

THE COMMISSION OR ALLEGED COMMISSION OF A CRIME OR AN ACT THAT WOULD BE A CRIME IF COMMITTED BY AN ADULT.

(2) "CORRECTIONAL UNIT" INCLUDES:

(I) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;

(II) THE DEPARTMENT OF JUVENILE SERVICES; AND

(III) THE OFFICE OF THE SHERIFF OF A COUNTY OR OTHER UNIT OF GOVERNMENT WITH RESPONSIBILITY FOR OPERATING A LOCAL CORRECTIONAL FACILITY OR COUNTY DETENTION CENTER.

(C) "MUTUAL AID AGREEMENT" MEANS AN A WRITTEN AGREEMENT TO ESTABLISH AND CARRY OUT A PLAN TO ASSIST IN PROVIDING TEMPORARY SERVICES TO ALLEVIATE AN EMERGENCY SITUATION AT A FACILITY OPERATED BY A CORRECTIONAL UNIT.

2-402.

THIS SUBTITLE SHALL BE LIBERALLY CONSTRUED IN ORDER TO EFFECT ITS PURPOSE TO PROVIDE MUTUAL AID TO A CORRECTIONAL UNIT DURING A TIME OF NEED.

2-403.

(A) A CORRECTIONAL UNIT MAY ENTER INTO OR RENEW A MUTUAL AID AGREEMENT WITH ANY OTHER CORRECTIONAL UNIT IN ACCORDANCE WITH THIS SECTION.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A MUTUAL AID AGREEMENT MAY PROVIDE THAT A PARTY THAT REQUESTS ASSISTANCE UNDER THE MUTUAL AID AGREEMENT INDEMNIFIES AND HOLDS HARMLESS A PARTY THAT PROVIDES ASSISTANCE UNDER THE MUTUAL AID AGREEMENT FROM ANY CLAIM BY A THIRD PARTY FOR PROPERTY DAMAGE, PERSONAL INJURY, OR WRONGFUL DEATH THAT ARISES OUT OF THE MUTUAL AID ACTIVITIES, INCLUDING TRAVEL, OF THE PARTY THAT PROVIDES ASSISTANCE OUTSIDE OF THE PARTY'S OWN JURISDICTION.

(2) THE PARTY THAT REQUESTS ASSISTANCE NEED NOT INDEMNIFY THE PARTY THAT PROVIDES ASSISTANCE IF:

(I) THE PARTY THAT PROVIDES ASSISTANCE DOES NOT COOPERATE IN DEFENDING AGAINST A CLAIM MADE BY A THIRD PARTY; OR

(II) THE CLAIM BY A THIRD PARTY ARISES OUT OF A MALICIOUS ACT OF THE PARTY THAT PROVIDES ASSISTANCE.

(C) EACH MUTUAL AID AGREEMENT SHALL PROVIDE THAT EACH PARTY TO THE MUTUAL AID AGREEMENT SHALL WAIVE ANY AND ALL CLAIMS AGAINST ALL OTHER PARTIES TO THE MUTUAL AID AGREEMENT IF THE CLAIM ARISES OUT OF THE ACTIVITIES OF A PARTY THAT OCCUR OUTSIDE ITS OWN JURISDICTION UNDER THE MUTUAL AID AGREEMENT.