

MUTUAL AID AGREEMENT BETWEEN CITY OF CHENEY AND SPOKANE COUNTY FOR SPECIAL POLICE OFFICER COMMISSIONS

Purpose

Pursuant to RCW 10.93, Washington Mutual Aid Peace Officers Powers Act, this Agreement will recognize the authority of Cheney Police Department Specially Commissioned School Resource and Security Officers within the jurisdiction of Spokane County.

The commissioning of special police officers plays a significant role in assisting law enforcement in carrying out their responsibilities by conferring upon persons certain law enforcement authority on the campuses of Cheney School District 360. It is recognized that all Cheney School District 360 Special Police Officers receive a special commission from the Cheney Police Department so that they have authority to carry out limited law enforcement duties in and around public schools located in the city of Cheney.

It is the purpose of this Agreement to confer the same special commission authority upon Cheney School District 360 School Resource Officers as well as Security Officers when working on Cheney School District 360 school campuses and all other locations where Cheney School District 360 activities take place in Spokane County.

Agreement

Pursuant to RCW 10.93.090, the Spokane County Sheriff's Office authorizes any Cheney Police Department Specially Commissioned School Resource or Special Police Officer to exercise the same authority granted to them by their Cheney Police Department Special Commission in Spokane County under the following conditions:

- 1) They are acting in their official capacity as a Cheney Police Department Specially Commissioned School Resource or Special Police Officer; and
- 2) They are exercising an authority that has been granted to them by the Cheney Police Department under Special Commission; and
- 3) They meet the qualifications of a Cheney School District 360 School Resource or Special Police Officer by having successfully completed a police academy, reserve academy, equivalency academy, or other training as prescribed or approved by the Washington State Criminal Justice Training Commission.

Liability

Pursuant to RCW 10.93.040, the Spokane County Sheriff's Office assumes no liability for any exercise of authority by a Cheney Police Department Specially Commissioned School Resource or Special Police Officer.

Period of Agreement

This Agreement will take effect on February 10, 2018, concurrent with the effective date of Ordinance X-21, "An Ordinance of the City of Cheney, Washington Amending Chapter 2.50 of the Cheney Municipal Code." Unless revoked, this Agreement shall remain in effect until July 1, 2022.

Revocation of Authority

The Spokane County Sheriff's Office may revoke this Mutual Aid Agreement immediately upon written notice.

Notices

All notices required herein shall be deemed to be properly served if hand delivered, or if sent by mail, postage prepaid, to the last address previously furnished by the parties hereto. Until hereafter changed by the parties in writing, notices shall be addressed as follows:

City of Cheney:

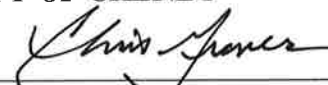
Cheney Police Department
215 G Street
Cheney, WA 99004
(509) 498-9235


Spokane County:

Spokane County Sheriff's Office
1100 W. Mallon Avenue
Spokane, WA 99260
(509) 477-6917

In witness whereof, the Parties have caused this Agreement to be executed on date and year opposite their respective signatures.

CITY OF CHENEY


Chris Grover, Mayor Date 1-23-18


John Hensley, Chief of Police Date 1/23/18

Attest:


Cynthia L. Niemeier, City Clerk Date 1-23-18

SPOKANE COUNTY



Al French, County Commissioner Date 2/13/2018


John Kerns, County Commissioner Date


Mary Kuley, County Commissioner Date 2/13/18


Ozzie Knezovich, Sheriff Date 2/19/18

Attest:


Ginna Vasquez, Clerk of the Board Date 2-13-18

AGENDA SHEET

SUBMITTING DEPARTMENT: Sheriff's Office

CONTACT PERSON: Esther Larsen

PHONE NUMBER: 477-5709

CHECK TYPE OF MEETING ITEM BELOW:

9:30 AM CEO MEETING:

2:00 PM CONSENT AGENDA: X
BY LEAVE:

5:30 PM LEGISLATIVE SESSION:
BY LEAVE:

SPECIAL SESSION:

BELOW FOR CLERK'S USE ONLY:

Clerk's Resolution No. 18 - 0 1 3 5
Approved: Majority/Unanimous _____
Denied: Majority/Unanimous _____
Renews/Amends No. _____
Public Works No. _____
Purchasing Dept. No. _____

AGENDA TITLE: IN THE MATTER OF EXECUTING A MUTUAL AID AGREEMENT BETWEEN THE CITY OF CHENEY AND SPOKANE COUNTY FOR SPECIAL POLICE OFFICER COMMISSIONS

BACKGROUND: (Attach separate sheet(s) if necessary): RCW 10.93, the Washington Mutual Aid Peace Officers Powers Act, permits a specially commissioned Washington peace officer to exercise any authority which the special commission vests in the officer outside of the officer's primary territorial jurisdiction under certain circumstances, including, but not limited to, when the officer is acting pursuant to a mutual law enforcement agreement between the primary commissioning agency and the agency with primary territorial jurisdiction. The City of Cheney enacted attached Ordinance X-21, "An Ordinance of the City of Cheney, Washington Amending Chapter 2.50 of the Cheney Municipal Code", effective February 10, 2018, regarding recognizing the authority of Cheney Police Department Specially Commissioned School Resource and Special Police Officers within the jurisdiction of Spokane County. The Mutual Aid Agreement which is the subject of this Agenda item formalizes the mutual law enforcement agreement between the City of Cheney and Spokane County regarding Cheney Police Department Special Police Officer Commissions. It is effective from February 10, 2018, until July 1, 2022, unless revoked per the terms of the agreement.

FISCAL IMPACT: There is no payment made or received by either party regarding this Mutual Aid Agreement.

REQUESTED BOARD ACTION: Approve.

SIGNATURES: (Signatures must be completed before submitting to the Clerk of the Board).

1) Legal Department [Signature] #1296

3) Budget Office [Signature]

5) Risk Management Department [Signature] 2-12-18

2) Auditor's Office [Signature]

4) Department Head/Elected Official or Designated Authority (Requesting Agenda Item) [Signature]

This item will need to be codified in the Spokane County Code.

Larsen, Esther

From: Larsen, Esther
Sent: Wednesday, February 14, 2018 4:31 PM
To: 'Cindy Niemeier'; Knezovich, Ozzie; Tower, Jeff; Nowels, John; Ellis, David J.; Werner, Mark; Lyons, Matt; Jones, Steve; Smith, Gary; Wiese, Christopher; Brown, Devra; Bartel, Steve; Kinn, Steve
Subject: Board of County Commissioners approved Mutual Aid Agreement between City of Cheney and Spokane County
Attachments: Spokane County Resolution 18-0135 Mutual Aid Agreement Cheney - Spokane County effective 02102018.pdf

Hello, All.

At its 2 pm Consent Agenda meeting on Tuesday, February 13, 2018, the Board of County Commissioners approved the Mutual Aid Agreement between the City of Cheney and Spokane County. Attached is a pdf of the fully executed agreement and corresponding Spokane County Resolution 18-0135. A fully executed original of the agreement will be sent via US Postal Service mail to Cindy Niemeier, Finance Director for the City of Cheney, on Thursday, February 15, 2018.

Thank you, Esther

Esther Larsen

Spokane County Sheriff's Office
Administration: Grants and Contracts
Public Safety Building, 1st Floor
1100 West Mallon Avenue
Spokane, Washington 99260-0300
Phone: (509) 477-5709; FAX: (509) 477-5731
elarsen@spokanecounty.org

Work days: Monday – Thursday

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF EXECUTING A MUTUAL)
AID AGREEMENT BETWEEN THE CITY OF)
CHENEY AND SPOKANE COUNTY FOR)
SPECIAL POLICE OFFICER COMMISSIONS)

RESOLUTION

WHEREAS, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Spokane County has the care of county property and management of county funds and business; and

WHEREAS, pursuant to the provisions of RCW 36.28.010, the Spokane County Sheriff is the Chief Executive Officer and conservator of the peace of Spokane County; and

WHEREAS, pursuant to RCW 10.93, the Washington Mutual Aid Peace Officers Powers Act, a specially commissioned Washington peace officer who has successfully completed a course of basic training prescribed or approved for such officers by the Washington state criminal justice training commission may exercise any authority which the special commission vests in the officer, throughout the territorial bounds of the state, outside of the officer's primary territorial jurisdiction under certain circumstances, including, but not limited to, when the officer is acting pursuant to a mutual law enforcement assistance agreement between the primary commissioning agency and the agency with primary territorial jurisdiction; and

WHEREAS, the City of Cheney has enacted Ordinance X-21, "An Ordinance of the City of Cheney, Washington Amending Chapter 2.50 of the Cheney Municipal Code", effective February 10, 2018, regarding recognizing the authority of Cheney Police Department Specially Commissioned School Resource and Special Police Officers within the jurisdiction of Spokane County; and

WHEREAS, pursuant to RCW 10.93.090, the Spokane County Sheriff's Office has agreed to authorize any Cheney Police Department Specially Commissioned School Resource or Special Police Officer to exercise the same authority granted to them by their Cheney Police Department Special Commission within the jurisdiction of Spokane County under certain terms and conditions further described in that document titled "MUTUAL AID AGREEMENT BETWEEN CITY OF CHENEY AND SPOKANE COUNTY FOR SPECIAL POLICE OFFICER COMMISSIONS," attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Spokane County, Washington, that either the Chairman of the Board, or a majority of the Board, be and is hereby authorized to execute that document titled "MUTUAL AID AGREEMENT BETWEEN CITY OF CHENEY AND SPOKANE COUNTY FOR SPECIAL POLICE OFFICER COMMISSIONS," pursuant to which, under certain terms and conditions as further described in said document, the Spokane County Sheriff's Office authorizes any Cheney Police

Department Specially Commissioned School Resource or Special Police Officer to exercise the same authority granted to them by their Cheney Police Department Special Commission within the jurisdiction of Spokane County.

ADOPTED this 13th day of February, 2018.

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON



ATTEST:

Gianna Vasquez
Gianna Vasquez, Clerk of the Board

Josh Kerns
JOSH KERNS, CHAIR

Mary Z. Kunej
MARY KUNEJ, VICE-CHAIR

Al French
AL FRENCH, COMMISSIONER