

**2.06-1**

**DAYTON POLICE DEPARTMENT  
GENERAL ORDER  
CONCURRENT JURISDICTION  
AND MUTUAL AID**



**RICHARD S. BIEHL – DIRECTOR AND CHIEF OF POLICE**

Rev. 04/20

**POLICY STATEMENT**

The purpose of this document is to identify locations within the city of Dayton which are not under the exclusive jurisdiction of the Dayton Police Department, and the responsibilities of the police officers who respond to requests for service at these locations. This policy also addresses requests for service at locations with special considerations, such as the Dayton International Airport and the department's response to requests for Mutual Aid from participating agencies.

**I. FEDERAL PROPERTY**

**A. Veterans Administration Center, 4100 West Third Street (VAC)**

1. The Dayton Police Department shares concurrent jurisdiction with the Federal Government on the Veterans Administration Center facility. The VAC police and FBI have primary jurisdiction, but may request assistance from the Dayton Police Department. Dayton Police officers responding to the VAC where VAC police has made an arrest are to proceed as follows:
  - a. Transport and book the suspect into the Montgomery County Consolidated Jail.
  - b. Complete all necessary reports and list the VAC police officer as the arresting officer.
  - c. Order the VAC police officer into the City Prosecutor's office or the appropriate Detective Unit, in accordance with the Order-In Policy, No. 3.04-3.
2. The Federal Bureau of Investigation (FBI) will investigate thefts of government property valued at \$5,000 or more.
3. Dayton police officers will conduct full investigations involving thefts of government property valued at \$5,000 or more if the FBI is unable to respond to the VAC.
4. Traffic/Parking violations will be handled by the VA police except for those violations occurring on private property and designated as a police responsibility by Ohio State Law (i.e., Fatalities, DUI, Reckless Operation, or Hit and Run).

**B. Federal Building, 200 West Second Street**

The Dayton Police Department shares concurrent jurisdiction with the Federal Government at the Federal Building. The Federal Protective Agency has primary jurisdiction but may request assistance from the Dayton Police Department.

**C. U.S. Post Offices**

The Dayton Police Department shares concurrent jurisdiction with the Federal Government on all U.S. Post Office property in Dayton. Dayton police officers may be called upon to investigate incidents on Post Office property, and are expected to provide the full range of police service.

An exception to this is the theft of U.S. mail that will be investigated by U.S. Postal Inspectors. (Refer to Reporting Theft of Mail Policy, No. 3.04-5)

**D. Dayton Job Corps Center, 3849 Germantown Street**

1. The Dayton Job Corps Center falls within the purview of the concurrent Federal and local criminal law enforcement jurisdiction of the FBI and Dayton Police Department.
2. Job Corps officials will notify the Dayton Police Department of all violations of law occurring at the Center.
  - a. The Dayton Police Department should assume primary investigative jurisdiction on all violations of law, unless the FBI specifically assumes jurisdiction.
  - b. The FBI may assume primary investigative jurisdiction of significant thefts of government property valued at over \$5,000 or other significant Federal law violations, unless this jurisdiction is deferred to the Dayton Police Department.
  - c. Officers responding to requests for service at Job Corps are not to proceed beyond the front desk of the Center unaccompanied by a properly identified staff member, except under clearly life threatening situations.

**II. STATE PROPERTY****A. Dayton Correctional Institution, 4104 Germantown St. (DCI)**

1. The correctional staff will contact the Ohio State Highway Patrol (OSP) in the event a **major incident** occurs. The OSP will notify the agencies required in assisting them.
2. **Major incidents** are divided into two categories:
  - a. Incidents originating **outside** the institutions
  - b. Incidents originating **inside** the institutions
3. Incidents originating **outside** the institutions
  - a. A Dayton Police Supervisor and two police officers should be dispatched to the institution.
  - b. The Supervisor should respond to the main entrance to meet DCI staff and the responding police officers should be dispatched to the appropriate location outside the outer perimeter to address the incident, or to the main entrance as required.
4. Incidents originating **inside** the institutions

Routine incidents occurring inside the institutions will be handled by corrections staff or the OSP. In the event Dayton Police assistance is requested by the OSP concerning an incident originating inside an institution, it is prudent to assume that the incident involved either an escape/attempt escape, or that it involves a substantial disturbance or disruption (fire, natural disaster) which presents the possibility of escape. Our initial response to incidents of this nature should be designed to immediately secure the outer perimeter until the extent of the incident can be determined.

**B. Bennet J. Cooper Complex (BJCC) 1901 S. Gettysburg Ave. - Montgomery County Court of Common Pleas, Secure Transitional Offender Program (STOP) Program, Day Reporting Program, Adult Parole Authority and MonDay Community Based Correction Facility. Note – the MonDay facility located at 1951 S. Gettysburg Ave. is a separate facility and all calls there will be answered by the Dayton Police Department.**

1. The correctional staff will contact the Ohio State Highway Patrol (OSP) in the event a **major incident** occurs. The OSP will notify the agencies required in assisting them.
2. **Major incidents** are divided into two categories:
  - a. Incidents originating **outside** the institutions
  - b. Incidents originating **inside** the institutions
3. Incidents originating **outside** the institutions

- a. A Dayton Police Supervisor and two police officers should be dispatched to the institution.
  - b. The Supervisor should respond to the main entrance to meet BJCC staff and the responding police officers should be dispatched to the appropriate location outside the outer perimeter to address the incident, or to the main entrance as required.
4. Incidents originating **inside** the institutions

Routine incidents occurring inside the institutions will be handled by corrections staff or the OSP. In the event Dayton Police assistance is requested by the OSP concerning an incident originating inside an institution, it is prudent to assume that the incident involved either an escape/attempt escape, or that it involves a substantial disturbance or disruption (fire, natural disaster) which presents the possibility of escape. Our initial response to incidents of this nature should be designed to immediately secure the outer perimeter until the extent of the incident can be determined.

5. Bennett J. Cooper Agencies are responsible for the following duties:
- The Bennett J. Cooper Agencies will provide law enforcement unimpeded access to the Center.
  - Notify the Montgomery County Sheriff's Office Regional Dispatch Center at (937) 225-4357 in cases of emergency or other critical incident. "Emergency" means an actual or potential condition that poses an immediate threat to life or property. "Critical incident" means a situation which disrupts routine operations or services which creates a state of disorder, a threat to security, and/or an inability to maintain orderly control.
  - Contact the Ohio State Patrol in non-emergency criminal activity situations.
  - Provide regular updates to law enforcement regarding changes that affect the security of the complex, including but not limited to, changes to sally port gate code access.
  - Provide each law enforcement agency evacuation plans and land/or floor plans of the Center update these plans accordingly. Pursuant to ORC 5 120.21, floor plans are non-public records.
  - Provide law enforcement information and access quarterly meetings when discussing critical incidents, emergencies, criminal activities, or other related changes to the C.J. McLin Criminal Justice Complex, which includes the Bennett J. Cooper Agencies, Dayton Correctional Institution, MonDay (main campus), McMahon Hall-Volunteers of America, and Gateway Shelter.

### III. COUNTY PROPERTY

- A. Dayton police officers will investigate all situations requiring a police response on Montgomery County property located within the corporate limits of Dayton, with the following exceptions:
1. Montgomery County Jail
  2. Montgomery County Courts Buildings
  3. Montgomery County Administration Building
  4. Montgomery County Reibold Building (Public Health only)
  5. Montgomery County Job Center (M-F 0900-1700 only)
  6. Montgomery County Juvenile Justice Center
  7. Montgomery County Coroner/Crime Lab
  8. Montgomery County Children's Services (M-F 0800-1200 only)
- B. Whenever there is damage to County property, a copy of all reports made by Dayton police officers will be forwarded to the Montgomery County Sheriff's Office.

**IV. FIVE RIVERS METROPARKS**

- A. The Dayton Police Department and the Five Rivers Metroparks have concurrent jurisdiction of the following property within the city of Dayton, pursuant to the River Corridor Partnership Agreement: Riverscape, Possum Creek Reserve, Eastwood Park, Gateway Park, Bikeway, Island Park, Deeds Park, Wegerzyn Horticultural Center, Wesleyan Nature Center, Northbend Boulevard, Sunrise Park, Van Cleve Park, and McKinley Park.
- B. Enforcement Responsibilities:
1. Park Rangers have the same authority as a police officer to physically arrest. Park Rangers will complete all necessary offense reports, arrest reports and supplementary reports. Additionally, Rangers are responsible for investigating all non-fatal traffic accidents in the agreement parks.
  2. In the event of a traffic fatality, homicide, or any serious crime requiring extensive or specialized investigations, Park Rangers will preserve the scene until the arrival of Dayton Police personnel. Dayton Police personnel will conduct the investigation.

**V. UNIVERSITY OF DAYTON, CENTRAL STATE UNIVERSITY AND SINCLAIR COMMUNITY COLLEGE**

- A. The University of Dayton, Central State University and Sinclair Community College each maintain a campus police department. The Dayton Police Department has concurrent jurisdiction with the campus police departments on these properties.
- B. Campus Police officers for the **University of Dayton** have the same authority as a Dayton police officer within the boundaries of their campus as defined in the Mutual Aid Agreement.

## UNIVERSITY OF DAYTON BOUNDARIES DEFINED:

## NORTHERN BORDERS

- Stewart St. from Patterson Blvd to Brown St.
- Wyoming St. from Brown St. to the Woodland Cemetery Western Fence Line.
- Stewart St. from Woodland Cemetery Western Fence Line to Nelle Ave.

## EASTERN BORDERS

- Woodland Cemetery Western Fence Line from Wyoming St. to Stewart St.
- Nelle Ave. from Stewart St. extending southward along Woodland Cemetery Eastern Fence Line to Irving Ave.

## SOUTHERN BORDERS

- River Park from Patterson Blvd. to main St.
- Caldwell St. from Main St. to Brown St.
- Irving Ave. from Brown St. to Shafor Blvd.

## WESTERN BORDERS

- Brown St. from Irving Ave. to Caldwell St.
- Patterson Blvd. from River Park to Stewart St.
- Brown St. from Stewart St. to Wyoming St.
- Other University of Dayton owned or controlled buildings or properties that may be outside of the above defined boundaries such as the UD Arena, UD Sports Complex, Shroyer Park Center, Plumwood Apartments, Etc.

- C. Campus Police officers for **Sinclair Community College** have the same authority as a Dayton police officer within the City Limits of the City of Dayton as defined in the Mutual Aid Agreement.
- D. Campus Police officers for **Central State University** have the same authority as a Dayton police officer within the City Limits of the City of Dayton in relation to their Dayton Campus located at 840 Germantown Street, Dayton, Ohio 45402 and as defined in the Mutual Aid Agreement.
- E. Campus police officers have primary jurisdiction on campus property but may request assistance from and render assistance to the Dayton Police Department.

- F. In the event of a traffic fatality, homicide, or other serious crime requiring extensive or specialized investigations, campus police will preserve the scene until the arrival of Dayton Police personnel. Dayton Police personnel will conduct the investigation.

## VI. GRANDVIEW HOSPITAL

- A. Grandview Hospital maintains a police department. The Dayton Police Department has concurrent jurisdiction with the police department on this property.
- B. Hospital police officers have the same authority as a Dayton police officer within the boundaries of Grandview Hospital as defined in the Mutual Aid Agreement.

### GRANDVIEW BOUNDARIES DEFINED:

- **NORTHERN BORDERS**  
Five Oaks Boulevard from Salem Avenue to Main St.
  - **EASTERN BORDERS**  
North Main St. from Five Oaks South to West Riverview
  - **SOUTHERN BORDERS**  
West Riverview Dr. from Main St. to Salem
  - **WESTERN BORDERS**  
Salem Avenue from West Riverview north to Five Oaks Blvd.
  - Other Grandview owned or controlled buildings or properties that may be outside of the above defined boundaries such as the Cassano's Health Center.
- C. Hospital police officers have primary jurisdiction on hospital property but may request assistance from the Dayton Police Department.
- D. In the event of a traffic fatality, homicide, or other serious crime requiring extensive or specialized investigations, campus police will preserve the scene until the arrival of Dayton Police personnel. Dayton Police personnel will conduct the investigation.

## VII. MIAMI VALLEY HOSPITAL

- A. Miami Valley Hospital maintains a police department. The Dayton Police Department has concurrent jurisdiction with the police department on this property.
- B. Hospital police officers have the same authority as a Dayton police officer within the boundaries of Miami Valley Hospital as defined in the Mutual Aid Agreement.

### MIAMI VALLEY HOSPITAL BOUNDARIES DEFINED:

- **NORTHERN BORDERS**  
Stout Street from Catherine to South Main Street  
South Main Street to Vine Street  
Vine Street from South Main Street to Warren Street
- **EASTERN BORDERS**  
Warren/Brown Street from Vine Street to Ashley Street  
Ashley Street from Brown Street to Rubicon Street  
Rubicon Street to Frank Street  
Frank Street to South Main Street  
South Main to West Stewart Street

- SOUTHERN BORDERS  
West Stewart Street from South Main Street to Patterson Blvd
  - WESTERN BORDERS  
Patterson Blvd from West Stewart Street to Apple Street  
Apple Street to Catherine Street  
Catherine Street to Stout Street
  - Other Premier Health and/or MVH owned or controlled buildings or properties that may be outside of the above defined boundaries such as the PHP Laundry Facility located at 3470 Salem Avenue or 20 Jasper Street.
- C. Hospital police officers have primary jurisdiction on hospital property but may request assistance from the Dayton Police Department.
- D. In the event of a traffic fatality, homicide, violent felony or other serious crime requiring extensive or specialized investigations, hospital police will preserve the scene until the arrival of Dayton Police personnel. Dayton Police personnel will conduct the investigation.

### VIII. CITY OF DAYTON PROPERTY

#### A. Dayton International Airport

The Dayton Airport Police have full arrest power, and are responsible for completing all offense reports, supplementary reports and arrest reports necessitated by their investigations and for providing transportation of their prisoners.

1. Incidents of a serious nature such as property crimes involving substantial loss or extensive follow-up, seizure of large sums of money and/or drugs require the notification of a Dayton police supervisor. The supervisor will determine who should conduct the initial investigation and complete required reports.
2. A Dayton Police supervisor will be dispatched on the following calls at the Airport when a request for mutual aid by the airport police supervisor is made:
  - Dead Bodies
  - Hostage or Barricaded situation
  - Discharging a Firearm
  - Large Civil disturbance
  - Incidents of a criminal nature involving off-duty personnel or city employee(s)
  - Situations involving public officials
  - Major chemical spills threatening public welfare
  - Any Racial disturbance
  - Strike situation involving violence
  - Execution of a search warrant
  - Escaped prisoner
  - Officer in trouble calls (signal 99)
3. The Ohio State Patrol will respond to and investigate aircraft accidents on or around Dayton International Airport and all other aircraft accidents within the jurisdiction. Dayton Police personnel may be called to provide assistance during such investigations.

**IX. MUTUAL AID**

- A. The Dayton Police Department participates in a Mutual Aid Program for emergency service promulgated by the Montgomery County Prosecutor's Office and adhered to by all participating agencies.

The current Mutual Aid Agreement contains some of the following language:

1. The term "emergency" shall mean an actual or potential condition that poses an immediate threat to life or property, and exceeds the capability of a local agency to counteract successfully.
  2. In the event of an emergency and upon the request of another police department...officers of the responding agency shall report to, and shall work under the direction and supervision of the senior officer of the requesting agency on duty at the time that the mutual aid request is made. During the emergency the personnel of the responding agency shall have the same law enforcement authority as the personnel of the requesting agency.
- B. Procedures while the Montgomery County Sheriff's Office is covering the patrol duties of the Dayton Police Department
1. Planning - Once the need for patrol assistance is recognized, the Dayton Police Department (DPD) will make the initial request to the Montgomery County Sheriff's Office (MCSO).
    - a. Determine who will be the points of contact for the DPD and the MCSO.
    - b. First Meeting:
      - 1) Introduce planning members, exchange contact information, and state their roll during the patrol assistance. Follow-up communication may be needed to name persons for specific responsibilities.
      - 2) If needed, explain the event that requires the need for assistance.
      - 3) Date and time of the need for assistance.
        - a) The MCSO patrol deputies work eight hour days.
          - They need 30 minutes for their roll call and to report to Dayton.
          - They will need 30 minutes to go off duty.
          - They can cover seven hours without going into an extended shift.
        - b) The DPD patrol officers work a ten hour day.
          - When the event is completed, the DPD officers are to return to their patrol duties as soon as possible to relieve the MCSO deputies.
    - 4) Personnel Assignment Considerations
      - a) Does the MCSO have the manpower to cover patrol?
      - b) Will the Ohio State Patrol be needed for the highways and state routes?
      - c) Will other Agencies need to be deputized to assist the MCSO?
    - 5) Review the established procedures to determine if they need to be updated.
  - c. The MCSO will contact the Regional Dispatch Center (RDC) to notify them of the coverage and crew numbers.
  - d. The DPD will contact the Dayton City Prosecutor's Office to confirm the procedures for the handling misdemeanor offenses from the deputies that are ready to prosecute.
  - e. DPD personnel will be informed who the DPD contact person is so they may have a person to contact if they have any issues with the coverage by the MCSO.

2. Procedures on the Date of Assistance
    - a. The DPD should forward the last 24 hours of Incident Logs to the MCSO contact person so they can present them at their roll call.
    - b. The MCSO will respond to all priority 1, 2, and 3 calls for service.
      - 1) If the 1, 2, and 3 calls are too much to handle, they will request mutual aid.
      - 2) If they are caught up on calls, they may, but are not required to take lower priority calls.
    - c. If offense reports are required, the deputies will enter them into their system as usual.
      - 1) Domestic Violence photo evidence will be placed on a compact disk.
      - 2) Other evidence will be placed in the MCSO property room.
      - 3) If the deputies need DPD detectives to respond to their call, the DPD contact person shall be informed by text message. The DPD contact person will evaluate the request. The callout will be made or other instructions will be given to the deputies.
    - d. The MCSO deputies will be released to their regular duties as soon as enough Dayton officers have cleared the event.
  3. Report Processing
    - a. After the deputies have entered the reports in their system, they will email the reports to the DPD contact person with the RDC supplied DIBRS report number written at the top of the report. They will also attach to their email the offense report's narrative in WORD format. The report will be assigned to a DPD officer to transcribe it into the DPD's MIS system. The officer's narrative will state that he transcribed the report for the deputy named in the report. The officer will then cut and past the deputy's narrative into the DIBRS report.
    - b. A representative of the MCSO will gather the Domestic Violence compact disks and make arrangements to get them to the DPD contact. The DPD contact person will forward the disk to the officer who is transcribing the report. The officer will then prepare a Domestic Violence packet with a copy of the deputy's report, the transcribed DIBRS report, and the photo disk inserted in the packet. The packets will then be delivered to the Domestic Violence mailbox at the DPD headquarters.
    - c. Traffic Crash reports completed by the MCSO and the OSP will be entered directly into OLEIS. Copies can be pulled up in the OLEIS system by DPD, MCSO, or the OSP. Traffic citations will go through the Dayton Municipal Court.
    - d. The pre-determined representative of the MCSO will be contacted by the City Prosecutor's office to sign off on any reports that have come through their office.
  4. Debrief
    - a. Representatives of the MCSO and the DPD will meet to discuss any issues or problems that occurred during the MCSO's coverage of the patrol duties of the Dayton Police Department.
    - b. The procedures will be reviewed and updated based on the results of the debrief meeting.
- C. Non Mutual Aid Actions – Language in the Mutual Aid Agreement grants an officer (from a jurisdiction that is a party to the agreement who happens to be in another jurisdiction for any purpose other than a mutual aid request) who sees a felony being committed within the territory of another jurisdiction that is party to the agreement, or who sees a police officer of another jurisdiction which is party to this agreement who is in distress, authority to apprehend or attempt to apprehend the person(s) committing the felony or to go to the aid of the officer in distress, as long as they use sound discretion and reasonable judgment.

## X. REQUESTING MUTUAL AID

- A. When a request for mutual aid from other departments are made to the Dayton Police Department, the Regional Dispatch Center (RDC) will have an on-duty supervisor contact the requesting agency to determine the following:

1. Strength of the mutual aid request
  2. Type of services being requested (i.e. SWAT, HNT, K-9, etc.)
    - Requests for Dayton police canines will be accommodated if the call load permits and the request can be completed during the canine officer's tour of duty. There will be no expenditure of overtime for a mutual aid request for canine officers without the approval of an on-duty supervisor.
  3. Location of incident command
  4. Special instructions for responding units to ensure that all responding mutual aid units coordinate with on scene police units
  5. In the event that there is a major response to another jurisdiction requiring a substantial level of the department's on duty personnel to respond for a short period of time (i.e. officer needs assistance, large scale disturbances, etc.), 2 officers per division and at least 1 sergeant or field lieutenant will remain in the city to respond to priority 1 and 2 calls.
  6. In the event that there is a major measured response to another jurisdiction requiring a substantial level of the department's on duty personnel to respond for a long period of time (e.g. natural disaster, train derailment, etc.) the level of personnel available to respond for will be 50% of on duty personnel.
- B. When a request for mutual aid by the Dayton Police Department is made to other departments, the Regional Dispatch Center (RDC) will contact the ranking street supervisor from the other department and inform them of the following:
1. Strength of the mutual aid request
  2. Type of services being requested (i.e. SWAT, HNT, K-9, etc.)
  3. Location of incident command
  4. Special instructions for responding units to ensure that all responding mutual aid units coordinate with on scene and responding Dayton police units
  5. Mutual Aid requests for canine units can be made by on-scene officers once the dispatcher has determined that there are no on-duty Dayton police canines available.