




HOWARD COUNTY DEPARTMENT OF POLICE

INTERNAL MEMORANDUM

DATE: September 1, 2009

TO: Lonnie R. Robbins
Chief Administrative Officer

FROM: Chief William J. McMahon 

RE: Testimony in support of Bill 43-2009
Memorandums of Understanding/Mutual Aid

As you all know, my name is William J. McMahon and I am the Chief of Police. I am seeking the Council's support of Bill number 43-2009, authorizing the County Executive to enter into mutual aid agreements; updating certain references to State law; and generally providing the appropriate authority to send police officers outside of Howard County, when needed.

Emergency situations often require augmented law enforcement capabilities in order to ensure a timely and proper response, manage a large scale incident or disaster, restore order, and/or assist victims. Law enforcement agencies within the State and region rely upon one another to provide vital additional resources, when needed. I need the authority to act swiftly upon requests for support, and when appropriate, to develop mutual aid agreements with the information necessary to initiate effective mutual aid activities.

This legislation would assist our agency in maintaining compliance with the national Accreditation standard (CALEA 2.1.3) regarding controlling legislation governing mutual aid. It would further clarify and greatly enhance my authority to send personnel, together with all necessary equipment, beyond the territorial limits of Howard County, when appropriate. This legislation would further allow the Police Department to expeditiously develop, implement, and update mutual aid agreements on a continual basis, with the final review and endorsement of the County Executive.

My office works closely with the County's Office of Law, as well as the Office of Risk Management to ensure that every written agreement includes provisions for the indemnification of the County and its personnel (e.g., Life, health, and liability insurance). Each agreement details provisions for both providing and receiving aid in critical incident situations, while maintaining adequate law enforcement coverage here within Howard County.

Mutual aid agreements (Memorandums of Understanding) are developed whenever we can anticipate the advanced need (1) to document the legal status of personnel (e.g. deputizing HCPD personnel for Federal service); (2) to implement written procedures for maintaining radio communication with outside personnel; or (3) to determine if any expenses should be borne by the receiving agency to compensate for the use of Howard County resources. In many of these instances mutual aid agreements need to be expedited through the implementation process.

But it is equally important, that I clearly be authorized to request and send appropriate police resources in the absence of advance written agreements, when doing so will protect lives and property, just as we rely on the assistance of our neighboring agencies. This request is authorized by State law as well.

Thank you for your consideration and support of this important legislation.