



Health and Safety Checkpoint Protocol

I. Purpose:

In order to ensure the health, safety, and welfare of the Indian Island community during the COVID-19 State of Emergency, the Tribal Chief and Council have prohibited all visitation to the reservation by non-Penobscot Community Members. In an effort to monitor and regulate traffic onto Indian Island in compliance with this policy, the Department of Public Safety is instituting a checkpoint at the entrance of the reservation. Only Penobscot Tribal Members, eligible people accessing tribal services, essential personnel and any others receiving prior approval from Public Safety will be allowed to pass.

II. Definitions:

Essential Personnel: food and supply delivery workers, taxi service, oil, propane or other fuel delivery and service workers, appliance delivery and service workers, UPS, FedEx or mail delivery drivers, health workers, teachers, social workers and law enforcement personnel.

III. Policy:

It shall be the policy of the Penobscot Nation to implement a Health and Safety checkpoint program. This will be conducted as part of a collaborative community program. To ensure this program is clear and concise a set of written guidelines has been developed governing procedures on how the checkpoints will be operated within the Penobscot Nation's jurisdiction.

The Penobscot Nation will:

- A. Comply with Federal and Tribal legal requirements.
- B. Conduct checkpoints with a minimal amount of intrusion, motorist inconvenience or delay.
- C. Establish clear procedures for who may/may not enter Indian Island and under what circumstances.
- D. Maintain access to Tribal Services for eligible Penobscot Community Members.
- E. Assure the safety of the general public as well as law enforcement and Officers/wardens involved.
- F. Provide for an objective site selection based on traffic flow and officer safety.
- G. Provide for public information and education to maximize the negative perceptions and heighten awareness of the purpose of the check point.
- H. Provide for a systematic procedure for data collection, to use for assessment and ensure standardization and consistency of the checkpoint program.
- I. Refine Operational issues as necessary during a briefing period prior to each checkpoint.



IV. Procedure:

A. Site Selection

Criteria utilized in the site selection process must be able to be objectively outlined, and the location, time and procedures shall be determined by a supervisory law enforcement official. Supervisors shall consider:

1. Related traffic experiences.
 - a. Time of high traffic movements.
 - b. Unusual number of single vehicle crashes.
 - c. Any other documented vehicular incidents.
2. Select locations which permit the safe flow of traffic through the checkpoint.
 - a. Consideration should be given to posted speed limits, traffic volume and visibility.
 - b. Ensure sufficient adjoining space is available to pull vehicles of the traveled portion of the roadway.
 - c. Consider other conditions that may pose a hazard.
3. The site should have maximum visibility from each direction and sufficient illumination. If permanent lighting is unavailable, ensure that portable lighting is provided.
4. Hours of Operation
 - a. Determined by Chief and Council
 - b. Dependent on officer availability
 - c. May be adjusted as needed to maximize checkpoint efficacy

B. Entrance Requests

1. Any non-Penobscot Community Members conducting business on the Indian Island must call the Penobscot Nation Police Department at (207) 817-7358 for prior approval to enter Indian Island.
2. Essential Personnel will be allowed to enter, but will be stopped at the checkpoint and asked for professional and/or personal identification.
3. Public Health Services:
 - a. Residents who receive home health services, in-home physical therapy, midwifery, etc. and need access to the island for their workers will be provided a "permission slip" from the Health Department to access the island.
 - b. This "permission slip" must include:
 - i. The worker's name
 - ii. The name of the agency



- iii. An approximate schedule of their time
 - iv. Health Department Director signature
 - c. When possible, those eligible for Indian Health Services requesting Indian Island access for healthcare will have their appointment confirmed with the Health Department.
 - i. This verification may be contingent on staffing and availability of both the Health and Public Safety departments.
 - ii. The Health Department will not disclose the nature of any patient services including, program, provider, reason for appointment, etc.
 - iii. Verification of pharmacy services may not be available.
 4. Motorists who do not comply with checkpoint guidelines may be subject to criminal charges, as applicable:
 - a. Running the checkpoint
 - b. Failure to follow officer instructions
 - c. Island entrance under false pretenses
 - d. Other criminal activity
- C. Personnel
 1. A sworn, uniformed officer/warden will be assigned to provide on-scene supervision of the checkpoint.
 2. The checkpoint will be staffed by uniformed personnel to assure a safe and efficient operation.
 3. The supervisor in charge of the operation will provide all personnel assigned to operate the checkpoint all required safety equipment. Such personnel shall be provided with the required guidelines and procedures to be adhered to during the operation.
- D. Advance Notification
 1. For the purpose of public information and education, the media may be notified that checkpoints will be conducted.
 2. The Tribal Administration shall inform the public of the checkpoint through the tribal website, community flyer and other forms of media dissemination.
 3. The Penobscot Nation Police Department will provide advance notification of the checkpoint to other public safety agencies expected to be impacted.
- E. Motorist Warnings / Safety Methods
 1. Special care is required to warn approaching motorists of the Checkpoint. The nature of the checkpoint should be readily apparent to approaching motorists.



2. Basic equipment will include, but is not limited to:
 - a. Warning signs placed in advance of the checkpoint
 - b. Personal Protective Equipment (e.g. mask, face shield, etc.)
 - c. Safety lighting
 - d. Safety cones or similar devices
 - e. Permanent/portable lighting
 - f. Marked patrol vehicles

F. Operator Contact at Checkpoint

1. The selection of vehicles to be stopped will be:
 - a. All vehicles
 - b. Each motorist stopped shall be dealt with in the same manner, which will serve to remove officer discretion from consideration of those vehicles that are chosen to be stopped.
 - c. All contact law enforcement officers shall be uniformed to assure the public that the checkpoint is a legitimate Tribal governmental operation.
 - d. Law enforcement officers may wear a reflective traffic safety vest.
2. Officers/Wardens will greet each motorist with the following script:

"Good evening. This is a Health and Safety checkpoint aimed at determining if you have permission to enter the reservation. Could I see your Tribal ID, State driver's license or State identification? "

3. Motorists should not be detained any longer than is necessary to perform a cursory examination to check for identification to enter the reservation.
4. During the conversation with the driver, if suspicion of criminal activity is presented, the checkpoint officer will call the on-duty patrol officer to the scene to investigate.
5. Persons that are authorized on the reservation will be permitted to proceed.
6. Any driver/passengers that are found not to have permission to enter the reservation will be instructed to immediately leave.

G. Contingency Planning

Any deviation from the predetermined guidelines must be thoroughly documented with the reason for the deviation (e.g. traffic backing up, inclement weather, other tribal administration decision, etc.)

H. Data Collection and Evaluation

**PENOBSCOT NATION
12 WABANAKI WAY
INDIAN ISLAND, ME 04468
(207) 817-7349**



In order to ensure standardization and consistency of the checkpoint program a systematic method of data collection will be incorporated.

1. After action report may include, but is not limited to:
 - a. Time, date, and location of checkpoint.
 - b. Weather conditions.
 - c. Number of vehicles passing through checkpoint.
 - d. Number of motorists turned away.
 - e. Identification of unusual incidents such as safety problems/other concerns.
 - f. Identify of motorists allowed to pass or turned away as needed or indicated.

2. To assist in determining the effectiveness of the checkpoint operations, a periodic impact analysis will include the following types of information:
 - a. Number of persons not authorized entrance that were identified.
 - b. Other traffic related incidents.
 - c. Public opinion survey to determine increased perception of public health and safety (i.e. detection and apprehension of impaired drivers).