

YORK-POQUOSON SHERIFF'S OFFICE	RULES AND REGULATIONS
SUBJECT: Jurisdiction; Mutual Aid	NUMBER: RR 1-17
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1 **INDEX WORDS**

2
3 Jurisdiction
4 Mutual aid
5 National Guard; requesting assistance from
6

7 **POLICY**

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9 When events dictate, the Sheriff may request assistance from neighboring jurisdictions to assist
10 York-Poquoson Sheriff's Office personnel in maintaining peace and good order. Further, the
11 Sheriff may request assistance during any emergency occurring within the county. Emergencies
12 include any event in which additional law enforcement resources are needed such as:

- 13 • Any scale of civil unrest,
- 14 • Natural or man-made disasters, or
- 15 • Any call for service or reported crime that requires immediate additional law enforcement
16 resources.

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18 **PURPOSE**

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20 To establish procedures, duties, and responsibilities for providing assistance to, or requesting
21 assistance from another law-enforcement agency and to provide for the use of statewide law-
22 enforcement support systems.

23
24 **PROCEDURE**

- 25 • Jurisdiction
- 26 ○ Section [19.2-249](#), Code of Virginia, defines jurisdiction as:
 - 27 ■ An offense committed on the boundary of two counties, or two cities, or on the
28 boundary of a county and a city, or within 300 yards thereof, may be alleged to have
29 been committed, and may be prosecuted and punished, in either city, or the county
30 or city, and any sheriff, deputy sheriff, or other police officer shall have jurisdiction
31 to make arrests and preserve the peace for a like distance on either side of the
32 boundary line between such counties, such cities or such county and city.
 - 33 ■ This code section may be used to:
 - 34 ❖ Assist neighboring-law enforcement agencies in handling emergency calls at
35 times when they are unable to immediately respond.
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- ❖ When a deputy observes a felony or serious misdemeanor crime-in-progress within the 300-yard zone.
 - Section [19.2-77](#), Code of Virginia states:
 - Whenever a person in the custody of an officer escapes or whenever a person flees from an officer who is attempting to arrest him, such officer, with or without warrant, may pursue the person anywhere in the Commonwealth and, when actually in close pursuit, may arrest him wherever he is found.
 - ❖ No deputy sheriff shall leave the county in a pursuit or chase without informing the 911 Emergency Communications Center.
 - The on-duty supervisor shall monitor the pursuit and may order it to cease at any time in accordance with [GO 2-9, Vehicle Operation](#).
 - Mutual aid shall be requested from other law enforcement agencies as appropriate.
 - ✓ Even after approving a pursuit, the on-duty supervisor shall closely monitor it and shall terminate it if necessary.
 - Mutual Aid
 - Section [15.2-1724](#), Code of Virginia, authorized police and other officers to be sent beyond territorial limits.
 - Section [15.2-1727](#), Code of Virginia allows localities to enter into reciprocal agreements with localities outside the Commonwealth. and provides that:
 - In counties where no police department has been established and the Sheriff is the chief law-enforcement officer, the Sheriff may enter into mutual aid agreements and furnish and receive such assistance as provided by this section. Sheriffs and their deputies providing assistance pursuant to such a mutual aid agreement shall enjoy all of the authority, immunities and benefits as provided herein for police officers, including full police powers.
 - For the purpose of this general order, mutual aid is defined as the short-term assistance given or asked for between the Sheriff's Office and neighboring law enforcement agencies during emergencies or as needed.
 - The circumstances, which require mutual aid, per Section [15.2-1724](#), Code of Virginia, can include one or more of the following situations:
 - In response to any law enforcement emergency involving any immediate threat to life or public safety,
 - During the execution of provisions relating to:
 - ❖ Orders for temporary detention, or
 - ❖ Emergency custody for mental health evaluations,
 - ❖ Emergencies resulting from the existence of:
 - A state of war,
 - Internal disorder,
 - Fire,
 - Flood, Epidemic, or
 - Other public disaster.

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- In accordance with Section [15.2-1730](#), Code of Virginia, in case of an emergency declared by the chief law enforcement officer of a locality, such officer may call upon the chief law enforcement officer of towns within his county and the chief law enforcement officer of an adjoining county or city, or towns in adjoining counties for assistance from him or his deputies or other police officers, without the necessity for deputizing such deputies or officers.
 - Such deputies or officers shall have full police powers in such locality as are conferred upon them by law during the period of such emergency.
 - In accordance with Section [15.2-1730.1](#), Code of Virginia, in counties where no police department has been established and the Sheriff is the chief law enforcement officer, the Sheriff may enter into agreements with any other governmental entity providing law enforcement services in the Commonwealth, and may furnish and receive inter-jurisdictional law enforcement assistance for all law enforcement purposes, including those described in this chapter, and for the purposes of Chapter 3.2 Section [44-146.13](#) Code of Virginia.
 - Sheriffs and their deputies, providing or receiving such assistance, shall have all the, authority, benefits, immunity from liability and exemptions from laws, ordinances and regulations as officers acting within their own jurisdictions,
 - Section [15.2-1736](#), Code of Virginia permits the governing bodies of localities, as well as Sheriffs with law enforcement authority within localities without a police force, by proper resolutions, may enter in and become a party to contracts or mutual aid agreements for the use of their joint police or other law enforcement forces, both regular and auxiliary, their equipment and materials to maintain peace and good order. Any police or other law enforcement officer, regular or auxiliary, while performing his duty under any such contract or agreement, shall have the same authority in such locality as he has within the locality where he was appointed.
 - In counties where no police department has been established, the Sheriff may, in his discretion, enter into mutual aid agreements as provided by this section.
 - Mutual aid may be requested from or provided to another law-enforcement agency by the Sheriff's Office.
 - Deputies must remember, however, that they are primarily responsible for providing law-enforcement service to their own jurisdiction.
 - There are generally three levels of mutual aid assistance as follows:
 - Short duration
 - ❖ Approximately one hour or less, where an additional show of force or traffic control or assistance with prisoner transportation is required.
 - May be approved or requested by the on-duty supervisor or higher.
 - Medium duration,

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- ❖ More than one, but less than four hours, where the on-duty supervisor needs assistance from neighboring law enforcement agencies or the State Police normally as a show of force, tactical or special team assistance, or large scale traffic control.
 - May be approved or requested by the appropriate Division Commander or higher.
 - May be approved or requested by the on-duty supervisor in an emergency situation or in the absence of a command officer or higher.
 - Long duration,
 - ❖ More than four hours, where full-scale assistance is required.
 - In these cases, the on-duty supervisor or Division Commander receiving the request shall immediately notify the Chief Deputy who will approve and assist in coordinating additional aid as required.
 - ✓ In all cases the Sheriff shall be notified as soon as possible.
 - Any long-term support between the Sheriff's Office and neighboring law-enforcement agencies shall be coordinated in advance through a written agreement that incorporates the following:
 - Indemnification of the provider agency and its personnel.
 - List of resources to be shared.
 - Estimate of amount of aid available.
 - Payment for certain expenses such as:
 - ❖ Meals,
 - ❖ Lodging,
 - ❖ Gas,
 - ❖ Overtime pay.
 - Occasionally it is necessary to request investigative assistance from the State Police or a federal law-enforcement agency when a major crime has occurred.
 - The Sheriff, Chief Deputy, or Investigations Division Commander shall be limited to request such assistance.
 - Mutual Aid on Federal Property
 - Section [15.2-1728](#), Code of Virginia, states:
 - That in any case where the Commonwealth of Virginia has granted exclusive jurisdiction over any property to the federal government, an adjoining locality may develop a mutual-aid agreement with federal authorities to authorize law-enforcement cooperation or assistance on the property.
 - ❖ Local law enforcement officers would have the same authority, responsibility, and immunity while performing their duties on the federally-controlled property as in their own locality.
 - Exclusive Federal Jurisdiction

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- Federal and/or military law enforcement authorities have exclusive jurisdiction over criminal offenses committed on the installation or property with the following exception:
 - ❖ The Federal Court system does not have a mechanism for routine handling of offenses committed by juvenile offenders, therefore state courts and local law enforcement authorities have limited jurisdiction over juveniles who commit crimes on installations that have exclusive federal jurisdiction in accordance with [18 U.S.C. Code Section 5032](#).
 - Concurrent Jurisdiction on Federal Property
 - Concurrent jurisdiction on federal property and military installations allows, through the agreements, for local law enforcement authorities to investigate and enforce state and local laws and traffic codes and for federal law enforcement authorities to enforce federal laws and traffic codes.
 - ❖ Nothing in the agreements shall preclude the United States Military Services from retaining jurisdiction over members of the respective services for the purposes of the Uniform Code of Military Justice.
 - Prosecution venue for crimes committed by members of the military service, on military installations, with concurrent jurisdiction, shall be decided by the Commonwealth’s Attorney and the respective military service branch.
 - ✓ Nothing in this policy shall prohibit the arrest of a military member on a military installation, with concurrent jurisdiction, by the Sheriff’s Office deputies until the prosecution venue is determined.
 - The York-Poquoson Sheriff’s Office have agreements in place for the following federal properties:
 - The Landings at Langley, formerly Bethel Manor Housing Area
 - ❖ Concurrent Jurisdiction
 - United States Air Force
 - Colonial National Historical Park
 - ❖ Concurrent Jurisdiction
 - United States Park Service
 - Unites States Coast Guard Reserve Training Center
 - ❖ Concurrent Jurisdiction
 - United States Coast Guard
 - Cheatham Annex
 - ❖ Concurrent Jurisdiction
 - ❖ United States Navy
 - Yorktown Naval Weapons Station
 - ❖ Exclusive Federal Jurisdiction except for Juvenile Offenders
 - ❖ Limited Jurisdiction when Offender is a juvenile

- 215 ❖ Concurrent Jurisdiction in Off-Base Housing Area
 216 ➤ United States Navy
 217
 218 ▪ Camp Peary
 219 ❖ Exclusive Federal Jurisdiction except for Juvenile Offenders
 220 ❖ Limited Jurisdiction when Offender is a Juvenile
 221 ➤ United States Department of Defense
 222
 223 • National Guard
 224 ○ If the Sheriff's Office, with the assistance of neighboring law-enforcement agencies and
 225 the State Police, is unable to cope with an emergency such as a riot or civil disturbance,
 226 the Sheriff may contact the governor's office for National Guard assistance
 227
 228 ○ Section [44-75.1:1](#), Code of Virginia, contains provisions for the National Guard Mutual
 229 Assistance Counterdrug Activities Compact, a mutual-aid pact between Virginia and
 230 neighboring states.
 231 ▪ The agreement also permits any locality within Virginia to develop a mutual-aid
 232 agreement with the National Guard for specific goals of:
 233 ❖ Drug interdiction,
 234 ❖ Counterdrug activities, and
 235 ❖ Demand reduction.
 236
 237 ▪ The nature of National Guard assistance through an agreement with a locality
 238 involves making available National Guard facilities, equipment, and personnel for a
 239 variety of anti-drug purposes.
 240 ▪ The Attorney General must approve any mutual aid-agreement involving the
 241 National Guard.
 242
 243 ○ Only the governor has the authority to call out the National Guard to active duty.
 244 ▪ Per the Governor's authorization, federal equipment and personnel can be used to
 245 support local emergencies or to:
 246 ❖ Protect life and property in natural disasters,
 247 ❖ Protect against invasion or insurrection,
 248
 249 ○ The Sheriff shall contact the governor if National Guard assistance is required.
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 251 • Statewide and Regional Law-Enforcement Support
 252 ○ The Sheriff's Office participates in the use of the Central Criminal Records Exchange
 253 (CCRE) and complies with the procedures for the use of this exchange.
 254 ○ The Sheriff's Office participates in the Incident Based Reporting (IBR) System
 255 administered by the State Police.
 256 ○ Some state-owned law-enforcement resources may be made available to the department
 257 for special use.
 258 ○ These resources, and the state or federal agency to contact, include:
 259 ▪ Canine Teams

- 260 ❖ Virginia Department of Emergency Management,
261 ❖ Virginia State Police,
262 ❖ Newport News Police, and
263 ❖ Hampton Police.
264 ➤ Normally if requested, canine teams shall be used to track.
265 ➤ Handlers are responsible for compliance with their own agency policies and
266 procedures.
267
268 ▪ Helicopter or Fixed-Wing Aircraft
269 ❖ Virginia State Police, and
270 ❖ Virginia Beach Police.
271 ➤ Normally requested in advance by the Sheriff to the Superintendent of State
272 Police or Virginia Beach Chief of Police.
273 ➤ May be available on an emergency basis through either agency.
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275 ▪ Polygraph
276 ❖ Virginia State Police,
277 ❖ Newport News Police Department,
278 ❖ James City County Police Department.
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280 ▪ Tactical Truck and Equipment
281 ❖ Newport News Police,
282 ❖ Hampton Police, and
283 ❖ Virginia State Police.
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285 ▪ Bomb/Explosive Disposal
286 ❖ Peninsula Bomb Squad,
287 ❖ Virginia State Police, and
288 ❖ Naval Weapons Station EOD.
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290 ▪ Surveillance Vans/Vehicles
291 ❖ Virginia State Police.
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293 ▪ Search and Rescue
294 ❖ York County Fire and Life Safety, and
295 ❖ Virginia Department of Emergency Management.
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297 ▪ Tactical Teams
298 ❖ Newport News Police
299 ❖ Hampton Police, and
300 ❖ Virginia State Police.
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302 ▪ Arson/Bombing Response
303 ❖ York County Department of Fire and Life Safety,
304 ❖ Tidewater Regional Arson Panel (TRAP),

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- ❖ Virginia State Police,
- ❖ Federal Bureau of Investigation,
- ❖ Federal Bureau of Alcohol Tobacco and Firearms.