
MUTUAL AID

PROTOCOL

2009

*Police Chiefs' Association
of
Santa Clara County*

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Santa Clara County Law Enforcement
MUTUAL AID MANUAL

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California OES 2003 Overview (Red Book)	
OES 2003 Law Enforcement Mutual Aid Plan (Blue Book)	

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SECTION 1

Mutual Aid
QUICK REFERENCE CHECKLIST

REQUESTING AGENCY CHECKLIST:

- Call the Sheriff's Department Operations Desk:
(408) 808-4410
- Provide the following information:
 - Incident location
 - Type of disturbance or situation
 - Number of participants, if a disturbance or civil unrest
 - Anticipated duration
 - Command Center location
 - Staging area for responding resources
 - Open call back phone number

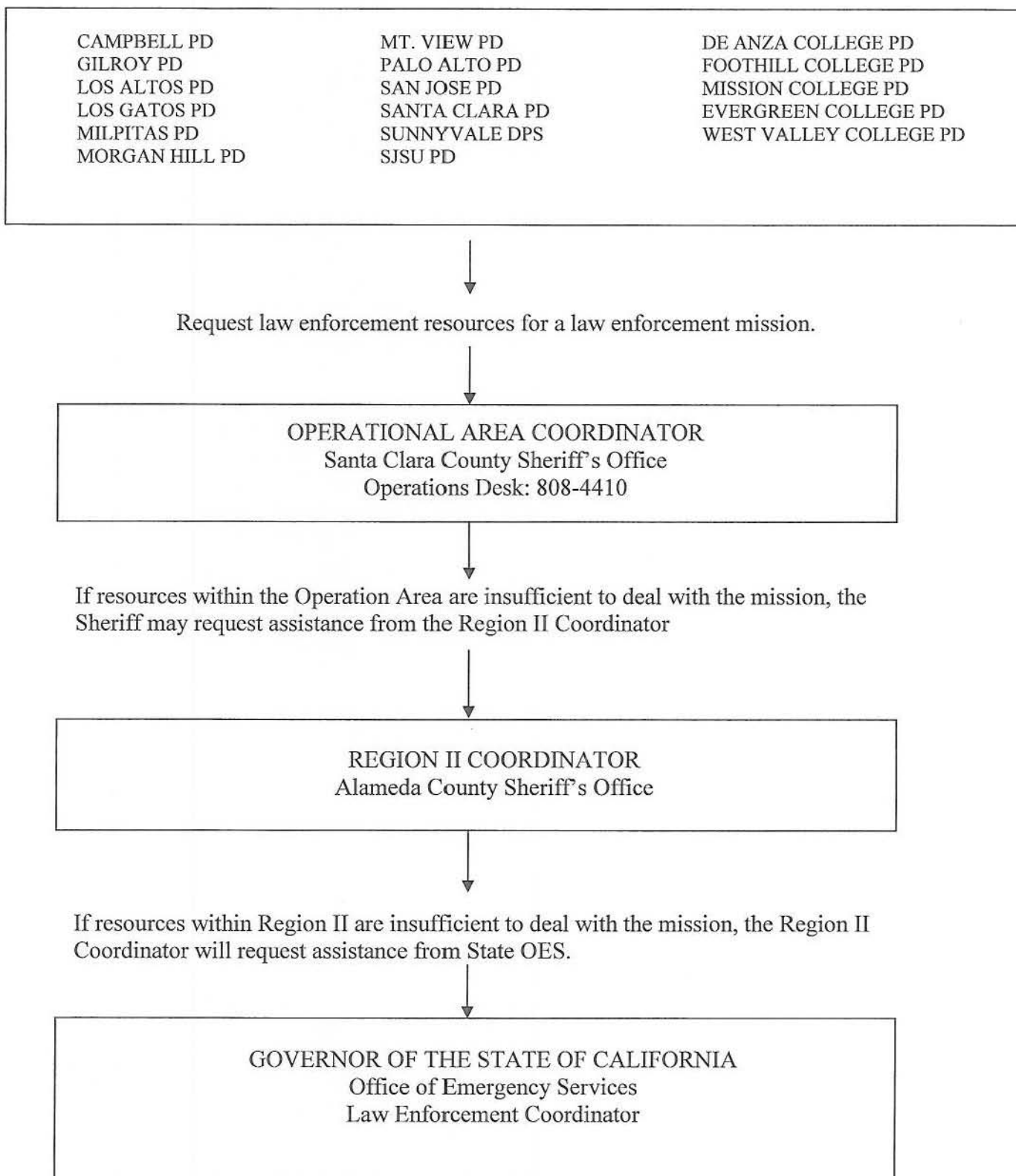
MUTUAL AID COORDINATORS'S CHECKLIST

- Notify Special Operations Lieutenant/Chain of command
- Notify local law enforcement agencies (List on following page)
 - Give them your call back phone number
 - Advise them of the staging and command center locations
 - Request call back with number of resources responding and estimated time of arrival at staging area
- Notify Requesting Agency of the level of response after contact has been made with each assisting local agency

RESPONDING AGENCY CHECKLIST:

- Determine what your level of response will be and when they will arrive at the staging area
- Provide this information to the Sheriff's Mutual Aid Coordinator at:
(408) 421-6680 or (408) 808-4410

Mutual Aid Contact Hierarchy



Santa Clara County Law Enforcement MUTUAL AID MANUAL

SECTION 2

INTRODUCTION TO COUNTY MUTUAL AID

The purpose of this plan is to provide for the coordination of law enforcement mutual aid operations at local or operational levels. It serves also to establish procedures for alerting, dispatching and utilizing law enforcement personnel and equipment resources.

The goals of this mutual aid agreement are to establish procedures for law enforcement agencies dealing with major civil disturbances, riots, or unusual occurrences to follow for obtaining assistance when any single agency is unable to control a given situation utilizing only its own resources.

This plan serves to implement mutual aid within the boundaries of Santa Clara County, but is not intended to supersede the State Mutual Aid Plan. This document also provides information on how mutual aid is activated within the region. For more detailed information, refer to Governor's Office of Emergency Services The Law Enforcement Mutual Aid Plan.

□ KEY POINTS

- A viable plan for working together
- Supplements staff and equipment resources in critical situations

Law enforcement mutual aid may be exercised in different ways. The most common one is the day-to-day assistance. During the course of normal law enforcement, incidents occur that require immediate assistance such as back-up on a traffic stop, perimeter control for a fleeing suspect, code 20/code 30, etc. Officers from nearby jurisdictions may respond to these emergency broadcasts on their own initiative (department policy permitting) without a formal mutual aid request. Law Enforcement Mutual Aid resources are also activated regularly, for example, to assist in SAR (Search and Rescue) missions or to provide air support to patrol officers. Less common, but equally important, are the responses to civil disorders and disasters.

Law Enforcement Mutual Aid is coordinated at the Operational Area level (a county, along with political subdivisions within the county) by the Sheriff. All local requests for Law Enforcement Mutual Aid must be coordinated through the Operational Area Coordinator (Sheriff) or the Sheriff's designee. This includes requests for out-of-county law enforcement resources to be used in the Operational Area.

Several other Mutual Aid systems exist in parallel to the law enforcement system. These include Fire, Emergency Medical Services, Public Works, Emergency Management and Coroner systems. In general, elected or appointed officials within

their field of expertise coordinate these systems. Normal requests for these resources to be applied to a law enforcement incident are coordinated by the Operational Area Coordinator of that particular field (Fire, PW, EMS, etc.).

California is divided into seven law enforcement mutual aid regions, all coordinated by the Governor's Office of Emergency Services. Region 2 includes the counties of Del Norte, Humboldt, Mendocino, Lake, Sonoma, Napa, Marin, Solano, Contra Costa, San Francisco, Alameda, San Mateo, Santa Clara, Santa Cruz, San Benito, and Monterey.

The Law Enforcement Regional Mutual Aid Coordinator for Region 2 is currently the Sheriff of Alameda County. Requests for out-of-county law enforcement resources are directed to the Regional Coordinator by the Operational Area Coordinator. If the need cannot be met within the region, it is forwarded to the State for further action. The Governor's Office of Emergency Services' Law Enforcement Mutual Aid Coordinator may utilize adjacent (or more distant) county resources, state owned resources (CHP, Fish and Game) or may request the Governor to access California National Guard resources. In extreme situations, the Governor may request the President to provide assistance, which could include federal law enforcement agencies (Secret Service, U.S. Marshals, ATF, DEA or Coast Guard) or elements of the Department of Defense.

The initial call from a local law enforcement agency for mutual aid resources should be to the Santa Clara County Sheriff's Office Mutual Aid Coordinator, representing the Operational Area. If the resources within the Operational Area are insufficient, the Mutual Aid Coordinator will contact the Region 2 Coordinator, which is the Alameda County Sheriff's Department. The Region 2 Coordinator would then advise the State OES Warning Center of any further needs, which would then be transmitted to the State OES Law Enforcement Mutual Aid Coordinator.

□ **KEY POINTS**

- Santa Clara County is our "Operational Area."
- Region 2 resources are requested through the Santa Clara County Sheriff's Mutual Aid Coordinator at (408) 808-4410

RESPONDING TO DISASTERS AND CIVIL DISORDER: OVERVIEW AND PHILOSOPHY

In dealing with disaster strategy, there are two areas of primary importance: disasters, either natural or man-made, and civil disorders.

First, with regard to either natural or man-made disasters, we subscribe to the universal law enforcement goal of protecting life and property, and to rescuing victims. More specifically, in cases of man-made disaster, such as acts of terrorism that result in widespread destruction and major loss of life or large numbers of victims with injuries, there is also the critical need for scene and evidence containment for investigative and prosecution purposes.

□ **KEY POINTS**

- Protect life and property
- Rescue victims
- Identify and protect evidence

Secondly, with regard to civil disorder, we have seen several different methods used over the years by law enforcement at the onset of these incidents. One method has been to attempt to contain the affected area and let the disturbance “burn itself out.” Another has been to commit manpower and equipment to the incident and suppress it.

Law enforcement has learned, from past experience, that it is next to impossible to contain a riot; participants can and will affect the guise of the non-involved and move out of the contained area only to commit further acts of violence or crime elsewhere. We recognize that standing by and letting a situation “burn itself out” does not resolve the problem, but perpetuates it.

Based upon these observations, it is our policy that at the onset of civil disorder and riot, we will move immediately to suppress the outbreak through the judicious use of all necessary manpower and equipment and with such a lawful force as is necessary to accomplish this policy.

In addition, Section 26602 of the California Government Code states, in part, “The Sheriff shall prevent and suppress any affrays, breaches of the peace, riots, and insurrections which come to his knowledge,....”. It remains our policy to arrest and detain all law violators under any circumstances. This should be tempered only by the realities we face at the time the opportunity for arrest presents itself, with manpower being a deciding factor.

Much latitude must be given the field supervisors or the incident commander in dealing with arrest issues when the numbers of law violators, i.e., looters, far exceed that of law enforcement personnel. Also, to mass arrest means mass bookings, and that in itself, produces the problem of losing the tactical use of field personnel. The circumstances of the situation may require the incident commander to exercise his or her option to disperse rather than arrest. Considerations should also be given to the possibility of jail managers to provide cite and release field bookings at a site away from the location of the disturbance.

□ **KEY POINTS**

- Suppress outbreaks immediately
- Utilize necessary manpower
- Utilize available equipment

It is important that intelligence regarding any potential for disorder be shared as soon as it is known. Any law enforcement agency that undertakes specific planning for anticipated civil unrest should immediately notify the affected Operational Area Mutual Aid Coordinator. It is also important to share planning information with local fire department officials.

MUTUAL AID PLAN DEFINITIONS

Local Emergency-The duly proclaimed existence of conditions of disaster or of county, city and county, or city, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of that political subdivision and require the combined forces of other political subdivisions to combat [Section 8558(c), California Government Code].

Operational Area-An intermediate level of the state emergency organization, consisting of a county and all political subdivisions within the county area.

Operational Area Coordinator-The County Sheriff.

Mutual Aid Region-A multi-county area established by the Office of Emergency Services to facilitate coordination of mutual aid. (Note: Santa Clara County is part of Region 2.)

Regional Coordinator-An Operational Area Law Enforcement Coordinator elected by other Coordinators within an OES-defined region to act as the overall mutual aid coordinator for that region.

State Law Enforcement Mutual Aid Coordinator-The Chief of the OES Law Enforcement Division.

Unusual Occurrence-An event involving potential or actual personal injury or property damage arising from fire, flood, storm, earthquake, wreck, enemy action, civil disturbance, or other natural or human caused incident requiring exceptional law enforcement response.

National Incident Management System (NIMS)- The Department of Homeland Security (DHS) has developed a National Incident Management System (NIMS) under *Management of Domestic Incidents* . NIMS is similar to California's Standardized Emergency Management System (SEMS), which was adopted through legislation and regulation in the 1990s. This similarity is most evident in the NIMS version of the Incident Command System (ICS) and adoption of the concept of mutual aid. DHS will phase in NIMS over time. As a result of Homeland Security Presidential Directive (HSPD)-5, all federal departments, agencies, state, local, and tribal governments are required to fully comply with NIMS by FY 2007 (October 1, 2006) in order to be

eligible to apply for federal preparedness assistance. BY FY 2007, Federal preparedness assistance will be conditioned by full compliance with the NIMS.

Standard Emergency Management System (SEMS)-The emergency management organization required by California statute, Government Code 8607(a), for emergency response and disaster management in multi-agency and multi-jurisdiction emergencies. California local governments *must* use SEMS in emergency response and disaster management to be eligible for any available disaster reimbursement funding for its personnel related costs provided through state disaster assistance programs.

The Standard Emergency Management System (SEMS) incorporates the use of:

Incident Command System (ICS)- The field level emergency management response system and organization. The combination of facilities, equipment, personnel, procedures and communications operating within a common organizational structure with responsibility for the management of resources to effectively accomplish stated objectives pertinent to an incident.

Unified Command- A unified team effort which allows all agencies with responsibility for the incident, either geographical or functional, to manage an incident by establishing a common set of incident objectives and strategies. This is accomplished without losing or abdicating agency authority, responsibility or accountability.

Area Command- An organization established to: 1) oversee the management of multiple incidents that are each being handled by an Incident Command System organization; or 2) to oversee the management of a very large incident that has multiple Incident Management Teams assigned to it. Area Command has the responsibility to:

- Set overall strategy and priorities;
- Allocate critical resources based on priorities;
- Ensure that incidents are properly managed, and;
- Ensure that objectives are met and strategies followed.

Command Level Personnel- An officer holding the rank of Lieutenant or above.

□ KEY POINTS

- SEMS required in multi-agency response to emergencies and disasters

RESPONSIBILITY FOR CALL-UP AUTHORIZATION

It will be the responsibility of the Santa Clara County Sheriff's Office to initiate the operational area mutual aid plan. Authorization for mobilization shall come from the

Sheriff, who serves as the Operational Area Coordinator, or his/her designated subordinate.

The requesting agency shall contact the Sheriff's Office for authorization of mutual aid. The requesting agency will give information as to the size of the incident and advise on what assistance is necessary, i.e., numbers of officers, specialized unit or equipment, etc. The requesting agency shall advise on the locations of the staging area and the Incident Command Center.

Upon receipt of this information and request for aid, the Sheriff's Department will advise all participating agencies of the authorization for a mutual aid response. It will then be the responsibility of each agency to mobilize their Level 1 resources and dispatch them to the identified staging area. Each responding agency will notify the Sheriff's Mutual Aid Coordinator with information as to the number of personnel and level of resources they are sending, along with the estimated time of arrival. The Sheriff's Mutual Aid Coordinator will forward that information to the Command Center established by the requesting agency.

□ **KEY POINTS**

WHEN REQUESTING MUTUAL AID:

- Call the Sheriff's Mutual Aid Coordinator at (408) 808-4410.
- Advise where staging area and Command Center are located.

□ **KEY POINTS**

WHEN SENDING RESOURCES:

- Tell the Sheriff's Mutual Aid Coordinator the number of personnel and equipment you are sending and when they are expected to arrive.
- This information will be given to the requesting agency.

OBTAINING MUTUAL AID

LOCAL-When a Chief of Police determines that an emergency situation in his or her jurisdiction may become or is already beyond the control of that department's resources, it is that Chief's responsibility to request mutual aid from the Operational Area Coordinator.

OPERATIONAL AREA- When an emergency develops or appears to be developing which cannot be resolved by a law enforcement agency within an operational area, it is the responsibility of the Operational Area Coordinator to provide assistance and coordination to control the problem [Section 26602 of the Government Code]. If it should appear likely that the resources of an operational area might be depleted, the Operational Area Coordinator should advise the Regional Area Coordinator in advance.

REGIONAL- Should an existing or anticipated emergency be of such magnitude as to require the commitment of the resources of one or more operational areas, it is the responsibility of the Regional Coordinator to organize the dispatch of resources within the region. The Regional Area Coordinator will keep the State Law Enforcement Coordinator advised.

STATE- If the combined resources of a region are not sufficient to cope with an emergency situation, or if such a condition is indicated, the Regional Coordinator will request additional assistance through the State Law Enforcement Mutual Aid Coordinator.

□ **KEY POINTS**

- The Sheriff is the Operational Area Coordinator for Santa Clara County and manages resource response to any agency requesting assistance.

COMMAND RESPONSIBILITY

All command responsibility pertaining to the establishment of an Incident Command Center will rest with the agency requesting assistance or the agency that has jurisdiction in the affected area.

When it becomes necessary for the Operational Area Coordinator to provide assistance and coordination to a requesting agency via mutual aid, a Unified Command may be established to respond to the emergency. It is clear that a unified approach to these types of emergencies will provide the essential management to integrate the disciplines of all affected departments and agencies. This concept in no way advocates decision-making by committee, but provides a management structure and method for insuring that all the concerns, issues, authority and responsibilities of each department are collectively considered.

□ **KEY POINTS**

- A Unified Command may be established when mutual aid is provided.

In the event that any assisting agency does not provide command level personnel for the Unified Command operation, the Sheriff, as the Operational Area Coordinator, will assume that function for that agency and its personnel.

Each agency will follow their own department's policies and procedures. However, the final command decisions, as to actions taken by the entire mutual aid force, shall rest with the requesting agency.

Functionally, the Operational Area Coordinator will remain the coordinator of the mutual aid response agencies until the emergency is over and all responding agency personnel are released to return to their respective jurisdictions.

DEGREE OF ASSISTANCE

The requesting agency is urged to attempt to accurately evaluate the situation as to manpower needs prior to requesting mutual aid from the Operational Area Coordinator. The Operational Area Coordinator will be responsible for seeing to it that the needs of the requesting agency are met and that an equitable distribution of resources from all other agencies is achieved.

The Santa Clara County Law Enforcement Mutual Aid Manual has been set up to initiate two (2) levels of response to requests of mutual aid. The number of personnel and equipment available in each level is determined by each agency. The criteria upon which these quantities are based are as follows:

- There is no prior notice given to the agency;
- The agency is at a minimum staffing level at the time the request is received;
- The agency's jurisdiction is not directly impacted by the event

LEVEL 1: This level of response does not exceed approximately 50% of the agency's on-duty uniformed patrol deployment at the time of request.

LEVEL 2: This level of response incorporates what an agency is able to commit for an ongoing (72 + hours) operation. Agencies will respond all possible personnel and supporting equipment, but still retain enough to provide minimal line functions to their respective jurisdictions. This may necessitate the cancellation of days off and implementation of 12-hour shifts. Due to the severity of the workload, which this places upon an agency, this response will be used only in cases of great magnitude.

NOTE: The above levels of response are for mutual aid requests only and do not in any way change an agency's response to another agency's Code 30 request.

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SECTION 3

ASSISTANCE AGREEMENT

**SANTA CLARA COUNTY LAW ENFORCEMENT AGENCIES AGREEMENT
PURSUANT TO SECTION 830.1(a) (2) OF THE CALIFORNIA PENAL CODE AND
EMERGENCY MUTUAL AID OPERATIONAL PLAN**

WHEREAS, Section 830.1(a)(2) of the California Penal Code provides that the authority of any peace officer, as defined therein, extends to any place in the state where the peace officer has the prior consent of the Chief of Police, or person authorized by the Chief of Police to give such consent, if the place is within a city; or of the Sheriff, or person authorized by the Sheriff to give such consent, if the place is within a county; and

WHEREAS, the undersigned desire to coordinate law enforcement efforts and encourage maximum cooperation between all agencies represented here; and

WHEREAS, the parties to this agreement have public safety responsibilities within Santa Clara County, and therefore have mutual interests and objectives to accomplish for the preservation and protection of life and property within the county; and

WHEREAS, it is the intention of the undersigned that peace officers be given the maximum powers consistent with California law; and


WHEREAS, it is agreed among the undersigned that when members of their respective agencies are engaged in law enforcement activity in a jurisdiction other than their own that these members will notify, whenever practicable, the department whose jurisdiction they are entering, of their activities in said jurisdiction; but that the practicability of such prior notification shall be solely at the discretion of the individual member(s); and

WHEREAS, Mutual Aid assistance among Santa Clara County Law Enforcement Agencies is necessary and inures to the benefit of said agencies, their individual officers and deputies, and the public; and

WHEREAS, in the event of a major disaster, either natural or man-made, or civil disorder, it may be impossible for officers or deputies to report to their agencies due to blocked roads.

NOW, THEREFORE, IT IS HEREBY AGREED by each of the signatories, to the provisions listed below pursuant to 830.1(a)(2) of the California Penal Code and the Santa Clara County Law Enforcement Mutual Aid Manual:

1. Any peace officer, as defined by California Penal Code 830.1, employed by any of the law enforcement agencies listed below, has the full authority of a peace officer at all times, including during times of emergency, within the political subdivision for which each of the signatories can give consent.
2. During emergency situations, individual officers and deputies can take care of immediate family needs and after assisting to their own family care, these officers and deputies will report to the nearest law enforcement agency for service. Each law enforcement agency will keep track of the hours worked by any officer or deputy from another department, and that officer or deputy's own agency will treat those hours worked as if they had been worked at the officer or deputy's own agency. When roads open, officers and deputies will be released immediately to go to their own jurisdictions. In case of injury, death or disability, the individual officer or deputy's agency will be responsible pursuant to section 50921 of the Government Code. In the case of injury allegedly inflicted by an officer or deputy within the scope of employment while assigned pursuant to this agreement to an agency not his or her own, the agency for whom that officer or deputy was working and with jurisdiction over the location of the actions involved will defend and indemnify the individual officer or deputy pursuant to sections 825 et seq. of the Government Code, if appropriate.
3. This agreement shall be binding on the successors of each of the signatories. Should any of the signatories to this agreement or their successors intend to revoke his consent herein, a notice of such intention shall be given to all signatories, in writing, at least sixty (60) days prior to the effective date of such revocation. This agreement shall thereafter continue in full force and effect as to all remaining signatories.



Chief Dennis Graham
Milpitas Police Department
Chair, Police Chiefs' Association of
Santa Clara County

Date: 8-13-09