



Tips for law enforcement deployments

EMAC is a state-to-state mutual aid agreement for states to share resources with other states.

EMAC is the only congressionally ratified emergency management compact that enables the sharing of resources between members.



The 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, and Northern Mariana Islands have passed EMAC as law

EMAC is implemented through your respective state Emergency Management Agency

All official EMAC missions requires a formal agreement signed by the EMAC Authorized Representatives of both the Requesting & Assisting State Emergency Management Agencies
Deploying Personnel are issued an EMAC

Mission Order Authorization Form (Mission Order) upon completion of the mission agreement

EMAC addresses tort liability and immunity, licensure reciprocity, workers' compensation, reimbursement, and other legal issues that may arise during deployments—protecting the deployed personnel as well as the Requesting and Assisting States



Deployment Tips

Eligibility

Assisting State officers should have full and regular standing as police officers with their departments and not be in a probationary, reserve, temporary or other lesser status with their departments.

Since terminology varies from state-to-state, at a minimum, all Assisting State officers will have graduated from an accredited police academy meeting the Assisting State's training standards for full-time career law enforcement officers and should have served a minimum of two years, post-academy, as a full-time law enforcement officer.

Training

Assisting State and jurisdiction officers will be trained to the standards required by their home states for full-time career law enforcement officers, such as Police Officers Standards and Training (POST) or equivalent certification.

Documentation

Assisting State officers will use the basic forms of the Requesting State or jurisdiction. Prior to deployment, officers of the Requesting State or jurisdiction will acquaint responding officers with the appropriate forms. Completed basic forms will be maintained and preserved by the Requesting State or jurisdiction according to their regular procedures. Assisting State officers will collect and preserve evidence in the manner prescribed by the officers of the Requesting State or jurisdiction.





Procedure

Prior to a disaster, Requesting States and jurisdictions should develop a concise summary of the use of force procedures as well as procedures for safe and efficient transportation of arrested individuals to designated facilities. This summary should be provided to responding officers before placing them on duty. Assisting State or jurisdiction officers will have authority to use force, including deadly force where necessary and appropriate under the circumstances in the exercise of their law enforcement authority and duties. No officer has the duty nor is required to retreat prior to the use of deadly force. The authority to use deadly force will be limited to situations where the officers are protecting themselves or a third person from serious bodily harm or death.

Equipment

Officers may bring their regular equipment, including service weapons,

tasers, baton, pepper spray and other less-than-lethal weapons while deployed unless the Requesting State or jurisdiction specifically prohibits use of a particular piece of equipment or weapon. Any restrictions on the use of equipment, weapons or less-than-lethal weapons in the Requesting State or jurisdiction should be discussed prior to finalizing the mission agreement or prior to placing officers of the Assisting State into duty.

Restrictions

Officers may carry weapons in the performance of their law enforcement duties within the requesting jurisdiction or state while on missions through EMAC. Note: The Law Enforcement Safety Act of 2004 allows police officers to carry weapons throughout the United States except in certain federal facilities or where prohibited by certain State laws. Any restrictions on carrying weapons in the Requesting State should be discussed prior to finalizing the mission agreement or prior to placing officers of the Assisting State into duty.

Communication

Officers may bring and use their radios for use while deployed to the Requesting State or jurisdiction, provided any electronic equipment will not interfere with equipment being operated by the Requesting State or jurisdiction.

Identification

Responding officers will wear the official uniform components and badging prescribed by their department to ensure proper identification as a law enforcement officer.

Additional Costs

Requesting and Assisting States should be aware that there may be additional costs after deployment related to the prosecution and trial of individuals arrested during the deployment. Assisting State or jurisdiction officers may be required to testify and Requesting States and jurisdictions should be prepared to discuss related issues at that time.



Best Practices



Home State Arrest Teams

Use home state arrest teams or pair EMAC deployed teams with home state teams to conduct arrests. Deployed law enforcement can detain until the arrest team arrives. When it is time for testimony in court, the home state officer will be called to appear in court instead of the officer from another state.

Deputizing

Prior to resources coming into your state/jurisdiction you should research who has the authority to swear in officers to give them the power of arrest. In some cases it may be the county the law enforcement officers will be working within and other times it may be at the state level.

Highlights from the 13 EMAC Articles



Article IV

Provides that Assisting State officers will have the authority to detain or arrest without a warrant for all Requesting State criminal offenses occurring within their presence or view and in order to maintain and establish public peace, health, or safety.

Additionally, Assisting State officers will have “the same powers (except that of arrest unless specifically authorized by the receiving state), duties, rights, and privileges as are afforded forces of the state in which they are performing emergency services.” The mission agreement should include a recitation of this provision. Wherever legally permissible and for the purpose of arrest authority, Requesting States and jurisdictions (which can include local law enforcement agencies) should have procedures in place to have responding officers sworn in by the Requesting State or jurisdiction upon arrival, granting them the

same authority, rights and immunities applicable to officers of the Requesting State or jurisdiction whether established under local, state or federal law.

Note: Operational control in the Requesting State may be at the local law enforcement level.

Article VIII

Each party state shall provide for the payment of compensation and death benefits to injured members of the emergency forces of that state and representatives of deceased members of such forces in case such members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own state.

Article IX

Any party state rendering aid in another state pursuant to this compact shall be reimbursed by the party state receiving such aid for any loss or damage to or expense incurred in the operation of any equipment and the provision of any service in answering a request for aid and for the costs incurred in connection with such requests; provided that any aiding party state may assume in whole or in part such loss, damage, expenses, or other cost, or may loan such equipment or donate such services to the receiving party state without charge or cost; and provided further, that any two or more party states may enter into supplementary agreements establishing a different allocation of costs among those states. Article VIII expenses shall not be reimbursable under this provision.



Want more information about EMAC?

Download the EMAC Essentials App from the Apple or Android App Store for practical guidance

Take a course in the EMAC online eLearning Center

Contact your respective State Emergency Management Agency

