

Contractual Agreements

Index Code: 205
Effective Date: 09/15/12

I. Purpose

The purpose of this directive is to set guidelines for Written Contractual Agreements governing law enforcement services.

II. Policy

It is the policy of the Office of the Sheriff to provide law enforcement services under written contractual agreement with community associations, and government entities within the confines of Queen Anne's County, if such services provided in the contract are beneficial to all parties of the contract, and enhances public safety for citizens of Queen Anne's County.

III. Definitions

For purposes of this written directive, and any associated written contractual agreements, the following terms have the associated meanings:

A. Contract

A Contract is a legally binding agreement between two or more persons that is enforceable by law.

B. Community Association

A Community Association is a formal organization of people, or groups of people, living in the same community and normally bound by an agreement often referred to as a Homeowners Association.

IV. Assessment of Recipient Needs

When a request is made of the Office of the Sheriff to provide contract services to a government entity or community association within Queen Anne's County the Undersheriff, or his/her designee, will:

A. Analyze the problems of the local jurisdiction requesting contract services.

B. Analyze the capabilities of the Office of the Sheriff concerning the provision of services to the recipient government/community association.

C. Prepare an analysis of the costs and

manpower availability.

D. Submit a written report incorporating all of the above to the Sheriff for consideration.

V. Written Agreements

Any agreements to provide contract services shall be in writing and signed by the Sheriff, or the Undersheriff in his/her absence. The agreement shall describe the following subjects:

A. Services Provided

Any contract for services entered into by the Office of the Sheriff will provide a statement of the specific services to be provided. Services to be included are:

- Personnel requirements
- Equipment and facilities to be used
- Functions and activities to be performed
- Responsibilities for planning, organizing and scheduling of services
- Guidelines for local ordinance enforcement by Sheriff's Office personnel
- Guidelines concerning legal authority of Sheriff's Office personnel

B. Financial Agreement

A detailed statement will outline all financial agreements between the parties when contracted services are provided.

C. Service Records

The Undersheriff, or his/her designee, shall maintain records for contract services provided by the Office of the Sheriff. These records will include the nature and extent of the service provided under the contract.

D. Contract Duration, Modification and Termination

All contracts entered into by the Office of the Sheriff for the provision of contract services shall contain specific information concerning

the beginning, duration, modification and termination of the contract. Beginning date, termination date and conditions shall be specifically addressed. Procedures for suspension, termination, amendment, and renewal shall be addressed.

E. Legal Contingencies

Contractual agreements for services will specify legal contingencies for lawsuit cases arising from the provision of law enforcement services, provision for the payment of compensation in the case of a law suit, and procedures to be followed if a tort action is taken against the Office of the Sheriff, Sheriff's Office personnel or Queen Anne's County.

F. Personnel Control

The Office of the Sheriff will maintain authority and control over its personnel in any arrangement to provide contract services. The Office of the Sheriff shall maintain responsibility for hiring, training, assignment, and disciplining of its personnel

All Sheriff's Office personnel engaged in carrying out agreed upon terms of a contract arrangement shall retain all the rights of Sheriff's Office personnel.

G. Equipment and Facility Use

Any use of equipment and/or facilities owned, leased, or otherwise utilized by the Office of the Sheriff shall be clearly defined in agreements for contract services.

H. Procedure for Review and Revision

Contracts for law enforcement services will be reviewed annually by the Undersheriff to ensure that services contracted are being provided, and to accommodate any necessary changes.

VI. CALEA Reference: 3.1.1a, 3.1.1b, 3.1.1c, 3.1.1d, 3.1.1e, 3.1.1f, 3.1.1g & 3.1.1h.

VII. Proponent Unit: Administrative Services

VII. Cancellation: None

Sheriff Gary Hofmann