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Approval: <b>Chief of Police</b>	Manual: <b>Policy and Procedure</b>			

## I. PURPOSE


The Department shall provide mutual aid assistance to neighboring law enforcement agencies in accordance with North Carolina General Statutes, and shall participate equally in mutual aid agreements with other law enforcement agencies throughout the local area and region.

## II. DEFINITIONS

- A. N.C.G.S.: North Carolina General Statutes, state laws passed by the North Carolina General Assembly and organized by subject area into Chapters, Articles and Sections.


## III. POLICY

- A. The Department shall provide police assistance to the incorporated boundaries and limits of the City of Kinston and to the extraterritorial jurisdiction boundaries as designated by North Carolina General Statutes and to all property owned by or leased to the City of Kinston, wherever located.
- B. Current maps illustrating the incorporated boundaries and limits of the City of Kinston and the extraterritorial boundaries shall be maintained within the Department, and maps will be provided to the Lenoir County Emergency Communications Center.
- C. When a question of jurisdictional boundary exists, officers should request confirmation of jurisdictional boundary from the Lenoir County Emergency Communications Center or inform their immediate supervisor.
- D. The Department acknowledges that other agencies, specifically law enforcement agencies, have concurrent jurisdiction within the city limits of Kinston. To the extent such agencies have concurrent jurisdiction, the responsibility for primary law enforcement in these areas shall be primarily enforced by the Kinston Police Department respectively, unless decided by the Chief of Police otherwise.
- E. The Department has primary jurisdiction to respond to fire/rescue emergencies, calls for service, enforce the ordinances of the City of Kinston and the laws of the State of North Carolina, and to carry out all duties and responsibilities assigned to the Department except as provided by local ordinances and state and federal law.
- F. A written agreement between the Department and the Lenoir County Sheriff's Office assigns primary investigative jurisdiction for the interior of the Lenoir County Courthouse (130 South Queen Street) and County Offices Building to the Sheriff of Lenoir County. Written agreements between the Department and Lenoir County Volunteer Departments provide for the assistance, as requested, by the Incident Commander or designee.
- G. General Statutes are the controlling legislation governing cooperation between law enforcement agencies in North Carolina. The Department has entered into mutual aid agreements in

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accordance with N.C.G.S. 160A-288, 160A-288.2 and 15A-405 for law enforcement services. In accordance with this legislation the Department:

1. Maintains a Mutual Aid Agreement signed by the City and County Officials.
  2. Participates in the statewide Emergency Management Mutual Aid and Assistance Agreement.
  3. May enter into agreements with other agencies in North Carolina as deemed appropriate by the Chief and the City Council.
- H. Requests for Mutual Aid shall be met in accordance with all official agreements, legislation and with the following general provisions:
1. That while working with the requesting agency and in accordance with N.C.G.S. and under the terms of the Mutual Aid Agreement the requesting agency and the assisting agency shall have the same jurisdiction, powers, rights, privileges and immunities (including those related to the defense of civil action and payment of judgements) as the officers of the requesting agency in addition to those they possess.
  2. The request for Mutual Aid can be made by any officer. The purpose for Mutual Aid must be stated and approved by the officer's chain of command. The request must be approved by the appropriate Major or designated person so as not to interfere with any on-going investigation. The appropriate Major or designated person in charge in absence of the Chief of Police has to approve all Mutual Aid Agreements.
- I. Personnel from other agencies assisting the Department shall report to the officer or supervisor of the division or unit within which they are to be assigned. During emergency situations, special events, and other times the temporarily assigned personnel shall work under the supervision of the Department personnel. The personnel assigned will be issued a radio or teamed with a Department employee so radio communications can be maintained.
- J. Mutual Aid requests from agencies outside Lenoir County must be put in writing and the conditions agreed upon prior to the assignment of resources from the Department. The requesting agency shall furnish the temporarily assigned personnel with the money, equipment and personnel reasonably necessary to perform their assigned duties; the temporarily assigned personnel shall report for work with the equipment issued to them by their employer. The assisting agency may furnish equipment and supplies to the requesting agency if asked to do so. Compensation for the use of provider agency personnel shall be borne by the receiving agency.
- K. The Chief shall determine the available resources and answer the request accordingly provided the obligations to the City of Kinston are fully upheld. The Chief shall review all Mutual Aid Agreements periodically to ensure they comply with all applicable legal standards.

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- L. In accordance with the Lenoir County Law Enforcement and Fire/Rescue Mutual Aid Agreements, Department employees shall be responsible for, and take the leading role in, all situations and actions occurring in the jurisdiction of the City of Kinston including: mass processing of arrests, responding to fires and other related emergencies and transporting prisoners within jurisdictional boundaries.
- M. Mutual Aid Requests from agencies outside of Lenoir County for the use of the Kinston Police Department's S.W.A.T. team shall submit a written request to the Department prior to the departure of the team or as soon as feasible. The original request must be mailed within three working days.
- N. The Chief or a designee is authorized to request assistance from federal authorities in emergency situations. Requests for federal law enforcement assistance will be coordinated through the appropriate authorities.
- O. Requests for North Carolina National Guard emergency assistance to the City of Kinston can be made through the office of the Mayor of Kinston.
- P. Statewide Criminal Information Systems
  - 1. The Kinston Police Department participates in the Uniform Crime Reporting System and has access to a centralized multi-area fingerprint identification system.
  - 2. The Kinston Police Department, at the direction of the Chief of Police and with the approval of the City Council, may enter into contracts for the provision of services.