

 <p><b>BEL AIR POLICE DEPARTMENT</b></p> <p><b>Policies and Procedures</b></p> <p><b>Charles A. Moore</b> Chief of Police</p>	<b>Chapter: 2</b>
	<b>TITLE: Authority &amp; Jurisdiction</b>
	<b>No. Pages: 5</b>

**2:100 – Purpose**

This policy establishes the jurisdictional parameters in which an officer of the Bel Air Police Department may take law enforcement action, as well as the specific types of law enforcement action officers of the Bel Air Police Department may take in outside jurisdictions in accordance with the department’s mutual aid agreements. The legal authority for the Bel Air Police Department is established under the Town of Bel Air, Maryland, Charter (Article IV) sections 38 and 39. The Chief of Police has the authority to limit the exercise of these powers for good and sufficient reason.

**2:101 – Oath of Office**

Before assuming any duties all members are required to take an oath of office. Only officers who have taken the oath of office and have met state law enforcement requirements as mandated by the Maryland Police and Correctional Training Commission have powers of arrest.

Members of the Parking Enforcement Unit/Traffic Control Unit and other members assigned by the Chief of Police have the authority to issue parking citations and/or red light camera citations, which are classified as civil citations. They may testify in court as to the circumstances surrounding their action upon their duty. The clerk of the Circuit Court of Harford County swears these personnel to an oath of office. Members of the Parking Enforcement Unit/Traffic Control Unit have no law enforcement authority.

**2:102 – Duties and Responsibilities**

The BAPD is charged with safeguarding the lives of all persons within the Town of Bel Air, protecting property, and assisting in securing to all persons equal protection under the law. The authority and general duties of a sworn police officer are consistent with the officer’s training and assignment as designated by the Bel Air Chief of Police. Officers are required to know the geographical boundaries of the department’s jurisdiction. This includes any changes that occur to the geographical boundaries through the loss or annexation of property. A current and detailed map which includes boundaries of the Town of Bel Air is always maintained in the Communications Center. Similar maps are maintained in other areas of the department and in the office of the Administrative Sergeant.

**2:103 – County Jurisdiction**

Officers of the Bel Air Police Department may be required to take law enforcement action in areas adjoining, but outside of the jurisdictional limits of the Town of Bel Air. In doing so, officers inherit additional responsibilities as they relate to involving other criminal justice agencies. The officer must notify Bel Air Police Communications of the location and types of action the officer is completing outside of the jurisdictional limits of the Town of Bel Air. Whenever it becomes necessary for a police officer from our jurisdiction to engage in investigative activity in another jurisdiction that officer is authorized to conduct such activity in the neighboring jurisdiction, provided that appropriate advanced notice is given to the neighboring jurisdiction.

**2:104 – Reporting Responsibilities of Officers Outside of Jurisdiction**

When it becomes necessary for a Police Officer of the Bel Air Police Department to act outside of their jurisdiction, they shall report their actions to their on-duty patrol supervisor as well as the police chief of the jurisdiction in which they are acting. When it becomes necessary for a Bel Air Police Officer to engage in an investigative activity in another jurisdiction, that officer is authorized to conduct the investigation provided that appropriate notice is given to the neighboring jurisdiction to an extent practical given the circumstances. When an arrest is made outside of the Bel Air Police Department's jurisdiction, but within Harford County, the Bel Air Police officer making the arrest will complete the charging documents and necessary reports, unless the agency having jurisdiction elects to assume the arrest. The Bel Air Police officer would then assist the other agency as needed. They will notify the proper agency wherein the arrest was made to ascertain if the agency wants to be involved in the investigation. Under no circumstances will members of the Bel Air Police Department initiate any criminal investigations, other than in an emergency, outside the corporate limits of the Town of Bel Air. If it becomes necessary to execute an arrest warrant or search warrant in another jurisdiction, the Bel Air Police officer will notify the respective law enforcement agency in the jurisdiction wherein the warrant will be executed prior to its execution and request an officer from that jurisdiction be present during the warrant execution, if exigency does not exist.

**2:105 – Traffic Offenses Observed in Harford County**

When a police officer, while on official duty or off duty operating a fully equipped emergency vehicle, observes *any significant traffic offense* in progress in any jurisdiction in Harford County, the officer is authorized to take appropriate action as a police officer pursuant to the Regional Law Enforcement Compact. Significant traffic offenses considered by the Bel Air Police Department are:

1. DWI and related traffic offenses, i.e. swerving, poor lane control.
2. Leaving the scene of an accident, resulting in property damage or injury.
3. Reckless driving or negligent driving, i.e. spinning wheels, wheelies on motorcycles, etc.
4. Acts of aggressive driving that fulfill the definition outlined within the Transportation Article.
5. Any violation which did or could have resulted in an accident, observed or investigated, i.e. running red light, running stop sign, unsafe passing, etc.
6. Passing of a stopped school bus, while engaged in the loading or unloading of passengers.
7. Driver consuming alcohol in a motor vehicle while on the highway.
8. Following too closely.
9. Any subsequent violation discovered as a result of a permissible stop for one of the above listed violations.

**2:106 – Written Agreements for Mutual Aid**

The Town of Bel Air, the City of Aberdeen, the City of Havre de Grace and the Harford County Sheriff's Office have entered into a Police Mutual Aid Agreement, which provides that:

1. When an emergency occurs in any of the before mentioned jurisdictions, the police authority in that jurisdiction may request personnel and equipment to assist the affected agency.

2. While any police officer from a Harford County agency who is on official duty and traversing any highway, road, street, or alley that intertwines or abuts any part of the area the two jurisdictions and observes any crime in progress in either jurisdiction, the police officer is authorized to act as an officer.
3. Mutual Aid may be requested when an incident occurs requiring additional police assistance.
4. When requesting Mutual Aid, the on-scene supervisor or commander will make the determination in terms of manpower or equipment need. The supervisor or commander will cause the Harford County Sheriff's Office to be notified.
5. Members should familiarize themselves with the following Mutual Aid Agreements/Regional Law Enforcement Compacts currently in place as they relate to members of the Bel Air Police Department.
  - a. The Regional Law Enforcement Compact
  - b. Harford County Traffic Task Force
  - c. Harford County Joint Narcotics Task Force
  - d. Board of Education School Resource Officer MOU
  - e. Crisis Negotiation Team MOU
  - f. Harford County Municipal SWAT Team
  - g. Harford County/Municipal Emergencies, Disasters, and Exercises Mutual Aid Agreement

#### **2:107 – Limited Extra Jurisdictional Authority**

Officers are granted limited statewide powers of arrest pursuant to Maryland Criminal Procedure Article 2-202 and Family Law Article 10-201 to 10-219. These powers are in addition to any Mutual Aid Agreement or Regional Law Enforcement Compact.

Limited Extra Jurisdictional Authority allows the use of police powers granted by the law, in emergencies. For those purposes, and emergency is defined as sudden or unexpected happening, or 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. This limited Extra Jurisdictional Authority does not extend to traffic violations. Traffic enforcement authority is granted through the Regional Law Enforcement Compact, but traffic enforcement authority is not granted outside of Harford County.

#### **2:108 – Prohibitions Outside of Harford County**

1. Enforcing the provisions of the Maryland Vehicle Law.
2. Serving arrest warrants, unless in conjunction with the lawful exercise of jurisdiction under this authority.
3. Using personal vehicles for enforcement action.

#### **2:109 – Off-Duty Authority**

1. An off-duty officer is prohibited from taking official action in a personal dispute involving neighbors, friends, or relatives, unless the member's involvement is necessary to prevent physical injury.
2. An off-duty officer is prohibited from taking action while under the influence or impaired in the slightest degree by alcohol or prescription medication.
3. An off-duty officer operating an agency vehicle shall take action whenever:

- a. An emergency call is dispatched and the off-duty member is close to the call in the Town of Bel Air.
  - b. When assistance is requested in or outside the Town of Bel Air.
4. Any official action by an off-duty officer shall be reported to communications for assignment of an incident number.
5. Off-duty officers are not obligated to engage in any official activity, if the action might jeopardize civilians.
6. If there is no emergency or harm present and the situation is under control the off-duty officer should turn the matter over to on-duty officers.
7. In a situation where an off-duty officer makes an arrest, the officer will turn over the detained to on-duty officers within the jurisdiction as soon as possible.

**2:110 – Arrest**

Members should familiarize themselves with the following listed Criminal Procedure Statutes and Transportation Articles. Although they are not a total collection on matters of law when an officer may make a warrantless arrest, each of these sections provides officers with additional authority to make arrests under certain circumstances.

CP2-102	Authority of Police Officers
CP2-103	Service of Arrest Warrants (Outside Jurisdiction)
CP2-105	Mutual Aid Agreements
CP2-107	Duty to Semiconscious or Unconscious Suspects
CP2-202	Warrantless Arrest (In General)
CP2-203	Commission of Specific Crimes
CP2-204	Warrantless Arrest (Domestic Violence)
CP2-204.1	Protective Orders
CP2-205	Warrantless Arrest (Stalking)
CP2-206	States of Emergency
TA 26- 202	Power of Arrest
TA 26-203	Signature of person required on citation

***Nothing in this policy shall be interpreted as an attempt to limit an officer's ability to defend oneself or another person as provided by Maryland Law.***

**APPROVED:**



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Charles A. Moore, Chief of Police

Date: September 8, 2016

**END**