CHAPTER 198

NEW ENGLAND STATE POLICE COMPACT

§1665. Compact entered into by State

The New England State Police Compact is hereby entered into and enacted into law with any and all of the states legally joining therein in the form substantially as follows. [PL 1965, c. 435 (NEW).]

SECTION HISTORY

PL 1965, c. 435 (NEW).

§1666. Purposes -- Article I

The purposes of this compact are to: [PL 1965, c. 435 (NEW).]

1. Detection and apprehension. Provide close and effective cooperation and assistance in detecting and apprehending those engaged in organized criminal activities;
[PL 1965, c. 435 (NEW).]

2. Criminal intelligence bureau. Establish and maintain a central criminal intelligence bureau to gather, evaluate and disseminate to the appropriate law enforcement officers of the party states information concerning organized crime, its leaders and their associates; and
[RR 2023, c. 2, Pt. A, §39 (COR).]

3. Emergency assistance. Provide mutual aid and assistance in the event of police emergencies, and to provide for the powers, duties, rights, privileges and immunities of police personnel when rendering such aid.
[PL 1965, c. 435 (NEW).]

SECTION HISTORY

PL 1965, c. 435 (NEW). RR 2023, c. 2, Pt. A, §39 (COR).

§1667. Entry into force and withdrawal -- Article II

1. Force and effect. This compact shall enter into force when enacted into law by any 3 of the States of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont. Thereafter, this compact shall become effective as to any other of the aforementioned states upon its enactment thereof.
[PL 1965, c. 435 (NEW).]

2. Withdrawal. Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until one year after the governor of the withdrawing state has given notice in writing of the withdrawal to the governors of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal, and any records, files or information obtained by officers or employees of a withdrawing state shall continue to be kept, used and disposed of only in such manner as is consistent with this compact and any rules or regulations pursuant thereto.
[PL 1965, c. 435 (NEW).]

SECTION HISTORY

PL 1965, c. 435 (NEW).

§1668. The conference -- Article III

1. New England State Police Administrators' Conference. There is established the "New England State Police Administrators' Conference", in this chapter called the "conference", to be composed of the administrative head of the state police department of each party state.
[PL 1965, c. 435 (NEW).]

2. Alternates. If authorized by the laws of the applicable party state, the administrative head of the state police department of a party state may provide for the discharge of the duties of office and the performance of the functions of office on the conference, for periods that may not exceed 15 days, by an alternate. An alternate is not entitled to serve unless notification of the alternate's identity and appointment has been given to the conference in a form as required by the conference.
[RR 2023, c. 1, Pt. C, §47 (COR).]

3. Selection of alternates. An alternate serving pursuant to subsection 2 shall be selected only from among the officers and employees of the state police department, the head of which such alternate is to represent.
[PL 1965, c. 435 (NEW).]

4. Vote. The members of the conference shall be entitled to one vote each. No action of the conference shall be binding unless taken at a meeting at which a majority of the total number of votes on the conference are cast in favor thereof. Action of the conference shall be only at a meeting at which a majority of the members of the conference, or their alternates, are present.
[PL 1965, c. 435 (NEW).]

5. Seal. The conference shall have a seal.
[PL 1965, c. 435 (NEW).]

6. Officers. The conference shall elect annually from among its members a chair, who is not eligible for a 2nd term immediately following a term served, a vice-chair and a treasurer. The conference shall appoint an executive secretary and fix the duties and compensation for that office. The executive secretary serves at the pleasure of the conference and together with the treasurer must be bonded in an amount determined by the conference. The executive secretary also serves as general secretary of the conference.
[RR 2023, c. 1, Pt. C, §48 (COR).]

7. Personnel. Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive secretary, subject to the direction of the conference, shall appoint, remove or discharge such personnel as may be necessary for the performance of the conference functions and shall fix the duties and compensation of such personnel.
[PL 1965, c. 435 (NEW).]

8. Employee benefits. The conference may establish and maintain independently or in conjunction with any one or more of the party states, a suitable retirement system for its full-time employees. Employees of the conference shall be eligible for social security coverage in respect of old age and survivor's insurance, provided that the conference takes such steps as may be necessary pursuant to the laws of the United States, to participate in such program of insurance as a governmental agency or unit. The conference may establish and maintain or participate in such additional programs of employee benefits as may be appropriate. Employment by the conference of a retired officer or employee of a party state shall not affect the pension or other retirement-connected benefits paid to such officer or employee by a party state.
[PL 1965, c. 435 (NEW).]

9. Utilization of services. The conference may borrow, accept or contract for the services of personnel from any party state, the United States, or any subdivision or agency of the aforementioned governments, or from any agency of 2 or more of the party states or their subdivisions.
[PL 1965, c. 435 (NEW).]

10. Acceptance of aid. The conference may accept for any of its purposes and functions under this compact any and all donations, grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States or any other governmental agency, or from any person, firm or corporation and may receive, utilize and dispose of the same. The conference shall publish in its annual report the terms, conditions, character and amount of any resources accepted by it pursuant hereto together with the identity of the donor.
[PL 1965, c. 435 (NEW).]

11. Facilities. The conference may establish and maintain such facilities as may be necessary for the transacting of its business. The conference may acquire, hold and convey real and personal property and any interest therein.
[PL 1965, c. 435 (NEW).]

12. Bylaws. The conference shall adopt bylaws for the conduct of its business and shall have the power to amend and rescind these bylaws. The conference shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto, with the appropriate agency or officer in each of the party states. The bylaws shall provide for appropriate notice to the conference members of all conference meetings.
[PL 1965, c. 435 (NEW).]

13. Annual report. The conference annually shall make to the governor and legislature of each party state a report covering the activities of the conference for the preceding year, and embodying such recommendations as may have been issued by the conference. The conference may make such additional reports as it may deem desirable.
[PL 1965, c. 435 (NEW).]

SECTION HISTORY

PL 1965, c. 435 (NEW). RR 2023, c. 1, Pt. C, §§47, 48 (COR).

§1669. Conference powers -- Article IV

The conference shall have power to: [PL 1965, c. 435 (NEW).]

1. New England Criminal Intelligence Bureau. Establish and operate a New England Criminal Intelligence Bureau, in this chapter called "the bureau", in which shall be received, assembled and kept case histories, records, data, personal dossiers and other information concerning persons engaged or otherwise associated with organized crime.
[PL 1965, c. 435 (NEW).]

2. Identification. Consider and recommend means of identifying leaders and emerging leaders of organized crime and their associates.
[PL 1965, c. 435 (NEW).]

3. Mutual assistance arrangements. Facilitate mutual assistance among the state police of the party states pursuant to Article VII of this compact.
[PL 1965, c. 435 (NEW).]

4. Claims and reimbursements. Formulate procedures for claims and reimbursements, pursuant to Article VII of this compact.
[PL 1965, c. 435 (NEW).]

5. Promote cooperation. Promote cooperation in law enforcement and make recommendations to the party states and other appropriate law enforcement authorities for the improvement of such cooperation.
[PL 1965, c. 435 (NEW).]

6. Other powers. Do all things which may be necessary and incidental to the exercise of the foregoing powers.

[PL 1965, c. 435 (NEW).]

SECTION HISTORY

PL 1965, c. 435 (NEW).

§1670. Disposition of records and information -- Article V

The bureau established and operated pursuant to Article IV, subsection 1, of this compact is designated and recognized as the instrument for the performance of a central criminal intelligence service to the state police departments of the party states. The files, records, data and other information of the bureau and, when made pursuant to the bylaws of the conference, any copies thereof shall be available only to duly designated officers and employees of the state police departments of the party states acting within the scope of their official duty. In the possession of the aforesaid officers and employees, such records, data and other information shall be subject to use and disposition in the same manner and pursuant to the same laws, rules and regulations applicable to similar records, data and information of the officer's or employee's agency and the provision of this compact. [PL 1965, c. 435 (NEW).]

SECTION HISTORY

PL 1965, c. 435 (NEW).

§1671. Additional meetings and services -- Article VI

The members of the conference from any 2 or more party states, upon notice to the chair as to the time and purpose of the meeting, may meet as a section for the discussion of problems common to their states. Any 2 or more party states may designate the conference as a joint agency to maintain for them those additional common services as they may consider desirable for combating organized crime. Except in those cases when all party states join in such designation for common services, the representative of any group of such designating states in the conference constitutes a separate section of the conference for the performance of the common service or services so designated as long as, if any additional expense is involved, the state so acting provides the necessary funds for this purpose. The creation of such a section or joint agency does not affect the privileges, powers, responsibilities or duties of the states participating in a section or joint agency as embodied in the other articles of this compact. [RR 2023, c. 1, Pt. C, §49 (COR).]

SECTION HISTORY

PL 1965, c. 435 (NEW). RR 2023, c. 1, Pt. C, §49 (COR).

§1672. Mutual aid -- Article VII

1. Definitions. As used in this article:

A. "Emergency" means an occurrence or condition, temporary in nature, in which the state police department of a party state is, or may reasonably be expected to be, unable to cope with substantial and imminent danger to the public safety, and in which the cooperation of or aid from local police forces within the state is, or may be reasonably expected to be insufficient. Also "emergency" shall mean a situation in which an investigation of an aspect of organized crime, or events connected with organized crime require augmentation, for a limited time, of the investigative personnel of the state police department from without the State. [PL 1965, c. 435 (NEW).]

B. "Requesting state" means the state whose state police department requests assistance in coping with an emergency. [PL 1965, c. 435 (NEW).]

C. "Responding state" means the state furnishing aid, or requested to furnish aid, pursuant to this article. [PL 1965, c. 435 (NEW).]

[PL 1965, c. 435 (NEW).]

2. Request for emergency aid. In case of emergency, upon the request of the administrative head of the state police department of a party state, the administrative head of the state police department of each responding state shall order whichever part of the state police forces that the administrative head of the state police department of the responding state, in that person's discretion, may find necessary to aid the state police forces of the requesting state in order to carry out the purposes set forth in this compact. If aid has been requested, it is the duty of the administrative head of the state police department of each responding state to issue the necessary orders for the use of state police forces of that state without the borders of that state and to direct those forces to place themselves under the operational control of the administrative head of the state police department of the requesting state.
[RR 2023, c. 1, Pt. C, §50 (COR).]

3. Participation of personnel. The administrative head of the state police department of any party state, in that person's discretion, may withhold or recall the state police forces of that person's state, or any part or any member thereof, serving without its borders.
[RR 2023, c. 1, Pt. C, §51 (COR).]

4. Rights and immunities. Whenever any of the state police forces of any party state are engaged outside their own state in carrying out the purposes of this compact, the individual members so engaged have the same powers, duties, rights, privileges and immunities as members of the state police department of the state in which they are engaged, but in any event, a requesting state shall save harmless any member of a responding state police department serving within its borders for any act or acts done by that member in the performance of that member's duty while engaged in carrying out the purposes of this compact.
[RR 2023, c. 1, Pt. C, §52 (COR).]

5. Liability. All liability that may arise under the laws of the requesting state or under the laws of the responding state or under the laws of a 3rd state on account of or in connection with a request for aid, shall be assumed and borne by the requesting state.
[PL 1965, c. 435 (NEW).]

6. Reimbursement. Any responding state rendering aid pursuant to this compact shall be reimbursed by the requesting state for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of the materials, transportation and maintenance of state police personnel and equipment incurred in connection with such request; provided, that nothing herein contained shall prevent any responding state from assuming such loss, damage, expense or other cost.
[PL 1965, c. 435 (NEW).]

7. Pay and allowances. Each party state shall provide, in the same amounts and manner as if they were on duty within their state, for the pay and allowances of the personnel of its state police department while engaged without the state pursuant to this compact and while going to and returning from such duty pursuant to this compact.
[PL 1965, c. 435 (NEW).]

8. Compensation and death benefits. Each party state providing for the payment of compensation and death benefits to injured members and the representatives of deceased members of its state police department in case such members sustain injuries or are killed within their own state, shall provide for the payment of compensation and death benefits in the same manner and on the same terms in case such members sustain injury or are killed while rendering aid pursuant to this compact.
[PL 1965, c. 435 (NEW).]

SECTION HISTORY

PL 1965, c. 435 (NEW). RR 2023, c. 1, Pt. C, §§50-52 (COR).

§1673. Finance -- Article VIII

1. Budget. The conference shall submit to the governor or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that party state for presentation to the legislature thereof.
[PL 1965, c. 435 (NEW).]

2. Appropriations. Each of the conference's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. The total amount of appropriations under any such budget shall be apportioned among the party states as follows: One-third in equal shares; one-third divided among the party states in the proportions that their populations bear to the total population of all the party states; and one-third divided among the party states in the proportions that the major crimes committed in each party state bear to the total number of major crimes committed in all the party states. In determining population pursuant to this subsection, the most recent decennial census compiled by the United States Government shall be used. Numbers of major crimes shall be as reported in the most recent annual "Uniform Crime Report" compiled by the Federal Bureau of Investigation of the United States Department of Justice, or by any agency which may assume responsibility for such compilation in the place of such bureau. In the event that any source of information required to be used for the purpose of this subsection shall be discontinued, the conference shall make its calculations on the basis of the best alternative sources of information and shall identify the sources used.
[PL 1965, c. 435 (NEW).]

3. Pledge of credit. The conference shall not pledge the credit of any party state. The conference may meet any of its obligations in whole or in part with funds available to it under Article III, subsection 10 of this compact, provided that the conference takes specific action setting aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the conference makes use of funds available to it under Article III, subsection 10 hereof, the conference shall not incur any obligation prior to the allotment of funds by the party states adequate to meet the same.
[PL 1965, c. 435 (NEW).]

4. Receipts and disbursements. The conference shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the conference shall be subject to the audit and accounting procedures established under its rules. However, all receipts and disbursements of funds handled by the conference shall be audited yearly by a qualified, public accountant and the report of the audit shall be included in and become part of the annual report of the conference.
[PL 1965, c. 435 (NEW).]

5. Inspection of accounts. The accounts of the conference shall be open at any reasonable time for inspection by duly constituted officers of the party states and any persons authorized by the conference.
[PL 1965, c. 435 (NEW).]

6. Audit. Nothing contained herein shall be construed to prevent conference compliance with laws relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the conference.
[PL 1965, c. 435 (NEW).]

SECTION HISTORY

PL 1965, c. 435 (NEW).

§1674. Construction and severability -- Article IX

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this

compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters. [PL 1965, c. 435 (NEW).]

SECTION HISTORY

PL 1965, c. 435 (NEW).

§1675. Designation of alternate

The Chief of the State Police is authorized to designate an alternate to serve in the chief's place and stead on the New England State Police Administrators' Conference as permitted by Article III, subsections 2 and 3 of the compact. However, it is the intention of the Legislature that such Chief of the State Police attend and participate in the work of the conference in person to the maximum extent practicable. [RR 1991, c. 2, §95 (COR).]

SECTION HISTORY

PL 1965, c. 435 (NEW). RR 1991, c. 2, §95 (COR).

§1676. Retirement coverage

The employees of the New England State Police Administrators' Conference may, upon the concluding of an agreement for coverage with the State Retirement System, be eligible for and covered by such system. Any such agreement shall provide, as nearly as may be, for the same ratio of employee contribution to total contribution as pertains for members of the State Retirement System generally. [PL 1965, c. 435 (NEW).]

The State Retirement System shall not conclude a retirement agreement pursuant to Article III, subsection 8, of the compact if the New England State Police Administrators' Conference has in force a retirement agreement with any other party state. [PL 1965, c. 435 (NEW).]

SECTION HISTORY

PL 1965, c. 435 (NEW).

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