
	<b>GAITHERSBURG POLICE DEPARTMENT</b>		
	<b>Concurrent Jurisdiction and Mutual Aid</b>		
	<b>GENERAL ORDER</b>	<b>700.1</b>	
<b>Effective Date</b>	<b>06/23/2016</b>		
<b>Authorized by:</b>	<b>Mark P. Sroka</b> CHIEF OF POLICE	SIGNATURE <i>Mark Sroka</i>	DATE <b>06/23/2016</b>

**I. PURPOSE**

The Department has concurrent jurisdiction and mutual aid agreements with other area law enforcement agencies, for the purpose of cooperatively providing full police service to the City and its surrounding area.

**II. POLICY**

Officers are required to maintain a functional knowledge of the geographic area within the corporate limits of the City of Gaithersburg and relevant surrounding areas. Functional knowledge includes being able to identify the most expedient routes to calls for service, considering variables such as time of day, traffic and weather conditions. Officers are expected to render appropriate aid to other agencies, as required, and respect the conditions of any properly executed agreement to which the Department is a party.

**III. DEFINITIONS**

**A. Mutual Aid**

Within the context of this directive, the term “mutual aid” refers to an exchange of services, personnel and/or equipment between law enforcement agencies during times of emergency.

**B. Officer**

Within the context of this directive, the term “officer” primarily refers to personnel employed by this Department, unless specified otherwise.

**IV. PROCEDURE**

**A. General Geographic Area of the City**

1. The northernmost boundary is North Frederick Avenue (Route 355) at Game Preserve Road.
2. The southernmost boundary is South Frederick Avenue (Route 355) at I-370.

3. The easternmost boundary is Emory Grove Road.
4. The westernmost boundary is Darnestown Road (Route 28) at Quince Orchard Road (Route 124) to include the Potomac Valley Shopping Center (with the exception of the M&T Bank).
5. The commercial property located at 16331 Shady Grove Road.
6. Areas that are located within these boundaries but are outside the City limits are as follows:
  - a. National Institute of Standards and Technology;
  - b. Londonderry Apartments, Queen Victoria Court, Killarney Lane (400 block of W. Diamond Avenue);
  - c. Walnut Hill Shopping Center;
  - d. Numerous streets in the Rosemont area;
  - e. Most of Montgomery Village.

**B. General Responsibilities**

1. Within the City limits, officers respond to incidents as dispatched by the PSCC or to incidents that are brought to their attention while on patrol.
2. The first arriving City officer on the scene of an incident or crime will:
  - a. Assume command of the scene until relieved by an officer of higher rank, or pursuant to the provisions of an interagency agreement;
  - b. Render appropriate assistance to the victim(s), as necessary;
  - c. Secure the scene and protect any physical evidence;
  - d. Determine the exact nature of any offense(s) committed and have a lookout broadcast for any suspect(s);
  - e. Apprehend any suspect(s), pursuant to the Laws of Arrest;
  - f. Complete and submit any required report, unless handled

by another agency.

3. Officers may be responsible for the completion of investigations, except when one or more of the following conditions exist:
  - a. The offense appears to be part of a pattern of such offenses;
  - b. Follow-up investigation is required in widely separated locations outside the City;
  - c. A misdemeanor offense, of a sufficiently serious nature, that warrants the assistance of investigators and/or;
  - d. A Fire Investigator assumes the responsibility for the event report and investigation, if any.
  
4. Officers do not respond to calls for service outside of the City limits, except in the following situations:
  - a. An officer needs assistance;
  - b. In response to a Mutual Aid Agreement request;
  - c. A crime of violence occurs in the vicinity of the City's boundaries, the officer is the closest unit available, and the officer's response may preserve human life;
  - d. When close to a crime of violence, where the suspect has fled, officers may respond for the purpose of securing the scene, obtaining a lookout, etc.; or
  - e. When an officer is working in a pre-approved County Police detail, task-force, or temporary assignment.
  
5. When responding to incidents outside the City limits:
  - a. Officers shall remain on the scene until the threat of violence has subsided and/or sufficient officers from an agency with jurisdiction arrive to handle the situation;
  - b. Officers shall advise the PSCC that they are outside their primary jurisdiction and an officer with jurisdiction must respond to handle the incident;
  - c. Officers shall return to the City, upon arrival of officers with jurisdiction, unless specifically requested to remain on the scene by an officer with jurisdiction.

**C. Concurrent Jurisdiction**

1. Notwithstanding the jurisdiction of federal law enforcement within the City, the Department has concurrent jurisdiction with the following agencies:
  - a. Montgomery County Police Department;
  - b. Montgomery County Sheriff's Office;
  - c. Montgomery County Fire Investigator's Office;
  - d. Maryland State Police;
  - e. Maryland State Fire Marshal's Office,
  - f. Maryland Department of Natural Resources Police; and
  - g. C.S.X. Railroad Police.
2. The Department also has interagency agreements with:
  - a. Montgomery County Police;
  - b. Montgomery County Sheriff's Office;
  - c. Maryland State Police; and
  - d. Maryland Department of Natural Resources.
3. Members of the Department shall abide by the terms and conditions of any properly executed agreement to which the Department is a party, especially during mutual response to a situation.

**D. Mutual Aid Agreements**

1. The State of Maryland has controlling legislation regarding mutual aid.
2. To ensure a coordinated effort in emergency situations by signatory agencies (when mutual aid has been requested), the City has entered into mutual aid agreements with the City of Rockville and the Montgomery County Division of the Maryland National Capital Park and Planning Commission.

3. Mutual aid agreements address:
  - a. The legal status of personnel responding to mutual aid requests;
  - b. Procedures for vesting provider agency personnel with the legal authority to act within the receiver agency's jurisdiction;
  - c. Procedures for requesting mutual aid;
  - d. Identity of those persons authorized to request mutual aid;
  - e. Identity of persons to whom outside personnel are to report;
  - f. Procedures for maintaining radio communication with outside personnel;
  - g. Expenditures to be borne by the agencies involved;
  - h. Procedures for review and revision; and
  - i. An estimate of available resources.

**E. Conducting Business outside the City**

1. Officers may leave the City limits to conduct investigations, for the mail run, pursuit(s) within Department guidelines, or to conduct any other legitimate City business.
2. Officers who will be outside the City limits on official business will make the supervisor aware of:
  - a. Status (investigation, transport, etc.);
  - b. Destination; and
  - c. Estimated time out of service.
3. The shift supervisor may decline to allow an officer to leave the City, if the supervisor deems it inappropriate (i.e., high volume of calls).
4. If the shift supervisor is not available, the officer needing to leave the City will use his or her best judgment and discretion, taking into account the volume of calls for service being dispatched and/or being held for dispatch by PSCC in the City.

5. City Police officers cannot enforce Maryland traffic laws outside of the City boundaries unless he or she is working within the parameters of a Mutual Aid Agreement with the jurisdiction the officer is in.