

§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).

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