

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

POLICY: 1.5 REQUESTING AND PROVIDING ASSISTANCE

REVISED DATE: 10.04.2021

POLICY

On occasion the need arises to request assistance from or give assistance to a neighboring-law enforcement agency. This need may result from an emergency such as a civil disorder, fire, flood, or other disaster, but most often is requested for cover on calls where officers are at risk and local backup is unavailable.

Officers of this department are prohibited from offering or providing unrequested mutual aid or cover assistance except in the preservation of life, to any agency, but will respond to any request for cover when it may be safely done within the perimeters of this policy.

I. PURPOSE

To establish procedures, duties, and responsibilities for providing assistance to, or requesting assistance from another law-enforcement agency and to provide for the use of statewide law-enforcement support systems. While we understand that with many departments the terms "Mutual Aid" and "Cover Assistance" are synonymous it is the responsibility of officers of this department to respond appropriately.

II. DEFINITIONS

- A. For the purpose of this policy, **Cover Assistance** is defined as a specific assignment for operational safety at a scene where the primary officer is engaging a suspect or violator.
- B. For the purpose of this policy, **Mutual Aid** is defined as the assistance given when asked for, between the department and other law enforcement agencies during emergencies which amounts to more than mere officer presence. The circumstances which require mutual aid can include one or more of the following situations:
 - a. Enforcement of laws which control or prohibit the use or sale of controlled drugs;

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- b. Any law-enforcement emergency involving an ongoing or occurring threat to public safety which the request amounts to more than just “cover”.
- c. Any public disaster, fire, flood, epidemic, or civil disorder.

III. PROCEDURE

A. Jurisdiction

- 1. Generally, the operational jurisdiction of the department stops at the city limits or its contractually extended areas, or other areas as defined by the Texas CCP.

B. Cover

- 1. Cover officers may be requested by or from another law enforcement agency at the discretion of any officer for short duration and within 3 miles of the city limits. Cover units are prohibited from assisting the primary officer in the contact. Cover officers are provided to enhance officer safety, by attempting to keep a 360-perspective (especially if there are bystanders), answering status checks through radio traffic if needed, deploying and staging additional assets if needed, and being ready to employ force in the protection of the primary officer and public. Cover units may not enter into a vehicle pursuit that would violate this department's policy for the purpose of providing cover to the pursuing agency. Cover units are prohibited from giving opinions or advice either legal or operational. Cover units are not to gather information, interview suspects, search vehicles, etc. THEIR SOLE PURPOSE IS SCENE SAFETY.
- 2. Cover units (requested or provided) may provide traffic control at an accident scene if requested but are prohibited in participating in the investigation, gathering of information, performing SFST tests, and searching or transporting of vehicles or persons without prior supervisor approval.

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3. Specialized units (EMT, K9, PSO, etc.) shall not be used as cover units if possible. Any request for K-9 deployment shall be dealt with as a mutual aid request.

C. Mutual aid

Requested by outside agency (in-county)

1. Mutual aid may be requested by any in-county law enforcement agency but **with the exception of short duration only**, must be approved by a supervisor. Any supervisor may approve mutual aid for medium duration and within 4 miles of the city limits, but must be approved by a Sergeant or above for any longer duration, distance or multiple requests within a 12hr period; officers must remember, that they are primarily responsible for providing law-enforcement service to our jurisdiction. There are generally three levels of mutual aid assistance as follows:
 - a. Short duration, 20 minutes or less, where an additional officer will engage in some type of law enforcement action, or traffic control if required.
 - b. Medium duration, approximately 20 minutes to four hours, Sergeant or above approval is required. If approved an officer may provide assistance to the neighboring law enforcement agencies, the County Sheriff, or Texas DPS. The officer is approved to engage in some type of law enforcement action, or traffic control if required.
 - c. Long duration, more than four hours, full scale assistance required. The officer shall immediately notify the Director who will assist in coordinating additional aid as required.

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- d. Officers are prohibited from giving mutual aid in any pursuit that would not be approved under the departments vehicle pursuit policy.

Request by Outside Agency (out of county)

Mutual aid may be requested by any out of county law enforcement agency. Should this occur patrol officers are to refer this call to a supervisor of the rank of Sergeant or above. Under no circumstances are patrol officers to respond directly to these requests unless directed to by a sergeant or above. When dealing with officers of other departments outside the State of Texas officers must be aware that laws, procedures, requirements, etc. may be different than allowed here.

At no time will officers of this department take any person into custody or transport any person for another agency that is not on scene, unless officers of this department have probable cause to arrest. Officers will confirm all warrants through dispatch BEFORE placing the suspect into custody. If the requesting agency is not willing to place a warrant on the computer or teletype the warrant to dispatch with the appropriate credentials, officers of this department will inform the agency that they are terminating the detention and will do so immediately if no other charges or probable cause for the detention exist. (see policy 7.2 Warrantless Arrest)

All officers providing mutual aid for any out of county agency will report all actions on a standard report with a service number issued for the act. Such reports will not be released until approved by a supervisor. All mutual aid calls will be recorded by use of the vehicles MVR or body worn camera. Under no circumstances will microphones be turned off or interfered with during any call.

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Requested Mutual Aid (outside county)

1. Mutual aid may be requested by any supervisor of this department but must be approved by a sergeant or above if the requested aid will include activities outside the normal scope of patrol activities. Consideration must be given to the resources requested and the requested agency's ability to provide the aid with minimum impact to their own jurisdictions.
2. If requested and approved the supervisor will complete a supplemental to the incident report stating Officer making the request, reason for the request, the time mutual aid was called for and all responding officers. Requesting officers of this department are responsible for obtaining supplemental reports from ALL responding officers no matter how insignificant their actions may be. If officers refuse to give such a report the requesting officer then should email the Director with the name, badge number and department of the refusing officer and circumstances surrounding the refusal so that this information may be submitted with the case report.
If no report is made officers will note the time mutual aid was called for and all responding officers on their DAR. Any violation of this department's policies by any outside responding officer is to be documented in a report provided to the Director.
3. Occasionally it is necessary to request assistance from a federal law-enforcement agency when a major crime has occurred, and the suspect may have left the state. The Director shall decide whether to notify the FBI or other appropriate agency.

D. Unrequested Mutual Aid/Cover Assistance

Officers of this department are prohibited from offering or providing unrequested mutual aid or cover assistance to any agency. The only exception to this is an officer may respond and give unrequested aid to

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an active assault on a law enforcement officer or firefighter. Officers may in this case respond at their own discretion but must take into account: distance, traffic, number of responding units, weather and policies of this department.

1. If an on-duty officer from another department arrives at a scene where they have not been requested and a radio dispatch for assistance has not been transmitted by our officer, officers are to report to dispatch "unit XXXX is on-scene at their discretion". If permissible officers are to greet the responding unit and see if they are in need of assistance. If the responding unit does not, then the officer may if needed request that the responding unit provide cover assistance and will report to dispatch over the radio "at my request unit XXXX will be providing cover". The officer will note the reason for the request in his report or on his DAR and obtain a supplemental report from the responding officer for his actions if a report is required.
2. If the officer does not need the responding officer to provide cover assistance, the officer will politely tell the responding unit he is "not needed" and advise dispatch by radio transmission "unit XXXX is not needed and he was cleared to leave", then shall resume his duties. If the unit remains on scene officers may request a supervisor from this department and from the responding officer's department to the scene. If the responding officer interferes with the officer's duties in any manner it is to be noted and a supervisor of this department notified immediately.

E. Unrequested Aid Off-Duty Officer

1. EXCEPT IN EMERGENCY OFF DUTY OFFICERS ARE NOT TO BE UTILIZED AS COVER OFFICERS WHEN A UNIFORMED ON-DUTY OFFICER IS AVAILABLE. If no cover assistance is needed and an off-duty officer interferes they are to be warned regarding "Interfering with a Public Official" and request dispatch notify a supervisor of this department and the off-duty officers department. If the officer interferes again prior to a supervisor's

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arrival the officer may arrest if his interference has violated the law.

F. State Law Enforcement Assistance during Declared Emergency or Disaster Situations

1. Only the Governor has the authority to provide State Law Enforcement Assistance during an emergency of disaster situation. State equipment and personnel can be used to support local emergencies or to protect life and property in natural disasters per the governor's authorization. The Director shall request the City Manager contact the Governor's Office if State Law Enforcement assistance is required in such an event.

Pursuits

Officers are prohibited from giving mutual aid in any pursuit that would not be approved under the departments vehicle pursuit policy.

Approved: *M. Shackelford*

M. Shackelford

Adopted: 10.01.2013

Revised: 10.04.2021 Content