

	FREDERICKSBURG POLICE DEPARTMENT DIRECTIVES	
	ADMINISTRATION	
105.00	APPROVED: <i>David W. Nye, Chief of Police</i>	Initiated: 10/01/2007
		Revised: 07/14/2009

JURISDICTION AND MUTUAL AID

105.00 – Jurisdictional Boundaries – The City is bounded on the north and east by the Rappahannock River; across the river is Stafford County; and is bounded on the south and west by Spotsylvania County. A map depicting the City's boundaries is located in the Department CAD system and displays the City boundaries and surrounding jurisdictions on any computer or MCT that displays CAD.

The Mutual Aid Agreement (s) covered herein applies to the jurisdictional boundaries of the City of Fredericksburg. It is important to note that not all members of the regional inter-jurisdictional agencies mentioned below are contiguous to the city boundaries. [2.1.1]

105.01 – Responsibilities of this Department under the Mutual Aid Agreement (s) – The chief law enforcement officers of King George County, Stafford County, Spotsylvania County, the Fredericksburg Sheriff's Office, the University of Mary Washington Police Department, and the City of Fredericksburg have entered into a cooperative agreement whereby each may request temporary emergency assistance from any or all other member agencies. The provisions of § 15.2-1725 and § 15.2-1730 of the Code of Virginia shall guide and bind the aforementioned member agencies in requesting and providing mutual aid. Under the terms of the agreement, the Fredericksburg Police Department is committed to providing personnel, equipment, and specialized units to the extent that it would not endanger primary services to the City of Fredericksburg. [2.1.3, a]

The Chief of Police or his/her designee will review and revise the mutual aid agreement as necessary, based upon the following occurrences:

- Meetings with other member agency chief executive officers to formulate or revise emergency plans, share information, and assess the general emergency needs of the region.

- Data updates concerning the Department's available staffing per shift, available equipment and specialized units, and obtain similar information from the other member agencies.
- Timely negotiation of additions to, or renewal of, the mutual aid agreement. [2.1.3, h]

Police officers of this Department sent to another jurisdiction as a result of an emergency declared by a chief law enforcement officer, or by or through a designee, or when necessity arises, shall be subject to the lawful orders and directions of the chief law enforcement officer, or designee, of the jurisdiction receiving assistance. A copy of the regional Mutual Aid Agreement is on file with this Department.

Extraordinary expenses incurred by police officers of this Department serving in a jurisdiction that is the recipient of mutual aid assistance shall be paid or reimbursed by the agency requesting assistance. Examples of extraordinary expenses include overtime pay and lost, damaged, or destroyed equipment not resulting from the negligence of the police officer. [2.1.3, g]

105.02 – Responsibilities of Cooperating Agencies under Mutual Aid Agreement (s) – The provisions of § 15.2–1724 and § 15.2–1730 of the Code of Virginia specify the procedures for vesting provider agency personnel with the legal authority to act within the receiver agency's jurisdiction. [2.1.3, b]

The procedure for requesting and receiving requests for mutual aid is governed by the following parameters:

105.03 – Requests and Authorization – In non-emergency situations, requests for mutual aid assistance shall be forwarded to the Chief of Police through the chain of command in a timely fashion. In the event that this Department requires assistance in handling an emergency, the supervisor in charge of the scene shall contact Communications and request that the Patrol Division Commander, or the Watch Commander in the absence of the Division Commander, be advised of the situation. The supervisor must provide Communications with the following information:

- Nature of the emergency
- Measures taken to bring the situation under control and reasons why they have proven insufficient
- Estimated amount of equipment, personnel, or special units that will be necessary to bring the situation under control [2.1.3, c]

The Chief of Police is normally the sole designated official permitted to request or authorize emergency assistance. If circumstances warrant, however, such authority is delegated to the Patrol Division Commander or the Watch Commander. [2.1.3, d]

The following guidelines apply:

- Requests may be made via radio, telephone, or the V.C.I.N.
- All requests shall be confirmed by the receiver

- The requesting agency is responsible for providing member agencies with the information necessary to determine the levels of assistance required.
- Each member agency is only committed to providing assistance to the extent that it does not endanger the primary operations of the agency and may withdraw loaned personnel or equipment where circumstances require redeployment to their own jurisdiction.

105.04 – Command – The designated supervisor of the requesting agency shall be in charge at the emergency site. All personnel shall follow his or her lawful orders. However, where the provided mutual assistance involves the loan of a tactical team, hostage negotiator, or a canine unit, the commander of that specialized unit shall be responsible for accomplishing the mission as determined and directed by the field commander of the requesting agency. [2.1.3, e]

When taking law enforcement actions at the emergency site, including the use of force, officers of this Department will adhere to Department policies and procedures at all times and utilize only those weapons and tactics with which they have previously qualified. Officers from this Department assisting at an emergency site shall regularly provide our communications center with information concerning the continued status of the emergency, line-of-duty injuries, or the need for relief.

Officers providing mutual assistance shall only take those law enforcement actions permitted by law, only make arrests for offenses related to the emergency situation, and assist in the preliminary processing of arrested violators as follows:

- Identification of the arrested person (s)
- Control of property obtained from arrested person (s)
- Completion of arrest documents
- Transportation of arrested person (s)
- Court duty (where appropriate)

105.05 – Requesting Assistance – Prior to a request for law enforcement assistance, the following should be present:

- An actual emergency exists or is imminent
- Temporary assistance is required to mitigate the emergency

The Chief of Police, Division Commander, or Watch Commander shall be authorized to request assistance for actual or imminent emergencies and require rapid response of short duration. Requests for assistance must follow the same procedures described in the Requests and Authorization directive. [2.1.3, c]

105.06 – Deployment of Personnel – Whenever possible, assisting personnel will be deployed as integral 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, the Incident Commander will determine the

deployment protocol. The nature of the emergency should determine how the assisting personnel are to be deployed:

- In the event of civil disorder, the assisting personnel generally should be deployed as support units.
- In all other disasters, the assisting personnel generally should be deployed in direct support of the incident and not in support of general patrol activities.

Communication with assisting personnel is important and the Incident Commander or designee will determine the best way to establish and maintain communication. Options include:

- Radio patch between agencies
- SIRS frequency
- Teaming assisting agency personnel with Fredericksburg Police Department personnel
- Loaner radios
- Relay of information between agency Communication Centers (considered to be a last option due to the delay)

The Incident Commander is responsible to advise Communications staff of the communication method and ensure Communications staff oversees the function. [2.1.3, f]

105.07 – Orders – The following guidelines will govern orders issued to assisting personnel:

- No order shall knowingly be issued that would require a subordinate to commit an illegal action.
- Assisting personnel will comply with all lawful orders issued under the authority of the Incident Commander.
- Assisting personnel shall 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.
- When any order conflicts with a previously issued order or directive or with a Department rule, regulation, or directive from 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 a higher-ranking individual. If the conflict cannot be resolved and the conflicting order is not rescinded, the order shall stand.
- Responsibility for the conflicting order will rest with the issuing officer, and the assisting personnel shall not be answerable for disobeying any previously issued order, directive, rule, or regulation from the affected jurisdiction or of their own agency.

105.08 – Withdrawing Assistance – Whenever possible, the assisting personnel and equipment shall 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 agency of the intended action.

105.09 – Specialized Units – Deadly force by personnel of assisting jurisdictions shall be used only when necessary to prevent death or serious bodily harm to any person. Specialized units trained for hostage or barricade situations are uniquely qualified to evaluate conditions that can only be resolved by the use of deadly force. Therefore, the Incident Commander of the requesting jurisdiction will not commit such specialized units to an event unless it is apparent that deadly force may be required. Subsequent to the deployment of the specialized unit (s), further consideration to the use of deadly force will occur. When such units are committed, the commander of the unit shall be solely responsible for its supervision. Continuous communication shall be maintained between the commander of the specialized unit and the Incident Commander from the controlling jurisdiction.

105.10 – Requesting State and Federal Law Enforcement or National Guard Assistance – The Virginia State Police may be contacted for assistance, as necessary, to provide additional law enforcement capabilities such as bomb disposal, helicopter assistance, and readily available law enforcement personnel to manage a large-scale incident.

Law enforcement agencies may request emergency assistance from a federal law enforcement agency when the emergency site is an area in which the federal and requesting agency share concurrent jurisdiction. This includes federal law enforcement entities such as the FBI and U.S. Secret Service. An example for this type of request is a bank robbery.

The National Park Service maintains a mutual aid agreement with the Fredericksburg Police Department. The protocol and procedures for requesting or responding to an emergency situation involving the aforementioned agencies are outlined in the text of the mutual aid agreement. An example for requesting National Park Service assistance is a crime that has been committed on Park Service property.

The Virginia National Guard may be contacted for emergency assistance if the Governor has declared a state of emergency in the requesting agency's jurisdiction.

The Watch Commander, or if incident command has been established the Incident Commander, shall direct Communications to contact the appropriate agency for assistance. Communications personnel shall contact the requested agency by phone or teletype.

Requests for assistance must be made at the earliest stage of an incident once it is recognized that management of the incident will require additional personnel or personnel with special expertise or authority. [2.1.4]