JOPLIN POLICE DEPARTMENT	1-03 STANDARD OPERATING GUIDELINE
SUBJECT: Mutual Aid	**REVIEW DATE: Annually - January**
EFFECTIVE DATE: February 14, 2017	**ACTION DATE:**
AMENDS/SUPERSEDES: 1-03 January 15, 2008	**AMEND DATE: February 14, 2017**
ACCREDITATION INDEX: 2.1.2, 2.1.3 a, b, c, d, e, f, g, h, 2.1.4	**APPROVED:** Richard A. Pearson **Chief of Police**

I. POLICY

It is the policy of this department to enter into Mutual Aid Agreements with other county and municipal political subdivisions within the parameters set forth in RSMo §70.820, It is our intent in entering into these agreements to make appropriate responses to, or make appropriate resource requests from, other agencies that are signatories of these agreements. (2.1.2)

II. PURPOSE

To establish the procedures for the provision of mutual aid in emergency situations.

III. DEFINITIONS

A. Political subdivision

Any agency or unit of this state empowered by law to maintain a law enforcement agency.

B. Emergency situation

Any situation in which the law enforcement officer has a reasonable belief that a crime is about to be committed, or has been committed, involving injury or threat of injury to any person, property, or governmental interest and his response is reasonably necessary to prevent or end such emergency situation or mitigate the likelihood of injury involved in such emergency situation. The determination of the existence of any emergency situation shall be in the discretion of the peace officer making the response or in the discretion of the peace officer or governmental officer of the political subdivision in which the emergency situation is alleged to be occurring. (§70.820.3 RSMo). (2.1.3 A)

C. Response (2.1.3 B)

To take any and all action which the peace officer may lawfully take as if exercising his powers within his own jurisdiction (§70.820.4 RSMo).

IV. PROCEDURE

A. Authorization (2.1.2)

The City of Joplin has authorized officers of the Joplin Police Department to respond to emergency situations outside the city through Section 70-35 of the Code of the City of Joplin. This response may be made based on a request from the law enforcement agency of any political subdivision, which has authorized Joplin police officers to respond to such situations arising in their jurisdiction.

1. Area of applicability

   The authority contained in this section shall permit the response of one or more city police officers to any jurisdiction having a signed mutual aid agreement with the City of Joplin or which participates in the statewide mutual aid system, within or out of the state, until the emergency situation has been adequately taken into control, in the discretion of the officer, within the appropriate jurisdiction. [RSMO 44.090]

B. Responding to requests for Mutual Aid assistance (2.1.2)

1. A supervisor from within the Bureau from which the resources are being requested shall be immediately advised of any request for mutual aid assistance. The decision to commit those resources may be made by that supervisor, or an officer of higher rank.

2. The supervisor making the decision shall make a determination as to whether or not commitment of the requested resources will have a substantial negative impact on public safety in Joplin. That issue, along with the appropriateness of the response, will be the primary factors in the decision.

3. The supervisor making the decision to commit the resources outside the city shall notify his chain of command of the operation - under either of two conditions:

   a. The operation is in excess of two hours in duration.

   b. The operation requires resources in excess of two officers.

4. In the event that officers are committed outside the city under a mutual aid agreement, the supervisor making that commitment will insure the responding officers are advised of the scope of their duties and where they are to report. In the event that more than two officers are committed, a supervisor will be assigned with them for coordination of JPD personnel.

C. Making a request for assistance under a mutual aid agreement (2.1.3 C)

1. A Sergeant or Corporal, in the event that a Captain or above is not immediately available, may make a request for emergency assistance. This request shall be made through the Communications Division. It may be made when the supervisor determines that the need for immediate police resources is beyond the ability of this department to provide them. The request shall be made to the senior commander or supervisor on duty with the agency from which the resources are being requested. (2.1.3 D)

2. In the event that this department makes a request for outside resources under a mutual aid agreement, the supervisor shall notify his chain of command immediately or as soon as is practical.

3. The supervisor making the request shall cause the selected agencies to be advised of the resources requested, the location of the staging area, and to whom they are to report. (2.1.3 E)

4. The officers from outside the jurisdiction shall either be supplied with radios that include JPD frequencies, or they shall be assigned to work with a JPD officer. They shall, in no case, be assigned to a post or function without the ability to communicate with the command post and other officers. (2.1.3 F)

5. The supervisor making the request is responsible for documentation of all facts and circumstances related to the request, the resources used, and how they were deployed. That report shall be forwarded to the Chief of Police via the chain of command. (2.1.3 G)

6. All outside personnel who respond to the request under the mutual aid agreement shall report to the Incident Command Post upon arrival.

7. Any claims for compensation made by the responding agency shall be forwarded to the Office of the Joplin Chief of Police for review. (2.1.3 G)

8. All officers who respond under authority of a mutual aid agreement are required to document their actions while engaged in the operation. The supervisor who authorized the operation shall be responsible for ensuring that copies of those reports are sent to the law enforcement agency with jurisdiction. This will be for the purpose of prosecution in the proper venue. (2.1.3 H)

D. Request for Tri-State Major Case Squad

1. The Major Case Squad was formed to assist in providing expedient solutions to more serious crimes, including:

   a. Murder

   b. Aggravated assault

   c. Robbery

   d. Rape

   e. Burglary and

   f. others of a magnitude constituting a community crises

2. A request for the major case squad may be made by the Chief of Police, or by his designee, to a member of the Board of Directors, preferably the chairman of the board if possible. (2.1.3 C)

E. Request for aid from Federal law enforcement agencies (2.1.4)

When the incident commander in charge of an emergency incident determines that the resources and expertise of any federal law enforcement agency are necessary to a successful and safe resolution, he or his designee shall make direct phone contact with the supervisor for the office of that agency and request the needed resources. Routine contact due to issues of primary jurisdiction (bank robbery, bombings, etc.) may be made directly by communications.

F. Request for military aid (2.1.4)

The primary responsibility for meeting any emergency within the City of Joplin lies with city government. Upon determination of the Mayor that an emergency exists that local resources are not capable of handling, a formal request for military assistance may be made as follows:

1. Disaster situations: The request shall be made to the State of Missouri Emergency Management Agency (SEMA). SEMA will then make the request to the Governor.

2. Civil disturbances: The Mayor may make the request for military support directly to the Governor.

3. The constraints under which the Missouri National Guard may be used are contained in §41.480 RSMo:

   a. The governor may, when in his opinion the circumstances so warrant; call out the organized militia or any portion or individual thereof to execute the laws, suppress actual and prevent threatened insurrection and repel invasion. The governor, if in his judgment the maintenance of law and order will thereby be promoted, may by proclamation declare martial law throughout the state or any part thereof.

   b. The governor may, when in his opinion circumstances so warrant, call out the organized militia or any portion thereof as he deems necessary to provide emergency relief to a distressed area in the event of earthquake, flood, tornado or other actual or threatened public catastrophe creating conditions of distress or hazard to public health and safety beyond the capacities of local or other established agencies.

G. Extra jurisdictional authority (2.1.3 B)

1. Full time Joplin police officers have the authority (§70.820 RSMo) to carry concealed firearms outside the corporate limits of the City of Joplin within the State of Missouri and in other states as provided by law. When doing so, officers shall exercise due caution to promote concealment and avoid public alarm.

2. Full time Joplin police officers are empowered but not required to respond to an emergency situation anywhere in the State of Missouri when the officer has the reasonable belief that a crime is about to be committed, is being committed, or has been committed, involving injury or the threat of injury to any person, property, or governmental interest. On duty response to such incidents shall be at the direction of the officer's supervisor.

3. Full time Joplin police officers are empowered but are not required to arrest on view and without warrant, at any place within the state, any person the officer sees asserting physical force or using forcible compulsion for the purpose of causing or creating a substantial risk of death or serious physical injury to any person or persons. Any such action and the circumstances subsequent to it shall be deemed to be within the scope of the officer's employment.

4. Full time Joplin police officers who are on light duty status are not encouraged to take action under this section.

5. Officers on suspension shall not take action under this section.

6. Whenever any such action occurs, the officer shall request that a copy of the report be sent from the investigating law enforcement agency to the Chief of Police, Joplin Police Department. Additionally, the officer shall call the Central Records Section in the jurisdiction where the incident occurred and shall provide a supplemental report detailing all actions taken by the officer within 12 hours of the incident.

7. In the event the officer uses police authority as provided in this section, he/she shall make immediate telephone contact with the on-duty Patrol supervisor and brief that supervisor on the incident.

8. The supervisor shall obtain a telephone number where the officer may be contacted and shall relay the information to the officer's Bureau Commander. The Bureau Commander shall then call the officer.

9. Subsequent to the use of deadly force or causing serious physical injury to another, the officer shall make him/herself available for subsequent Use of Force review by the Joplin Police Department's Office of Internal Affairs and shall also cooperate with the equivalent unit of the agency with jurisdiction if requested.

10. All Use of Force policies shall apply to the incident regardless of geographic or jurisdictional placement.

V. COMPLIANCE

Violations of this policy, or portions thereof, may result in disciplinary action as described in the City of Joplin's Personnel Rules or the Joplin Police Department's Rules and Regulations and General Orders. Members of the Joplin Police Department, while assigned to or assisting other agencies shall comply with this policy.

VI. APPLICATION

This document constitutes department policy, is for internal use only, and does not enlarge an employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense, with respect to third party claims insofar as the employee's legal duty as imposed by law. Violations of this policy, if proven, can only form a basis of a complaint by this department, and then only in a non-judicial administrative setting.