

	ITHACA POLICE DEPARTMENT	Distribution	General Order Number
	POLICY AND PROCEDURE GENERAL ORDER	ALL PERSONNEL	1.04
		Original Issue Date	Reissue/Effective Date
		05/11/2020	05/11/2020
Order Title: JURISDICTION AND MUTUAL AID	Accreditation Standard: NY 2.5; 47.7; 58.1; 58.2		Section
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		Section Title DEPARTMENT ROLE AND AUTHORITY	
Rescinds:	 Dennis Naylor, Chief of Police		

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting

I. PURPOSE

The purpose of this policy is to establish a written directive that describes the Ithaca Police Department’s jurisdiction, and the provisions and use of mutual aid and regional law enforcement services.

II. POLICY

It is the policy of the Ithaca Police Department (“the Department”) to provide all personnel with geographic maps that depict the jurisdictional service area of the Ithaca Police Department. The Department shall also establish guidelines describing its responsibilities with other law enforcement agencies having concurrent jurisdiction within the City of Ithaca, and procedures regarding mutual aid assistance to and from other law enforcement agencies and municipalities, including requests for assistance from the National Guard.

III. PROCEDURE

A. Agency Jurisdiction and Mutual Aid

1. The City of Ithaca, New York, is an area of approximately 6.07 square miles located within Tompkins County. The City is bordered by the following municipalities:
 - **North:** Town of Ithaca and Village of Cayuga Heights
 - **South:** Town of Ithaca
 - **East:** Town of Ithaca
 - **West:** Town of Ithaca
2. The Department will maintain a detailed official map based upon the official

jurisdictional map maintained by the City of Ithaca Public Work's Department, which delineates the specific geographical jurisdictional boundaries of the City of Ithaca serviced by the Police Department. This map will be posted in the Roll Call Room, the Communications Center, Sergeant Vehicles, in the Sergeant's Office as well as on the Maps section of Spillman Mobile (Computer Aided Dispatch). The Chief of Police, or his designee, is responsible for ensuring that these maps are annually reviewed for accuracy and updated as needed. All Department personnel will familiarize themselves with the geographical boundaries of the City of Ithaca.

B. Concurrent Jurisdiction

1. General Guidelines

- a. The following agencies have been identified as having concurrent jurisdictional authority within the City of Ithaca:
 - New York State Police
 - Tompkins County Sheriff's Office
 - Cornell University Police
- b. It is the intent of this Department to have the primary responsibility to investigate and/or respond to all crimes and incidents having occurred within the City of Ithaca and coming to the attention of any member of the Department. The Department will have primary responsibility for the provision of police services, except for the following:
 - i. If the caller insists on one of the other agencies;
 - ii. In an investigation involving a member of one of the other agencies; or
 - iii. When directed by the Chief of Police, Deputy Chief of Police or Shift Commander with the rank of Lieutenant.
- c. In those instances in which another agency has initiated an investigation of an incident which occurred within the City of Ithaca, either as a whole or part of an ongoing criminal act or chain of events, it is incumbent that the Department cooperates and coordinates with any and all agencies involved in the investigation. The Department reserves the right to exercise original jurisdiction over those incidents occurring in the City of Ithaca, including taking the case to its conclusion for prosecution purposes when appropriate.
- d. In those instances when an agency with concurrent jurisdiction responds to any call for service (motor vehicle accident, robbery, burglary, etc.) within the City of Ithaca, the officer responding from the Department shall assume full direction and responsibility for the

investigation, regardless of which officer arrived on the scene first.

- e. In any situation where a question arises concerning jurisdiction with another agency, the responding Ithaca police officer will make every attempt to resolve the matter in the most professional, legally justifiable manner possible. If this is not possible, the matter will be turned over to the Supervisor for resolution. If a resolution is not achieved by the Supervisor, the matter will be brought up the Chain of Command until resolved. No criminal action should be taken by the officer until the matter is referred to a supervision or command level where a decision is made, up to and including the Chief of Police, unless the officer has clear legal authority to do so. In addition, a detailed report outlining the situation shall be submitted to the Chief of Police for consideration and review.

2. Traffic Crashes within the City Limits

The Ithaca Police Department shall investigate all serious motor vehicle accidents occurring on any public street within the City of Ithaca, other than those listed above.

3. Mutual Aid

a. General Guidelines

The Ithaca Police Department will make use of mutual aid in conformance with state statutes and any mutual aid agreements (if established), for any actual or potential condition that poses an immediate threat to life or property and exceeds the capability of the Department to successfully counteract.

- b. Mutual aid between the City of Ithaca and any other municipality may be requested or provided by the Chief of Police of the City of Ithaca or his designee, as provided by New York State General Municipal Law § 209-f, 209-g and 209-m. Additionally, any Shift Supervisor may authorize a request for the assistance of any other municipal, state, or federal law enforcement agency, including the New York State Police, FBI, DEA, or ATF, by directly contacting that agency.

c. Request by the Ithaca Police Department for Mutual Aid

When the Department is in need of assistance from another department, the request should include as much information as possible, including: the nature of the problem resulting in the need for assistance, an estimated level of personnel needed, and any special

equipment needed.

d. Requests for the Mutual Aid of the Ithaca Police Department

When the Department receives a request for assistance from another police department, the Shift Supervisor must, prior to approving such a request, ensure that adequate staffing and equipment needs are maintained within the City of Ithaca to provide proper service. Requests made to the shift supervisor will be approved only after consultation with the Shift Supervisor or another member of the Command Staff. The Shift Supervisor will assure adequate police coverage in the City of Ithaca at all times.

In the event of an emergency situation where a timely response is necessary, the Shift Supervisor, or the highest ranking officer on duty will use his/her own discretion, taking into account all of the guidelines in this order, and **immediately** make notification through the chain of command. An Unusual Occurrence Report (Email) regarding the incident shall be submitted to the Chief of Police through the chain of command.

e. Mutual Aid Agreements

If the Department enters into any mutual aid agreements, either as the providing agency or the receiving agency, such agreements will be reviewed by the Chief of Police or his designee on an annual basis and shall include, at a minimum, the following details:

- (1) The legal status of agencies and agency personnel responding to mutual aid requests;
- (2) Procedures for vesting provider agency personnel with the legal authority to act within the receiver agency's jurisdiction;
- (3) Procedures for requesting mutual aid;
- (4) Identity of those persons authorized to request mutual aid;
- (5) Identity of persons to whom outside personnel are to report;
- (6) Procedures for maintaining radio communication with outside personnel;
- (7) Expenditures, if any, which should be borne by the receiver agency to compensate for the use of the provider agency's resources; and

(8) Procedures for review and revision if prescribed in the agreement.

f. Federal and state law enforcement and regulatory agencies

(1) Within the geographical boundaries of the City of Ithaca, the sworn members of the Ithaca Police Department shall have primary responsibility to enforce New York General Statutes and City Ordinances, and to provide other essential law enforcement services.

(2) The Ithaca Police Department shall have concurrent jurisdiction with the Federal and state law enforcement and regulatory agencies. These agencies shall have primary responsibility to enforce all laws and investigate all incidents or crimes on state or federally-owned property.

(3) Officers of the Ithaca Police Department receiving a call for service at one of the aforementioned state-owned land or water properties shall respond and render service as needed. Such service shall include, but is not limited to, providing emergency aid, traffic direction, securing of scenes, buildings and perimeters, and crowd control.

(4) Once on scene, the responding Ithaca police officer(s) will provide an update and request the presence of the New York State Police. The responding state officer(s) will assume primary responsibility for the investigation of the incident. The officer(s) from this agency will assist, as needed, and file a report, when required. If any questions pertaining to jurisdiction arise, a supervisor shall be summoned to the scene and resolve the matter in a professional and courteous manner, consistent with the best interest of the community.

4. Requesting Federal Law Enforcement/National Guard Assistance in Emergencies

a. Assistance from Federal Law Enforcement Agencies

In the event of an emergency, which, in the opinion of the Chief of Police, or designee, requires federal law enforcement assistance, aid will be solicited from the appropriate federal agency. In the event of a criminal offense in which there are concurrent enforcement responsibilities (i.e., bank robberies, drug violations, etc.), the Shift

Supervisor may authorize the notification of the FBI, DEA, or other federal agencies having concurrent jurisdiction. These may include:

- Division of Alcohol, Tobacco, and Firearms
- Secret Service
- U.S. Postal Service
- U.S. Marshall Service
- Immigration and Naturalization Service
- Internal Revenue Service
- Other miscellaneous federal agencies

Phone numbers, including emergency contact numbers, will be available to officers through the 911 Communications Center/ DoER

b. Assistance from the National Guard

If the Chief of Police or his designee decides that the resources at his disposal are not sufficient to handle a case of civil unrest and requires the use of the National Guard, a request may be made through the Mayor of the City of Ithaca for such assistance. The Mayor may then:

- Inform the Governor of the request per New York Military Law Article 1 & Article 2; or
- In the Governor's absence, the Chief of Police will make written requisition for assistance per New York State Military Law Article 1 §11 to the Commanding Officer of the New York National Guard.