

Outside Agency Assistance

325.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

325.2 POLICY

It is the policy of the Easton Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

325.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Shift Supervisor for approval. In some instances, a memorandum of understanding or other established protocol may exist.

When another law enforcement agency requests assistance from this department, the Shift Supervisor may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this Department.

325.4 MUTUAL AID AGREEMENT- TALBOT COUNTY

325.4.1 DEFINITIONS

- (a) Chief Law Enforcement Officer” or “Chief” means:
 - 1. The Chief of Police for any of the municipalities to this Agreement;
 - 2. For a municipality without a police department, the Mayor or equivalent executive officer;
 - 3. The Talbot County Sheriff; or,
 - 4. The lawfully appointed designee of any foregoing in his/her/their absence.
- (b) “Emergency” means a sudden or unexpected happening, including without limitation an unruly person or group that demonstrates the potential for violence, a hostage situation, a fire, a natural disaster, an accident, or any similar circumstances where there is a need for an emergency personnel response.
- (c) “Governing body” means:
 - 1. The County Council of a charter county with no county executive, or
 - 2. The legislative body, by whatever name known, of a municipal corporation.
- (d) “Receiving Jurisdiction” means any party to this Agreement that has requested mutual aid from another party as provided herein.

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- (e) "Sending Jurisdiction" means any party to this Agreement that has agreed to provide mutual aid to another party as provided herein.

325.4.2 EMERGENCY REQUESTS FOR ASSISTANCE

Whenever, in a Chief Law Enforcement Officer's judgment, an emergency occurs in the Chief's jurisdiction and there are not sufficient police personnel or equipment immediately available to properly handle the emergency, the Chief may request assistance from his/her counterpart in any jurisdiction that is a party to this Agreement. If, in the counterpart's sole judgment, an emergency does exist and the police personnel or equipment requested are available and not otherwise required for the adequate protection of the counterpart's jurisdiction, such resources may be dispatched to the Receiving Jurisdiction as requested.

Whenever, in the judgment of the Sheriff of Talbot County, or the Police Chief of Easton, Trappe, Oxford, or St. Michaels, or in the event of their absence or unavailability, the highest-ranking on-duty official of the requesting agency, an emergency situation exists and the jurisdiction in which the emergency occurs does not have sufficient personnel or equipment immediately available to properly handle the emergency, the highest-ranking on-duty official of the jurisdiction in which the emergency occurs may request assistance in the form of personnel or equipment from another jurisdiction party to this Agreement. The request shall be directed to the Chief Law Enforcement Officer of the other jurisdiction, or in the event of his/her absence or unavailability, the highest-ranking on-duty official of the other jurisdiction. If, in the judgment of the authorized official to whom the request has been made, an emergency does exist and the personnel or equipment requested are available, such resources may be provided as requested.

All personnel provided by the Sending Jurisdiction in an emergency shall report to the Chief Law Enforcement Officer of the Receiving Jurisdiction while responding to the emergency.

325.4.3 JOINT OPERATIONS/NON-EMERGENCY ASSISTANCE

A Chief Law Enforcement Officer may request assistance for joint investigative or non-investigative events from his/her counterpart in any jurisdiction that is a party to this Agreement. Such events include, without limitation, conducting undercover surveillance, tactical operations, parades, carnivals, festivals, DUI checkpoints, or other activities where enhanced security is warranted. In addition to joint investigative or non-investigative events described herein, a Chief Law Enforcement Officer may also request police assistance for other non-emergency matters, as routine patrols, enforcement of Maryland vehicle laws or other law enforcement activities within the Receiving Jurisdiction from his/her counterpart in any jurisdiction that is a party to this Agreement. If, in the counterparts sole judgment, it would be appropriate to provide assistance and the police personnel or equipment requested is available and not otherwise required for the adequate protection of the counterpart's jurisdiction, such resources may be dispatched to the Receiving Jurisdiction as requested.

All personnel provided by the Sending Jurisdiction may enter into and remain in the Receiving Jurisdiction for the duration required to render the necessary assistance, including sufficient time to mobilize, conduct follow-up activities and investigation, and complete necessary reports. The

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Sending Jurisdiction may recall their personnel at any time in accordance with their own manpower needs.

325.4.4 OTHER ACTIVITIES

In the event a police officer from a jurisdiction that is a party to this Agreement must enter into another such jurisdiction for any purpose not constituting an emergency, as part of a joint operation, or as a non-emergency as defined herein (e.g. to conduct an investigation or to serve a summons or arrest warrant) the police officer shall provide advance notice of this activity to the jurisdiction he or she intends to enter through the Talbot County Emergency Operations Center. Such advance notice shall include at a minimum the identity of police personnel, the location and nature of their activity, and the date and time of anticipated arrival. If advance notice is not practicable, notice shall be given as soon as possible thereafter. Prompt notice shall also be given upon completion of the activity.

Notwithstanding the foregoing, this Agreement shall not affect the authority granted to police officers in matters involving fresh pursuit as provided in CP § 2-301 or any other provision of law.

325.4.5 AUTHORITY

The acts done by the police officers or other officers, agents, or employees pursuant to this Agreement and any expenditures made by a party to this Agreement shall be deemed to be for a public and governmental purpose. While lawfully acting pursuant to this Agreement, the law enforcement officers of the responding party shall be authorized to enforce the laws to the same extent as if they were duly authorized law enforcement officers of the jurisdiction for which they are entering. Nothing contained in this Agreement shall be construed as a limitation or abolition of any such authority granted by statute, ordinance or other applicable law.;

When a party to this Agreement is acting through its police officers or other officers, agents, or employees for a public or governmental purpose beyond its boundaries under the authority of this Agreement or other lawful authority, that party has the same immunities from liability that it has when acting through its police officers or other officers, agents, or employees for a public or governmental purpose within its boundaries;

When the police officers or other officers, agents, or employees of a party to this Agreement are acting beyond the territorial boundaries in which they are commissioned or employed pursuant to this Agreement or other lawful authority, these police officers or other officers, agents, or employees have the same immunity from liability described in § 5-612 of the Courts Article and exemptions from laws, ordinances, and regulations, and the same pension, relief, disability, workers' compensation, and other benefits as those persons have while performing their duties within their territorial boundaries. The signatory jurisdictions acknowledge that the law enforcement officers, agents and employees of each signatory jurisdiction, when acting under the terms of this agreement and beyond the territorial limits of the jurisdiction in which they are commissioned or employed, remain employees or agents of the jurisdiction in which they are commissioned or employed.

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325.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in an Incident Report or as directed by the Shift Supervisor. This report shall contain at minimum:

- (a) Location of the emergency situation.
- (b) Agency and name of the authorized official requesting mutual aid.
- (c) A brief synopsis of the circumstances which led to the initiation of mutual aid.
- (d) A narrative describing the responding officer's actions.
- (e) Name of supervisor who authorized the officer's to respond.

Whenever an officer of this department takes any enforcement action outside the Town jurisdiction under the Mutual Aid Agreement, the officer shall complete the required reporting forms, including charging documents for an arrest, as if the action was taken within the jurisdictional limits of Easton. The report shall contain at a minimum:

- (a) The type and location of the emergency situation.
- (b) The name of the authorized official enacting mutual aid.
- (c) A detailed report of the officer's actions.
- (d) The name of the authorizing department supervisor.

Copies of all paperwork will be forwarded to the head of the agency making the mutual aid request in a timely manner. The agency making the request for mutual aid will use the provided paperwork to document appropriate UCR reports, etc.

325.6 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Support Services Commander or the authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
 - 1. The use of the supplies and equipment.
 - 2. The members trained in the use of the supplies and equipment.
- (c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to Talbot Center and the Shift Supervisor to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Support Services Commander should maintain documentation that the appropriate members have received the required training.

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