

- 
- I. Policy
  - II. Authority
  - III. Operational Guidelines
  - IV. Required Notifications
  - V. Procedures
  - VI. Handling Arrests Made by Officers From Another Jurisdiction
  - VII. Liability Issues

- I. Policy

Pursuant to the *Maryland Code*, as outlined in this Directive, law enforcement agencies must develop and adopt regulations to implement the law before a police officer may exercise the authority granted by the statute. This Directive establishes guidelines for officers to follow when taking actions according to this law. It is the policy of this Division that officers may take certain enforcement actions outside their primary jurisdiction when complying with the law and this Directive.

- II. Authority

Pursuant to the provisions of *Maryland Code, Criminal Procedure Title 2 -202*, police officers may make a warrantless arrest outside their jurisdiction when:

- A. Participating in a joint investigation with officials from other state, federal, or local law enforcement agency at least one of which shall have local jurisdiction;
- B. Rendering assistance to a police officer;
- C. Acting at the request of a local or state officer; or
- D. An emergency exists.
- E. 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."

- III. Operational Guidelines

A Park Police Officer acting under the authority granted by the statute:

- A. May not enforce the provisions of the Maryland Vehicle Law.
- B. Must be serving in a full duty capacity; able to fully perform all duties and meet all responsibilities required without restrictions or limitations, except under the gravest circumstances.
- C. Acts under and is subject to this Division's rules and regulations.
- D. Is, and at all times and for all purposes, an employee of this Division. The Division may receive and investigate allegations of misconduct on the part of an officer acting pursuant to this authority.
- E. *May serve arrest warrants, officers attempting service will notify the agency having primary jurisdiction.*
- F. Must carry his/her badge and identification card at all times when armed.

- G. Should give consideration to the equipment available and the possibility of injury to the officer, the suspect or a third party in the event action is taken without the presence of essential equipment and/or availability of back up assistance, to accomplish a lawful arrest. Officers should consider whether adequate information is available to arrest the suspect later.
- H. May not use a personal vehicle or unauthorized or nonissued equipment.
- I. May not act under this authority while working within the scope of a security type secondary employment position, except if acting at the request of or rendering assistance to another police officer.
- J. May not use the authority granted to facilitate or solicit secondary employment activities that would require or place an officer in a position to make arrests for a prospective employer.
- K. Is at all times responsible for the proper performance of his/her duties.
- L. *Must be in uniform, on-duty or in a marked car.*

#### IV. Required Notifications

- A. Pursuant to the provisions of *Maryland Code, Criminal Procedure Title 2-102*, the following notifications of an investigation or enforcement action will be made.
  - 1. When in an incorporated municipality, to the chief of police, if any, or the chief's designee;
  - 2. When in a county that has a county police department, to the chief of police or the chief's designee;
  - 3. When in a county without a police department, to the sheriff or the sheriff's designee;
  - 4. When in Baltimore City, to the police commissioner or the police commissioner's designee;
  - 5. When on property owned, leased, operated by, or under the control of the Department of Natural Resources, to the secretary of natural resources or the secretary's designee; or
  - 6. When on any property owned, leased, operated by, or under the control of the Maryland Port Administration, to the respective chief of police or the chief's designee; and
- B. Additionally, unless there is an agreement otherwise with the Maryland State Police, notification will be made to the Maryland State Police barrack commander or designee.
- C. Joint Investigations
  - 1. The statute requires that notice of a joint investigation be given to the designated command individual in the jurisdiction in which the investigation will be conducted a "reasonable time in advance." What constitutes a reasonable time in advance will depend on the nature and object of the investigation.
  - 2. Where notice in advance would endanger the life and safety of investigators or seriously compromise the effectiveness of the investigation, a "reasonable time in advance" may be shortened.
    - a) In such case, the delay in notification must be approved by the supervisor of the investigative team.

- b) Notification will then be given to the local jurisdiction's command official at the first reasonable opportunity, as determined by the team's supervisor.
3. Notification will be given to each jurisdiction in which it is possible that an investigation will occur and in the event an investigation occurs unexpectedly in a jurisdiction for which no advance notice has been given, notice will be given at the first reasonable opportunity by a member of the investigative team designated by the team's leader.
4. Normally, a member must be designated by an employing agency as a participant in a joint investigation. Therefore, before participating in any joint investigation with another state, local, or federal law enforcement agency, the member must obtain permission from his/her commanding officer before taking any investigative or enforcement action under the authority granted.
5. The joint investigation team will include, as one of its members, an officer from the local jurisdiction.
6. The local chief law enforcement official will assign an individual to the team and said official has the discretion to limit the extent of his/her individual's participation.

#### V. Procedures

- A. Before taking enforcement steps, consideration should be given to notifying the local police agency in lieu of taking direct action.
- B. Officers should identify themselves to the suspect as a police officer by displaying their badge and identification card, and announcing the intent to arrest. Officers must also be prepared to identify themselves to citizens in the vicinity.
- C. Arrest the individual in a lawful manner by securing the suspect in a safe manner that assures the arrestee's safety and security, without unnecessarily endangering the suspect, yourself or third persons.
- D. Seize and protect any evidence.
- E. Notify, or cause the notification to be made to, the local law enforcement agency having primary jurisdiction of the arrest and request assistance in securing and transporting the arrestee (see above).
- F. Officers will identify themselves to local officers responding to the scene by displaying their badge and identification card. Officers will follow the local officers' directions and cooperate in the handling of the arrestee and appropriate evidence.
- G. Except in extreme circumstances, officers will not attempt to transport the arrestee. Wait for assistance from the local jurisdiction, if possible. If it becomes necessary to transport, only transport as far as necessary to obtain adequate assistance.

- 
- H. Officers taking enforcement actions pursuant to this section of the law will, as soon as practicable, notify the on-duty park police shift supervisor. If the actions were taken while off-duty, the officer will be placed in an on-duty status while complying with any necessary procedures.
  - I. Assist in the preparation of court documents for the placement of proper charges against the arrestee and cooperate with the court officer as directed.
  - J. Cooperate with the local jurisdiction in preparing the necessary reports, including administration reports and the submission of evidence before leaving. Officers will obtain two copies of these reports, submitting one copy with their Incident Report (see below) and retaining a copy for themselves.
  - K. Complete an Incident Report and any other reports, forms or documents required by this Division, such as overtime slips, use of force reports, first report of injury, and so on (as applicable).
- VI. Handling Arrests Made by Officers From Another Jurisdiction.

When an officer from another jurisdiction makes an arrest within our jurisdiction, Park Police Officers will follow the usual arrest procedures, but in addition will:

- A. Take physical custody of the arrestee from the *detaining* officer.
  - B. Have the *detaining* officer *provide a written statement and* all information necessary to complete Division reports.
  - C. Division reports will be submitted in the usual manner.
  - D. *Park Police Officer will complete necessary reports and summons detaining officer for court.*
- VII. Liability Issues
- A. Any police officer who uses the authority granted in this subsection will at all times or for all purposes remain an employee of the respective employing agency.
  - B. Should an officer be injured while taking action pursuant to this law and regulation, the officer 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 our jurisdiction.
  - C. Damage to, or loss of equipment will be handled in accordance with existing procedures.

**Approved Park Police Document  
Signed Original on File**

**End of Directive**