


<p><b>RABUN COUNTY SHERIFF'S OFFICE</b></p>  <p><b>General Order Number: 4.04</b></p>	<p><b>Date of Issue</b></p> <p><b>2/23/2016</b></p>	<p><b>Effective Date</b></p> <p><b>2/23/2016</b></p>	<p><b>Revision Date</b></p>
<p>Subject: <b>AGENCY JURISDICTION &amp; MUTUAL AID</b></p>	<p>Amends:</p>	<p>Rescinds:</p>	
<p>Index as:</p> <ul style="list-style-type: none"> <li>Agency Jurisdiction</li> <li>General Policies and Procedures</li> <li>Mutual Aid</li> </ul>	<p>State Certification Standards: 2.1</p>		
<p>Special Instructions:</p>			

**PURPOSE**

The purpose of this General Order is to prescribe the policies and procedures regarding the jurisdiction of the Rabun County Sheriff's Office and the manner in which the agency provides and receives mutual aid in the event of natural disasters, mass disorders, or other emergency situations.

**POLICY**

It shall be the policy of the Rabun County Sheriff's Office to provide law enforcement services within the boundaries of Rabun County and shall render mutual aid during emergency situations to other jurisdictions as appropriate.

**DISCUSSION**

The jurisdiction of the Sheriff and Deputy Sheriffs are generally limited to the geographical boundaries of Rabun County. (O.C.G.A. 15-16-10)

The Sheriff and Deputy Sheriffs have the authority to execute an arrest in any county in the State of Georgia. (O.C.G.A. 17-4-25)

A crime committed on (or immediately adjacent to) a boundary line between Rabun County and a contiguous jurisdiction shall be considered as having been committed in either county. (O.C.G.A. 17-2-2)

The Rabun County Central Communications Center will maintain a detailed map that shows the geographical boundaries of the county and its incorporated areas.

## DEFINITIONS

EMERGENCY OR EMERGENCY SITUATION — means an actual or potential condition that poses an immediate threat to life or property. In the context of mutual aid, it means a situation that exceeds the capability of a local agency to counteract successfully.

CONCURRENT JURISDICTION — means having equal jurisdiction or authority.

MUTUAL AID — means an exchange of services, personnel, and/or equipment between law enforcement agencies during times of emergency.

### I. CONCURRENT JURISDICTION

- A. Agency Concurrent Jurisdiction is within the geographical boundaries of Rabun County. The Sheriff's Office may perform law enforcement activities either in conjunction with municipal police departments, or on a unilateral basis without their participation. The following are examples of when such law enforcement assistance may be provided:
1. When requested;
  2. In response to established mutual aid agreements;
  3. In conjunction with a criminal investigation or intelligence gathering activities;
  4. For the purpose of serving legal process; and
  5. For traffic enforcement.
- B. The Rabun County Sheriff's Office is the primary responder to all law enforcement related matters within the unincorporated areas of the county. However, the following agencies or departments have jurisdiction within the county as indicated:
1. Georgia State Patrol for traffic enforcement, traffic accident investigations, and other duties as assigned (O.C.G.A. 35-2-32/33);
  2. Georgia Bureau of Investigations to conduct criminal investigations and other duties as assigned (O.C.G.A. 35-3-4/8);
  3. Georgia Department of Revenue for enforcement of criminal statutes pertaining to manufacture, transportation, distribution, sale, or possession of liquor, wine, beer, alcoholic beverages, or tobacco products (O.C.G.A. 3-2-30);
  4. Georgia Department of Natural Resources (DNR) for the conduct of investigations related to the natural mining industry and commercial resources of the state (O.C.G.A. 12-2-4); and

5. Federal law enforcement agencies for the conduct of investigations related to their respective areas of jurisdiction.

## II. RESOLVING JURISDICTIONAL DISPUTES

In any situation where a question arises concerning jurisdiction, the responding deputy shall make every attempt to resolve the matter in a professional manner. If the dispute cannot be resolved, the Shift Supervisor shall be informed of the situation and will take action as appropriate.

## III. MUTUAL AID

- A. Mutual aid shall be provided during local emergencies in accordance with the provisions of Title 36, Chapter 69 to the O.C.G.A.
- B. A local emergency is defined as: "The existence of conditions of extreme peril to the safety of persons and property within the territorial limits of a political subdivision ... that is caused by natural disasters, riots, civil disturbances, or other situations presenting major law enforcement and other public safety problems, which are likely to be beyond the control of the services, personnel, equipment, and facilities of the agency and which require the combined forces of other jurisdictions to combat." (O.C.G.A. 36-69-2)
- C. Whenever members of the Rabun County Sheriff's Office render emergency aid or assistance outside the boundaries of the county pursuant to the "Georgia Mutual Aid Act" or to an established mutual aid agreement, each employee shall have the same powers, duties, rights, privileges, and immunities as if they were performing their duties within Rabun County. (O.C.G.A. 36-69-6)
- D. Such emergency aid does not pertain to the routine exchange of information and assistance in conjunction with day-to-day law enforcement operations.
- E. When necessary, written agreements will be executed between the Rabun County Sheriff's Office and other law enforcement agencies to provide mutual aid and assistance in emergency situations.

## IV. AUTHORIZATION TO FURNISH MUTUAL AID

- A. Within The Boundaries Of Rabun County
  1. During emergency situations, the Shift Supervisor is authorized to provide assistance when requested by other municipal agencies within Rabun County based upon the availability of personnel and equipment. Should additional personnel and/or equipment be required, the Shift Supervisor shall contact his/her Division Commander for necessary action; and
  2. During non-emergency situations, all requests for assistance from agencies within Rabun County shall be forwarded to the appropriate Division Commander for necessary action and approval.

### Outside The Boundaries Of Rabun County

3. During emergency situations, only the appropriate Division Commander or above may approve requests for the use of agency personnel and/or equipment in jurisdictions outside Rabun County.

This requirement does not pertain to the normal exchange of information or assistance in conjunction with official law enforcement business OR for requests in response to inter-jurisdictional pursuit operations;

4. During Non-Emergency Situations, all requests for the use of personnel and/or equipment outside Rabun County shall be forwarded to the appropriate Division Commander for review. The Sheriff will be advised of the situation as soon as possible and will approve/disapprove/modify the request as appropriate.

## V. AUTHORIZATION TO REQUEST MUTUAL AID

### A. From Agencies Within Rabun County

1. During emergency situations, the Shift Supervisor is authorized to request assistance from the appropriate Rabun County or municipal agency(s); and
2. During non-emergency situations, all requests for assistance from Rabun County or municipal agencies will be made by the appropriate Division Commander or designated representative in his/her absence.

### B. From Agencies Outside Rabun County

1. During emergency situations, only supervisors in the grade of sergeant or higher are authorized to request assistance from the appropriate agency located outside Rabun County. Once the request is made, the requesting supervisor shall immediately notify the appropriate Division Commander of the situation and the assistance requested; notify the Sheriff of the request; and
2. During Non Emergency Situations, the request for assistance shall be forwarded to the Division Commander, who in turn shall make the coordination for assistance with the appropriate agency located outside Rabun County. Once the request is made, the Division Commander shall inform the Chief Deputy and the Sheriff of the situation and the assistance requested.

### C. Federal Law Enforcement Assistance

Such requests for assistance shall be made by the appropriate Division Commander directly to the nearest office of the appropriate Federal agency. Once the request is made, the Division Commander shall immediately inform the next higher commander of the situation and the assistance requested.

### D. Federal Military Assistance

The Sheriff of Rabun County shall make such requests for assistance directly with the nearest representative of the appropriate branch of military service.

E. National Guard Assistance

Such requests for assistance shall be forwarded up the chain of command to the Sheriff or his designee(s) for necessary action. The request will then be forwarded to the Director, Rabun County Emergency Management Agency, who will then notify the Georgia Emergency Management Agency (GEMA).



By Order of the Sheriff: **Chad K. Nichols**  
Sheriff, Rabun County