



3 / 100 Jurisdiction / Mutual Aid		
3 / 102	Limited Extra-jurisdictional Power of Arrest	3/9/04
Accreditation Standards		2.1.2

3 / 102.05 GENERAL

This policy establishes the authority of Laurel Police Officers to make extra-jurisdictional arrests when specific limitations are met, as granted by Maryland Code / Criminal Procedure Article, Title 2, Section 102. This General Order establishes parameters and procedures for these extra-jurisdictional arrests.

- The police officer is rendering assistance to another police officer;
- The police officer is acting at the request of a police officer or state police officer; or
- An emergency exists; and
- The police officer is acting in accordance with regulations adopted by the police officer’s employing unit to carry out this section.

3 / 102.10 WARRANTLESS ARREST

The Maryland Code, Criminal Procedure Article, Title 2, Section 202 currently defines those situations when a police officer may effect an arrest without a warrant as follows:

- A police officer may arrest without a warrant a person who commits or attempts to commit a felony or misdemeanor in the presence or within the view of the police officer.
- A police officer that has probable cause to believe that a felony or misdemeanor is being committed in the presence or within the view of the police officer may arrest without a warrant any person whom the police officer reasonably believes to have committed the crime.
- A police officer without a warrant may arrest a person if the police officer has probable cause to believe that a felony has been committed or attempted and the person has committed or attempted to commit the felony whether or not in the presence or within the view of the police officer.
- If the police officer believes that unless the person is arrested immediately, the person:
 - May not be apprehended;
 - May cause physical injury or property damage to another; or
 - May tamper with, dispose of, or destroy evidence.

Under the Criminal Procedure Article, Title 2, Section 102, a police officer may make arrests (which may be warrantless under the above listed circumstances), conduct investigations, and otherwise enforce the laws of the State throughout the State without limitations as to jurisdiction when:

- The police officer is participating in a joint investigation with officials from another state, federal, or local law enforcement unit, at least one of which has local jurisdiction;

An “emergency” is defined as a sudden or unexpected happening or an unforeseen combination of circumstances that calls for immediate action to protect the health, safety, welfare or property of an individual from actual or threatened harm or from an unlawful act.

3 / 102.15 NOTIFICATION REQUIREMENT

When acting under the authority granted by this law, notification must be given to the head of the law enforcement agency with primary jurisdiction where the action takes place. Specifically, the statute designates the following notifications:

- The chief of police, if any, or chief’s designee, when in a municipal corporation;
- The Police Commissioner or Police Commissioner’s designee, when in Baltimore City;
- The chief of police, or chief’s designee, when in a county with a county police department, except Baltimore City;
- The sheriff or sheriff’s designee, when in a county without a county police department;
- The Secretary of Natural Resources or Secretary’s designee, when on property owned, leased, operated by, or under the control of the Department of Natural Resources; or
- The respective chief of police or chief’s designee, when on property owned, leased, operated by, or under the control of the Maryland Transportation Authority, Maryland Aviation Administration, or Maryland Port Administration; and
- The Department of State Police barrack commander or commander’s designee, unless there is an agreement otherwise with the Department of State Police.

When a police officer is acting under the extra jurisdictional authority granted for participation in joint investigations, the notification to the chief law

enforcement officer must be made at a reasonable time in advance of the exercise of police powers.

In addition to the notifications required above, the arresting officer must notify a Laurel Police Department Commanding Officer, or in their absence, the Officer in Charge (OIC), who will complete a Commander’s Report and notify the Chief of Police.

3 / 102.20 PROHIBITIONS

A police officer acting pursuant to this grant of authority may not enforce the provisions of the Maryland Vehicle Law beyond the officer’s sworn jurisdiction.

A police officer may not serve arrest warrants beyond the officer’s sworn jurisdiction, unless in conjunction with the lawful exercise of jurisdiction under this authority.

An officer may not use the authority granted herein to facilitate or solicit secondary employment activities that would require or place the officer in a position to make arrests for a prospective employer.

3 / 102.25 REQUIREMENTS

A police officer acting pursuant to this authority must act in conformance with law.

An officer must act in a professional manner so as not to reflect discredit upon him/herself, the department or the City of Laurel.

The officer must abide by the general orders, rules and regulations of the Department and the City of Laurel, however a violation of a departmental rule or regulation does not, and is not intended to abrogate the legality of any law enforcement action taken pursuant to the authority granted herein.

3 / 102.30 GENERAL GUIDELINES

A police officer acting under this authority:

- May not enforce the provisions of the Maryland Vehicle Law beyond the officer’s sworn jurisdiction.
- Must be serving in a full duty capacity without restrictions or limitations. For example, officers on medical leave, with suspended police powers or on restricted duty (among others) are prohibited from acting under this authority except during a State of Emergency or in life threatening situations.
- Must act within the department’s general orders, rules and regulations.

- Is at all times and for all purposes, an employee of this department. As such it is the duty of this department to receive and investigate all allegations of misconduct on the part of an officer acting pursuant to this authority.
- May not serve arrest warrants, unless in conjunction with the lawful exercise of jurisdiction under this authority.
- Must be properly equipped. Officers are required to carry their badges and identification cards, and to be suitably armed, unless circumstances dictate otherwise. Consideration should be given to the equipment available and the possibility of injury to the officer, the suspect or a third party in the event that action is taken without essential equipment and/or the availability of backup assistance, to accomplish a lawful arrest.
- May not use his/her personal vehicle or unauthorized equipment.
- May not act under this authority while working within the scope of a security type of secondary employment, unless acting at the request of, or rendering assistance to another police officer.
- Is at all times responsible for the proper performance of his/her duties.
- Must be MPTC certified as a police officer and have successfully completed the probationary period.

3 / 102.35 REQUIRED ACTIONS

When a police officer exercises authority pursuant to these statutes, the following is required of him/her:

- Consideration must be given to notifying on-duty police officers to have them take the necessary enforcement action.
- Must assess the consequences of any action taken to include the possibility of injury to the officer, the suspect or a third party and must consider whether there might not be sufficient information available to arrest the suspect at a later time.
- If practical the officer should identify him/herself as a police officer by displaying badge and/or identification card and announcing the intent to arrest. Officers should also be prepared to identify themselves to citizens in the vicinity and to responding police officers.
- Arrest the individual in a lawful manner by securing the suspect in a safe, efficient way that assures the arrestee’s safety and security without unnecessarily endangering the suspect, the officer or any third parties.
- Seize and protect any evidence.
- Notify, or have notified, the local law enforcement agency having primary jurisdiction

of the arrest and request assistance in securing and transporting the arrestee.

- Identify him/herself as a police officer to officers responding to the scene by displaying badge and identification card. Follow the orders of responding officers. Think of officer safety.
- Be guided by directions from on-scene jurisdictional police officers exercising supervisory control over the incident.
- Cooperate and participate in the handling of the arrestee and handling of evidence.
- As soon as practical, notify or cause necessary notifications to be made as detailed in 3/102.15.
- Prepare court documents, insuring the placement of proper charges against the arrestee and cooperate with the court officer as directed.
- Cooperate with the jurisdictional agency in preparing the necessary reports, including administrative reports, and the submission of evidence. Normally the local jurisdiction will have responsibility for completing offense reports of the incident.
- Complete an administrative report detailing the incident, including the officer's actions, prior to leaving the booking area. One copy should be left with the local jurisdiction, one copy should be filed with this agency and the officer should retain a third copy.
- Obtain copies of the local jurisdiction's field and investigative reports and any other pertinent documentation and submit copies to this agency with administrative report.
- Complete any other forms, reports or documents required by this department under these circumstances such as overtime slips, First Report of Injury, Commander's Report, etc.

3 / 102.40 NOTIFICATION/JOINT INVESTIGATION

Notice of a joint investigation must be given to the designated individual in the jurisdiction in which the investigation will be conducted a "reasonable time in advance". What constitutes a reasonable time may be dictated by the nature an object of the investigation.

Where notice in advance would endanger the life and safety of investigators or seriously compromise the effectiveness of the investigation, "reasonable time in advance" may be abbreviated. In such cases, the supervisor of the investigative team must approve the delay of the notification. Notice should then be given to the local jurisdiction at the first reasonable opportunity, as determined by the supervisor of the investigative team.

Notice must be given to each jurisdiction in which it is probable that an investigation will occur. In the event an investigation occurs unexpectedly in a jurisdiction to

which no advance notice has been given, notice must be given at the first reasonable opportunity.

3 / 102.45 SPECIFICS / JOINT INVESTIGATIONS

- Before participating in any joint investigation with another state, local or federal law enforcement agency, therefore, the member must obtain permission from his/her commanding officer before taking any investigative or enforcement action under the authority granted.
- The investigative team shall include, as one of its members, an individual with jurisdiction in the location of the investigation.
- The local chief law enforcement officer shall assign an individual to the team. The Chief has he discretion to limit the extent of that individual's participation.
- As a representative of this agency, the Laurel Police officer must observe all regulations of this department in the course of the investigation.
- If possible, the officer with local jurisdiction should take any enforcement actions required (e.g. make arrests, serve warrants, effect search).
- The Laurel Police officer shall notify his/her immediate supervisor immediately upon the termination/completion of an investigation and will submit a final report.
- Should an officer be summoned to testify concerning a joint investigation, he/she shall follow the usual procedures of this agency.

3 / 102.50 RENDERING ASSISTANCE IN AN EMERGENCY

- Limit action to that which will stabilize the situation.
- Notify or have notified the primary jurisdictional police agency for the location of the incident, if not already on the scene.
- Remain at the scene until the arrival of the primary police agency and render assistance as requested.
- Report the incident and extent of involvement to supervisors immediately upon being relieved from the scene and, upon return to duty, furnish a written report of the incident and a Commander's Report.

As stated in 3/102.10, an "emergency" is defined as a sudden or unexpected happening or an unforeseen

combination of circumstances that calls for immediate action to protect the health, safety, welfare or property of an individual from actual or threatened harm or from an unlawful act. Therefore the following shall constitute an emergency:

- Felony in progress
- Violent misdemeanor in progress
- Destruction of property that could result in injury or death
- Probable cause to believe a felony has been committed or attempted.

3 / 102.55 OTHER-JURISDICTION ENFORCEMENT IN CITY

A. Responding to Arrests

Generally, an officer who takes action outside his/her sworn jurisdiction pursuant to the authority granted in the Maryland Code has the same responsibilities as would pertain within his/her jurisdiction. If an officer from another jurisdiction makes an arrest in the City of Laurel, the responding Laurel Police Officer should follow usual arrest procedures including:

- 1) Upon notification of the arrest, respond promptly to the scene and assume control of the situation, including giving direction to the arresting officer.
- 2) Render assistance to injured parties.
- 3) Secure the scene.
- 4) Act to preserve evidence.
- 5) Take physical custody of the prisoner from the arresting officer.
- 6) Arrange for transport, medical attention (if necessary) and processing of the prisoner.
- 7) Have the arresting officer accompany respond to the booking facility and obtain all information necessary to complete required Laurel Police Department reports.
- 8) Submit reports in the usual course.
- 9) Instruct the arresting officer to complete a detailed administrative report on departmental forms.
- 10) Provide the arresting officer with copies of his/her administrative report, this department's investigative reports and any other relevant documents.

B. Booking Officer

Booking officers shall likewise follow all usual procedures, including:

- 1) Accept custody of the prisoner even though arrest was made by an officer from another jurisdiction.

- 2) Process according to established procedures, including arranging all appearances before the judicial officer in the local jurisdiction.
- 3) Assume responsibility for the welfare of the prisoner.
- 4) Maintain a log of all such activity.

C. Accepting Notification

An officer who acts outside his/her sworn jurisdiction is required by statute to notify this department of such activity.

- 1) A Command level officer, or in absence of any Command staff, the Officer in Charge, is designated to accept notification of joint investigations which occur in this department's primary jurisdiction. The notified Commander or supervisor shall notify the Chief of Police as soon as reasonable and prepare a Commander's Report.
- 2) The Commander or in his/her absence, the Officer in Charge, is designated to accept notification of enforcement actions taken in this jurisdiction pursuant to the referenced statutes.
- 3) Established procedures shall be followed in reporting such activity to the chief law enforcement officer.

3 / 102.60 MISCELLANEOUS ISSUES

A. Injuries

A police officer that is injured while taking action pursuant to this law is entitled to Worker's Compensation, disability, death benefits, life insurance and all other benefits to the same extent as if the injury had been sustained in the officer's jurisdiction.

B. Compensation

A police officer that takes action pursuant to this law shall be compensated by this department in accordance with established procedures, as though he/she had acted within the City of Laurel.

C. Property Damage

Damage to, or loss of equipment shall be handled in accordance with existing procedures.

D. Commander's Reports

A copy of the Commander's Report to the Chief of Police need not be given to the officer from an outside agency involved in the arrest.

END OF ORDER