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- I. Policy

The responsibility of officers of the Maryland-National Capital Park Police, Montgomery County Division, is to protect and secure that property within Montgomery County which is owned by the Maryland-National Capital Park and Planning Commission (hereinafter "M-NCPPC), owned by Montgomery County and managed or operated by the M-NCPPC, or areas owned by private entities or individuals and leased or otherwise utilized by M-NCPPC (i.e. leased office space, areas governed by use agreements with other agencies, etc.) all within Montgomery County.

Officers of this Division may exercise police authority off park property and within the city limits of Gaithersburg and Rockville in accordance with the procedures outlined in the 1993 Mutual Aid Agreement entered into between the Commission and Gaithersburg City and Rockville City and the 1999 Mutual Aid Agreement entered into between the Commission and the City of Takoma Park for the coordination of law enforcement responsibilities.

The Mutual Aid Agreements are in effect because of legislation that allows the park police and the municipalities to enter into a mutual aid agreement in the event of an emergency. For the purposes of this agreement and directive, "emergency" is defined as when, "(i) an on-duty Park Police officer or Gaithersburg City Police officer or Rockville City Police officer or Takoma Park City officer witnesses, or has probable cause to believe there has occurred the commission of criminal activity which is punishable by incarceration or a serious traffic offense within the jurisdiction of any other signatory agency; or (ii) the Park Police, the Gaithersburg City Police, the Rockville City Police, or the Takoma Park City Police shall have committed, or shall foresee the need to commit, all at their readily available resources to any present or future police incident or action."

- II. Enforcement Procedures

- A. Criminal Violations

- 1. Officers of this Division may, under certain circumstances, enforce the criminal laws of this state within these cities. This directive explains when park police officers may make arrests and what chain of command will be followed when an arrest is made under the terms of either the 1993 or the 1999 Mutual Aid Agreement.

Officers should direct their criminal law enforcement activities to park properties and not actively seek out criminal activity off of park property. However, officers *will* take reasonable and necessary action to protect the public from the actions of criminal offenders, subject to the following criteria:

- a. On-duty officers may make an arrest in these cities if:
 - (1) The officer witnesses the commission of a crime that may be punished by incarceration; or
 - (2) The officer has probable cause to believe that the suspect committed a crime that may be punished by incarceration.

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- b. Off-duty officers have no authority under these Agreements to make criminal arrests.
 2. Officers *will* not conduct follow-up investigations of any criminal activities that occur off park property.
 3. Officers must comply with the following reporting requirements:
 - All reports, charging documents, etc. must be completed by the end of the officer's tour of duty and a copy forwarded to the other agency by 1700 hours the next business day.
 4. It shall be the responsibility of all supervisory officers to continually review the criminal law enforcement actions of their subordinates to ensure compliance with the provisions of this directive. Supervisors shall routinely counsel and instruct their subordinates as to their criminal law enforcement responsibilities.
 - B. Traffic Violations
 1. Officers *will* direct their traffic law enforcement activities to park properties and *will* not actively seek out traffic law violations off park property. On-duty park police officers have jurisdiction within these cities to issue a citation or statement of charges for serious traffic offenses, which occur in their presence.
 - Off-duty officers have no traffic enforcement authority off park property under these Agreements.
 2. Officers *will only* conduct follow-up investigations of traffic law violations *or traffic collisions* that occur off park property *resulting from accidents involving Commission vehicles*.
 3. Officers must comply with the following reporting requirements:
 - All reports, charging documents, etc. must be completed by the end of the officer's tour of duty and a copy forwarded to the other agency by 1700 hours the next business day.
 4. It *will* be the responsibility of all supervisory officers to continually review the traffic law enforcement actions of their subordinates to ensure compliance with the provisions of this directive. Supervisors *will* routinely counsel and instruct their subordinates as to their traffic law enforcement responsibilities.
 - C. Miscellaneous Incidents
 1. Officers *will* confine their patrol activities to park properties *within the city limits Gaithersburg, Rockville and Takoma Park*. This section is not intended to prohibit or restrict an officer from conducting a Commission related investigation or providing assistance to another police agency off of park property.
 2. Regardless of park boundaries, officers *will* take immediate action to assist any officer in trouble and provide assistance in emergency situations, such as, but not limited to, *a request from another jurisdiction for assistance*, a crime in progress, a serious traffic accident, etc.

3. In the event that a park officer responds to an incident or call for service within Gaithersburg, Rockville, or Takoma Park, the command authority *will* be determined as follows:
 - a. The agency having primary jurisdiction *will* exercise command unless a park officer is first on the scene. If so, the park officer *will* assume command and secure the area, maintain the integrity of any crime scene, establish a perimeter as required and begin to gather victim and/or witness information until an officer from the primary agency arrives, at which time command will be relinquished.
 - b. Once the command has been relinquished, the park officer *will* not remain on the scene unless requested to do so by the O.I.C. of the primary agency.
4. Park police officers may serve a warrant within the jurisdiction of the listed cities.
 - a. The officer attempting service *will* notify the agency having primary jurisdiction of the warrant attempt, including the location and the name of the defendant, prior to service.
 - b. An officer of the agency having primary jurisdiction *may* accompany the officer(s) attempting service of the warrant.

D. Certified Agreement Copies

All officers attending court for any case covered by the 1993 Mutual Aid Agreement with Gaithersburg and Rockville, or the 1999 Mutual Aid Agreement with the City of Takoma Park, *will* obtain a certified copy of the Agreement from the Park Police Records Section, along with the case file, and take it with them to court. Upon returning from court, the certified copy and case file *will* be promptly returned to the Records Section. If, during the trial, the court, defense attorney or state*s attorney desire a copy of the Agreement they may photocopy the certified copy but it must be returned with the report. If the court enters the original certified copy as an exhibit the officer *will* notify Records Section personnel.

III. Resource Procedures

- A. Pursuant to the terms of these Agreements, the senior, on-duty police official of any one of the agencies in charge of any present incident or action within their jurisdiction is authorized to determine the need for additional police resources in an emergency.
 1. Once this determination has been made, pursuant to the 1993 Agreement, the official may request from the senior, on-duty police official of either of the two other agencies such resources as may be necessary and available to meet the need.
 2. Once this determination has been made, pursuant to the 1999 Agreement, the official may request from the senior, on-duty police official of the other agency such resources as may be necessary and available to meet the need.

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- B. Pursuant to the terms of these Agreements, the Police Chief/Division Chief of any signatory agency may determine the need for additional police resources as may be necessary for any future incident or action within their jurisdiction.
1. Once this determination has been made, pursuant to the 1993 Agreement, said official may request from the Police Chief/Division Chief of either of the two other agencies such resources as may be necessary and available.
 2. Once this determination has been made, pursuant to the 1999 Agreement, said official may request from the Police Chief/Division Chief of the other agency such resources as may be necessary and available.
- C. In the event that a request for resources is made pursuant to sub-sections A. or B. above, he below procedures *will* be followed:
1. All requests for resources *will* include:
 - a. The name and position of the officer making the request;
 - b. The nature and location of the emergency;
 - c. The number of personnel requested and whether specialized personnel are needed; and/or
 - d. The type(s) of equipment needed; and
 - e. The name, rank and location of the officer to whom assisting personnel *will* report.
 2. The police official receiving such a request *will* consider the circumstances of the request and the capability of his/her agency to provide the requested assistance. If the receiving official determines that the request can be met, he/she *will* provide such assistance, including necessary personnel and equipment, as is consistent with the request, and *will* promptly notify the requestor of the number of personnel and/or equipment being provided.
 3. Assisting personnel *will* be under the command of the senior police official or designee from the requesting agency on the scene.
 4. The use, deployment, command and control of resources under this section *will* generally conform to the applicable related sections of the most current version of The Greater Metropolitan Washington Area Police and Fire/Rescue Services Mutual Aid Operational Plan.
- D. No agency *will* send any personnel to an incident or police action in another signatory jurisdiction unless it is expressly requested.
- This does not preclude any nearby officer from responding to an incident involving an immediate threat to human life.

**Approved Park Police Document
Signed Original on File**

End of Directive