



Legislation Details (With Text)

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**Title:** Adopt a resolution authorizing the execution of an intergovernmental police service assistance agreement to join the DuPage Metropolitan Emergency Response and Investigation Team (MERIT).

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Date	Ver.	Action By	Action	Result
8/20/2019	1	City Council	adopted	Pass

**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Adopt a resolution authorizing the execution of an intergovernmental police service assistance agreement to join the DuPage Metropolitan Emergency Response and Investigation Team (MERIT).

**DEPARTMENT:** Police Department

**SUBMITTED BY:** Jason R. Arres, Deputy Chief of Police

**BOARD/COMMISSION REVIEW:**

N/A.

**BACKGROUND:**

Since 1999, there have been two task force operations working independently within DuPage County, the Felony Investigative Assistance Team (FIAT), which covered the southeast corner of the County, and the DuPage County Major Crimes Task Force (DCMTF), which covered the northwest portion of the county. The Naperville Police Department was one of the original members of the DCMTF and have contributed personnel to this team that focused on homicide and officer involved shooting investigations.

In 2018, the leadership of FIAT and DCMTF, in coordination with the DuPage County Association of Chiefs of Police and DuPage County State’s Attorney’s office recognized the benefit of consolidating both task force entities into a single countywide task force that includes the DuPage County Sheriff’s Police. The pooling of resources into a combined countywide entity will lead to the expedient solution of serious crimes, critical incidents and other successful outcomes to a variety of law enforcement endeavors.

The Naperville Police Department currently has four members assigned to the former DCMTF and

would participate in MERIT on the investigative team. Additionally, one officer would be assigned to the Crash Investigation Team, which would provide assistance with major crash investigations, including the investigation of officer involved crashes that are death or serious personal injury related. Personnel assigned to MERIT will receive specialized training and respond to incidents, as needed, with supervisor approval.

**DISCUSSION:**

The consolidation of the two DuPage County task forces into MERIT requires the participating police agencies to execute a new intergovernmental police service assistance agreement. The proposed agreement is substantially like the prior FIAT agreement. It establishes, in part, that each participating agency:

- rendering aid or assistance under the agreement shall be vested with jurisdictional powers and authority;
- agrees to render and request law enforcement resources to and from other participating agencies, in the sole discretion of the participating agency;
- shall be under the direction and authority of the chief law enforcement officer of the requesting participating agency and that such law enforcement personnel from a responding participating agency shall remain employees who are the responsibility of the responding participating agency;
- shall provide its resources without reimbursement to the responding participating agency except as otherwise agreed to in writing;
- agrees that it shall be responsible for defending itself and indemnifying its own employees in any action related to the agreement and that that the agreement shall not give rise to any liability for the failure of any other participating agency to respond to any request for assistance;
- waives, releases, and discharges all other participating agencies from claims resulting from another participating agency's performance of the agreement;
- requesting aid shall be responsible, at its sole cost, for the defense of MERIT if MERIT is named as a party to a claim; and
- may withdraw or terminate its participation in this agreement upon 60 day written notice.

The agreement has been review by the City's legal department as well as by the DuPage County States Attorney's Office, and law firms representing other participating agencies.

**FISCAL IMPACT:**

The annual cost of the City's MERIT membership is \$4,000.