




WINCHESTER POLICE DEPARTMENT OPERATION ORDER

NOTE: This policy is for internal use only, and does not enlarge an employee’s civil liability in any way. It should not be construed as the creation of a higher standard of safety or case in an evidentiary sense, with respect to third party claims. Violation of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

Number 1-6		Effective Date March 20, 2023	Review Date December 31, 2022	Reviewing Division Administration
Subject JURISDICTION AND MUTUAL AID		<input type="checkbox"/> New Policy <input checked="" type="checkbox"/> Amends <input type="checkbox"/> Replaces		This policy shall apply to personnel assigned to the following divisions: <input checked="" type="checkbox"/> All Personnel <input type="checkbox"/> Patrol Division <input type="checkbox"/> Administration Division <input type="checkbox"/> Investigation Division
References VLEPSC: ADM.13.01 CALEA				
 <hr/> Chief of Police or Designee		March 20, 2023 <hr/> Date		

I. PURPOSE

The purpose of this policy is 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. This policy will not take the place of any Memorandum of Understanding (MOU) that may exist between the Department and other law enforcement agencies. It will simply enhance the provisions set forth in the MOU.

II. POLICY

On occasion, the need arises to request assistance from or give assistance to a neighboring law enforcement agency. This need usually results from an emergency such as a threat to public safety, civil disorder or natural disaster. Before the need arises, agencies must clarify and plan emergency procedures. Available state support systems shall be used to support operations.

III. PROCEDURE

A. Jurisdiction

1. Generally, the legal jurisdiction of the Department stops at the City limits, as defined by charter. Virginia Code 19.2-250, however, in criminal cases involving offenses against the Commonwealth of Virginia, extends Department jurisdiction one (1) mile beyond the corporate limit of the City. This authority may be used for the following reasons:

- a. Assisting neighboring law enforcement agencies or the Virginia State Police in handling emergency calls at times when they are unable to respond immediately; or
 - b. When an officer observes a felony or serious misdemeanor crime in progress within the one (1) mile zone.
2. Whenever a person in the custody of an officer escapes, or whenever a person flees from an officer who is attempting to arrest him or her, the officer, with or without warrant, may pursue the person anywhere in the state and when actually in close pursuit, may arrest him or her wherever he or she is found. See also General Order 2-69, Vehicle Pursuits.

B. Mutual Aid

1. Mutual aid is addressed in Virginia Code. For the purpose of this policy mutual aid is defined as the short term assistance given or asked for between the Department and neighboring law enforcement agencies during emergencies. The circumstances which require mutual aid, per Virginia Code 15.2-1724, can include one or more of the following situations:
 - a. Enforcement of laws which control or prohibit the use or sale of controlled drugs;
 - b. Any law enforcement emergency involving an immediate threat to public safety;
 - c. When executing orders for the temporary detention or emergency custody of people for mental health evaluation;
 - d. Any public disaster, war, fire, flood, epidemic, civil disorder, per Virginia Code. See Virginia Code for limitations concerning campus police departments.
2. Officers are primarily responsible for providing law enforcement service to the City of Winchester. Mutual aid may be requested from or provided to another law enforcement agency by the Department at the discretion of the on-duty supervisor. There are generally three (3) levels of mutual aid assistance:
 - a. Short duration, approximately thirty (30) minutes or less, where an additional show of resources, traffic control, or assistance with prisoner transportation is required;
 - b. Medium duration, approximately one (1) to four (4) hours, where the on duty supervisor may request assistance from the neighboring law enforcement agencies and the Virginia State Police, however, their role is normally confined to a showing of resources, transporting prisoners, or traffic control; and

- c. Long duration, more than four (4) hours, full scale assistance is required. The on duty supervisor shall immediately notify the Chief of Police or designee who will assist in coordinating additional aid as required.
3. Any long term support between the Department and neighboring law enforcement agencies shall be coordinated in advance through a written agreement that incorporates the following:
 - a. Indemnification of the provider agency and its personnel;
 - b. List of resources to be shared;
 - c. Estimate of amount of aid available; and
 - d. Payment for certain expenses such as meals, lodging, gas, or overtime pay.
4. 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 Chief of Police or designee shall decide whether to notify either the FBI or other appropriate agencies.
5. If the Department, with the help of neighboring law enforcement agencies and the Virginia State Police, is unable to cope with an emergency such as a riot or civil disturbance, the Chief of Police or designee may contact the governor's office for National Guard assistance.

C. National Guard

Only the Governor has the authority to call out the National Guard for active duty. Federal equipment and personnel can be used to support local emergencies or to protect life and property in natural disasters, and protect against invasion or insurrection, with the Governor's authorization. The Chief of Police or designee will contact Emergency Management for the City of Winchester who will follow requesting procedures if National Guard assistance is required.

D. Additional Law Enforcement Support

1. Some additional law enforcement resources may be made available to the Department for special use. These resources, and the agency to contact include:
 - a. Canine teams from the Virginia State Police or surrounding jurisdictions. Canine teams, if requested, shall use great caution in deploying canine teams in heavily populated or congested areas. Canine handlers are responsible for compliance with their own agency policies and procedures;

- b. Helicopter or fixed wing aircraft from the Virginia State Police, Maryland State Police, West Virginia State Police, U.S. Park Police, and Fairfax County Police. Normally requested in advance by the Chief of Police or designee and may be available on an emergency basis;
- c. Polygraph services from Frederick County, Virginia State Police or FBI;
- d. Riot truck and equipment from the Virginia State Police;
- e. Bomb disposal services from the Virginia State Police;
- f. SWAT teams and vehicles from the Virginia State Police or surrounding jurisdictions; and
- g. CNT teams from the Virginia State Police or surrounding jurisdictions.