

INTERGOVERNMENTAL POLICE PROTECTION MUTUAL AID AGREEMENT

This agreement, made and entered into on this _____ day of _____, 2005, by and between the City of Joplin, a municipal corporation, (hereinafter referred to as “City” and _____, provides as follows:

WHEREAS, pursuant to Mo. Rev. Stat. §70.820 (2000), municipal corporations are authorized to enter into agreements for mutual aid for police services;

WHEREAS, the parties hereto desire to authorize their municipal police officers to respond in emergency situations outside of their jurisdiction and within other municipalities, when requested.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and intended to be legally bound thereby, the parties hereby agree as follows:

Section 1
Purpose of Agreement

This agreement is made in recognition of the fact that there may be emergencies outside the jurisdiction of the parties hereto that require the response of the law enforcement agency. Each law enforcement agency who signs a copy of the this Agreement has and does express its intent to aid and assist the other participating law enforcement agencies during an emergency by assigning some of their resources, equipment and or law enforcement personnel to the affected law enforcement agency as circumstances permit and in accordance with the terms of this agreement. The specific intent of this Agreement is to safeguard the lives, persons and property of citizens during an emergency by enabling other law enforcement agencies to provide additional resources, equipment and/or law enforcement personnel as needed.

Section 2
Definitions

For the purpose of this agreement, the following terms are defined as follows:

Agreement means this Intergovernmental Police Protection Mutual Aid Agreement. Counties, municipalities, townships, political subdivisions and interlocal public agencies of the State of Missouri may become a party to this Agreement by executing a copy of this Agreement and providing a copy with original signatures and authorizing resolution(s).

Assisting Party means the participating governmental entity furnishing equipment, resources, supplies and/or personnel to the requesting party under this agreement.

Emergency situation means any situation in which the law enforcement officer has a reasonable belief that a crime is about to be committed, is being committed, or has been committed involving injury or threat of injury to any person, property, or governmental interest and such officer's response is reasonably necessary to prevent or end such emergency situation or mitigate the likelihood of injury involved in such emergency situation. The determination of the existence of any emergency situation shall be in the discretion of the officer making the response or in the discretion of an officer or governmental officer of the political subdivision in which the emergency situation is alleged to be occurring.

Response shall mean to take any and all action that the officer may lawfully take as if exercising his powers within his own jurisdiction.

Mutual Aid means a definite and prearranged written agreement and plan whereby regular response and assistance is provided in the event of natural or man-made emergency.

Requesting Party means the participating governmental entity requesting aid in the event of an Emergency who has primary jurisdiction over the site of the emergency, but due to insufficient resources, supplies, equipment ad/or personnel is unable to provide an adequate response to an emergency without the assistance of others.

Section 3 Scope

Any law enforcement officer as defined by section 556.061, RSMo. full time peace officer as defined by section 590.100, RSMo, of a county or a full time peace officer of any political subdivision who is certified pursuant to chapter 590, RSMo, or chief executive officer as defined by section 590.100, RSMo, of a county or any political subdivision, certified pursuant to chapter 590, RSMo, shall have the authority to respond to an emergency situation outside the boundaries of the political subdivision from which such a peace officer's authority is derived. Each undersigned party agrees that in the event of an emergency situation, they will respond to requests for assistance with such equipment, supplies, resources and/or personnel as is, in the opinion of the assisting party, available. Provided, however, that each party reserves the right to refuse to render assistance or to recall any or all rendered assistance, whenever it believes that such refusal or recall is necessary to ensure adequate protection of it's own jurisdiction or personnel.

Section 4 Adoption

Before a peace officer shall have the authority to respond to an emergency situation outside the boundaries of the political subdivision from which the officer's authority is derived pursuant to subsection 1 of this section, the authority shall be first authorized by ordinance, order, or other ruling by the governing body of the political subdivision from which the officer derives such officer's authority and by the governing

