



Directive 13.3 Annex 2

LAW ENFORCEMENT MUTUAL AID

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I. REFERENCES:

Code Of Virginia 15.2-1724 thru 15.2-1730
COG Mutual Aid Agreement Operational Plan (*July 2011*)
No. Va. Mutual Aid Agreement (*07-01-2002*)

II. PURPOSE

The purpose of this annex is to establish guidelines in the use of law enforcement mutual aid agreements as they apply to our department; and obtaining National Guard and federal military assistance.

III. POLICY

It is the policy of the Alexandria Police Department to cooperate with other law enforcement agencies should mutual aid service become necessary.

IV. GENERAL

The Northern Virginia Mutual Aid Agreement (7-1-02) and the Metropolitan Washington Council of Governments Police Mutual Aid Operational Plan (July 2011) were approved by the local governments and chief law enforcement officers.

These arrangements were designed to provide for police aid across jurisdictional boundaries in certain emergencies and to increase the ability of local governments to promote public safety.

V. **DEFINITIONS**

MUTUAL AID AGREEMENT - The term 'mutual aid agreement' means an agreement, authorized under [Section 7302 of the Intelligence Reform and Terrorism Protection Act of 2004], for the provision of police, fire, rescue, and other public safety and health or medical services to any party to the agreement during a public service event, an emergency, or pre-planned training event.

EMERGENCY - The term 'emergency' means a major disaster or emergency declared by the President, or a state of emergency declared by the Mayor of the District of Columbia, the Governor of the State of Maryland or the Commonwealth of Virginia, or the declaration of a local emergency by the chief operating officer of a locality, or their designees, that triggers mutual aid under the terms of a mutual aid agreement. *(Defined by the Intelligence Reform and Terrorism Protection Act of 2004, Pub. L. 108-458, Section 7302. This definition of 'emergency' differs from that utilized in the National Incident Management System (NIMS).)*

PUBLIC SERVICE EVENT - The term 'public service event'—
(A) means any undeclared emergency, incident, or situation in preparation for or response to which the Mayor of the District of Columbia, an authorized representative of the Federal Government, the Governor of the State of Maryland, the Governor of the Commonwealth of Virginia, or the chief operating officer of a locality in the National Capital Region, or their designees, requests or provides assistance under a Mutual Aid Agreement within the National Capital Region; and
(B) includes Presidential inaugurations, public gatherings, demonstrations and protests, and law enforcement, fire, rescue, emergency health and medical services, transportation, communications, public works and engineering, mass care, and other support that require human resources, equipment, facilities, or services supplemental to or greater than the requesting jurisdiction can provide. *(Defined by the Intelligence Reform and Terrorism Protection Act of 2004, Pub. L. 108-458, Section 7302. Differs from the NIMS definition of 'public service event'.)*

INCIDENT COMMANDER – Individual responsible from the appropriate agency of the affected jurisdiction on the incident scene for the management of available personnel and equipment to achieve the maximum benefit.

VI. **REQUESTING ASSISTANCE**

A. Establishment of Need: Prior to any request of local police aid, an emergency or public service event shall exist and the affected jurisdiction shall have committed or shall have foreseen the need to supplement its available resources. Initial requests for assistance will be pursuant to the Northern Virginia Mutual Aid Agreement. If additional resources are required, requests will be pursuant to the COG Mutual Aid Agreement Operational Plan.

- B. The Chief of Police, or designee, is authorized to request assistance, or authorized to approve requests for assistance that arise from actual or imminent emergencies or public service events.
- C. The officials designated in Attachment "A" are authorized to request assistance or authorized to approve requests for assistance that arise from public service events requiring rapid response of short duration. Whenever assistance for public service events necessitates assistance, the Chief of Police, or designee, of the requesting jurisdiction will gain the approval of the Chief of Police, or designee, from the assisting jurisdiction. Without such approval, the personnel of the assisting jurisdiction may cease activity in the requesting jurisdiction.
- D. Requests for assistance for public service events of short duration and emergencies will be made by telephone or the Police Mutual Aid Radio System (PMARS). Requests for assistance for emergencies will be verified by Teletype message initiated by the official authorized to make such requests. When the COG plan is activated, a letter signed by the official authorized to make the request will subsequently confirm the request.
- E. Whenever possible, jurisdictions that are a party to the mutual aid agreements will alert other jurisdictions of the need to stand by for possible assistance.
- F. Requests for assistance will include:
 - 1. The name and position of the official making the request.
 - 2. The nature and location of the emergency or public occurrence.
 - 3. The number of personnel requested, and whether specialized personnel are needed.
 - 4. The type of equipment needed for assistance.
 - 5. The name, rank and location of the officer to which the assisting personnel will report.
 - 6. The location where responding units should report (and if pre-arranged event, the date and time of reporting).
- G. The authorized official of the assisting jurisdiction will evaluate all requests for assistance and will promptly advise the requesting jurisdiction of the number of personnel, specialized units, and equipment which will be provided.
- H. Mutual Aid Needed
 - 1. Short Duration
 - a. Requested by Patrol Watch Commander.
 - b. Via telephone or PMARS
 - c. Verified by teletype
 - 2. Long duration

- a. Requested by Chief of Police, or designee
 - b. Via telephone or PMARS (PMARS only for COG mutual aid)
 - c. Verified by teletype
 - d. Follow-up letter from Chief of Police (COG mutual aid only)
3. The agencies will not be liable to each other regarding reimbursement for injuries to personnel or damage to equipment incurred when going to or returning from another jurisdiction. The agencies will not be accountable to each other for the salaries or expenses of their personnel, vehicles and equipment used in association with, or arising out of, the rendering of assistance pursuant to this agreement.
 4. During the period assistance is provided, law enforcement officers who enter the jurisdiction of the requesting agency pursuant to the Northern Virginia Mutual Aid Agreement or the COG Mutual Aid Agreement Operational Plan shall have the same police powers as personnel of the requesting agency, including the authority to make arrests.

VII. DEPLOYMENT OF PERSONNEL

- A. Assisting personnel will be under the command and control of the Incident Commander.
- B. Whenever possible, assisting personnel will be deployed as undivided units under their own supervisor. If such deployment is not possible, assisting personnel will be deployed as members of a team with officers of the requesting jurisdiction. If neither of the preceding is possible, deployment will be determined by the Incident Commander.
- C. The nature of the emergency or public service event should determine how the assisting personnel should be used.
 1. In the event of civil disorder, assisting personnel generally should be deployed as supporting units.
 2. In all other disasters, assisting personnel generally should be deployed in direct support of the incident.
- D. **Orders**
 1. No orders will knowingly be issued that would require assisting personnel to commit an illegal act. Assisting personnel will comply with all lawful orders issued under the authority of the Incident Commander. Assisting personnel will not obey any order that they know would require them to commit any illegal acts. Responsibility for the refusal to obey any order rests with the refusing individual.
 2. When any order conflicts with a previously issued order or directive, or with a department rule, regulation or directive of the assisting personnel's agency, the conflict should be respectfully brought to the attention of the issuing officer. Attempts to resolve conflicts between orders should be made, when possible, between the parties involved or by summoning an individual of higher rank than both parties. If the

conflict cannot be resolved and the conflicting order is not rescinded, the order will stand.

3. The responsibility for the conflicting order will rest with the issuing officer and the assisting personnel will not be answerable for disobeying any previously issued order, directive, rule or regulation of the affected jurisdiction or of their own agency.
- E. Whenever possible, the assisting personnel and equipment will be withdrawn pursuant to the mutual agreement of the requesting and assisting jurisdictions. If agreement is not possible, either the requesting or assisting jurisdiction may unilaterally withdraw the assisting personnel or equipment, after notifying the other(s) of the intended action.
- F. General Regulations**
1. Evidence and recovered property shall be processed in accordance with the established procedures of the incident jurisdiction.
 2. Responsibility for the investigation of any criminal act(s) related to the emergency or public service event shall rest with the incident jurisdiction unless state or federal law dictates otherwise. (This does not prevent the use of assisting employees in conducting or assisting in the investigation.)
 3. Release of all information related to the emergency or pre-planned event shall be the responsibility of the incident jurisdiction by means of the Public Information Officer. Other officials or employees shall not give statements to any media representative unless authorized by the Public Information Officer.
 4. Disposition of deceased persons shall be governed by the laws of the incident jurisdiction unless other disposition is dictated by state or federal law.
 5. Deadly force by employees of assisting jurisdictions and assisting agencies shall be used only when necessary to prevent death or serious bodily harm to any person. Primary responsibility for the criminal investigation of the use of deadly force shall rest with the jurisdiction where the incident occurred unless state or federal laws dictate otherwise. The assisting jurisdiction or agency, whose employees were involved, will participate and/or take the lead in the administrative investigation where appropriate.
- G. When specialized units, such as those trained for hostage/barricade are committed, the supervision of the specialized unit will be completely controlled by the commander of that unit. Continuous communication will be maintained between the commander of the specialized unit and the incident commander, who will maintain overall control.

VIII. NATIONAL GUARD AND FEDERAL MILITARY ASSISTANCE

The Chief of Police, after consultation with the incident commander, will determine if resources in addition to those provided by law enforcement mutual aid are needed. If so, the City Manager will be asked to make such a request to

the Virginia State Department of Emergency Management (D.E.M.) at [REDACTED]
[REDACTED]

IX. CRISIS INTELLIGENCE DISSEMINATION CENTER (CIDC) ASSISTANCE

- A.** The Crisis Intelligence Dissemination Center is designed to expedite intelligence and information sharing among law enforcement agencies during public service events or emergencies that require augmented intelligence resources.
- B.** The CIDC will be activated when an originating police agency determines that an event requires intelligence resources external to its own agency to disseminate or gather intelligence information pertinent to the special event that affects public safety.
- C.** Activation
 - 1. Activation of the CIDC will be at the discretion of the Chief of Police of the affected jurisdiction, or his/her designee.
 - 2. Once the CIDC is activated, the originator will determine the extent to which it will be mobilized.
 - 3. The originator will be responsible to provide the facilities necessary for the CIDC to fulfill its mission.
- D.** The officer-in-charge of the CIDC will be the designated point of contact of the originating agency and will be responsible for detailing assignments and disseminating any resulting information. The point of contact for our agency is the Intelligence and Homeland Security Unit Commander.

X. RESPONSIBILITIES

Patrol division commanders and supervisors will familiarize themselves with and have a working knowledge of this order and the mutual aid agreements to ensure understanding and compliance.

ATTACHMENT A NORTHERN VIRGINIA MUTUAL AID

Following initial contact, representatives will be responsible for contacting other officials within their own jurisdiction regarding police mutual aid notification required below.

In the absence of the indicated official the officer assuming responsibilities in his or her place for the jurisdiction is authorized to act, in accordance with the operational procedure of this agreement.

OFFICIALS WHO MAY APPROVE TEMPORARY ASSISTANCE FROM OTHER JURISDICTIONS	
Arlington County	shift commander
Fairfax County	staff duty commander
Loudoun County	ranking on duty supervisor (with approval f/chief deputy)
Prince William County	district commander
Alexandria City	patrol watch commander
Fairfax City	shift supervisor
Falls Church City	watch commander
Manassas City	shift supervisor
Manassas Park City	shift supervisor
Herndon Town	senior ranking officer
Leesburg Town	police chief or shift supervisor
Vienna Town	shift supervisor
Purcellville Town	police chief