

**TOWN OF OCEAN VIEW**  
**DELAWARE**

January 13, 2026

TO: Mayor and Council

FROM: Carol S. Houck, Town Manager



SUBJECT: Report and Request for Support of Path Forward – Based on International Association of Chiefs of Police Legal and Risk Analysis – Ocean View Police Department – Calls for Service Outside of Jurisdiction

**Background**

For some time, members of the Town Council, the Ocean View Police Administration, Town property owners, and staff have raised concern and discussed the fact that the Town of Ocean View Police Department responds to calls for service outside the Town limits. This includes jurisdictions with police departments, as well as unincorporated Sussex County and the incorporated neighboring Town of Millville, (that do not have police departments). Admittedly, our neighboring Towns with local police departments do the same and at times also assist with calls for service in our community. However, to fully understand and be in a position to properly respond to the concerns raised the Town hired the International Association of Chiefs of Police (IACP) to conduct an analysis. The intent of this undertaking for the Town was to ensure full awareness of the topic by our community, better understanding of the policing environment (primarily in Sussex County, De), and to identify any risks we're assuming (financially and otherwise) for doing so.

The IACP was engaged in May of 2025 to complete an independent analysis that would result in a report that we could share with our community, other local jurisdictions (with and without police departments), Sussex County Administration, and the State of Delaware such that informed decisions could be made regarding the acceptance of any risk and determine ways risk may be mitigated in a fair and reasonable manner. The full IACP report is attached for reference and was the subject of a Town Council public workshop on January 13, 2026.

For full awareness, the current OVPD protocol in addition to being dispatched by DSP, is to respond outside of jurisdiction without being dispatched by DSP to render assistance to prevent injury or death, or if other notable incidents emerge, also allowing for officer discretion.

## General Findings from the Analysis, Engagement with the IACP, and Town Experience Pertinent to Ocean View's Path Forward

- IACP confirmed our long term understanding that the Ocean View Police Department (OVPD) officers have the authority to respond to calls for service outside of the corporate limits of the Town.
- We know that calls for service are dispatched to OVPD and other local police departments as needed by the DSP, an agency of the State of Delaware. As such and absent the dispatch by the DSP (with the exception of rendering assistance to prevent injury or death or other urgent incidents), Ocean View and other local department officers would more likely not be out of jurisdiction handling these calls for service, and assuming the risks they may represent. The reviewers confirmed in conversation with Town officials that “without the assistance of the locals, the DSP would not be able to fulfill all of its calls for service, in Sussex County.” This situation is not unique to Delaware.
- It was confirmed that our neighboring and growing Town of Millville does not participate or have responsibility for the actual operations related to the DSP dispatching calls for service into its area of coverage. Further, as advised by the IACP, Millville has taken the stance that it therefore bears no responsibility related to the calls for service, specifically in relationship to the response by neighboring police departments. The Town of Millville essentially functions as an unincorporated area of Sussex County in regard to police services with the exception of funding up to 40 hours a week of overtime “voluntary sign-up” work, to the DSP for “Millville specific” coverage.
- We know that Sussex County continues to see increased development and population growth, as has the neighboring Town of Millville (1,000 more residential units approved but not yet built per Millville's website as of Dec 2025). For these reasons, tracking calls for service, types of calls and locations of same by the OVPD should continue for awareness, future action and decision making as necessary.
- It was determined that our staffing levels are currently appropriate to allow on average for 1 to 2 officers at minimal on duty at any given time, accounting for vacations, sick, court appearances, training, etc. This of course highlights the possibility of conflict if an officer is out of Town when a call for service in-Town occurs. However, it should be noted that this study was not a staffing study. Impact of growth, paid family leave that begins this year, competition for hiring etc. will need to be monitored in relationship to staffing levels.

- We're aware that Sussex County provides financial support to the DSP in association with having enough officers to serve the unincorporated areas of Sussex County, which as noted above has no county police force.

Sussex County also provides annual grants to local police departments that to date have ranged from \$30,000 to \$45,000 (in FY27) in direct relationship to responding to out of jurisdiction calls for service. While these funds are appreciated, they are also supported by taxes paid by local property owners to Sussex County; however, they appear to fall short when compared to the actual experience and frequency of local departments responding to calls for service. The Chief's of Police Association engaged Sussex County late last year in relationship to this topic, with recommendations for increased financial support to the local police departments/Towns.

- However, and of note, the OVPD is dispatched to calls for service "out of town" by DSP, on average 360 times a year (using the data from IACP report page 9 - 2021 through 2024 highlighted in blue, and primarily to assist DSP Troop 4).
- It was determined that in 2024 the OVPD was minimally dispatched to respond to calls for service in the Town of Millville by DSP. This outcome aligns with the Ocean View Police Departments recent years operational decision to only respond to service needs in Millville when specifically dispatched, and the Town of Millville funding some level of paid overtime shifts to the DSP, as noted above.
- We know that all property owners of the State of Delaware pay taxes to the State in association with the operations of the DSP and that all property owners of Sussex County pay taxes to Sussex County that in turn support the funding that the county provides to the DSP for its work in unincorporated Sussex County. This also supports the grants Sussex County provides to the local police departments noted above. The combined impact of funding support by property owners in Towns with local police departments therefore includes their support through some percentage of local Town taxes, Sussex County Taxes and State taxes that help support policing activities, among other services. With that understanding, consideration of some level of reduced taxes for Town properties in Sussex County that have police departments may be justified.

### **Risk Specific Findings from the Analysis, Engagement with the IACP, Pertinent to Ocean View's Path Forward**

- The IACP team identified that the Delaware Mutual Aid Agreement provides authority to the locals for responding to calls for service by the DSP, but that the law fails to ensure

indemnification/backing similar to that of a DSP officer that responds to the same call, or when only the local officer(s) respond.

- More specifically, IACP advised that state statute limits exposure to legal costs associated with any given call for service, but the local jurisdiction currently must fund the costs up to the limit, primarily via insurance coverage however, increased risk is borne by the local for federal claims that have no limits and could arise from assisting with a call for service by DSP. Of special concern would be any resulting high value settlements, and how to protect the locals from the impact if dispatched by DSP.
- The State Police Mutual Aid Agreement suggests that the local police departments should procure additional public liability insurance to address this matter. We take exception to this suggestion as our property owners also pay taxes that fund the State/DSP. Therefore, it seems reasonable, when asked to assist, that the State treat all outcomes of locals responding to a dispatch as it does for DSP officers. Indemnification/backing like that of a DSP officer appears to be justified. A possible remedy might also be to simply update the Police Mutual Aid Agreement so that it requires the State to fund the increased premium cost for the locals, to ensure they can manage a significant settlement regardless if a State or Federal Claim . An estimate obtained from our carrier suggests doing so may not be overly burdensome to the State.
- There is an additional concern identified by the IACP for calls for service outside of our jurisdiction, falling into higher risk categories for calls. This outcome may well be related to more limited patrolling and community policing taking place in unincorporated Sussex County. This suggestion is supported by the IACP report which noted, “In simple terms, it is the amount of proactive community engagement time that has the greatest impact on a police department’s ability to address crime and quality of life issues in its community.” ... “OVPD is staffed to provide its officers...uncommitted time for proactive/community engagement. Ocean View is, by using any measure to evaluate community safety, a very safe community.”

### **Recommendations for path forward**

It is therefore recommended by the Town Manager that the Mayor and Council support our response to the IACP report by authorizing the Town Manager and Chief of Police to move forward as follows:

#### **Short Term:**

As noted by the IACP, review pursuit policy in association with calls for service out of jurisdiction as dispatched by DSP.

- Ocean View Chief of Police is in full agreement to review annually for both out of jurisdiction calls and local calls for service.

Evaluate liability insurance to determine level and cost to increase for out of jurisdiction calls as State statute does not clearly indemnify/back local officers when dispatched to assist DSP.

- Ocean View Town Manager will further engage with our insurance carrier for coverage levels and added premium costs to provide the appropriate level of protection for both State and Federal Claims, with the intent to increase our coverage proactively to manage this risk. This information will be presented to the State for consideration of assuming the funding of the additional premium cost for Towns with local police departments. The ballpark estimate obtained from our carrier suggest it may not be overly burdensome is as follows:

*Ballpark Estimates provided to Ocean View:*

- **\$5M excess: \$3,332** on top of any potential renewal rate increases.
- **\$1M/\$3M Law Enforcement policy limits: \$116** on top of any potential renewal rate increases.
- Additional policy for an **additional layer of \$5 million** (awaiting this estimate at time of writing)

Conservatively, and prior to final estimates for all items, it may fall around \$6,000 per local police department for support of the additional premium in relationship to high cost settlements.

Consider our ability and any possible ramifications of the IACP recommendation to limit response to only priority (emergency calls) and to when more than one officer is on duty.

- The Chief of Police will consider this with the best interest of our community and department in mind.

Engage Sussex County to increase annual grant levels in association with high level of calls for service to respond to calls in our unincorporated areas.

- The Chiefs of Police Association has submitted a proposal to Sussex County requesting increased local department funding based on a scale for outside jurisdiction calls for service. The Chief will continue to monitor this engagement and keep us apprised of any decisions made. Outreach to Sussex County Association of Towns and local legislators would also take place.

Engage Sussex County in regard to reduced taxing of properties in Towns with police departments.

- The Town Manager will engage with Sussex County and the Sussex County Association of Towns to discuss this opportunity which would provide, in my opinion justified tax relief to property owners in incorporated Towns that have police departments.

Continue with our best practices for training.

- Ocean View Police Department will continue to maintain its high level of training and adherence to best practices.

**Mid Term:**

Engage with the League of Local Governments (all represented Towns and Cities via its Legislative Committee), Local Representatives, State Government, Sussex County Government to begin the process to implement a bill or modification of statute that will ensure matching indemnification/backing of local police departments for both state and federal claims, verdicts/settlements that arise from our officers being dispatched to assist DSP. This effort is justified by the fact that with limited exceptions, absent being dispatched by the DSP to assist, the local departments would not be exposed to any risk for funding claims associated with these calls out of jurisdiction.

Further, the state acknowledges by the statute the need for the locals in all but its acceptance of responsibility for treating the local department officers as they would a DSP officer that responds to the same call for service.

- Ocean View Town Manager and the Chief of Police will take the lead in engaging with all noted entities and sharing the outcome of the analysis in an effort to gain an appropriate level of support/indemnification or, in the least, funding of increased premium costs from our State government for services needed and rendered.

**Long Term:**

Continue to monitor calls for service out of jurisdiction, including the Town of Millville, the types of calls and impact on in-town operations and staffing needs, and address findings appropriately.

- Ocean View Police Department will continue to track calls for service – in and out of jurisdiction and the types of calls, for impact and report monthly details as well as annually during the budget process as necessary.