

<b>Fennimore Police Department</b> <b>Mutual Aid and Extra-Jurisdictional Arrests</b>		
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Policy Source: Chief of Police		Special Instructions: Amends All Previous Versions

**PURPOSE**

It is the purpose of this policy to provide guidelines for officers providing mutual aid or otherwise performing law enforcement activity outside their territorial jurisdiction.

**POLICY**

Officers of the Fennimore Police Department are to comply with any reasonable request for assistance from another law enforcement agency. While assisting another agency outside the city of Fennimore, officers shall retain the same authority as if performing the duties in Fennimore and shall follow the policies of the Fennimore Police Department.

A Fennimore Police Officer’s primary responsibility is with the City of Fennimore and officers should adapt any response with the ability to provide adequate police service in this jurisdiction.

**PROCEDURE**

**Pursuant to Wis. Stat. §175.40(6)(a)**, a Fennimore Police Officer, while outside their employing jurisdiction, may arrest or provide aid or assistance anywhere in the State of Wisconsin providing the following criteria are met.

- The officer is on duty and on official business.
- The officer is taking action he or she would be authorized to take under the same circumstances in the City of Fennimore.
- The officer is acting to respond to any of the following:
  - An emergency situation that poses a significant threat to life or bodily harm.
  - Acts that the officer reasonably believes to constitute a felony.

Any officer taking action under this section shall notify the law enforcement agency with original jurisdiction of actions taken or assistance provided as soon as is practical. Officers should extend full cooperation to the law enforcement agency with original jurisdiction.

Any arrests made or investigations began pursuant to this section shall be turned over to the agency with original jurisdiction for prosecution unless requested, under mutual aid, to handle the incident to conclusion.

Any officer acting pursuant to this policy must properly document the incident. Copies of reports will be made available to law enforcement agencies with original jurisdiction or as appropriate.

**Pursuant to Wis. Stat. §66.0313(2)**, a Fennimore Police Officer, upon the request of any law enforcement agency may assist the requesting agency within the requesting agency's jurisdiction.

For the purpose of Wisconsin Statute §66.0313, any of the following descriptions shall meet the definition of "request".

- A direct request by a law enforcement officer to assist their department. This request can be communicated by a dispatcher provided the request was properly authorized by a law enforcement officer of the requesting agency.
- An emergency or otherwise urgent statement from a law enforcement officer or other circumstances implying the immediate need for assistance (10-78, 10-32, shots fired, active shooter, etc...)

Fennimore Police Officers will not ask permission to take law enforcement action or offer to be of assistance outside of the city of Fennimore under Wisconsin Statute 66.0313. When prohibited acts or unsafe conditions are observed outside the city of Fennimore, officers will advise the responsible agency of the action or conditions observed and will wait for a properly authorized mutual aid request before taking any official action.

For the purposes of Wis. § 895.35 and § 895.46, such law enforcement personnel, while acting in response to such mutual aid requests, shall be deemed employees of the agency requesting assistance. Guidelines for payments or claims occurring as a result of assisting another law enforcement agency are provided by Wis. Stat. §§ 66.0513, 895.35 and 895.46.

**DISCLAIMER**

This policy is for departmental use only and does not apply to any criminal or civil proceeding. This policy should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this policy will only form the basis for departmental review and/or sanctions and is not intended for use in courts of civil or criminal jurisdiction.

/s/ Christopher J. French

09/21/2020

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Christopher J. French  
Chief of Police

Date