

Joint Legislative Emergency Management Oversight Committee

November 16, 2017

Sheriff Carson Smith, President
North Carolina Sheriffs' Association

North Carolina Sheriffs' Association

Proudly Serving the Sheriffs and Citizens of North Carolina since 1922



Local Law Enforcement Emergency Response

- Natural Disasters
 - Hurricanes, Flooding, Mudslides, etc.
- Criminal Activity
- Civil Unrest



G.S. § 160A-288, Cooperation Between Law–Enforcement Agencies

- Used often on a regional basis

G.S. § 160A-288.2, Assistance to State Law–Enforcement Agencies

- Rarely Used



G.S. § 160A-288, Cooperation Between Law–Enforcement Agencies

- Requires an authorizing resolution from:
 - County Commissioners for a Sheriff's Office
 - City Council for a Police Department



G.S. § 160A-288, Cooperation Between Law–Enforcement Agencies

- Written mutual assistance agreement to be signed
- Requires request for assistance in writing
- Request must be from the head of the requesting agency, or designee
- Assistance provided must be temporary



Challenges with G.S. § 160A-288 in an Emergency

- Ability to locate the authorizing resolution
- Ability to locate and execute a mutual aid agreement
 - NC Department of Justice Publication is very helpful



Solution – House Bill 388, Modernize Mutual Assistance Statutes

- Sponsors: McNeill, Faircloth, Meyer
- Passed House 111-0 on 4/6/17
- Passed Senate Judiciary Committee on 6/20/17
- In Senate Rules on 6/20/17
- Priority for 2018



Improvements in the System

- Enactment of House Bill 388 will:
 - Significantly reduce the bureaucracy and unneeded paperwork
 - Reduce response times in providing assistance
 - Maintain the guidelines currently existing in the law



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Eddie Caldwell
Executive Vice President and General Counsel
North Carolina Sheriffs' Association

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NCSA Statewide Disaster Assistance Network

- Regional agreements typically don't reach needed areas in a natural disaster
- Sheriffs volunteer to assist other sheriffs
- Sheriffs needing assistance submit requests to NCSA
- NCSA requires copy of authorizing resolution from sending county
- NCSA provides mutual assistance agreements for signature by both sheriffs



NCSA Statewide Disaster Assistance Network

- NCSA staff available 24/7 during natural disaster to pair up sheriffs who need assistance with sheriffs able to provide assistance
- Responding sheriffs will assist within cities and towns as well, upon request
- NCSA coordinates closely with North Carolina Emergency Management
 - Director Mike Sprayberry and team are outstanding partners



Response to Criminal Activity

- Hostage situation
- Barricaded subject with gun
- Active shooter in public situation
- Rioting (spontaneous or part of a demonstration)



Response to Criminal Activity

- First response is by the law enforcement officers on duty
 - Sheriff's deputies
 - City police officers
 - State law enforcement officers
 - SHP, SBI, ALE
- Cooperation among agencies is tremendous



Response to Criminal Activity

- Supplemental response
 - Neighboring law enforcement agencies, with mutual assistance agreements
- Special Response and Tactics (SRT) teams
 - If on-duty
 - If on-call
 - Neighboring law enforcement agencies, with mutual assistance agreements
 - State Bureau of Investigation



Response to Criminal Activity

- Urban v. Rural – Response is Impacted by:
 - Number of officers available
 - Within jurisdiction
 - From neighboring jurisdictions, with mutual assistance agreements
 - Proximity of SRT teams
 - Proximity of bomb squads, canines, etc.



Sustained Events

- Need officers to relieve the initial responding officers
i.e. overnight hostage situation
- Need resources to sustain a response during a multi-day demonstration or riot



NCSA Project – Statewide Response to Civil Unrest

- Charlotte-Mecklenburg Police Department
- North Carolina Sheriffs' Association
- North Carolina Association of Chiefs of Police
- Will coordinate closely with state law enforcement agencies
- Will coordinate closely with NC Emergency Management



Needed General Assembly Action

- Enact House Bill 388, Modernize Mutual Assistance Statutes
- Evaluate needs identified by the NCSA Statewide Response to Civil Unrest Project



Questions



North Carolina Sheriffs' Association

919-459-1052

nlsa@ncsheriffs.net

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