

CHAPTER 4
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INTERSTATE MUTUAL ASSISTANCE AGREEMENTS
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CHAPTER 4

INTERSTATE MUTUAL ASSISTANCE AGREEMENTS

1. GENERAL. Interstate mutual assistance is reciprocal assistance between the CHP and the Oregon State Police, Nevada Highway Patrol, and Arizona Department of Public Safety. Interstate law enforcement assistance involves procedures and actions which are different than those in the California Master Mutual Aid Agreement. The original agreement documents are maintained by the Emergency Operations and Safety Services (EOSS) Section. Copies of the agreements are readily available to CHP personnel and can be faxed or mailed upon request; employees may call EOSS Section, at (916) 843-3250, to request a copy.

a. Purpose. The purpose of the agreements is to permit the affected states to make the most efficient use of their powers by enabling them to cooperate with governmental organizations of other named states on a basis of mutual advantage.

(1) California and the bordering states of Oregon, Nevada, and Arizona, in a desire to assist each other in the event of emergency incidents, criminal activity, or other similar public safety problems, have entered into interstate mutual assistance agreements. The provisions of the agreements are summarized below.

(2) The agreements also provide for sharing services and facilities in a manner reflecting the best interest of local communities.

b. Objective. The objective of each agreement is to obtain maximum efficiency in cooperative law enforcement operations through mutual cooperation and assistance within each state's jurisdiction pursuant to the terms of the agreement.

2. PEACE OFFICER AUTHORITY. The respective Commissioner or Chief of each party has agreed that any law enforcement officer who is regularly employed by the CHP or the affected state's highway patrol, department of public safety, or state police is a peace officer in the other state whenever either of the following conditions are met:

a. In response to a request for services initiated by either state.

b. Upon the recognition by any such officer of a situation or circumstance within the jurisdiction or territory of the bordering state which requires immediate law enforcement action or other emergency action.

(1) The state whose officer is performing such voluntary assistance shall notify the state within whose territory or jurisdiction the voluntary assistance is being rendered.

(2) Officers of the state within whose territory or jurisdiction the assistance is being rendered will then assume general control in accordance with paragraph 4.(a) below.

(3) All assistance rendered voluntarily or in response to a request shall be limited to that area within 50 statute miles of any point along the common border of the affected states.

3. REQUEST PROCEDURE.

a. Requests for interstate mutual assistance shall be made to any officer of the assisting state through established communications systems.

b. Requests for assistance involving major occurrences which may require a large number of officers, resources, or a considerable expenditure of time, shall be made to an officer of command status from the assisting state.

4. CONTROL IN REQUEST-ASSISTANCE OPERATIONS.

a. A requesting state shall have and exercise general control in directing any assisting officer to locations as required. The commanding officer for any assisting personnel shall be responsible for exercising exclusive control over resources while responding to the general directions of the requesting state.

b. The requesting state will assign, at the earliest opportunity, personnel to advise responding officers of statutory, administrative, and procedural requirements within the jurisdiction of the occurrence.

c. Officers of the requesting state will be primarily responsible for safeguarding lives and property, making and processing arrests, and impounding vehicles within the territorial boundaries of their state.

d. When an assisting officer takes a person or property into custody, the officer shall relinquish custody of the said person or property at the earliest convenience to an officer of the requesting state.

e. Officers of the assisting state who are subpoenaed to court or other administrative hearings or boards, as a direct result of providing assistance, shall honor all subpoenas by the requesting state.

5. RESPONSIBILITY FOR DAMAGES.

a. Each state shall be responsible and liable for any damages or injuries caused by its employees.

b. Officers of the assisting state shall not be considered employees of the requesting party.

6. PROVISION OF EQUIPMENT. Each organization shall be responsible for the provision and maintenance of its own equipment, materials, and supplies, except when it is necessary to share equipment owned or furnished by the other state.

7. REPORTS. Participating states shall make and exchange all reports and evidence arising out of the operation except when confidentiality is imposed or allowed by law.

8. MANNER OF FINANCING. Each state shall establish and provide for payment of the costs and expenses of performance of its objectives undertaken pursuant to the agreement.

9. DURATION. These agreements are normally renegotiated on a biennial basis. The agreements may be voluntarily terminated in whole or in part upon notice by either organization in writing not less than 30 days in advance.

10. OFFICERS' POWERS, PRIVILEGES, IMMUNITIES, AND BENEFITS. Officers performing any functions within the territory of the bordering state, in accordance with these agreements, shall have all law enforcement powers, privileges, and immunities from liability; exceptions from law, ordinances, and rules; and all pension, relief, disability, workers' compensation, and other benefits which apply to the activity of officers when performing duties within the territorial limits of their respective state.

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