



ORONO POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES

Protect with Vigilance & Serve with Compassion and Excellence

Subject:	Mutual Aid Response & State-Wide Arrest Powers	Policy #	A-42
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	<i>Rescinds All Previous Policies Related to This Current Policy</i>		
Issuing Authority:	Chief of Police Daniel Merrill		

I. POLICY:

The goal of the Orono Police Department is to provide efficient, high-quality law enforcement services to the community during both emergency and non-emergency situations. The purpose of the regional mutual aid agreement is to enable each agency to handle emergency situations more effectively and efficiently through the pooling of law enforcement resources. In recognition of the fact that this agency has a finite number of resources with which to meet all such incidents, it shall be the policy of this agency to participate in the mutual aid agreement to strengthen its response to emergency situations.

II. PURPOSE

The purpose of this policy is to incorporate the provisions of *Aid to Other Law Enforcement Agencies* – and *Optional Arrest Powers* under *Title 30-A M.R.S.* and establish guidelines for requesting mutual aid and responding to mutual aid requests.

III. PROCEDURES - 30-A M.R.S. § 2674 – Aid to Other Law Enforcement Agencies

A. Scope of Agreement

1. The law enforcement agencies in the region have entered into a cooperative agreement whereby each may request temporary emergency aid from any or all other member agencies.
2. The agreement may be invoked by designated members of this or any other member agency during any emergency where there is an immediate threat to life or property, and the requesting agency has determined that it does not have sufficient resources to meet that threat in an adequate manner.
3. Under the terms of the agreement, this agency is committed to the provision of personnel, equipment, and specialized units to a member agency to the extent that it would not endanger primary services to its own jurisdiction.
4. To maintain the effective and efficient implementation of the agreement, the Chief of Police or designee has the following responsibilities:

- i. Attendance at regular meetings with other member agency Chief Law Enforcement Officers to formulate or revise emergency plans, share information, and assess the general potential emergency needs of the region.
 - ii. Provision of data to member agencies concerning this agency available manpower per shift, equipment, and specialized units, and maintenance of similar information from the other member agencies.
 - iii. Timely negotiation of additions to or renewal of the agreement.
 - iv. Informing each employee of the guidelines of pursuit policies of neighboring law enforcement agencies.
5. The cost of the salaries or the wages, pensions, relief, and workers' compensation for loaned personnel resulting from mutual aid duty shall be the responsibility of the agency providing those services.

B. Requests for Assistance

1. In non-emergency situations, requests for mutual aid shall be forwarded to the supervisor in a timely fashion through the chain of command.
2. If this agency requires assistance in handling an emergency, the supervisor shall contact the dispatcher and provide the dispatcher with the following information:
 - i. Nature of the emergency
 - ii. Measures necessary to bring the situation under control.
 - iii. Estimated amount of equipment, personnel, or special units that will be necessary to bring the situation under control.
3. The shift supervisor, in the absence of the Chief of Police or designee of each member agency, is the sole designated official permitted to request or authorize emergency assistance.
 - i. Requests may be made by telephone, radio, or in writing, and are subject to confirmation.
 - ii. The requesting agency is responsible for providing member agencies with the information necessary to determine the levels of assistance required.
 - iii. Each member agency is only committed to providing assistance to the extent that it does not endanger primary operations and may withdraw loaned personnel or equipment where circumstances require re-deployment.

C. Emergency Scene Responsibilities

1. The supervisor of the requesting agency shall oversee the emergency. All loaned personnel shall follow lawful orders. However, where the provided mutual aid involves the loan of a specialized SWAT, hostage negotiation, bomb disposal, or canine unit, the respective commander of that specialized unit shall be responsible for the implementation of the mission to be accomplished in coordination with the supervisor of the requesting agency.
2. When taking law enforcement actions during the emergency, including the use of physical force, law enforcement officers from this agency shall always adhere to their agency policies and procedures and utilize only those weapons and tactics with which they have shown proficiency.
3. Employees on loan from this agency shall regularly apprise their agency's communications section concerning the continued status of the emergency, line-of-duty injuries, or needed relief.
4. Employees may only take those law enforcement actions permitted under state law for emergency allocation outside the original appointing jurisdiction.
5. Agency employees providing mutual aid shall only make arrests for offenses related to the emergency and shall assist in the preliminary processing of arrestees as follows:

- i. Identification of arrestees.
- ii. Control of property obtained from arrestees.
- iii. Completion of arrest reports.
- iv. Transportation of arrestees.
- v. Court duty.

D. Federal and State Enforcement Agency Aid

- 1. Member agencies may request emergency assistance from a federal law enforcement agency when a federal crime is involved or when the emergency is one in which the federal agency and the requesting agency share concurrent jurisdiction.
- 2. The National Guard may be contacted for emergency assistance whenever a state of emergency exists within National Guard's jurisdiction.

E. If the request for assistance is for a major, unplanned incident that jeopardizes the health and welfare of the citizens of the requesting jurisdiction and when delay may cause further jeopardy to life or property or in the case of jointly planned collaborative activity, the Chief of Police of any municipality or Sheriff of any county or the designees may request assistance from, or provide assistance to, another municipality or law enforcement agency whether or not an agreement between the two parties exists. Each law enforcement department shall assume its own liability to a third party, except for liability incurred by the command or operational decisions made by the requesting department, which must be assumed by the requesting department. A "major, unplanned incident" means an extraordinary emergency to which a law enforcement agency is unable to adequately respond that presents a substantial and imminent danger to the public safety and that necessitates the cooperation or assistance of other law enforcement agencies.

F. The municipal officers may authorize the Chief of Police or designee to request a County Sheriff to appoint as a deputy sheriff a municipal law enforcement officer who has satisfied the training requirements of *Title 25, sections 2804-C and 2804-E*. The authorization of the municipal officers must be accompanied by an agreement between the requesting municipality and the respective county that specifies the purpose and period for which the authorization is granted, and which governmental entity is liable, if any liability is determined to exist, for personal injury or property damage caused by or occurring to law enforcement officers of the municipality while exercising their authority as deputy sheriffs. A municipal law enforcement officer appointed pursuant to this paragraph has the same authority as a deputy sheriff within the respective county, except as to the service of civil process, and has the same privileges and immunities as when acting within the officer's own jurisdiction.

IV. PROCEDURES - *Optional Arrest Powers*

MLEAP 7.04

- 1. The Orono Police Department recognizes there are times when an officer must make an arrest while outside of the territorial jurisdiction of the town of Orono, either while on-duty or off-duty. In such an event, officers shall exercise deliberate and educated judgment before deciding to make an arrest. ***Pursuant to 30-A M.R.S. § 2671 Optional Arrest Powers***, full-time certified law enforcement officers who have met the requirements of *25 M.R.S. § 2804-C* have the authority to make, out jurisdiction arrests, as defined in *by 17-A M.R.S. § 15*. To be covered under this statute, the arresting officers must meet the following requirements:
 - i. Must be a full-time certified Maine Criminal Justice Academy (MCJA), Basic Law Enforcement Training Program (BLETP) graduate, possess a waiver of the BLETP requirement issued by the MCJA Board of Trustees.
 - ii. A commissioned officer of the Orono Police Department.

- iii. As soon as possible, the arresting officer must notify the governing jurisdiction that they will be making an arrest.
 - iv. If the officer is unable to contact the governing jurisdiction before making the arrest, the officer shall notify the agency immediately after the arrest is made.
 2. In the event an officer affects an arrest while out of their jurisdiction, the department supervisor will be notified as soon as practical, the OIC will then be responsible for notifying their command staff member or designee.