

MUTUAL AID

POLICY & PROCEDURE NO. 1.25	ISSUE DATE: <u>11-18-2014</u>
	EFFECTIVE DATE: <u>12-01-2014</u>
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED:	REVISION DATE: _____

I. GENERAL CONSIDERATIONS AND GUIDELINES

The Easthampton Police Department entered into the Western Massachusetts Law Enforcement Mutual Aid Agreement (WMLEMAA) in July of 2014. The WMLEMAA establishes working partnerships to address public safety, including but not limited to: providing mutual aid for the member police departments because of terrorist or enemy action; natural disaster; unusual occurrence, including but not limited to fire, flood, storm, earthquake, landslide, aircraft accident, search or rescue operations; other natural or man-caused incidents requiring exceptional police action; school or workplace violence; riot; mob action; civil disturbance; demonstration; urban insurgency; unsafe or impaired driving; police outside details; drug distribution; tactical operations; K-9; electronic & cybercrime; combating violent street gangs and associations; the pursuit and/or apprehension of suspected traffic violators; as well as any law enforcement operations that require more sophisticated investigation on a regionalized basis or any situation threatening the peace and tranquility in the Parties' jurisdictions.

II. POLICY

1. It is, and always has been, the policy of this Department to fully cooperate with Federal, State and Local organizations whenever they are conducting legal operations, whether or not they seek our assistance or cooperation.
2. There are also some situations that require, by law or conditions, that the assistance of agencies with concurrent jurisdiction be contacted. There are others that require guidelines regarding assistance from our

Department to other local police departments. In addition to the procedures outlined below, in all serious situations where an Easthampton Police Officer responds to another agency at their request for assistance or another law enforcement agency responds to Easthampton at our request, the Captain and/or Chief of Police will be notified and briefed of the incident. This will be done within a reasonable amount of time, depending upon the nature and severity of the incident.

III. DEFINITIONS

Commanding Officer: A Party's Chief of Police, designee of the Chief of Police, or Police Officer in charge of the shift.

Official Request: A request for police assistance or for the exercise of Police Powers made by one Party of one or more other Parties under the terms of the agreement.

Party: City, town, or other political subdivision that has executed the Agreement through its Chief of Police and/or other authorized signatory.

Police Officer: On-duty sworn police officers regularly employed as such by or in any Party; for purposes of this Agreement, Chiefs of Police and/or their designees shall be the only Police Officers considered on-duty at all times.

Police Powers: All police powers granted by municipalities/University of Massachusetts Board of Trustees to Police Officers regularly employed as such, including but not limited to power of arrest.

Receiving Party: A Party receiving police assistance or in which one or more Police Officers regularly employed by another Party is exercising Police Powers in accordance with the agreement.

Self-Activation: The exercise of Police Powers within the territorial limits of any Party by any Police Officer regularly employed as such by any other signatory Party in the agreement.

Sending Party: A Party that provides police assistance or who's Police Officers exercise Police Powers within the territorial limits of any other Party under terms of the agreement.

IV. PROCEDURES

In order to address these public safety concerns, the member agencies to the WMLEMAA have agreed to have sworn police officers from each department empowered to operate with full police powers, including the

power of arrest, in each participating Party's jurisdiction. The WMLEMAA is intended to supplement but not contradict the provisions of MGL Ch. 41 §99, as well as all other statutes and common law that authorize police officers of one Party to exercise police powers in another Party's jurisdiction. The WMLEMAA is attached to this written policy and will be read by all police officers. Information below offers a summation only of some of the provisions of the WMLEMAA:

1. **AUTHORITY:** The police powers, rights, privileges and immunities of any Police Officer employed by the member agencies shall extend within the territorial or jurisdictional limits of each other agency to the WMLEMAA while such Police Officer operates in accordance with the WMLEMAA, either pursuant to an Official Request for aid or Self-Activation. Self activation is the exercise of Police Powers within the territorial limits of any Party by any Police Officer regularly employed as such by any other Party under the terms of this Agreement in the absence of an Official Request. In addition, without in any way limiting the foregoing, Police Officers *who* are on-duty and operating a police vehicle equipped with emergency warning lights and audible sirens or other similar devices may enforce the motor vehicle laws of the Commonwealth of Massachusetts while in the jurisdiction of another participating Party.
2. **REPORTING:** When an officer of the Easthampton Police Department exercises police powers in the jurisdictional territory of any other Party of the WMLEAA, the officer shall notify the Easthampton shift Supervisor/OIC forthwith. Additionally, the incident shall be document per existing Easthampton Police Department policy, including but not limited to a CAD report, incident report, arrest report, citation report, crash reports or use of force report. Additionally, the involved officer will, as soon as practically possible, make notification to the police department in the jurisdiction in which the officer is exercising police powers. Additionally, when an Easthampton Police Officer makes an custodial arrest under the authority of the WMLEAA, the detainee will be transported to the appropriate police headquarters or other lock-up and/or booking facility to undergo the required administrative booking process in the jurisdiction where the arrest occurred, or so that other appropriate administrative action may be taken. In these instances an Easthampton Police arrest report will still be generated.
3. **SIGNATORIES:** The Chief of Police reserves the right to cancel this agreement at any time. Set forth in Appendix A of this policy, are

the agencies that have signed on to this Agreement and are covered under this Mutual Aid Agreement, and as a result may act within the City of Easthampton. Easthampton Police Officers are also authorized to act within the jurisdictions set forth in Appendix A.

A. OUTSIDE AGENCY OFFICERS in the CITY of EASTHAMPTON:

When we (The Easthampton Police Department) are making an Official Request to another Party for Mutual Aid, as much pertinent information as possible shall be given to the other agency. This should include the location and nature of the incident as well as where responding Police Officers should report and to whom they should report.

In the case of an outside Police Officer activating themselves, officer(s) from the Easthampton Police Department shall be dispatched to the location of the incident and, if available, a Supervisor/OIC will also respond to the scene. As in the case when our officers leave our jurisdiction, outside officers shall be under the command of our Supervisor/OIC who will be the final authority on any action taken in our jurisdiction.

B. ASSISTANCE FROM LOCAL DEPARTMENTS and MSP:

It shall be the responsibility of the Shift Supervisor/OIC to make the initial decision regarding the need for outside assistance from other local departments and/or the Massachusetts State Police during some emergency situations. However, within a reasonable period of time for serious incidents, the Chief of Police and/or his designee will be contacted for the purpose of advising that the action was taken and to be briefed on the circumstances. The nature and the severity of the incident will dictate the timeliness of the notification. Examples of situations that might require this action includes, but are not limited to: disbursement of large crowds or gatherings; collision scenes; searches for a suspect or suspects following a crime; and, searches for missing or wanted persons. Shift Supervisors/OIC shall assume overall command of those situations in which they have obtained outside assistance. A CAD for "Request for Mutual Aid" will be generated in these instances

C. AID TO SURROUNDING COMMUNITIES:

Whenever any local police department requests our assistance for problems or situations within their community, the Supervisor/OIC on duty can authorize the assistance, but with serious incidents and within a reasonable amount of time the Chief of Police and/or his designee will be briefed. It is the responsibility of the Shift Supervisor/OIC to obtain the full details regarding the request and incident, and to apprise the Chief of Police and/or his designee of this information. The Easthampton Police Department is a member agency

of the Western Massachusetts Law Enforcement Mutual Aid Agreement (WMLEMAA), which includes numerous agencies in Hampshire, Franklin and Hampden Counties. Officers shall abide by the specific mutual aid agreement(s) that are in full force and effect to determine the proper procedures that are to be followed when responding to or requesting mutual aid assistance. A CAD for "Assist other PD" will be generated in these instances.

D. RADIO COMMUNICATIONS:

When this agency requests the assistance of another agency, we will whenever possible provide the outside personnel with a portable radio to maintain communication. Otherwise, the Shift Supervisor/OIC can order operations to be moved to the radio frequency "MT TOM 1" or another WMLEC channel for interoperability.

E. FEDERAL AGENCY NOTIFICATION:

Requests for assistance from a federal law enforcement agency, whether it be the Drug Enforcement Agency (DEA), Federal Bureau of Investigation (FBI), Immigration and Customs Enforcement (ICE), Department of Homeland Security (HSI) or other federal law enforcement agency must be approved by a Supervisor/OIC. It is expected that a sworn officer, not dispatch center personnel, will contact federal agencies during critical incidents. All requests of assistance, whether it is for a critical incident or on-going investigation, will be documented by the officer in the investigative report.

F. FBI NOTIFICATION:

It is not feasible to list all incidents which might be appropriate for notification of the Federal Bureau of Investigation. It is required, however, that whenever a bank robbery occurs in the community the FBI shall be contacted and advised of the situation. The telephone number of the closest office shall be maintained in the Dispatch area and the Briefing area, and it shall be the responsibility of the Supervisor/OIC to contact them.

G. MASSACUSETTS NATIONAL GUARD:

Aside from the Civil Defense Director during declared States of Emergency, the only person normally authorized from the Police Department to contact the National Guard for assistance is the Chief of Police.

If a situation exists whereby a Supervisor/OIC feels that National Guard assistance is needed, such as searching for a missing child or person, he/she shall immediately contact the Chief of Police. In cases where the Chief is unavailable the order of authorization shall be as follows:

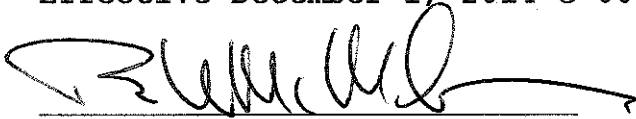
1. Captain;
2. Sergeants;
3. OIC;

H. FEDERAL AVIATION ADMINISTRATION:

The FAA must be contacted whenever there is an airplane crash which occurs within the community. The telephone number of their closest office shall be maintained in the Dispatch area and the Briefing area and it shall be the responsibility of the Supervisor/OIC to contact them.

All officers assigned to the area of an airplane crash shall fully protect the site and allow no unauthorized person to approach or touch the craft, its parts, or anything else in the immediate area. Upon the arrival of investigators from the FAA all officers shall realize that they have full command of the crash site and the aircraft.

Effective December 1, 2014 @ 0001 hrs



Bruce W. McMahon
Chief of Police