

**COUNTY COUNCIL**  
**OF**  
**TALBOT COUNTY, MARYLAND**

2013 Legislative Session, Legislative Day No. : May 14, 2013

Bill No.: 1237

Expiration Date: July 18, 2013

Introduced by: Mr. Duncan, Mr. Hollis, Ms. Price

**A BILL TO APPROVE AGREEMENTS BETWEEN TALBOT COUNTY AND DORCHESTER COUNTY, CAROLINE COUNTY, KENT COUNTY, QUEEN ANNE'S COUNTY, WICOMICO COUNTY, WORCESTER COUNTY, AND SOMERSET COUNTY RESPECTIVELY, FOR MUTUAL AID BETWEEN THE RESPECTIVE SHERIFFS' OFFICES**

By the Council: May 14, 2013

Introduced, read first time, ordered posted, and public hearing scheduled on Tuesday, June 11, 2013 at 2:00 p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 North Washington Street, Easton, Maryland 21601.

By Order Susan W. Moran  
Susan W. Moran, Secretary

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<b>KEY</b>	
<b>Boldface</b> .....	Heading or defined term.
<u>Underlining</u> .....	Added to existing law by original bill.
<del>Strikethrough</del> .....	Deleted from existing law by original bill.
<u><del>Double underlining</del></u> .....	Added to bill by amendment.
<del>Double-strikethrough</del> .....	Deleted from bill by amendment.
* * * .....	Existing law unaffected.

SECTION ONE: BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT COUNTY, MARYLAND, that

1           WHEREAS, it is in the public interest that law enforcement agencies throughout the State  
2 of Maryland cooperate to the greatest extent possible to provide prompt, effective and  
3 professional law enforcement services; and,  
4

5           WHEREAS, the Federal and State governments encourage law enforcement agencies to  
6 employ regional approaches to public safety planning, preparedness and response to public  
7 safety needs; and,  
8

9           WHEREAS, the Sheriffs and Sheriff's deputies in Talbot County, Caroline County,  
10 Dorchester County, Kent County, Queen Anne's County, Wicomico County, Worcester County,  
11 and Somerset County are uniformly trained and certified in current law enforcement techniques  
12 and have completed a course of training prescribed by the Maryland Police and Correctional  
13 Training Commission pursuant to Maryland law; and,  
14

15           WHEREAS, all parties are aware that from time to time both emergency and non-  
16 emergency situations can develop at locations and times in any jurisdiction when sufficient law  
17 enforcement resources are not immediately available to enable law enforcement officers to  
18 render prompt, effective and professional services to the public; for this reason law enforcement  
19 agencies enter into joint law-enforcement initiatives to include task forces and regional multi-  
20 jurisdictional crime fighting concepts; and,

21 WHEREAS, the Talbot County Sheriff's Office and Talbot County desire to assure that,  
22 to the extent that police resources are available, prompt, effective, and professional police  
23 services are readily available to the public; and,  
24

25 WHEREAS, Maryland law authorizes the county governing body to enter into mutual aid  
26 agreements with other counties in accordance with the requirements of Criminal Procedure  
27 Article §§ 2-102, 2-103, and 2-105, Md. Ann. Code.  
28

29 NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF TALBOT  
30 COUNTY, MARYLAND, that:

31  
32 SECTION 1. Talbot County hereby approves the proposed Mutual Aid Agreements (the  
33 "Agreement" or "Agreements") attached hereto, respectively, as Exhibit "A," (Dorchester  
34 County) "B," (Caroline County) "C," (Kent County) "D," (Queen Anne's County) "E",  
35 (Wicomico County), "F" (Worcester County), and "G" (Somerset County) which are  
36 incorporated by reference herein.

37 SECTION 2. Talbot County hereby finds and declares that the attached Agreements  
38 accurately determine and establish circumstances under which the Talbot County Sheriff may  
39 lawfully send deputies, together with all necessary equipment, beyond the boundaries of Talbot  
40 County to any place within the respective counties who are or who become parties to the  
41 attached Agreements, and to in turn make requests for same resources from the counties in these  
42 agreements.

43 SECTION 3. As a condition of entering into these reciprocal Agreements, each party  
44 shall (1) waive any and all claims that: (i) are against other parties to the Agreement, and (ii) that  
45 may arise out of their activities outside their respective jurisdictions under the Agreement; and,  
46 (2) indemnify and hold harmless the other parties to the Agreement from all claims by third  
47 parties that are for property damage or personal injury and that may arise out of the activities of  
48 the other parties to the Agreement outside their respective jurisdictions under the Agreement, as  
49 required by Criminal Procedure Article § 2-105 (e) (2), Md. Ann. Code, as modified, amended,  
50 or recodified from time to time.

51 SECTION 4. Any changes to any Agreement shall be adopted by Talbot County by bill  
52 duly adopted in accordance with the requirements of Criminal Procedure Article § 2-105 (b),  
53 Md. Ann. Code, as modified, amended, or recodified from time to time.

54 SECTION 5. BE IT FURTHER ENACTED, that the title and a summary of this Bill  
55 shall be published once on the first publication date after enactment of the Bill in accordance  
56 with County Charter § 213 (c). The title is not a substantive part of this Bill. If the Bill is  
57 amended, the title may be administratively revised if required to conform the title to the content  
58 of the Bill as finally enacted.

59 SECTION 6. AND BE IT FURTHER ENACTED, That if any provision of this  
60 Ordinance or the application thereof to any person or circumstance is held invalid for any reason  
61 in a court of competent jurisdiction, the invalidity does not affect other provisions or any other

62 application of this Ordinance which can be given effect without the invalid provision or  
63 application, and for this purpose the provisions of this Ordinance are declared severable.

64 SECTION 7. AND BE IT FURTHER ENACTED, that the Publishers of the Talbot  
65 County Code or the Talbot County Office of Law, in consultation with and subject to the  
66 approval of the County Manager, shall make non-substantive corrections to codification, style,  
67 capitalization, punctuation, grammar, spelling, and any internal or external reference or citations  
68 to the Code that is incorrect or obsolete, with no further action required by the County Council.  
69 All such corrections shall be adequately referenced and described in the editor's note following  
70 the section affected.

71 SECTION 8. AND BE IT FURTHER ENACTED, that this ordinance shall take effect  
72 sixty (60) days from the date of its passage. The respective Agreements shall become effective  
73 after having been duly adopted by the respective counties in their regular routine for legislative  
74 enactment and upon execution by the respective counties and sheriffs.

**PUBLIC HEARING**

Having been posted and Notice of time, date, and place of hearing, and Title of Bill No. \_\_\_\_\_ having been published, a public hearing was held on \_\_\_\_\_ at \_\_\_\_\_ p.m. in the Bradley Meeting Room, South Wing, Talbot County Courthouse, 11 N. Washington Street, Easton, Maryland.

**BY THE COUNCIL**

Read the third time.

ENACTED \_\_\_\_\_

By Order \_\_\_\_\_  
Susan W. Moran, Secretary

Bartlett -  
Hollis -  
Pack -  
Price -  
Duncan -