolitan Transportation Authority (MTA)

The MTA’s responsibilities as a member agency of ESF #13 include:
- Maintaining safety and security at MTA facilities and security for MTA agencies throughout New York State.
- Providing emergency response and law enforcement support to MTA agencies and facilitating coordination of interagency response in accordance with the NIMS and ICS.
- Providing K-9 services for bomb detection and security at transportation facilities.
- Assisting in the evacuation of areas after an emergency event.
- Providing police patrol to all transportation facilities and routes.
- Coordinating intelligence for counter-terrorism planning and training through the Interagency Counter-Terrorism Task Force.

Port Authority of New York and New Jersey (PANYNJ)

PANYNJ’s responsibilities as a member agency of ESF #13 include:
- Providing law enforcement support of crime suppression, the preservation of law and order, and the protection of life and property.
- Coordinating and directing the public safety mobilization response to emergencies or other unusual occurrences at PANYNJ facilities.
- Coordinating with domestic and international law enforcement agencies for meeting Public Safety Department goals.

NYS Office of Parks Recreation and Historical Preservation (OPRHP)

OPRHP’s responsibilities as a member agency of ESF #13 include:
- Providing personnel, vehicles, and equipment including over 240 members statewide with 2-wheel and 4-wheel drive patrol vehicles, fully equipped marine patrol vessels, snowmobiles, and all-terrain vehicles. Other assets include K-9 teams certified for bomb detection and search, video surveillance equipment, walk-through magnetometers, and hand-held metal detectors.
- Assisting Federal Customs and Border Protection at critical border crossings in proximity to State Parks.
- Protecting critical infrastructure within State Park regions.
- Providing additional support, including but not limited to:
Marine patrol vessels for patrol and security at critical infrastructure locations statewide.
- Specialized patrols, such as snowmobiles and all-terrain vehicles.
- Augmenting existing police forces in maintaining order.
- Security at major venues (e.g., concerts, beaches, pools, and crowds in excess of 10,000 persons).

State University of New York (SUNY)
SUNY Public Safety’s responsibilities as a member agency of ESF #13 include:
- Providing uniformed police officers and equipment from the 28 State campuses around the state (depending on the school calendar).
- Providing other public safety resources including investigative personnel, evidence technicians, communications personnel, and non-sworn security personnel as requested.

Integration of Federal ESFs

The Federal Government organizes its response resources and capabilities under an ESF construct. Like New York State’s ESF construct, Federal ESFs are multi-agency organizations that serve as the primary means for coordinating Federal resources and capabilities. The Federal ESFs bring together a wealth of capabilities of Federal departments and agencies and other national-level assets. In doing so, they are organized to provide the operating structure for building, sustaining, and delivering Federal response core capabilities in support of the State’s Critical Capabilities. Integration and coordination are key to leveraging the resources of each Federal ESF. As such, New York State ESF #13 will serve at the primary integration point for Federal ESF #13. The table below summarizes Federal ESF #13 and indicates the response core capabilities that the ESF most directly supports. Detailed response capabilities and activities are listed in each Federal ESF Annex.

<table>
<thead>
<tr>
<th>ESF # 13 – Public Safety and Security</th>
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<tbody>
<tr>
<td>ESF Coordinator: Department of Justice/Bureau of Alcohol, Tobacco, Firearms, and Explosives</td>
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<tr>
<td>Key Response Core Capability: On-Scene Security, Protection, and Law Enforcement</td>
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<td>Coordinates the integration of public safety and security capabilities and resources to support the full range of incident management activities. Functions include but are not limited to:</td>
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<tr>
<td>• Facility and resource security.</td>
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<td>• Security planning and technical resource assistance.</td>
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<tr>
<td>• Public safety and security support.</td>
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<tr>
<td>• Support to access, traffic, and crowd control.</td>
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SECTION IV: Recovery

Short-Term Recovery

There is no clear delineation of when disaster response activities transition into short-term recovery activities. As with all disaster and emergency-related activities, any transition to a new phase will be dependent upon the needs of the response and the identified needs of the individuals/communities affected. In general, disaster response addresses the immediate aftermath and life safety issues of a disaster or emergency, while short-term recovery activities begin as the need for immediate life-saving activities diminishes. At times, these phases will often overlap with one another.

Demobilization

Demobilization of agencies and ESF #13 from the State EOC will occur based upon operational needs and will be jointly determined by State OEM and DSP. Based upon the needs of the operation, ESF #13 may begin to demobilize during the response/short-term recovery phase. However, it should be noted that member agencies may be subject to a rapid recall for if needed based upon operational needs.
In most cases, demobilization of an ESF will include the release of the coordinating agency and all member agencies. However, there may be instances where the ESFs can be partially demobilized, allowing member agencies to be released as the need for their representation and capability in that ESF are no longer necessary.

In the process of demobilizing an ESF, all agencies must ensure that any open or ongoing activities that require cross-coordination with other ESFs are closed out prior to demobilizing. This must be done in a manner to ensure that any dependencies or interdependencies of that ESF are properly and effectively communicated across the response organization. In addition, each agency must ensure that they coordinate their demobilization with their agency-specific counterparts that are represented on other ESFs.

**Transition to Long-Term Recovery**

As the urgency of a response lessens and communities begin to focus their efforts on implementing recovery programs, the State’s focus will also shift to the long-term recovery needs of the affected areas. In Presidential Disaster Declarations, this will likely include the activation of a federally established Joint Field Office (JFO). JFOs are established, operated, and maintained by the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA), and will include the temporary recovery organization structure put in place to support recovery. To properly ensure effective integration of State and Federal recovery activities, the State will organize in a similar structure to the Federal structure contained within the National Disaster Recovery Framework.

**Implement Recovery Support Functions (RSFs)**

As JFO activation occurs, the Federal government will transition out of the ESF construct and implement the Recovery Support Functions (RSFs). RSFs bring together the core recovery capabilities of Federal departments and agencies to focus on community recovery needs. The RSF structure includes the following: Community Planning and Capacity Building, Economic, Health and Social Services, Housing, Infrastructure Systems, and Natural and Cultural Resources. RSFs are intended to facilitate the coordination and delivery of Federal assistance to supplement the recovery efforts of local and State governments and are designed to operate within a timeframe of months to years.

As the Federal ESFs transition to RSFs, the State’s ESF posture will be required to transition into the RSF construct. As such, State agencies will transition from their assigned ESF role to the appropriate RSF, as warranted. It is important to note that not all federally-declared disasters will require full RSF activation, and not all RSF activations will require full participation from each agency. The transition from an agency to the RSF construct is situation based, and dependent upon the agency’s role(s) within the State response framework. For planning purposes, it is assumed that in a credible worst-case event, the situation may warrant full participation from all agencies that comprise this ESF. In such cases, the following agencies that comprise this ESF will transition to RSFs as listed on the following page:
<table>
<thead>
<tr>
<th>Agency</th>
<th>Community Planning and Capacity Building</th>
<th>Economic</th>
<th>Health/Social Services</th>
<th>Infrastructure Systems</th>
<th>Natural &amp; Cultural Resources</th>
<th>Housing</th>
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