



SOUTH MIAMI POLICE DEPARTMENT

GENERAL ORDER NUMBER: 2.1	DATE OF ISSUE: July 31, 2011	EFFECTIVE DATE: May 1, 2014	NUMBER OF PAGES: 08
CFA STANDARD: NONE SUBJECT: Agency Jurisdiction and Mutual Aid- JURISDICTION AND MUTUAL AID	NEW () RESCINDS () AMENDS (x) OTHER ()	By Order Of:  Rene Landa, CHIEF OF POLICE	

CFA STANDARDS: NONE
SECTIONS:

- 2.1.1 Geographical Boundaries
- 2.1.2 Concurrent Jurisdiction
- 2.1.3 Mutual Aid Agreements
- 2.1.4 Emergency Federal Assistance

RESCINDS: All existing orders in conflict.

PURPOSE: To establish departmental policy and provide guidelines for the City of South Miami Police Department regarding geographical boundaries and jurisdiction; to outline the contents and provide guidelines for mutual aid agreements; to establish procedures for requesting federal or state assistance.

SCOPE: All departmental personnel.

POLICY: It is the policy of this agency to provide its members with the jurisdictional boundaries of its service area and existing mutual aid agreements with neighboring communities and other Miami-Dade County police agencies.

PROCEDURE:

2.1.1 Geographical Boundaries

- A. The legally authorized geographical area for which the South Miami Police Department and the Chief of Police are responsible is the City of South Miami, located in Miami-Dade County, Florida. The enforcement of Florida State Statutes, Miami-Dade County and City of South Miami ordinances is authorized within the

jurisdictional boundaries of the City of South Miami, unless specifically prohibited or allowed elsewhere by state statute or Mutual Aid Agreement.

- B. The boundaries of the City of South Miami, Miami-Dade County, Florida, are delineated in the South Miami Charter. The City of South Miami boundaries and police jurisdiction are detailed on an official map.

A detailed official map, which includes the boundaries of the jurisdiction of the City of South Miami, is maintained in the Communications Center. Jurisdictional maps, separated by zones and grids, are provided for all South Miami Police personnel.

2.1.2 Concurrent Jurisdiction

- A. The South Miami Police Department is responsible for providing all law enforcement services within the City of South Miami, except: homicide and/or traffic homicide investigations, sexual battery investigations, bomb extraction/investigations, SWAT operations, and hostage negotiations. Although the South Miami Police Department has jurisdiction in the City, there is concurrent (overlapping) jurisdiction with county, state and federal law enforcement agencies.
- B. The Miami-Dade Police Department has concurrent jurisdiction with the City of South Miami and provides services and/or assistance to include, but not limited to: police dispatch, homicide/traffic homicide investigations, laboratory analysis, bomb disposal, sexual battery investigations, SWAT operations, helicopter patrol at the request of the South Miami Police Department, use of computer terminals for criminal/arrests data retrieval, records and reports as requested, intelligence information as requested, and deployment of back-up support as needed. The Miami-Dade Police Department has available for assistance an Emergency Response Team, a Crisis Management Team, an Underwater Recovery Team, Marine Patrol, and other specialized teams and/or equipment which are provided when circumstances dictate.

Both agencies shall cooperate with regard to arrests/apprehension and return of fugitives, conducting investigations of a multi-jurisdictional function, and exchanging information with other law enforcement agencies and State Attorney's Office and/or Federal Prosecutor's Office.

- C. The Florida Highway Patrol has concurrent jurisdiction for traffic-related activity/enforcement on county and state roads within the boundaries of the City (i.e. South Dixie Highway). The South Miami Police Department is responsible for all criminal activity that occurs on the thoroughfare system within the boundaries of the City of South Miami and is available to assist the Florida Highway Patrol as needed. South Miami Police Department is also responsible for traffic enforcement/crash investigations within the City boundaries.

- D. The South Miami Police Department has also established concurrent jurisdiction with the Miami-Dade County Public Schools - Division of School Police, and the City of Coral Gables Police Department, University of Miami Police Department, and the Village of Pinecrest Police Department.

The Division of School Police

The Division of School Police has jurisdiction on school property up to 1000 feet from the school, including the parking lots. The Division of School Police will handle routine calls on school property; however, in order to provide the most efficient and expeditious service possible for the whole community, the following guidelines will be followed for calls to any public school within our jurisdiction:

At the request of the Miami-Dade County Public Schools - Division of School Police:

1. A unit may be dispatched to any "911" call, whether it is a medical emergency or an in-progress call;
2. Units may be sent to any call that could lead to bodily harm, such as a possible fight in-progress, disturbances, or an irate citizen; and
3. Units may be sent to any calls of a significant nature (i.e. robbery, assault/battery, suspicious vehicle/person, etc.);
4. If South Miami Police Department responds to a call on public school property before the School Police arrive and an arrest is made, the South Miami officer(s) will handle the entire call including all reports. A SMPD shift supervisor will be contacted regarding the call.

The Village of Pinecrest Police Department, The University of Miami Police Department, and The City of Coral Gables Police Department.

The Village of Pinecrest borders The City of South Miami on SW 88 Street. The City of Coral Gables and The University of Miami jurisdiction both border on SW 57 Avenue.

If any one of these neighboring jurisdictions requests mutual aid assistance, it shall be via radio over the MDPD Kendall frequency, or by telephone. If an individual officer or supervisor of one of these jurisdictions approaches a SMPD officer requesting aid, that SMPD officer shall relay the request via radio or telephone to the shift commander. A good faith effort shall then be made to assist the neighboring department in any way that is not detrimental to SMPD, or the community of the City of South Miami.

Unincorporated Miami-Dade County

Unincorporated areas border The City of South Miami in many areas, and several areas within the City of South Miami boundaries are serviced by MDPD.

If any Officer or Supervisor of the Miami Dade County Police Department requests mutual aid assistance, it shall be via radio over the MDPD Kendall frequency, or by telephone. If an individual officer or supervisor of one of these jurisdictions approaches a SMPD officer requesting aid, that SMPD officer shall relay the request via radio or telephone to the shift commander. A good faith effort shall then be made to assist the County in any way that is not detrimental to SMPD, or the community of the City of South Miami.

- E. Arrest Power Extension: South Miami Police Department officers may make arrests for felonies, misdemeanors and arrestable traffic offenses in unincorporated Miami-Dade County and within any municipality which participates in this Mutual Aid Agreement, when the offense takes place:
1. In the officers' presence while officers are within their jurisdictions; or
 2. While they are traveling from place to place on official business outside their jurisdiction (i.e. to or from court); or
 3. As a result of an investigation of any offense constituting a felony or act of Domestic Violence as defined in F.S.S. 741, when the offense took place within the jurisdiction of the investigating officer.

Concurrent jurisdiction under this subparagraph does not include authority to make nonconsensual or forcible entries into private dwellings, residences, living spaces or business spaces which are not open to the public, i.e., authority derived pursuant to this subparagraph may be exercised only when in places open to the public or private places into which the arresting officer has entered with the consent of an occupant entitled to give consent.

- F. General Requirements: Specific guidelines for the use of concurrent law enforcement jurisdiction include:
1. Prior to taking any enforcement action, the officer shall notify the jurisdiction in which the action will be taken, unless exigent circumstances prevent such prior notification, in which case notification shall be made as soon after the action as possible.

2. All arrests made pursuant to this Agreement shall be coded and processed in such manner to ensure that any revenues or surcharges generated shall be directed to the jurisdiction in which the arrest was made.
3. Concurrent law enforcement jurisdiction pursuant to this Agreement does not include preplanned operations, undercover investigations, stings, or sweeps.
4. Officers shall not conduct routine patrol activities outside the SMPD jurisdiction.
5. Any conflicts regarding jurisdiction will be resolved by allowing the agency within whose jurisdiction the action took place to take custody of any arrestees and/or crime scenes.
6. All concurrent jurisdiction stationary surveillance activities shall require notification of the agency within whose jurisdiction the surveillance takes place. The notification shall include the general location of the surveillance and a description of the vehicles involved. Mobile surveillance shall not require notification unless concurrent jurisdiction enforcement activities take place.

2.1.3 Mutual Aid Agreements

- A. Pursuant to the Florida Mutual Aid Act, FSS 23.1225 (1), the City of South Miami is a signatory to the Mutual Aid Agreement of Miami Dade County. Other mutual aid agreements may be executed as needed.
- B. Copies of the agreements and mutual aid procedural details will be kept on file in the office of the Chief of Police by the Administrative Assistant.
- C. The South Miami Police Department may assign personnel and/or police equipment to requesting agencies, pursuant to a mutual aid agreement, in amounts sufficient to impact the problem which led to the request for mutual aid.
- D. The provision of mutual aid to another agency will not cause a reduction of available personnel to the extent that service to the citizens of the City of South Miami is adversely affected.
- E. The mutual aid agreements shall provide all the necessary information to initiate mutual aid activities either on behalf of this department, or at the request of a neighboring law enforcement agency. This information addresses the following:

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 jurisdiction;
 3. Procedures for requesting mutual aid;
 4. Identity of those persons authorized to request mutual aid;
 5. Identity of person(s) to whom outside personnel will report;
 6. Procedures for maintaining radio communications with outside personnel is accomplished by:
 - a. Issuing them a portable radio, if necessary;
 - b. Assigning a South Miami officer to work with them; and/or
 - c. Maintaining communications by telephone.
 7. Ancillary expenditures, if any, will be borne by the receiver agency to compensate for use of the provider agency's resources; and
 8. Procedures for review and revision if prescribed in the agreement.
- F. Within the South Miami Police Department, the Chief of Police or designee (shift commander) shall be the person responsible for authorizing the rendering or requesting of mutual aid.
1. Notification of the need to render or request mutual aid shall be made by the appropriate officer in charge, as soon as practicable, through the chain of command to the Chief of Police or designee.
 2. When the Chief of Police or designee approves the mutual aid, the officer in charge shall immediately notify the other agency.
- G. Personnel requested from other agencies will assist the South Miami Police Department in the following areas as needed in emergency situations:
1. Mass processing of arrestees.
 2. Operating temporary detention facilities.
 3. Civil disturbances.
 4. Natural disasters.
 5. Specialized operations.

2.1.4 Emergency Federal Assistance

- A. Whenever the circumstances may require assistance, the following federal agencies may be contacted:
1. Federal Bureau of Investigation (FBI).
 2. Drug Enforcement Administration (DEA).
 3. Immigration and Customs Enforcement (ICE).
 4. United States Customs (USC).
 5. United States Border Patrol (USBP).
 6. United States Department of Homeland Security (DHS).
 7. United States Federal Aviation Administration (FAA).
 8. United States Department of Transportation Safety Board (NTSB).
 9. Federal Bureau of Alcohol, Tobacco, and Firearms (ATF).
 10. United States Coast Guard (USCG).
 11. United States Federal Emergency Management Agency (FEMA).
- B. The Chief of Police, appropriate division commander, or designee, shall make notification to the federal agency for assistance. All federal law enforcement agencies can be contacted 24 hours a day by telephone or through dispatch operations.
- C. Circumstances which may warrant the assistance of a federal agency may include, but are not limited to the following:
1. Information regarding active/current investigations;
 2. Investigative assistance involving concurrent jurisdiction;
 3. Expertise and manpower assistance.
- D. Chapter 252, Florida State Statutes - State Emergency Management Act shall be the controlling document when emergencies occur which meet its criteria.
- E. National Guard Assistance: There are certain emergency situations that may require the need to request military assistance from the Florida National Guard. Such emergency situations can include: hurricanes, tornados, floods, hazardous material spills, and civil disturbances. If it becomes apparent that local mutual aid assistance is insufficient to ease the effect of the emergency, the following procedure will be when requesting military assistance:
1. The Chief of Police, or designee, shall inform the City Manager of the reason military assistance is desired. The City Manager, or designee, shall notify the Mayor of the City of South Miami about the nature of the emergency.

2. The Office of the City Manager shall then notify the Director of the Miami-Dade County Division of Emergency Management of the City's request for military assistance. The Division of Emergency Management shall then, through their procedures, make proper notification of the request to the Executive Director of the Florida Department of Law Enforcement.
3. The Florida National Guard resources will be activated for law enforcement services only upon the issuance of a Governor's Executive Order requested by F.D.L.E.
4. If the emergency is of such magnitude that the Chief of Police feels that any time lapse might cause additional loss of life or property damage, he may make direct contact with the Director of Miami-Dade County Division of Emergency Management.