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LINCOLN COUNTY MAJOR CRIME TEAM AGREEMENT

February 2, 2021

I. MAJOR CRIME TEAM

A. The Major Crime Team will consist of personnel from the following agencies:

- Lincoln County District Attorney
- Lincoln County Medical Examiner
- Oregon State Police
- Lincoln County Sheriff's Office
- Newport Police Department
- Lincoln City Police Department
- Toledo Police Department

B. Investigations shall be under the joint direction of the head of the primary responsibility (LEA), or his/her designee and the District Attorney or his/her designee.

C. Death investigations shall be a joint investigation between the district medical examiner, and the district attorney for the county where the death occurs (ORS 146.100(1)) and the lead investigating agency.

D. The Major Crime Team will work under the principles of the Incident Command System (ICS) and the National Incident Management System (NIMS).

E. The individual team members are accountable to their agency administrators for their conduct, performance, and activities as law enforcement officers.

F. Each jurisdiction shall be responsible for all expenses incurred by their own members, and only those members, throughout the course of the investigation.

G. At the request of the LEA of the agency of primary responsibility, or the District Attorney, the Major Crime Team will respond to all deaths requiring criminal investigation and other major crime investigations. The Major Crime Team will also respond to officer involved deadly force situations pursuant to the Lincoln County Deadly Force Plan (SB 111).

H. The Major Crime Team may be activated by a supervisor or senior officer of the lead agency as designated by the agency head.

I. A Victim's Advocate from the District Attorney's Office should be contacted to assist with the victim.

II. AGENCY OF PRIMARY RESPONSIBILTY

A. For Major Crime Team investigations regarding crimes committed within the city limits of Newport, Lincoln City, or Toledo, the respective city police department shall be the agency of primary responsibility.

B. For Major Crime Team investigations regarding crimes committed outside the city limits of Newport, Lincoln City, or Toledo, the Lincoln County Sheriff's Office shall be the agency of primary responsibility.

C. Major Crime Team investigations of crimes committed on state property, state highway or state forest, shall be the responsibility of the Oregon State Police.

D. Upon determination of a death requiring criminal investigation and Major Crime Team assistance (optional) within its jurisdiction, the agency of primary responsibility shall:

1. Secure and assure proper protection of the crime scene.
2. Notify the Major Crime Team, the County Medical Examiner, and District Attorney through WVCC or local dispatcher.
3. Release the crime scene to the lead investigator or designee responsible to the agency of primary responsibility upon their arrival.
4. Provide all assistance as requested by the Major Crime Team.
5. Provide an officer to accompany any critically injured witness, victim or suspect to the hospital, for the purpose of documenting any statements made by the person(s). The officer will remain with the injured person(s) until relieved by a member of the Major Crime Team
6. Provide the lead investigator responsible to the agency of primary responsibility with copies of all reports involving their participation in the investigation, as soon as possible.

The Major Crime Team members shall notify their individual agencies of the call out.

III. MEDIA RELEASES

A. Media releases regarding the investigation and circumstances regarding any major crime team investigation shall be the responsibility of the LEA of primary responsibility.

B. Media releases on post arrest actions shall be the responsibility of the District Attorney and/or jointly with the lead LEA of primary responsibility. A public information officer may be selected. If used, all media statements related to the facts of the case will come from the public information officer up until the time of arrest.

C. All media conferences will be jointly held by the LEA of the agency of primary responsibility and the District Attorney, unless there is a prior agreement.

IV. EVIDENCE

A. The agency of primary responsibility will provide for storage and control of all evidence in conformance with their established property control procedures. In rare extraordinary circumstances, evidence may be stored off site with the approval of the lead investigator and the District Attorney's Office.

B. Copies of all Property / Evidence report forms shall be included in the investigation reports.

C. Working copies of all audio / video media should be submitted without unnecessary delay to the lead investigator who will forward them to the District Attorney. The originals should be placed in evidence.

V. TEAM COMPOSITION

A. Each jurisdiction shall have a primary team member and may assign alternate team members to the Major Crime Team as necessary.

B. Each jurisdiction may rotate its primary and alternate team members to coincide with any on-call detective roster.

C. Alternate team members shall be called out only if a primary team member is not available, or the need for additional investigators is deemed necessary by the agency of primary responsibility and with the permission of the LEA or direct supervisor.

D. Alternate team members called out due to an absence of the primary team member shall remain as the team member throughout the course of the investigation.

1. The LEA of the agency of primary responsibility shall in turn keep the agency heads of other investigators assigned to the investigation apprised of the case status and the duration of the staffing needs.
2. During the prosecution phase, the District Attorney will keep the lead investigator and the LEA of the agency of primary responsibility apprised of the status of the case.

E. Team members should remain with the team throughout the investigation unless a Department Head feels that a change is necessary.

VI. OPERATIONS AND RESPONSIBILITIES

A. The agency of primary responsibility shall continue with the investigation until it is completed. Members of the Major Crime Team who are not with the agency of primary responsibility shall be responsible to the Major Crime Team for a period not to exceed five (5) 24-hour days from the date of the Major Crime Team activation. The time frame may be extended as needed with the approval of the respective department heads.

B. Only the lead investigator may release team members from the 5-day commitment.

C. The Lincoln County District Attorney will assign a Deputy District Attorney to act as the lead DDA for the case. The assigned DDA will remain in that capacity through the completion of the Major Crime Team call out. The DDA will attend all briefings, meetings and will be available at all times during the Major Crime Team call out. The assigned DDA will remain responsible for the legal proceedings related to the case.

D. The team members shall act under the direction of the lead investigator responsible to the agency of primary responsibility.

1. The lead investigator shall be designated by the LEA of the agency of primary responsibility at the commencement of the investigation.

2. The lead investigator and the District Attorney will confer regularly during the investigation.
3. The lead investigator shall continue to be responsible for coordinating the investigation, collecting and maintaining evidence in connection with the investigation, and assigning follow-up to other investigators assigned to assist for the duration of the investigation.
4. The lead investigator shall continue to keep the LEA of the agency of primary responsibility and the District Attorney apprised of the status of the investigation.

E. Each assigned team member will attend all briefings and meetings unless released by the lead investigator.

F. Each team member will contact and brief the lead investigator, or a designee if approved by the lead investigator, immediately after each assignment.

G. No team member will assign themselves assignments without the approval of the lead investigator.

H. All team members will provide their written report to the lead investigator no later than 5 days of the completion of their assignment(s).

I. The Lead Investigator will be responsible for collecting all reports and providing the reports to the District Attorney's Office.

J. Major Crime Team members agree to use Addendum I during an Officer Involved Deadly Force investigation. This addendum contains standardized investigative checklists agreed upon by the Major Crime Team investigators and supervisors.

VII. REVIEW

This document will be reviewed in January of each year and updated as needed.

VIII. LOCATION OF DOCUMENT

The original of this document will be kept on file with the Lincoln County Sheriff's Office.

IX. LINCOLN COUNTY AGENCIES PARTY TO THIS AGREEMENT:

LINCOLN CITY POLICE DEPARTMENT

By: DocuSigned by: Jerry Palmer
Jerry Palmer, Chief of Police

Date: 7/7/2021

NEWPORT POLICE DEPARTMENT

By:
Jason Malloy, Chief of Police

Date: 8/5/2021

OREGON STATE POLICE

By:
Brian Tucker, Lieutenant

Date: 08/05/21

TOLEDO POLICE DEPARTMENT

By:
Michael Pace, Chief of Police

Date: 08/05/21

LINCOLN COUNTY SHERIFF'S OFFICE

By:
Curtis Landers, Sheriff

Date: August 5, 2021

LINCOLN COUNTY DISTRICT ATTORNEY'S OFFICE

By: Lanee Danforth
Lanee Danforth, District Attorney

Date: August 5, 2021

LINCOLN COUNTY MEDICAL EXAMINER

By:
Marilyn Fraser, Medical Examiner

Date: 08/10/2021

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IX. LINCOLN COUNTY AGENCIES PARTY TO THIS AGREEMENT:

LINCOLN CITY POLICE DEPARTMENT

DocuSigned by:
By: Jerry Palmer
EA2978D424BE4AC...
Jerry Palmer, Chief of Police

Date: 7/7/2021

NEWPORT POLICE DEPARTMENT

By: _____
Jason Malloy, Chief of Police

Date: 8/5/2021

OREGON STATE POLICE

By: _____
Brian Tucker, Lieutenant (Acting)

Date: _____

TOLEDO POLICE DEPARTMENT

By: _____
Michael Pace, Chief of Police

Date: _____

LINCOLN COUNTY SHERIFF'S OFFICE

By: _____
Curtis Landers, Sheriff

Date: _____

LINCOLN COUNTY DISTRICT ATTORNEY'S OFFICE

By: _____
Lanee Danforth, District Attorney

Date: _____

LINCOLN COUNTY MEDICAL EXAMINER

By: _____
Marilyn Fraser, Medical Examiner

Date: _____

NEWPORT

OREGON

AUTHORIZATION FOR AGREEMENTS, MOUs, OR OTHER DOCUMENTS OBLIGATING THE CITY

All contracts, agreements, grant agreements, memoranda of understanding, or any document obligating the city (with the exception of purchase orders), requires the completion of this form. The City Manager will sign these documents after all other required information and signatures are obtained.

Document: Lincoln County Major Crime Team Agreement Date: 07/14/2021

Statement of Purpose: Agreement between Lincoln County law enforcement agencies regarding response to major crime incidents

Department Head Signature: [signature]

Remarks, if any: _____

City Attorney Review and Signature: [signature] Date: 7/15/2021

Other Signatures as Requested by the City Attorney: _____

Name/Position

_____ Date: _____

Signature

Budget Confirmed: Yes ☐ No ☐ N/A ☒

Certificate of Insurance Attached: Yes ☐ No ☐ N/A ☒

City Council Approval Needed: Yes ☒ No ☐ Date: 7/19/2021

After all the above requested information is complete and signatures obtained, return this form, along with the original document to the City Manager for signature. No documents should be executed prior to the City Manager's approval as evidenced by signature of this document.

Acting City Manager Signature: [signature] Date: 7/23/2021

Once all signatures and certificates of insurance have been obtained, return this document, along with the original, fully-executed agreement, MOU, or other document to the City Recorder. A copy of grant agreement and all project funding documents, must be forwarded to the Finance Department for tracking and audit purposes.

City Recorder Signature: [signature] Date: 7/23/2021

Date posted on website: _____