

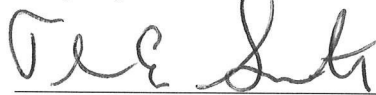
**RESOLUTION
CITY OF SAINT PAUL, MINNESOTA**

Presented by _____

1 RESOLVED, that the City of Saint Paul, Police Department is authorized to enter into the attached
2 cooperative agreement with the Hubert H. Humphrey Job Corps Center for a term of July 1, 2015 to
3 January 31, 2016 to establish guidelines with regards to management and jurisdiction for illegal activities
4 as well as disposal of narcotics and confiscated weapons in relation to the Job Corps Center.

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Requested by Department of: **POLICE**



By: **Thomas E. Smith, Chief of Police**

**COOPERATIVE AGREEMENT
BETWEEN THE HUBERT H. HUMPHREY JOB CORPS CENTER
AND THE SAINT PAUL POLICE LAW ENFORCEMENT AGENCY**

Job Corps is a national residential training and employment program administered by the Department of Labor to address the multiple barriers to employment faced by disadvantaged youth throughout the United States. Job Corps' current authorization for the program is Title I, Subtitle C, of the Workforce Investment Act of 1998. The Job Corps Center provides comprehensive career development services to students including academic, career technical, social and independent living skills, career readiness training and support services. The Job Corps Center is operated by MINACT, INC, **under bridge contract DOL ETA-15-C-0031, from July 1, 2015 to January 31, 2016** with the United States Department of Labor. Pursuant to Job Corps Policy and Requirements Handbook (PRH Chapter 5.4), a written cooperative agreement between the local Job Corps Center and the appropriate law enforcement agency should be executed relating to management and jurisdiction for illegal activities as well as disposal of narcotics and confiscated weapons. In addition, in accordance with the Program Assessment Guide (PAG), Chapter 5.4, there should be an agreement for local police to conduct strip searches of students when necessary.

I. RESPONSIBILITIES

- A. The Job Corps Center Director has the primary responsibility for the safety and security of staff, student employees, visitors, and U.S. Government property on the grounds and in the facilities used by the center under U.S. Department of Labor guidelines and Federal Regulations. This includes the determination of which visitors may come onto the center and under what conditions.
- B. While the law enforcement agency has the primary law enforcement responsibility of the Job Corps Center property, the Federal Bureau of Investigation holds original jurisdiction. The United States Attorney is the Federal Officer ultimately responsible for the maintenance of law and order on Federal property.
- C. The law enforcement agency and the Job Corps Center agree to a mutual interest for maintaining a positive and collaborative working relationship in order to achieve their respective responsibilities. This includes: the prevention of crime; investigation of alleged crime; assurance of the safety, security and rights of students, staff and visitors on center; the protection of the center facilities; and mutually understanding, respecting and jointly carrying out their policies and procedures and obligations under federal, state, or local law. Where such obligations may appear to be in conflict, both parties agree the law enforcement's judgment will prevail in matters of law enforcement until resolved by the United States Attorney's Office.
- D. Federal agencies will maintain concurrent and/or original jurisdiction for matters of federal violations.
- E. The center Manager of Safety, Security and Fire Prevention will ensure the law enforcement agency is aware of the juvenile status of any Job Corps students in Question.

II. PATROL OF FACILITY

- A. The law enforcement agency will patrol the Job Corps Center as required by the U.S. Department of Labor.
- B. Job Corps Safety, Security and Fire Prevention personnel will patrol the center as scheduled by the Manager of Safety, Security and Fire Prevention.
- C. Emergency requests for back-up or mutual aid from the law enforcement agency can be requested by the Safety, Security and Fire Prevention personnel at the Job Corps Center at any given time.

III. REPORTING AND INVESTIGATION OF POSSIBLE CRIMES

- A. The law enforcement agency shall be notified immediately of any possible criminal activity occurring on the Job Corps Center and will be the primary investigating agency. The law enforcement agency shall determine whether an incident warrants referral to the criminal justice system by complaint or arrest; referred to the FBI for possible Federal prosecution; or whether it should be handled through the Job Corps Center disciplinary process.
- B. Serious crimes known to be in progress or dangerous situations will immediately be reported to the law enforcement agency with a request for assistance if necessary. The law enforcement agency will, in turn, notify the Job Corps center when knowledgeable of a Job Corps students' involvement in a serious crime or if a dangerous situation exists that could impact the Job Corps center or students.
- C. Students may exercise their right to independently request issuance of a criminal complaint or request the assistance of any law enforcement agency having jurisdiction where the alleged offense occurred.
- D. The Center Director or the Safety, Security and Fire Prevention Department shall be the responsible reporting source for any possible criminal activity on behalf of the center. Should such reports be made from other sources on center, the appropriate law enforcement agency having jurisdiction shall notify the Safety, Security and Fire Prevention Department for purposes of collaboration, exchange of information, joint investigation and response.
- E. When there is an apparent conflict between state statutes and the federal regulations concerning the Job Corps center, the state statute as interpreted by the law enforcement agency shall prevail for the initial response and action until resolved by the United States Attorney's office.
- F. In accordance with the Code of Federal Regulations, Volume 55, No. 67, 638.534, the Job Corps Center Director shall see that students who are to be interviewed by law enforcement officials as suspects in criminal cases are advised that they may secure a lawyer to represent them during the custodial interrogation.

IV. DISPOSAL OF NARCOTICES AND CONFISCATED WEAPONS

A. The Job Corps Center will surrender all narcotics and confiscated weapons to the law enforcement agency for disposal and complete the proper center chain-of-custody requirements.

V. REPORTING EMERGENCY SITUATIONS

A. Emergency contingencies, i.e., fire, flood, bomb threats, and any potential high risk emergency, will be reported immediately to the law enforcement agency.

B. The Job Corps Center Director is responsible for the health and safety of all students, staff members, and visitors of the center during time of emergency.

VI. REPORTING

A. The appropriate law enforcement agency will notify the Center Director through the Safety, Security and Fire Prevention Department of any arrests or criminal cases pending against a student, when possible.

VII. PROCEDURE FOR PROCESSING COMPLAINTS OF POLICE MISTREATMENT OF STUDENTS

A. Upon receiving a complaint of police mistreatment of a student, any Job Corps Center personnel should contact the Safety, Security and Fire Prevention Department regarding the complaint.

B. The Safety, Security and Fire Prevention Department will notify the appropriate law enforcement agency that a complaint of student mistreatment has been made.

C. The appropriate law enforcement agency will conduct an investigation of the complaint.

D. The appropriate law enforcement agency will make a decision on the disposition of the complaint and if any disciplinary action is deemed necessary or applicable.

VIII. PROCEDURES TO FOLLOW WHEN CENTER OFFICIALS FIND EVIDENCE OF CRIME IN THE COURSE OF A SEARCH CONDUCTED WITHOUT A WARRANT

A. The Job Corps Center personnel should secure and protect the integrity of the evidence found.

B. The Job Corps Center should immediately notify the law enforcement agency of any evidence found.

IX. PROCEDURES FOR SEARCH, SEIZURE AND THE INVESTIGATION OF REPORTABLE CRIMINAL OFFENSES THAT OCCUR ON CENTER

- A. The law enforcement agency will be responsible for the following:
1. Determine if a crime has been committed, investigate, and then take the appropriate action according to the agency's procedures/policy.
 2. Determine the scope of any search and obtain a warrant when appropriate.
 3. Have total responsibility to gather evidence, secure crime scenes, interview suspects and make arrests.

X. PROCEDURE FOR THE RELEASE OF STUDENTS TO CENTER OFFICIALS FOR DISCIPLINARY ACTION WHEN STUDENTS ARE INVOLVED IN MINOR OFFENSES OFF CENTER

- A. In a situation when students are off Job Corps Campus and are involved in minor offenses, it shall be left to the discretion of the appropriate law enforcement agency whether or not students are to be turned over to Center Officials for disciplinary action.

XI. PROCEDURE FOR A STRIP SEARCH OF A STUDENT

- A. Job Corps shall not conduct strip searches of students. If the Center Director believes a strip search of a student is necessary, the law enforcement agency will be contacted and a request made to perform such a search in accordance with their procedures and guidelines.

XII. PROTOCOL

- A. It is the intention of this protocol to delineate the responsibilities of the Job Corps Center Safety, Security and Fire Prevention Department and the law enforcement agency who has concurrent jurisdictional responsibility on the Job Corps Center facility.
- B. This cooperative agreement is in compliance with CFR 20:684.98 and Job Corps PRH-5.4, R2.
- C. It is also the intent of this protocol to establish a closer working relationship with all agencies involved:
1. In situations of student group unrest, the law enforcement agency will assist in coordination with the Center Senior Staff Member present.
 2. Center staff will comply with all Federal Regulations as they apply to the protection of student rights.
 3. Center staff will be responsible to conduct and administer the center's disciplinary system within approved Department of Labor guidelines.

XIII. DEFINITION

A. The Center Duty Officer is the designated individual responsible for center operations when the Center Director and/or Manager of Programs; is off-center property.

XIII. TERMS OF AGREEMENT

This agreement, **under bridge contract DOL ETA-15-C-0031, from July 1, 2015 to January 31, 2016**, may be amended or modified at any time provided that all parties agree and such amendments are within Federal, State and Local Law. This agreement shall be in effect until modified, change in positions, or canceled by written notice.

FOR: HUBERT H. HUMPHREY JOB CORPS CENTER

Debbie Hoppe

Center Director

09/25/2015 _____

Date

FOR: SAINTPAUL POLICE DEPARTMENT

Chief of Police

Date

City Attorney

Date

A copy of this agreement, when approved, will be forwarded to the appropriate United States Attorney's Office and to the United States Department of Labor, Regional Office of Job Corps

Director of the Office of Financial Serv

Date

Mayor

Date