

## 1.00 JURISDICTION AND MUTUAL AID



# JURISDICTION AND MUTUAL AID

POLICY & PROCEDURE NO. <b>1.00</b>	SECTION <b>OPERATIONS</b>	PAGES: 7	ISSUE DATE: June 11, 2024
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: <b>2.1.1, 2.1.2, 2.1.3, 2.1.4</b>		EFFECTIVE DATE: June 25, 2024	REVISION DATE:
ISSUING AUTHORITY: <i>Nathan C. Hagglund</i>			
Chief Nathan C. Hagglund			

## I. GENERAL CONSIDERATIONS AND GUIDELINES

The purpose of this policy is to describe the West Brookfield Police Department's jurisdiction, and the provisions and use of mutual aid and regional law enforcement services.

## II. POLICY

The West Brookfield Police Department shall establish guidelines describing its responsibilities with other law enforcement agencies having concurrent jurisdiction within the Town of West Brookfield, and procedures regarding mutual aid assistance to and from other law enforcement agencies and municipalities, including requests for assistance from the Military.

## III. DEFINITIONS

## IV. PROCEDURES

### **GEOGRAPHICAL BOUNDARIES [2.1.1]**

1. The Town of West Brookfield, Massachusetts, is an area of approximately 21.1 square miles located within Worcester

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County. The Town is bordered by the following municipalities:

- **North:** New Braintree and North Brookfield
- **South:** Warren and Brookfield
- **East:** Brookfield
- **West:** Ware

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2. The Department will maintain a detailed official map based upon the official jurisdictional map maintained by the Town of West Brookfield Public Work's Department, which delineates the specific geographical jurisdictional boundaries of the Town of West Brookfield serviced by the Police Department. This map will be posted in the main station area. The Chief of Police, or designee, is responsible for ensuring that these maps are annually reviewed for accuracy and updated as needed. All Department personnel will familiarize themselves with the geographical boundaries of the Town of West Brookfield.

### CONCURRENT JURISDICTION [2.1.2]

1. General Guidelines - The following agencies have been identified as having concurrent jurisdictional authority within the Town of West Brookfield:

- Massachusetts State Police
- Massachusetts Environmental Police
- Massachusetts Bay Transit Authority

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2. It is the intent of this Department to have the primary responsibility to investigate and/or respond to all crimes and incidents having occurred within the Town of West Brookfield and coming to the attention of any member of the Department. In those instances, in which another agency has initiated an investigation of an incident which occurred within the Town of West Brookfield, either as a whole or part of an ongoing criminal act or chain of events, it is incumbent upon the Department to cooperate and coordinate with all agencies involved in the investigation. The Department reserves the right to exercise original jurisdiction over those incidents occurring in the Town of West Brookfield, including taking the case to its conclusion for prosecution purposes when appropriate.
3. In those instances when an agency with concurrent jurisdiction responds to any call for service (motor vehicle accident, robbery,

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burglary, etc.) within the Town of West Brookfield, the officer responding from the WBPD shall assume full direction and responsibility for the investigation, regardless of which officer arrived on the scene first.

4. In any situation where a question arises concerning jurisdiction with another agency, the responding West Brookfield police officer will make every attempt to resolve the matter in the most professional, legally justifiable manner possible. If this is not possible, the matter will be turned over to a supervisor for resolution. If a resolution is not achieved by a supervisor, the matter will be brought up the Chief of Police. No criminal action should be taken by the officer until the matter is referred to a supervisory or command level where a decision is made, up to and including the Chief of Police, unless the officer has clear legal authority to do so. In addition, a detailed report outlining the situation shall be submitted to the Chief of Police for consideration and review.

### **TRAFFIC CRASHES WITHIN THE TOWN LIMITS**

1. The West Brookfield Police Department shall investigate all motor vehicle accidents occurring on any public way within the Town of West Brookfield.

### **MUTUAL AID**

1. **General Guidelines** - The West Brookfield Police Department will make use of mutual aid in conformance with state laws and any mutual aid agreements (if established), for any actual or potential condition that poses an immediate threat to life or property and exceeds the capability of the Department to successfully counteract.
2. **The authority to seek "Mutual Aid"** - from another department may be requested pursuant to MGL c.41 Sect. 99 or through the procedures outlined in the Central Massachusetts Law Enforcement Council (CEMLEC) Mutual Aid agreement pursuant to MGL c. 40 Sect. 8g. Additionally, any Shift Supervisor may authorize a request for the assistance of any other municipal, state, or national law enforcement agency, including the Massachusetts State Police, FBI, DEA, or ATF, by directly contacting that agency.
3. **Request by the West Brookfield Police Department for Mutual Aid** - When the Department needs assistance from

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another department, the request should include as much information as possible, including: the nature of the problem resulting in the need for assistance, an estimated level of personnel needed, and any special equipment needed. Requests for Mutual Aid may be made in several different ways:

- a. Under MGL c. 41 Sect. 99 Request from the shift supervisor to the shift supervisor from the sending department;
  - b. A request from a Chief of Police for mutual aid for a planned event to take place at a future time; or
  - c. A request from a receiving town sent out through electronic means for the assistance or activation of a CEMLEC regional team such as the SWAT Team, Accident Reconstruction Team or Motorcycle Unit. When a West Brookfield officer is notified under these conditions the officer will notify the dispatcher that (s)he/they has been activated.
4. **Requests for the Mutual Aid of the West Brookfield Police Department** - The West Brookfield Police Department relies on mutual aid to ensure safe responses and achieve operational goals. Furthermore, West Brookfield is committed to providing assistance to neighboring municipalities to safeguard their officers and support their operational objectives. When deploying to assist other communities, West Brookfield officers will return promptly upon completion of their services.
5. **Mutual Aid Agreements** -If the Department enters into any mutual aid agreements, either as the providing agency or the receiving agency, such agreements will be reviewed by the Chief of Police on an annual basis and shall include, at a minimum, the following details:
- a. The legal status of agencies and agency personnel responding to mutual aid requests. The Department is authorized to provide or accept officers pursuant to a mutual aid request. Officers responding to a mutual aid request are provided with the same authority as if they were acting within their own town. Officers are also protected from civil liability in the same manner. **[2.1.3(A)]**
  - b. Procedures for vesting provider agency personnel with the legal authority to act within the receiver agency's jurisdiction; **[2.1.3(B)]**

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- c. Procedures for requesting mutual aid; **[2.1.3(C)]**
- d. Identity of those persons authorized to request mutual aid; **[2.1.3(D)]**
- e. Identity of persons to whom outside personnel are to report; **[2.1.3(E)]**
- f. Procedures for maintaining radio communication with outside personnel; **[2.1.3(F)]**
- g. Expenditures, if any, which should be borne by the receiver agency to compensate for the use of the provider agency's resources. However, if the receiving agency is reimbursed by outside sources for the costs of the response then the receiving agency will reimburse sending towns to the extent possible. and **[2.1.3(G)]**
- h. Procedures for review and revision if prescribed in the agreement. **[2.1.3(H)]**

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### **NATIONAL AND STATE LAW ENFORCEMENT AND REGULATORY AGENCIES**

1. Within the geographical boundaries of the Town of West Brookfield, the sworn members of the West Brookfield Police Department shall have primary responsibility to enforce Massachusetts General Law and Town Ordinances, and to provide other essential law enforcement services.
2. The West Brookfield Police Department shall have concurrent jurisdiction with the National and state law enforcement and regulatory agencies. These agencies shall have primary responsibility to enforce all laws and investigate all incidents or crimes on state or federally-owned property.
3. Officers of the West Brookfield Police Department receiving a call for service at one of the aforementioned state-owned land or water properties shall respond and render service as needed. Such service shall include, but is not limited to, providing emergency aid, traffic direction, securing of scenes, buildings and perimeters, and crowd control.
4. Once on scene, the responding West Brookfield police officer(s)

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will provide an update and request the presence of the Massachusetts State Police. The responding state officer(s) will assume primary responsibility for the investigation of the incident. The officer(s) from this agency will assist, as needed, and file a report, when required. If any questions pertaining to jurisdiction arise, a supervisor shall be summoned to the scene and resolve the matter in a professional and courteous manner, consistent with the best interest of the community.

### **WBPD OFFICERS ON REGIONAL TEAMS OR TASK FORCES**

1. WBPD staff assigned to regional teams such as the SWAT, Accident Reconstruction Teams or Motorcycle Unit, Drone, etc are acting under the auspices of the CEMLEC Mutual Aid agreement when responding out of town.
2. WBPD staff assigned to other task force units such as the DEA Task Force will receive authority in a manner that allows them to have authority in those towns served by the unit.

### **REQUESTING NATIONAL LAW ENFORCEMENT/MILITARY ASSISTANCE IN EMERGENCIES [2.1.4]**

1. **Assistance from National Law Enforcement Agencies** - In the event of an emergency, which, in the opinion of the Chief of Police, or designee, requires national law enforcement assistance, aid will be solicited from the appropriate national agency. In the event of a criminal offense in which there are concurrent enforcement responsibilities (i.e., bank robberies, drug violations, etc.), the Shift Supervisor may authorize the notification of the FBI, DEA, or other national agencies having concurrent jurisdiction. These may include:

- Division of Alcohol, Tobacco, and Firearms
- Secret Service
- U.S. Postal Service
- U.S. Marshall Service
- Immigration and Naturalization Service
- Internal Revenue Service
- Other miscellaneous national agencies

Phone numbers, including emergency contact numbers, will be available to officers through the Communications Center.

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2. **Assistance from the Military** -If the Chief of Police decides that the resources at his disposal are not sufficient to handle a planned or unplanned event and requires the use of the Military, the request will be made by the Chief of Police or his designee through the office of the Adjutant General. Military. Assistance to local law enforcement can only be authorized through the Governor's office.

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