



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 11/17/2022

File ID: TMP-2282

Department: Police

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to enter into a Memorandum of Understanding between the United States Department of Veterans Affairs, Birmingham VA Health Care System, Birmingham VA Police and Huntsville Police Department.

Type of Document: Resolution No.

Does this item need to be published? No

If yes, please list preferred date(s) of publication: _____

Finance Information:

Account Number: n/a

City Cost Amount: 0

Total Cost: 0

Special Circumstances:

Grant Funded: no

Grant Title - CFDA or granting Agency: n/a

Resolution #: n/a

Location:

Address: n/a

District: District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

Additional Comments:

To establish general working relationships between the Birmingham VA Police Dept. and the Huntsville Police Dept. as a means of reinforcing interagency coordination and responsibility concerning law enforcement, emergency response, requests for assistance, and physical security and access control operations at BVAHCS.

RESOLUTION NO. 22 - _____

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama that the Mayor be, and he is hereby authorized to enter into an agreement by and between the City of Huntsville through its Police Department and the United States Department of Veterans Affairs on behalf of the City of Huntsville, a municipal corporation in the State of Alabama, which said agreement is substantially in words and figures similar to that certain document attached hereto and identified as “Memorandum of Understanding between the United States Department of Veterans Affairs, Birmingham VA Health Care System, Birmingham VA Police and Huntsville Police Department” consisting of three (3) pages and the date of November 17, 2022 appearing on the first page, together with the signature of the President or President Pro Tem of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk-Treasurer of the City of Huntsville, Alabama.

ADOPTED this the 17th day of November, 2022.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 17th day of November , 2022.

Mayor of the City of Huntsville, Alabama

**MEMORANDUM OF UNDERSTANDING
BETWEEN
UNITED STATES DEPARTMENT OF VETERANS AFFAIRS, BIRMINGHAM VA
HEALTH CARE SYSTEM, BIRMINGHAM VA POLICE
AND
HUNTSVILLE POLICE DEPARTMENT**

This Memorandum of Understanding (MOU) is entered into between the U.S. Department of Veterans Affairs (VA) Birmingham VA Healthcare System (BVAHCS) and the Huntsville Police Department, hereinafter referred to as "parties."

1. PURPOSE. To establish general working relationships between the Birmingham VA Police Department and Huntsville Police Department as a means of reinforcing interagency coordination and responsibility concerning law enforcement, emergency response, requests for assistance, and physical security and access control operations at BVAHCS located at:

500 Markaview Road, Huntsville (VA Community Clinic)
415 Church Street, Huntsville (Vet Center)

2. REFERENCES.

- a) VA Directive 0730, *Security and Law Enforcement*, 12 December 2012
- b) VA Handbook 0730, *Security and Law Enforcement*, 11 August 2000

3. GENERAL.

- a. BVAHCS provides primary, specialty, and extended care to Veterans throughout Northern Alabama. The mission of the BVAHCS is to provide timely, efficient, ethical, safe, compassionate, and quality health care to Veteran patients.
- b. The State of Alabama has concurrent jurisdiction with the Federal Government over BVAHCS properties. This jurisdiction grants local police agencies the authority to jointly enforce Federal and state laws with VA Police on BVAHCS properties.

4. RESPONSIBILITIES.

- a. Birmingham VA Police will:
 - (1) Maintain law and order and enforce Federal and state laws and VA regulations at BVAHCS properties, including the hospital building and designated parking lots, for the protection of property owned or occupied by the VA and persons on the property.
 - (2) Provide primary initial response to any and all incidents or emergency situations at BVAHCS properties.

President of the City Council of the City of
Huntsville, Alabama
Date:

b. Huntsville Police Department will:

(1) Respond to BVAHCS properties at the request of Birmingham VA Police (Huntsville Substation) for assistance. Such assistance may include, but not limited to, the following situations:

(A) Armed hostage taking situations that would require an armed response to assist VA Police in containing the situation until appropriate Federal agencies (such as the Federal Bureau of Investigation - FBI) can respond to assume control.

(B) Crimes involving armed robberies of funds, drugs or properties where the individuals committing the crimes leave VA police jurisdiction.

(C) Vehicle accident investigations, which may result in non-injuries, injuries, or death involving the VA Police patrol vehicles.

(D) Any major incident that would require additional officers for traffic control to allow emergency vehicles a clear access to the facility.

(2) Provide additional officers when needed to assist with the physical arrest of a violent/disorderly person(s) who poses a serious threat to VA patients, visitors, medical staff or themselves.

(3) Provide assistance in the transportation of prisoner(s) who have been arrested on BVAHCS property on occasions when there are only two VA police officers on duty.

(4) Authorize access to and use of Huntsville Police Department central dispatch and patrol units in the field for VA Police. The parties agree that the access and use of such information is solely limited to official law enforcement purposes and that the process of reprogramming VA Police radios would be at no cost to the City of Huntsville.

(5) Should any VA Police Officer be involved in a shooting, the FBI will be notified immediately. If the FBI declines investigation, or if the FBI response is delayed, Huntsville Police Department may provide investigative assistance to Birmingham VA Police Department. This assistance may range from establishing, preserving, and controlling the crime scene, to performing as the lead investigative agency.

(6) COMPACT ACT Section 205 Police Crisis Intervention Training for VA Police requires that each local VA Police Department develop a plan to enter into partnerships with local mental health organizations and experts, Veteran community organizations, as well as local police departments to share training resources on Crisis Intervention Teams (CIT). This assistance may range from collaborated training and sharing law enforcement to coordinated intervention tactics when there is an extreme crisis involving a Veteran(s).

5. ACCEPTANCE & RATIFICATION

- a. The provisions of this MOU are effective upon signature and date as indicated below and will be reviewed every 3 years, or as required.
- b. This agreement may be unilaterally suspended or cancelled by either side upon giving at least 180 days written notice to the other party.
- c. This MOU does not create additional jurisdiction or limit or modify existing jurisdiction vested in the parties. This MOU is intended exclusively to provide guidance and documents an agreement for general support between the parties. Nothing contained herein creates or extends any right, privilege, or benefit to any person or entity.
- d. Other areas of mutual interest may arise where services and support from one party of this MOU is required by the other party of this MOU. This MOU is not meant to limit those instances nor prohibit cooperation outside the above listed situations set forth and agreed upon.

FOR DEPARTMENT OF VETERANS AFFAIRS BIRMINGHAM HEALTHCARE SYSTEM

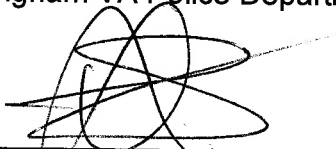
JAMES E.

HARDEN 686260

Digitally signed by JAMES E.
HARDEN 686260
Date: 2022.06.13 11:15:35
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James Harden
Chief of Police, U.S. Dept. Veterans Affairs
Birmingham VA Police Department


6/13/2022
Date



Ladi Kukoyi, MD, MS, VHA-CM
Executive Director, Birmingham VA Health Care System

6/14/2022
Date

FOR THE CITY OF HUNTSVILLE, ALABAMA



Kirk Giles
Interim Chief of Police
Huntsville Police Department

11.2.22
Date

Tommy Battle
Mayor

Date