

**Intergovernmental Agreement between  
The City of Glendale and Luke Air Force Base**

This agreement is entered into this 9 day of April, 2013, by and between the City of Glendale, Arizona, a municipal corporation, "City," acting through the Glendale Police Department, "GPD" and Luke Air Force Base, "LAFB," acting through the 56th Security Forces Squadron, "SFS."

**I. PURPOSE:**

The purpose of this agreement is to outline general responsibilities and procedures for GPD and SFS concerning law enforcement support for LAFB.

**II. BACKGROUND:**

A. General: The City annexed LAFB in August, 1995. This area is entirely within the geographic boundaries of the City and thus within the jurisdiction of GPD. GPD and SFS will maintain a positive working relationship and support each other in law enforcement efforts.

B. Legislation: City of Glendale Ordinance No. 1846 New Series, adopted by the Mayor and City Council on July 25, 1995, annexed LAFB into the City. In 2010, the LAFB Golf Course was annexed into the City.

C. Jurisdiction: The U.S. Air Force, "Air Force," has proprietary jurisdiction over the property known as LAFB. For the purposes of this agreement, LAFB can be defined as the property contained within the fenced and marked perimeter of the base. Therefore the Air Force has authority and jurisdiction over all incidents that occur on LAFB. They also have authority to refer cases to the GPD for investigation if they choose to do so. All Arizona and Glendale statutes and traffic codes are applicable on LAFB property. Misdemeanor violations may be cited into Glendale City Court and City traffic code violations may be heard by City Hearing Officers. Any question regarding the jurisdiction of a particular criminal investigation shall be resolved by contacting one of the following:

1. Security Forces Commander, 56 SFS/CC
  - a. On duty hours: 623-856-5976
  - b. After duty hours: 623-856-5970 or 5971
2. SFS Investigations: 623-856-6450
3. Air Force Office of Special Investigations: 623-856-6821
4. Judge Advocate Office
  - a. On duty hours: 623-856-6901
  - b. After duty hours: 623-337-6548

### **III. GENERAL PROVISIONS:**

A. Telephone Communications Procedures: For routine calls, SFS will use the telephone numbers above. For emergency calls, the 911 system may be used.

B. Radio Communication Procedures: LAFB will provide LAFB radio frequencies, talkgroup IDs and radio IDs to GPD. This permits SFS to contact GPD on a pre-determined SFS frequency/talkgroup under specific circumstances: to alert GPD on developing emergency or crisis conditions on LAFB, to coordinate traffic activities during special events/visits, and any other circumstances determined necessary by the SFS.

C. Routine Procedures / SFS:

1. The SFS will provide the first response to all incidents occurring on LAFB. Any notification made to 911 dispatchers will be forwarded to the Emergency Control Center (ECC).

2. The SFS will investigate most cases involving military personnel that occur on LAFB.

3. GPD will investigate cases involving military personnel occurring on LAFB, referred to them by SFS, if the case also involves non-military personnel. Examples of typical crimes referred to GPD for investigation include domestic violence, shoplifting, DUI, and juvenile offenses.

4. Calls for GPD assistance on LAFB should originate from the SFS.

a. When the SFS determines that an incident requires GPD assistance, they will promptly request GPD assistance through GPD Communications.

b. Once GPD assistance is requested, the SFS will make every lawful effort to keep all witnesses, suspects, and victims at the scene until GPD units arrive. If this is not feasible, the SFS will obtain the name, address, phone number and place of employment from each person allowed to leave the scene.

c. SFS will assist GPD officers with the following:

(1) Verifying an individual's military status.

(2) Providing a home address and/or work location.

(3) Assist in making the individual available to the GPD officers.

(4) Providing other resources necessary for a thorough investigation.

D. Routine Procedures / GPD:

1. GPD dispatchers will contact SFS for law enforcement assistance upon notification of situations involving incidents or threats towards LAFB personnel or property.
2. GPD officers will investigate all criminal incidents referred to them in accordance with GPD General Orders.
3. GPD officers must document "probable cause" for any and all arrests made.
4. GPD officers entering LAFB to make an arrest, search for evidence, or continue an investigation will coordinate their actions with the SFS.
5. GPD officers will be escorted through all Restricted Areas and Controlled Areas. These areas are clearly delineated by signs and either red lines and/or physical boundaries.

**IV. SPECIFIC PROVISIONS:**

A. Shoplifting: SFS will request GPD assistance if the suspect is a civilian dependent, retired military member or non-military affiliated. Additionally, SFS will:

1. Respond to the scene of the shoplifting.
2. Review the evidence and if it is confirmed the individual was shoplifting, call GPD to respond.
3. Confiscate the identification card of the individual.

B. Driving Under the Influence (DUI):

1. When the DUI occurs on LAFB, SFS will:
  - a. Detain non-military DUI suspects in their vehicle until a GPD officer arrives.  

(1) A supplement should always be written by SFS detailing the Probable Cause for the stop and putting the individual behind the wheel; the SFS member may have to go to court to testify.
  - b. Deny the suspect cigarettes, gum, food, or any other substance taken by mouth.  

(1) If the suspect is allowed water for medical or health reasons, SFS will document the time and amount of water given the suspect.
  - c. In general, only military members will be processed by SFS for DUI; others

including military affiliated (dependents, civilian employees, etc.) will be held for processing by GPD.

2. GPD will:
  - a. Respond to calls from the SFS according to established call priority procedures.
  - b. Conduct a full battery of field sobriety tests.
  - c. Make a determination regarding probable cause for arrest.
  - d. Make an arrest for applicable charges when appropriate.
  - e. Administer the appropriate alcohol or drug test, as provided by state law.
  - f. If the arrestee is not affiliated with the military or the vehicle does not belong on LAFB, remove the arrestee's vehicle from LAFB property by towing or releasing it pursuant to policy to a responsible party.
  - g. When the DUI occurs outside LAFB, GPD will contact the ECC when affecting the arrest of a person identified as a military member for DUI. Additionally, when GPD suspects a DUI suspect to be a military member, GPD will contact the ECC to confirm the person's military status.

C. Desertion and other Federal Offenses:

1. SFS will:
  - a. Investigate all Federal or military offenses perpetrated by military personnel such as "Impersonating a Military Officer."
  - b. Confirm, through military channels, all suspects held on desertion warrants by GPD.
  - c. Receive and process all deserters delivered to SFS/Building 179 by GPD.
2. GPD will:
  - a. Detain all individuals who are listed in the National Crime Information Center as deserters.
  - b. Confirm the desertion warrant through the ECC.
  - c. Transport all deserters to the Madison Street Jail or contact ECC for disposition provided there are no further charges against the suspect.

D. Criminal Trespassing:

1. SFS will:

- a. Request GPD assistance for all non-military affiliated personnel found trespassing on LAFB.
- b. Detain all trespassers until they can be released to a GPD officer.
- c. Document all incidents of criminal trespass in the SFS blotter.
- d. When threatened by demonstrators conduct riot control operations, to include the following:
  - (1) Coordinate with GPD and other law enforcement agencies for planning and assistance in controlling demonstrations.
  - (2) Issue a Commander's Proclamation when directed by the Installation Commander or his/her designee.
  - (3) Form and, if necessary, utilize a confrontation management team.
  - (4) Staff a Mobile Processing Facility for documenting trespassers and issuing Barment Letters.
  - (5) Create and staff a temporary holding facility for the detained personnel.

2. GPD will:

- a. Take custody and charge trespassers with the appropriate A.R.S., Title 13 offense.
- b. Provide planning and assistance when dealing with demonstrations.
- c. In aggravating circumstances and in consultation with the Glendale Police Department, civilian and military personnel may be charged with felony trespassing under ARS 13:5002 A.

E. Possession of Narcotics:

1. The SFS will:

- a. Conduct initial investigation of all narcotics cases involving military members in which the SFS is the discovering agency.
- b. Notify Air Force Office of Special Investigations (AFOSI) and/or GPD when

narcotics are discovered in possession of any civilian or military affiliated (dependent, retiree, etc.) suspect.

c. Detain the suspect(s) until AFOSI and/or GPD arrive on-scene and take over the investigation.

d. Confiscate all material of evidentiary value until AFOSI and/or GPD assume responsibility for the investigation and the evidence is properly transferred to the investigating agency.

e. Thoroughly record observations/actions and provide them to AFOSI and/or GPD upon their arrival.

2. GPD will:

a. Respond to calls regarding narcotics from the SFS according to established call priority procedures.

b. Investigate and document narcotics investigations in accordance with existing GPD procedures.

c. Thoroughly document probable cause for any arrest in a narcotics investigation referred to GPD by SFS, including the documentation/information provided to GPD by SFS regarding their observations/actions at the initiation of the investigation.

d. Not participate in the search of vehicles stopped by Security Forces on LAFB or at a gate entering the base.

e. Take notice of the following:

(1) An "alert" from a narcotics trained military working dog provides the SFS with probable cause to continue their investigation; and

(2) The search of a vehicle by the SFS may be required by military regulations even absent probable cause.

F. Special Weapons and Tactics Unit Support:

1. Purpose: The purpose of this section is to outline general responsibilities and procedures for SFS and GPD that will be used in the event of an actual emergency situation requiring the GPD Special Weapons and Tactics Unit (SWAT) and Hostage Negotiation Teams (HNT) (if the Phoenix FBI HNT branch cannot support) to respond to LAFB.

2. Types of incidents for which GPD will provide assistance include barricaded suspects, hostage situations, high-risk warrant execution, sniper, large scale apprehensions (such as confrontation management or civil disturbances) and in support of a LAFB Open House.

3. Jurisdiction: The GPD team will be used as a last resort in any area of the base that falls under proprietary jurisdiction, or if a federal team (FBI, US Marshals Service) cannot respond in a timely manner. When a federal agency arrives on scene they will assume control of the response. The GPD team may assist if the federal agency requests their services. Any questions regarding jurisdiction may be resolved by contacting one of the following:

a. 56 SFS Commander:

(1) During duty hours: 623-856-5976

(2) After duty hours: 623-856-5970

b. Air Force Office of Special Investigations: 623-856-6821

c. Staff Judge Advocate Office:

(1) During duty hours: 623-856-6901

(2) After duty hours: 623-337-6548

4. The GPD team may respond anywhere on LAFB when requested; however, special conditions apply because LAFB is a proprietary jurisdiction area.

a. If an emergency situation occurs on LAFB or within areas for which LAFB has jurisdiction which warrants a SWAT response the ECC will notify the SWAT through GPD Communications at 623-930-3000. The SWAT will respond to the location designated by the Incident Commander.

b. The SWAT on-scene commander and the military Incident Commander will work with each other. The SWAT personnel shall remain under the command of a GPD on-scene commander and shall be directed by GPD chain of command. All SWAT actions at the scene of an emergency situation shall be coordinated with the military Incident Commander. This requirement of joint coordination shall not be interpreted to prevent any SWAT member from the use of deadly force in defending either himself or another from imminent death or great bodily harm.

c. If a SWAT must enter LAFB to conduct a follow-up investigation, search for evidence or make an arrest, they shall coordinate their actions through the ECC.

d. Communications between the SFS and the SWAT is critical. The on-scene military and SWAT commanders must ensure everyone who responds to the incident is aware of the other agency's locations and actions. If members of the SWAT need to maintain radio contact with base response team members, radios will be issued through the Security Forces Armory for the duration of the response.

e. When the FBI's Phoenix HNT is unable to respond, GPD HNT will be called and asked to respond to the crisis.

G. Situations involving the use of K-9 Team Support:

1. GPD K-9 Support.

a. The SFS will:

(1) Request GPD K-9 assistance when resources are not available on LAFB (assistance may include explosive detection dog, drug detection dog, or K-9 search team).

(2) Obtain appropriate search authority for narcotics searches.

(3) Detain any suspects, witnesses, and victims involved in the investigations requiring K-9 support.

(4) Provide GPD with any documentation or evidence collected upon their arrival.

(5) Support GPD with Military Working Dog Teams, when requested, as long as the support incurs no cost to the government, does not impact unit readiness, follows guidance outlined in Air Force Instruction 31-202, Military Working Dog Program, and does not violate Posse Comitatus Act.

b. GPD will:

(1) When requested, provide the appropriate K-9 team, which may consist of an explosive detection dog, drug detection dog, or K-9 search team.

(2) Search all vehicles and/or buildings for explosives or narcotics as provided by law and as necessary to the investigation.

(3) Provide post-resolution information and reports to the SFS for reporting through military channels.

(4) Request Military Working Dog support as long as the request meets directives outlined in the Air Force Instruction 31-202, Military Working Dog Program.

2. LAFB K-9 Support:

a. Background: On request to a representative of LAFB by a representative of the GPD and with coordination of the Defense Force Commander, Base Judge Advocate and approval of the Installation Commander, or his/her designated

representative, an Explosive Detector Dog “EDD” Team and “spotter” will be dispatched to any point within the jurisdiction for which the GPD exercises jurisdiction.

b. The SFS will provide an EDD Team and “spotter” to any location for which the GPD exercises jurisdiction.

c. The GPD will:

(1) Consider all military and civilian personnel of the Air Force involved in furnishing requested services as its own agents and servants.

(2) Indemnify the United States, the Air Force and all military and civilian personnel of the Air Force for any cost incurred as a result of any claims or civil actions brought by any third person as a result of the services request even though negligently performed, and to pay all costs to settlement or litigation.

(3) Hold the United States and the Air Force harmless for any consequences of services rendered pursuant to this section without regard to whether the services are performed properly or negligently.

d. Any dispatch pursuant to this section is subject to the following conditions:

(1) The EDD and handler must be used together.

(2) The handler must have exclusive control over the search effort and complete access to the search area.

(3) The handler performs the sole task of working their dog and will not take part in any other activities to aid civilian authorities, unless specifically authorized by the Defense Force Commander.

(4) Only the EDD team’s explosive search capabilities will be used. EDD teams will not be used to track persons, search buildings or areas for personnel; or to pursue, attack, hold, or in any way help in apprehending or arresting persons.

(5) EDD teams are not to be used to search persons.

(6) A representative of the requesting agency must stay with the EDD team at all times when they are working. If the dog responds positively, the handler will advise the representative and withdraw or continue in a disassociated area. The handler must not help in uncovering, disarming or moving any explosive device.

(7) The Air Force will not accept responsibility for any damages, assist in setting up a chain of custody nor engage in any other activities to enforce the law in connection with this service. The handler may, if necessary, testify in civil court, but the testimony must be limited to explaining the training received, the past success rates of the EDD, the events leading to employment in this particular search and the results of that search. Any testimony provided by SFS personnel must be IAW AFI 51-301, *Civil Litigation*, Chapter 9.

(8) The Air Force may claim reimbursement for the direct expense of services provided.

(9) Each party waives all claims against every other party for compensation for any loss, damage, personal injury or death occurring as a consequence of the performance of this section. This provision does not waive any right of reimbursement by the Air Force for direct expenses related to the services provided.

#### H. Situations involving use of the GPD Bomb Squad:

1. The SFS will:

- a. Request GPD Bomb Squad assistance when resources are not available on LAFB or support is requested by the LAFB Explosive Ordinance Disposal Team.
- b. Cordon and evacuate the affected area.
- c. Detain any suspects, witnesses, and personnel familiar with the facility in which the device is located.
- d. Provide GPD with any documentation or evidence collected upon GPD's arrival.

2. GPD will:

- a. Respond with all appropriate bomb investigation and disposal equipment.
- b. Assume responsibility for the situation, when requested by military authorities.
- c. Conduct all incendiary or explosive devices operations in accordance with current GPD procedures.
- d. Provide post-resolution information and reports to the SFS for reporting through military channels.

I. Special Events/Visits:

1. The SFS will:

- a. Be the primary point of contact for all traffic and crowd control duties during all special events/VIP visitation requiring GPD support or coordination.
- b. Invite GPD to all necessary planning meetings to coordinate traffic and crowd control efforts.
- c. Have primary responsibility for managing traffic and crowd control on LAFB.
- d. Based on the threat, plan for riot control, distinguished visitor protection, and response.
- e. Order sufficient barricades, traffic control signs, and cones, for city streets to effectively re-route traffic in accordance with the traffic control plan approved by the city's Transportation Department.

2. GPD will:

- a. Attend all necessary planning meetings to coordinate traffic and crowd control efforts.
- b. Publicize, through Public Service Announcements and local news reports, traffic flow changes the public can expect during special events/visits.
- c. Coordinate any required changes in traffic signals through the Traffic Engineer's Office and the City Electricians.
- d. Perform traffic and crowd control assistance as planned according to staffing and dispatch considerations.
- e. Provide and staff their mobile command center during the event.

J. Case Reports:

1. The SFS will:

- a. Request copies of GPD case reports necessary for documentation of charges against a military member, military dependent, or civilian government employee from GPD Records.
- b. Protect all copies of GPD case reports received from observation and use outside of official channels.

c. Shred all copies of GPD case reports when no longer needed.

2. GPD will:

a. Notify the ECC when an active duty military person is arrested. Coordinate release of active duty military member through the ECC. Provide documented instructions given to released member to ECC when requested.

b. Provide the SFS with copies of case reports involving military members, military dependents, or civilian government employees, when requested.

c. Provide the SFS with any specific handling instructions for GPD case reports.

K. Detained Military Member Release:

1. Military personnel are expected to abide by the laws and regulations of local civilian sovereignties. Civilian law enforcement detainment may occur if military personnel fail to abide by such laws and regulations.

2. The seriousness of charges dictates whether or not the military member will be incarcerated by civilian authorities or released back to military custody.

3. SFS will advise GPD as to the identity of the unit representative(s) that will take custody of the military member. In cases of extreme or unusual circumstances, such as deserters, military personnel absent without leave, or military personnel deemed at significant risk of escape, SFS personnel will take custody of the military member.

4. GPD will:

a. Notify ECC when a detained military member is ready for release back to military control.

b. Provide the following information, if known, to ECC for record purposes

(1) Military member's full name

(2) Rank and branch of service

(3) Date of Birth

(4) Unit and station of assignment

(5) Arrest offense

L. Securing Protection Level Resources Off-Base:

1. Mishaps with resources may occur requiring immediate protection and securing the affected area. If within the confines of the City of Glendale, GPD may be the first to respond.
2. SFS will:
  - a. Coordinate security necessary for resources located off-base with GPD.
  - b. Assume responsibility upon arrival on-scene.
3. GPD will:
  - a. Provide initial response for resource protection.
  - b. Evacuate and rope off area.
  - c. Control and log entry until arrival of SFS members.

**V. OFF-BASE WEAPONS ATTACK AGAINST LAFB:**

A. The SFS will:

1. Advise GPD whenever there is credible information regarding an off-base location posing or affecting a weapons attack against the installation.
2. Request that appropriate roadblocks be established to cordon the threat area to ensure the safety of personnel.
3. Notify GPD when hostilities have been suppressed and the threat location has been secured.

B. GPD will establish traffic control points at strategic locations around the threat location.

**VI. ADDITIONAL SUPPORT:**

In the event that GPD exhausts their resources during an investigation or contingency included in this agreement, GPD may request additional support from another law enforcement agency. In such a circumstance, the lead investigative body will be determined by following N.I.M.S. protocols.

## **VII. TESTING, MAINTENANCE, USE AND TRAINING OF INTOXILYZER 8000:**

A. Purpose: To outline general responsibilities and procedures for SFS and GPD concerning the testing, maintenance, use, training and certification of the Intoxilyzer 8000, located in building 179 on LAFB.

B. Background: The SFS maintains an Intoxilyzer 8000 instrument for the assistance in determining Breath Alcohol Level (BrAC). GPD has offered to perform individual instrument maintenance and conduct training for SFS personnel. In exchange for instrument maintenance and training of SFS personnel, SFS has offered the use of the instrument to the GPD as follows:

1. The SFS will:
  - a. Provide monetary costs associated with repair and maintenance of the Intoxilyzer 8000, located at Bldg 179, LAFB. This does not include reimbursing GPD for employment related expenses for the GPD personnel repairing or maintaining the instrument or for providing training to SFS personnel on the use of the instrument.
  - b. Allow GPD patrols requesting use of the Intoxilyzer 8000 to enter LAFB for that purpose.
2. The GPD will:
  - a. Provide training for SFS personnel on the Intoxilyzer 8000.
  - b. Provide individual instrument maintenance and repair as required to keep the instrument operating within established limits.

## **VIII. STORAGE OF SEIZED VEHICLES:**

A. Background: The SFS maintains a secure vehicle impound lot. GPD requested use of the secure vehicle impound lot for storage of up to 30 vehicles.

B. Responsibilities:

1. The SFS will:
  - a. Provide a portion of their impound lot to GPD for the purpose of storing seized vehicles.
  - b. Allow entry into LAFB those personnel identified by the Traffic Lieutenant for the purpose of driving or towing seized vehicles to the impound lot.

c. Open the impound lot gates for the GPD so they may deposit or remove vehicles from the impound lot.

2. The GPD will:

a. Identify in writing GPD personnel authorized to enter LAFB with seized vehicles for the purpose of storing them in the impound lot.

b. Store no more than thirty (30) vehicles in the lot at one time.

c. Store only vehicles that have evidentiary value.

d. Contact the SFS at (623) 856-5970 prior to storing any vehicle within the impound lot. This will be accomplished so the installation entry controller may be notified of the type of vehicle, the estimated time of arrival, and the name of the person escorting the vehicle onto the installation. In addition, it will allow sufficient time for the impound lot to be opened to accept the vehicle.

e. Indemnify and hold harmless the United States, its officers, employees and agents from any claim or lawsuit related to or arising from the storage of these vehicles on LAFB.

f. Be ready to remove any vehicles from LAFB within 5 days of notification that the impound lot will be unavailable for reasons of military necessity.

g. Assume all responsibility for properly cleaning and sanitizing any fluid leaks from stored vehicles, in accordance with established HAZMAT guidelines.

**IX. EMERGENCY SERVICE TEAM AND HOSTAGE NEGOTIATOR SUPPORT:**

A. Background: In the past, GPD assisted LAFB in securing and restricting public access to Litchfield Road. This service will no longer be required unless intelligence reports dictate otherwise. This procedural change is based on the fact that the portion of the base east of Litchfield Road can now be secured; however, on occasion LAFB may require Special Weapons and Tactics support. This section operates to provide GPD support when requested by SFS in responding to hostage situations during normal and heightened security postures (Force Protection Conditions).

B. Responsibilities:

1. GPD will:

a. Provide an Emergency Response Team and Hostage Negotiators to respond to emergencies on LAFB when available and requested by SFS.

- b. Cooperate with and aid the SFS to the fullest extent allowable by law, manpower, and equipment constraints.
2. The SFS will:
  - a. When requesting support of GPD's Emergency Response Team and Hostage negotiators, cooperate with and aid GPD to the fullest extent allowable by law, military directives, manpower, equipment constraints, and Posse Comitatus restrictions.
  - b. Inform GPD of changes in Force Protection Condition levels at LAFB at the time when SFS requests support from GPD's Emergency Response Team and Hostage Negotiators.

## **X. FRESH PURSUIT SUPPORT:**

A. Purpose: The purpose of this section is to outline general responsibilities and procedures for the SFS and the GPD to provide SFS support in apprehending fleeing suspects. This support consists of aiding in the identification and possible apprehension of individuals, military and civilian who are suspected of committing a major offense on LAFB and have departed LAFB jurisdiction.

B. Background: The Posse Comitatus Act, 18 USC 1385, embodied in AFI 10-801, *Assistance to Civilian Law Enforcement Agencies*, places restrictions upon military law enforcement personnel with regard to how they respond to off-base incidents and as to the support they may provide to local law enforcement agencies. Specifically, SFS personnel are not authorized to respond off base for law enforcement purposes. Additionally, "Fresh Pursuit" on or off base is not allowed for minor traffic violations (i.e., speeding, running a stop sign, broken taillights) or other misdemeanor offenses. "Fresh Pursuit" is justified only when the SFS knows or has reasonable grounds to believe a violator has committed or attempted to commit a major offense. A major offense is one that involves an action or threatened attack which bodily injury (e.g., aggravated assault, armed robbery, murder or arson of an occupied building) are the reasons for "fresh pursuit." Authorization to continue the pursuit off base will be obtained from the on-duty flight sergeant.

C. Responsibilities:

1. The SFS will:
  - a. Utilize only those vehicles equipped with lights and siren for Fresh Pursuit.
  - b. Obtain authorization from the on-duty flight sergeant before continuing Fresh Pursuit off base.
  - c. Conduct authorized Fresh Pursuit at moderate speeds with due regard to public safety. The primary objective during pursuit is to maintain contact with

the suspect(s) until GPD can assume responsibilities and apprehend the suspect(s).

d. Notify the SFS Operations Superintendent or SFS Operations Officer as soon as possible that Fresh Pursuit has been initiated.

e. Notify GPD and request they assume the pursuit. In addition, the ECC will inform GPD of the reason for pursuit, description of the suspect vehicle, location and direction of travel, as well as provide updates as the situation changes.

f. Cease Fresh Pursuit once GPD assumes responsibility and provide assistance as necessary.

g. Detain suspect(s) in the event they are stopped prior to the arrival of GPD.

2. GPD will:

a. Dispatch patrols as deemed necessary to attempt to stop the vehicle.

b. Identify the occupants upon stopping the vehicle or arriving on scene.

c. Provide the responding SFS patrol with the full identification and description of the occupant(s).

d. All evidence pertaining to the offense committed on LAFB and confiscated by civilian authorities will be received for on an Air Force Form 52, and released to SFS.

e. Release the occupants of the vehicle, if not charged with an offense by civil authorities, to SFS custody when their presence is needed to investigate the offenses that occurred on LAFB.

## **XI. DOMESTIC VIOLENCE:**

A. Purpose: To facilitate the exchange of information, case investigation, cases involving civilian alleged offenders, jurisdiction and coordination of efforts and assets in domestic violence cases involving active duty military personnel and their family members.

B. General: This section does not create additional jurisdiction or limit or modify existing jurisdiction vested in the parties. This section is intended exclusively to provide guidance and documents an agreement for general support between LAFB and GPD. Nothing contained herein creates or extends any right, privilege, or benefit to any person or entity. See *United States v Caceres*, 440 U.S. 741 (1979).

C. Personnel from LAFB SFS and from GPD shall meet, as necessary and appropriate, to discuss open cases involving active duty service members and to share information

regarding reciprocal investigations.

D. Responsibilities:

1. GPD will:

- a. When responding to or investigating domestic violence cases, ascertain whether the alleged offender is an active duty service member. If the alleged offender is an active duty service member, the responding officer(s) will note this in the offense report check boxes. The LAFB Liaison officer will regularly pull these reports and forward them to LAFB.
- b. When GPD becomes aware of a violation of a term or provision of a military protection order (MPO), the responding GPD officer(s) shall notify the designated representative from LAFB of the violation.
- c. Provide LAFB with an area for LAFB investigators to conduct interviews of active duty service members and their family members who are involved in domestic violence incidents.
- d. When appropriate, conduct joint investigations with LAFB if incidents of domestic violence involve active duty service members and their family members.
- e. As new law enforcement officers begin duty with GPD, provide them through their immediate supervisor, copies of this agreement and basic instructions for effectuating the provisions of this agreement.

2. SFS will:

- a. Designate an individual to act as liaison to GPD and to receive copies of incident/investigation reports stemming from an incident occurring off the installation and civilian protective orders (CPOs) involving active duty service members and their family members.
- b. Upon receipt of a copy of an incident/investigation report stemming from incidents occurring off the installation or a CPO involving an active duty service member and his/her family member, LAFB shall immediately notify the service member's command.
- c. When LAFB receives a copy of an MPO from a service member's command, and if that service member is living off the installation, LAFB shall forward a copy of the MPO to GPD.
- d. Provide GPD with an area for police officers or investigators to conduct interviews of active duty service members and their family members who are involved in domestic violence incidents.

e. When appropriate, conduct joint investigations with GPD if incidents of domestic violence involve active duty service members and their family members.

f. Assist GPD when investigating cases that occurred off base by providing information such as medical records, service records, and incident/investigation reports from incidents occurring under the jurisdiction of LAFB in accordance with the provisions of the Privacy Act, 5 USC 552(a).

g. When responding to domestic violence orders involving civilian alleged offenders, SFS can detain the civilian offender until GPD is able to respond to the scene. This is specifically allowed under AFMAN 31-201 v2, para. 2.1.2, which states "Civilians may be detained for offenses committed on a military installation. Since civilians are not normally subject to the UCMJ, refer civilian violators to a US Magistrate for judicial disposition or to the local civil authorities having jurisdiction."

h. As new personnel begin duty with SFS, their immediate supervisor will instruct them IAW this agreement and basic instructions on effectuating the provisions of this agreement.

## **XII. WARRANTS AND CIVIL PROCESS:**

A. Warrants: The following actions apply to the execution of routine warrants of arrest on LAFB:

1. It is understood that warrant abstracts, teletype warrant abstracts and certified copies of warrants of arrest are the legal equivalents of original warrants of arrest.

2. GPD shall telephone the ECC at 623-856-5971 to advise of the warrant of arrest of a military member, dependent of a military member or civilian employee located at LAFB. The information will contain the name of person to be arrested, his or her on-base location, if known, and the court charges, amount of bail and the date the warrant was issued. The ECC shall provide GPD guidance and assistance IAW Air Force policy.

B. Service of Civil Process: Requests for service of process on members of U.S. Armed Forces and civilians physically located on the base will be honored and arranged as expeditiously as possible. GPD will contact the ECC (623-856-5970) to request assistance with service of process; this shall be during normal weekdays and working hours by telephoning prior to arrival to arrange service. GPD will provide the name of the person to be served and his/her on-base location, if known. SFS shall ensure that all steps are taken to effectuate service. GPD may request immediate service of process outside of the normal weekday, working hours for Orders of Protection or Injunctions Against Harassment or matters of a similar nature. In these limited circumstances the SFS/CC will act as the designated authority for such requests.

**XIII. ADMINISTRATION:**

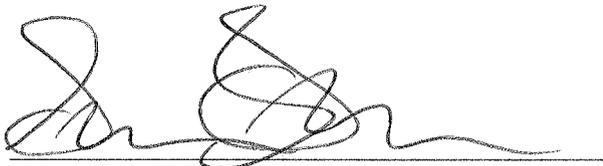
This IGA is implemented upon signature of all parties. The OPR for this agreement is 56 SFS/S5SX.

**XIV. AGREEMENT AND ADMINISTRATION:**

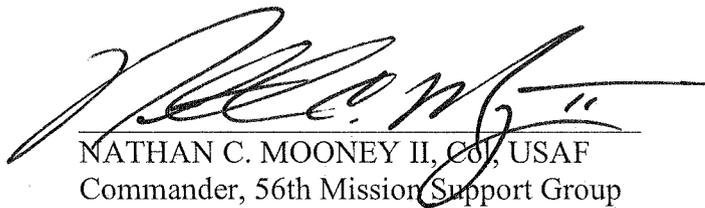
This IGA is effective on the date of final signature. This agreement may be terminated in writing, at anytime, by either party. Notice of termination will be given 14 days in advance of termination. The IGA remains in effect indefinitely unless formally modified or terminated earlier in writing upon request of any incumbent signatory.

**XV. SUDAN AND IRAN:**

Pursuant to A.R.S. §§ 35-391.06 and 35-393.06, both of the Parties hereby warrant, and represent that they do not have, and its subcontractors do not have, and during the term hereof will not have a scrutinized business operation in either Sudan or Iran.



SEAN R. GIBBS, Maj. USAF  
Commander, 56th Security Forces Squadron

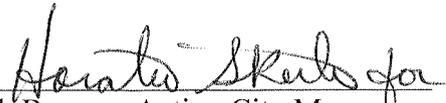


NATHAN C. MOONEY II, Col, USAF  
Commander, 56th Mission Support Group



MICHAEL D. ROTHSTEIN  
Brigadier General, USAF  
Commander, 56th Fighter Wing

CITY OF GLENDALE, an Arizona  
municipal corporation

  
\_\_\_\_\_  
Dick Bowers, Acting City Manager

ATTEST:

  
\_\_\_\_\_  
Pamela Hanna, City Clerk (SEAL)

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Nicholas DiPiazza, Acting City Attorney