


**DISTRICT FUGITIVE TASK FORCE**  
**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding (MOU) is entered into by the attached participating member agencies and the United States Marshals Service (USMS),  
Eastern District of California .

**PURPOSE:**

The purpose of the MOU is to establish a full-time fugitive task force. For purposes of the MOU, a full-time fugitive task force is defined as a multi-agency apprehension effort on fugitive investigations consisting of members from the participating agencies and the USMS, Eastern District of California, to apprehend individuals wanted on state and federal warrants.

The policy, program involvement, and direction of the task force will be the joint responsibility of the member agencies and the USMS, Eastern District of California. Representatives from the participating agencies will meet and confer on matters as necessary.

**MISSION:**

The primary mission of the task force is to pursue and arrest, in a joint coordinated manner, persons who have un-executed state and federal warrants lodged against them. The intent of the joint effort will be to remove from the streets, local, state and federal fugitives, thereby improving public safety.

The participating agencies will determine the outstanding warrants to be worked by the task force, the frequency with which apprehension teams will organize, and the duration of the mission for each apprehension team. These decisions will be made consistent with the availability of agency resources, availability of appropriate state and federal warrant cases for the task force, and contingent upon whether joint task force effort is the most efficient and effective method to investigate and execute the warrant. Targeted crimes will primarily include violent crimes against persons, weapons offenses, felony drug offenses and crimes committed by subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offenses.

**SUPERVISION:**

Operational supervision of the fugitive task force will be the responsibility of the USMS criminal investigator deputy United States marshal designated as coordinator of the fugitive task force. The coordinator will recommend federal warrant cases to be worked by the task force, confer with the coordinator/supervisor from all the other participating agencies concerning recommended state warrant cases to be worked by the

task force, ensure equal case load assignment and proper staffing of apprehension teams, and coordinate day-to-day efforts of the apprehension teams.

Supervision of the personnel assigned to the task force apprehension team(s) will be the responsibility of the supervisors from each participating agency. Responsibility for the conduct of the task force members will remain with the respective agency heads. The local ranking coordinator/supervisor will, for administrative purposes, report directly to his/her commanding officer. The USMS coordinator will report directly to the supervisory deputy United States marshal.

Operational problems will be mutually addressed and resolved by the assigned coordinators, under the guidance of the operations supervisor(s). Any problems that cannot be resolved to the mutual satisfaction of the supervisors should be progressively raised to the next level of supervision within the respective agency. It is agreed the resolution of operational problems at the lowest possible level is in the best interest of the task forces.

#### **PERSONNEL:**

Each participating agency agrees to provide, in a liaison capacity, at least one (1) coordinator/supervisor to recommend cases for the task force. When apprehension teams are formed, each participating agency agrees to provide at least one (1) law enforcement agent during operation of any apprehension team.

#### **EQUIPMENT:**

When apprehension teams are formed, each agency will, if possible, furnish required vehicles and radio equipment capable of transmitting and receiving messages on their local and/or state police radio network. Each agency will be responsible for the expenses incurred in the use of its respective vehicles and radios.

#### **RECORDS AND REPORTS:**

All task force warrants, investigative and arrest reports will be maintained by the agency responsible for the investigation. All warrants designated for task force assistance will be entered into the USMS Warrant Information Network (WIN) for tracking and disposition status. Upon any designated warrant's closure, the respective agency for such warrant shall promptly notify and advise the USMS task force coordinator of the warrant's changed status. This will enable the WIN entry to be modified.

#### **APPREHENSION TEAMS:**

Periodically, the coordinators from all participating agencies will decide which state and federal cases should become task force cases and when to activate apprehension

teams. The coordinators/supervisors from the participating agencies will identify personnel to staff the apprehension team(s).

Apprehension team members will be employees from the participating agencies who will be dedicated, during activation of a particular apprehension team, to the investigation and the execution of the outstanding state and federal warrant(s). Each agency will be responsible for its own members' overtime pay or compensation in accordance with each agency's policies. Apprehension team members from local, state, or county law enforcement agencies should be officers who have received a Special Deputy U.S. Marshal appointment, which will be in force only while that individual is assigned to an apprehension team and performing task force duties. All cases will be jointly investigated whenever possible during activation of an apprehension team. Teams will consist of personnel from different agencies whenever possible.

### **PROSECUTION:**

An arrest based on a warrant will be prosecuted in the state or federal court that issued the warrant. When there is an arrest of a fugitive on whom there is an outstanding warrant in both the state and federal systems, a decision will be made on whether the (initial) prosecution of the case will be on the state or federal level. The decision will be made considering which level of prosecution best serves the overall objectives of the task force. In all cases, notification will be made to the concerned prosecutor.

### **INFORMANTS:**

Funds for informants, relating to the execution of state and federal warrants, will be supplied by the agency that has warrant jurisdiction, according to that agency's standard procedures.

### **USE OF FIREARMS:**

Each member of the task force will comply with his or her agency's guidelines concerning the use of firearms and deadly force. In the event of a shooting incident, the incident will be investigated by the appropriate agency(s).

### **ASSISTANCE FROM LOCAL LAW ENFORCEMENT AGENCIES**

When arrest attempts are to be made, task force personnel should consider requesting a marked unit and uniformed officer to assist them, however, they may exercise their discretion based on relevant circumstances, including availability of the local support, time required to obtain local support, the location of the fugitive, and other operational considerations.

## **HOSTAGE AND BARRICADE SITUATIONS**

If there is reliable information indicating that an armed subject has made a credible threat to resist arrest with violence, and if the operational situation allows, the supervisor or senior task force member on the scene shall call for an appropriate city, county, state or federal tactical unit. If there is credible information indicating that a subject is holding a hostage, the supervisor or senior task force member on a scene shall also call for an appropriate city, county, state or federal tactical unit. When the tactical unit arrives, the tactical commander will assume command and control of the situation.

## **NEWS MEDIA**

Media inquiries will be referred to the United States Marshal/designee. A press release may be issued and press conference held, upon agreement by participating agency heads. All press releases will exclusively make reference to the task force.

## **RELEASE OF LIABILITY:**

Each agency shall be responsible for the acts or omissions of its employees. Participating agencies or their employees shall not be considered as the agents of any other participating agency. Nothing herein waives or limits sovereign immunity under federal or state statutory or constitutional law. The participating agencies agree to hold harmless the United States from any claim, cause of action, or judgment resulting from the negligent acts of their employees.

## **DURATION:**

This MOU is intended to be indefinite. Agencies may withdraw their participation at any time after a thirty-day written notice to all parties signing this document. Each member agency head/designee will sign the last page of this document along with the United States Marshal/designee Eastern District of California, and the United States Attorney/designee, Eastern District of California.

This document consisting of five (5) pages is agreed to this 20th day of  
January 2009.

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Antonio C. Amador  
United States Marshal/designee  
Eastern District of California

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Phillip Cox  
Chairman, Tulare County  
Board of Supervisors

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Mark Cullers  
United States Attorney/designee  
Eastern District of California

APPROVED AS TO FORM:  
COUNTY COUNSEL

By 4/16/09 1/20/09  
Deputy