

Executive Department
State of California

FILED

In the office of the Secretary of State
of the State of California

MAY 15 1973

EDMUND G. BROWN, Jr. Secretary of State

By *James L. ...*
Deputy Secretary of State

EXECUTIVE AGREEMENT

INTERSTATE MUTUAL AID

THIS AGREEMENT is made and entered into by and between the STATE OF CALIFORNIA and the STATE OF ARIZONA, in behalf of their various departments and agencies, and the various political subdivisions, municipal corporations, and other public agencies of such States.

The STATE OF CALIFORNIA and the STATE OF ARIZONA are experiencing increased common problems in those areas adjoining their contiguous borders which require mutual cooperation between such States.

It is desirable that each of the parties hereto should voluntarily assist each other in the event of disasters or emergencies by the interchange of law enforcement services and facilities, to cope with the problems of the emergency protection of life and property.

It is necessary and desirable that a cooperative agreement be executed for the interchange of such mutual aid on an interstate basis.

Article II, section 1 (3) of the Constitution of the United States permits a state to enter into an agreement or compact with another state, subject to the consent of Congress.

Congress, through enactment of Title 42 U.S.C. sections 4401(b), 4416, and Title 50 U.S.C. sections 2281(g), 2283, and the Executive Department, by issuance of Executive Orders No. 10186 of December 1, 1950, 15 C.F.R. 8557, and No. 11051, Part II, section 208(b) of September 27, 1962, 27 C.F.R. 9683, as amended, encourages the states to enter into emergency, disaster and civil defense mutual aid agreements or pacts, and Congress, through enactment of Title 4 U.S.C. section 112, expressly consents to compacts between the states for mutual assistance in the prevention of crime and enforcement of criminal laws and policies.

The Government Code of the STATE OF CALIFORNIA provides in Section 8619 that the Governor of the STATE OF CALIFORNIA on behalf of such State may enter into reciprocal aid agreements for the protection of life and property with other states.

Arizona Revised Statutes section 41-101.02 authorizes the STATE OF ARIZONA to enter into agreements for a joint or cooperative effort with an adjoining state.

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THEREFORE, pursuant to the authority hereinabove set forth and in consideration of the mutual benefits to be derived by the STATE OF ARIZONA and the STATE OF CALIFORNIA; it is hereby agreed by the Governors of the STATE OF ARIZONA and the STATE OF CALIFORNIA:

- I. The parties shall act under a common plan or plans. Such plan or plans are a part of this agreement covering the exchange of law enforcement mutual aid services, resources, facilities and related matters in behalf of and between the STATE OF ARIZONA and the STATE OF CALIFORNIA.
- II. Each party agrees to furnish law enforcement mutual aid services, resources and facilities in accordance with the provisions of the Arizona - California Law Enforcement Mutual Aid Plan as hereafter adopted and as it may be revised.
- III. Said Arizona - California Law Enforcement Mutual Aid Plan shall include but not be limited to such matters as delineation of the law enforcement mutual aid procedures, functions, duties and responsibilities, that shall apply among the parties.
- IV. The signatory states, their political subdivisions, municipal corporations, public agencies and their officers or employees shall not be liable for the exercise or performance or failure to exercise or perform a discretionary function or duty in carrying out the terms of this agreement.
- V. The signatory states, their political subdivisions, municipal corporations and other public agencies shall save harmless the corresponding entities and personnel thereof from the other state, with respect to the acts or omissions of its own agents and employees that occur while providing assistance pursuant to the common plan.
- VI. Interstate Mutual Aid requests will not be initiated unless the requesting entity is committed to the mitigation of an incident or emergency, and other resources within the state are not immediately available.
- VII. The requesting entity will utilize Interstate Mutual Aid only until adequate supplemental resources within the stricken state are mobilized at the location of occurrence.

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- VIII. It is understood that this agreement and the Arizona - California Law Enforcement Mutual Aid Plan adopted pursuant thereto shall not supplant existing statutes or existing agreements.
- IX. All law enforcement powers, all of the privileges and immunities from liability, exemptions from law, ordinances, and rules, all pension, relief disability, workman's compensation, and other benefits which apply to the activity of officers, agents, or employees when performing their respective functions within the territorial limits of their respective political subdivisions, shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extra-territorially under the provisions of this agreement.
- X. This agreement shall become effective when approved and executed by the parties and shall remain effective between the undersigned states unless the Governor of one of the signatory states files written notice of termination of participation in this agreement with the Governor of the other signatory state. This agreement and all common plans developed pursuant to this agreement will terminate twenty (20) days following the receipt of such notice.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 14th day of May, 1973.

Ronald Reagan
RONALD REAGAN
Governor of California

Attest:

Edmund G. Brown, Jr.
Secretary of State

by *Mary Anne Ueller*
Deputy Secretary of State