

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE ANNE ARUNDEL COUNTY POLICE DEPARTMENT
AND
THE ANNE ARUNDEL COUNTY SHERIFF'S OFFICE**

THIS MEMORANDUM OF UNDERSTANDING is entered into this 15th day of September, 1998 by and between the **ANNE ARUNDEL COUNTY POLICE DEPARTMENT** and the **ANNE ARUNDEL COUNTY SHERIFF'S OFFICE**.

WHEREAS, it has been determined that, as law enforcement agencies with certain overlapping responsibilities regarding the enforcement of criminal laws, traffic laws and other related procedural issues, the parties agree a clear delineation of agency roles will provide a higher quality of law enforcement service to the public through mutual cooperation and coordination.

NOW, therefore, the parties do agree as follows:

I. PARTIES

A. The parties to this Memorandum of Understanding are the **ANNE ARUNDEL COUNTY POLICE DEPARTMENT**, hereinafter referred to as the **AACOPD**, and the **ANNE ARUNDEL COUNTY SHERIFF'S OFFICE**, hereinafter referred to as **AACOSO**.

II. PURPOSES

A. The purpose of the Memorandum of Understanding is to define agency roles so as to minimize duplication of effort and to establish procedures and practices for mutual cooperation between the **AACOPD** and the **AACOSO**.

III. MEETINGS AND LIAISON OFFICERS

A. To facilitate continuous communications between the parties, each agency head shall designate/appoint one liaison officer. Both liaison officers should keep abreast of all issues as they relate to the purpose of this Memorandum of Understanding. The liaison officers should meet as frequently as necessary or as often as directed by their agency heads so as to ensure the goals and objectives contained in this Memorandum of Understanding are met.

IV. MISSION STATEMENT

A. ANNE ARUNDEL COUNTY POLICE DEPARTMENT

It is the mission of every member of the Anne Arundel County Police Department to provide the highest possible level of service to the citizens of the county in a non-discriminatory manner. It is the department mission not only to maintain order and control crime, but to reduce the opportunity for crime and disorder, to reduce citizens' fears, to protect life and property, to protect the constitutional rights of all citizens, and to address the root causes of crime through creative problem solving.

Effective policing requires a partnership between the police and the community. Furthermore, in maintaining a partnership, the department recognizes the willingness of residents to share the responsibility for maintenance of order and quality of life. The fundamental mission of the Anne Arundel County police Department, therefore, is to provide the professional leadership and support required to maintain the community's efforts to develop a balanced partnership directed against lawlessness and disorderly behavior.

To that end, and for purposes of this Memorandum of Understanding, the AACOPD'S role is that of the primary law enforcement agency in Anne Arundel County, charged with the

responsibility for enforcement of all criminal and traffic laws within the jurisdictional boundaries of Anne Arundel County, Maryland.

B. ANNE ARUNDEL COUNTY SHERIFF'S OFFICE

The AACOSO exercises all the powers and duties of the Sheriff granted by the State of Maryland, and by common law, which include but are not limited to the following:

- >Protection and attending to the Circuit Courts
- >Service of criminal and civil process
- >Service of writs and orders of the Circuit Court
- >Service of District and Circuit Court warrants
- >Service of hospital warrants
- >Preservation of the public peace
- >Transportation of all Circuit Court prisoners (Refer to Section VI.)
- >Enforcement of all laws of the State of Maryland, and Anne Arundel County, over which the Sheriff has jurisdiction
- >In times of crisis or emergency to raise the "posse comitatus"

The AACOSO's primary role is to provide courthouse/courtroom security at the Circuit Court within the jurisdictional boundaries within Anne Arundel County, Maryland. To provide service of District Court and Circuit Court Warrants. To perform other court functions as deemed necessary by mutual exchange by and between the judicial authorities and the AACOSO, including the transportation of prisoners and the service of process.

V. GENERAL RULES OF COORDINATION

The AACOPD recognizes that sworn members of the AACOSO operating Sheriff's Office vehicles are viewed by citizens as law enforcement officers.

Anne Arundel County Sheriff's Deputies are law enforcement officers and, although their role and duties are not that of a primary law enforcement officer or agency, failure to act in response to certain crimes or traffic incidents could jeopardize life or limb, damage public confidence or initiate unfavorable citizen review.

It therefore becomes necessary to specify, as much as possible, those instances or conditions of a criminal or traffic nature wherein sworn members of the AACOSO will be expected to provide the proper law enforcement response and service.

A. ON TRAFFIC ENFORCEMENT

Within the jurisdictional boundaries of Anne Arundel County, Maryland, the primary law enforcement agency regarding traffic enforcement is the AACOPD. However, sworn deputies of the AACOSO when operating marked or unmarked Sheriff's Office vehicles and observing what appears to be a motorist operating a vehicle in a manner as to present a clear and imminent danger to the public, may take proper enforcement action including the appropriate arrest procedures, report writings, forms completions, and other procedural requirements. "Back-up" officer response in the interest of officer safety will be provided upon request by the AACOPD.

AACOPD will provide intoximeter operator support services should the request and need to do so arise.

Generally, the enforcement of all other traffic laws within the jurisdictional boundaries of Anne Arundel County, Maryland is the responsibility of the AACOPD.

B. ON CRIMINAL CASES

Within the jurisdictional boundaries of Anne Arundel County, Maryland the primary law enforcement agency regarding the enforcement and investigation of all criminal violations is the AACOPD. Whenever a member of the Sheriff's Office observes a violation of the law that is unrelated to the AACOSO's primary functions of courthouse security, warrant service, prisoner transport, or service of process, it shall be handled in the following manner.

1. Felonies - Members of the AACOSO, who in a public setting or when in uniform or when operating a Sheriff's Office vehicle observe a felonious act, shall take the proper preventative enforcement action; including the appropriate arrest procedures, report writings, forms completions and other procedural requirements associated with the type of arrest as may be requested by AACOPD. The AACOPD will manage all follow-up investigations and will coordinate with the arresting officer the prosecution of the case.
2. Misdemeanors - Unless their failure to act will jeopardize life or limb, damage public confidence, result in the loss of physical evidence, or invite unfavorable citizen review, members of the AACOSO will immediately report such cases to the communications center of the primary law enforcement agency. They will detain suspects and protect evidence and crime scenes until the arrival of the AACOPD. AACOSO deputies may, upon mutual agreement, follow through with misdemeanor cases, thus relieving the AACOPD officer of responsibility. (Example) AACOSO deputy makes a routine traffic stop and subsequently discovers a small amount of drugs in vehicle. Deputy should handle entire case.

C. On Arrests Generally

Arrests effected by members of the AACOSO and transportation of the arrestee to the

District station are the responsibility of the arresting deputy sheriff. AACOPD will, upon request, provide booking services for the deputy's arrestee, provided the prisoner is transported to the AACOPD district station wherein the individual was arrested. {This will help to ensure that warrants are immediately removed from the Tiburon and MILES/NCIC systems, and that other jurisdictions with outstanding warrants for the arrestee are notified.} There may be an occasion, due to limited staff or overcrowded lock-ups, where deputies may be directed to an alternate district station house for prisoner booking. Injured prisoners will not be received at the AACOPD stations prior to medical treatment. AACOSO Deputy's shall abide by the procedural protocol used by the AACOPD regarding the searching of prisoners, weapons storage and the use of handcuffs and other restraining devices, etc. Arresting Deputy Sheriffs shall stay with their arrestee throughout the booking process so as to maintain direct supervision and deter escape attempts.

It is mutually understood and agreed by the parties that traffic and or criminal arrests by the AACOSO are more the exception than the rule, and that AACOSO is not the primary law enforcement agency in these areas.

D. On Investigations Generally

Within the jurisdictional boundaries of Anne Arundel County, Maryland, investigative responsibilities for traffic and or criminal cases rests with the AACOPD.

E. On Hostage/Barricade Incidents (Extraordinary Police Incidents)

Members of the AACOSO who encounter a hostage situation or a barricaded individual within the jurisdictional boundaries of the AACOPD (commonly referred to as an extraordinary police incident) shall immediately notify the communications center of the AACOPD while

maintaining surveillance at or near the incident scene, deferring further management of the incident to the AACOPD. The AACOPD will dispatch supervisory personnel, back-up officers and/or Special Operations Section personnel assuming tactical and field command over the incident. During such incidents the AACOSO personnel at the scene will come under the command and control of the AACOPD incident commander.

The Anne Arundel County Deputy Sheriff's encountering such an incident will provide a detailed police report concerning their knowledge of the incident to the AACOPD prior to the end of their tour of duty.

VI. WARRANT SERVICE

A. Circuit Court Warrants

The Circuit Court will forward all warrants to the AACOSO Warrant Control Section. AACOSO will be responsible for all warrants in or outside the boundaries of Anne Arundel County. When an AACOSO deputy makes an arrest on a Circuit Court warrant, they will transport the arrestee to booking locations at AACOPD district stations. AACOPD will book and hold arrestee at district stations in accordance with SOP's. AACOSO will transport arrestee to the detention center.

B. District Court Warrants

The District Court will forward all warrants to the AACOSO Warrant Control Section. AACOSO will be responsible for all warrants in or outside the boundaries of Anne Arundel County. When an AACOSO deputy makes an arrest on a District Court warrant they will transport the arrestee to a booking location at AACOPD district stations. AACOPD will book and hold arrestees at district stations in accordance with SOP's. AACOSO arrestees will be

transported by Wackenhut PTO's, if AACOPD arrestees are being transported from the same district station or when Wackenhut personnel have no other prisoners to transport for the AACOPD. If a Sheriff's arrestee can not be transported by Wackenhut PTO's then the AACOSO will be contacted and will make arrangements for transportation.

C. Ex Parte Orders

Primarily, the AACOSO will serve all Ex Parte Orders. The AACOPD will respond to calls for assistance; and where necessary, the AACOPD may make arrests to the extent authorized by Annotated Code of Maryland, Family Law Article §4-509 and Article 27 §594B(b). Officers of the AACOPD shall refer to Index Code 1603 for specific guidance on which provisions of an ex parte or protective order may be enforced by an arrest and which cannot.

D. Domestic Relations Division Warrants

AACOSO will be responsible for the service of all DRD Warrants. Transportation of prisoners resulting from the service of DRD warrants will be the responsibility of the AACOSO. In the event that a prisoner is wanted by both the AACOSO and the AACOPD, the arresting agency will satisfy its own warrant first. The other agency will be notified of the arrest so appropriate action can be taken.

E. Outstanding Warrants held by AACOSO

In the event an AACOPD Officer arrests an individual and/or finds, via a "wanted check", that the individual has an outstanding warrant with the AACOSO, the AACOPD Officer will serve the warrant and conduct all transports of the prisoner, provided Wackenhut PTO's are not available.

F. Warrants Held by AACOPD for Service

In the event that an AACOPD Officer needs to obtain an arrest warrant and attempt to serve it him/herself for investigative reasons, the AACOSO warrant control section will be notified immediately upon the issuance of the warrant. In addition, a copy of the warrant must be FAXED to the AACOSO warrant control section within three hours from the time it is received by the AACOPD. The AACOPD officer who swears to the warrant will be responsible for notifying the AACOSO and sending the FAXED copy.

G. Medical Attention for AACOSO Prisoners

If a prisoner arrested by the AACOSO requires medical attention the deputy shall transport the prisoner to a medical institution prior to detention in an Anne Arundel County Police facility. Should medical attention become necessary for an AACOSO prisoner being detained in an Anne Arundel County Police facility due to medical problems unrelated to the detention, such attention shall be the responsibility of the AACOSO. Whenever an AACOPD supervisor has reason to believe that a prisoner arrested by the AACOSO has a mental disorder, it shall be the responsibility of the AACOSO to have the prisoner evaluated in accordance with existing AACOPD procedures prior to detention in an AACOPD facility.

VII. STATEMENTS OF COOPERATION AND MUTUAL INTEREST

A. Escapes

Within the jurisdictional boundaries of Anne Arundel County, the investigation and apprehension of prisoners who have escaped from custody of the AACOSO, will be the primary responsibility of the AACOSO. "Back -up" officer responses in the interest of officer safety will be provided upon request by the AACOPD. If the investigation becomes an extraordinary police

incident, coordination between AACOPD and AACOSO will be governed by Section V. E. (On Hostage/ Barricade Incidents {Extraordinary Police Incidents}) of this memorandum.

B. Courts

Within the jurisdictional boundaries of Anne Arundel County, the primary law enforcement agency regarding the protection of Circuit Court authorities is the AACOSO.

AACOPD will provide “ back-up” officer service, follow-up investigations, and extraordinary police incident control as agreed to above.

C. Assistance

Upon request of the AACOPD, the AACOSO will provide “ back-up” officer response in the interest of officer safety, or any assistance that the AACOPD needs to meet its mission: the protection of the people of Anne Arundel County, Maryland.

D. Point of Contact

The AACOPD point of contact concerning this memorandum will be the Deputy Chief of the Field Operations Division. The AACOSO point of contact concerning this memorandum will be their Chief Deputy. Problems evolving from daily operations should be handled through the chain of command at the respective district station or sheriff’s office.

E. Modification

This memorandum shall not be modified, amended or changed in any manner except upon express written agreement of the parties hereto.

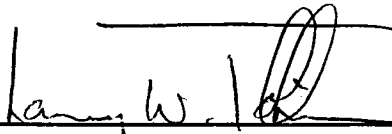
F. Term of Agreement

This memorandum may be terminated by either party upon 30 days advance written notice to the other party.

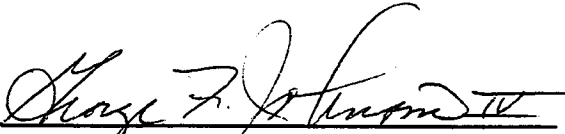
G. Construction/Liability

This Memorandum shall not be construed as a reassignment of any duties of the AACOPD or the AACOSO, nor shall it alter the responsibilities of either party for the supervision, control and discipline of that party's officers and employees. Each party remains liable for the tortious acts or omissions of its employees to the extent authorized by applicable law.

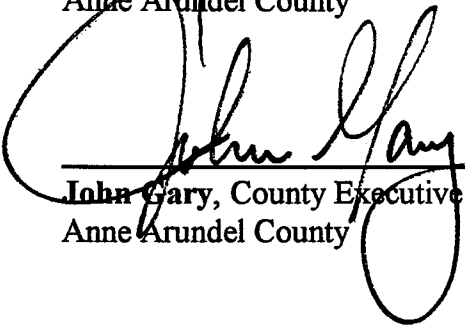
IN WITNESS WHEREOF, the parties hereto set their hands and seals on the date first
above written.



Larry W. Tolliver, Chief of Police
Anne Arundel County




George F. Johnson IV, Sheriff
Anne Arundel County



John Gary, County Executive
Anne Arundel County

Approved for form and legal sufficiency:



Office of Law
Anne Arundel County