

12. CONCURRENT JURISDICTION, MEMORANDA OF UNDERSTANDING, & EXTRA-JURISDICTIONAL INCIDENTS

(November 2007)

I. POLICY

The Prince George's County Charter and Subtitle 18 of the Prince George's County Code provide that the Department is responsible for law enforcement in the County, except where otherwise specified by law.

II. CHECKLIST (N/A)

III. DEFINITIONS

Concurrent Jurisdiction: Two or more law enforcement agencies operating in the same geographic area and sharing authority and responsibility

Emergency: A sudden or unexpected event that calls for immediate action to protect the health, safety, welfare or property of a person from actual or threatened harm or from an unlawful act

Home Jurisdiction: Jurisdiction where an officer is normally employed, such as Prince George's County, for a PGPD officer

Host Jurisdiction: Jurisdiction where an incident physically occurs

Host Agency: A law enforcement agency responsible for providing police services in a given jurisdiction

Primary Jurisdiction: The law enforcement agency ultimately responsible for a geographic area and/or incident

Scheduled Transport: Routine deliveries of a prisoner from one facility to another

IV. FORMS

- Incident Report (PGC Form # 3529)

V. PROCEDURES

1. Authority to Enforce Laws

County officers are empowered to enforce all State laws and County ordinances within any area of the County that is not exclusive jurisdiction, as well as within the boundaries of any municipality in the County.

Officers may enforce State laws in other Maryland counties and Baltimore City if they act in accordance with the provisions of this section.

Officers also have statutory authority to enforce certain federal statutes within the County in which the U.S. Congress has provided such authority (concurrent jurisdiction). Many State law references are found in the MPCTC Digest of Criminal Laws.

2. County Boundaries (County Code, Subtitle 1)

The County is bordered by:

- Washington, DC to the west
- Montgomery County to the northwest
- Howard County to the northeast
- Anne Arundel County to the east
- Calvert County to the southeast
- Charles County to the south

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- ❑ State of Virginia to the southwest

Southern and Eastern Avenues lie within Washington, D.C. This includes the sidewalk areas measuring between six (6) and fifteen (15) feet wide on the Maryland side.

Most of the waters of the Potomac River, up to the Virginia tidal shoreline, lie within the County.

3. Geographical Authority

(Prince George's County Code, Section 18-190)

In locations throughout the County where the following agencies have primary jurisdiction, the Department has concurrent jurisdiction:

- ❑ Bowie Police
- ❑ Berwyn Heights Police
- ❑ Hyattsville City Police
- ❑ Maryland State Police
- ❑ MNCPPC Police
- ❑ Mount Rainier Police
- ❑ United States Park Police
- ❑ University of Maryland Police

4. Assisting Other Agencies

Charles County

PGPD may assist Charles County with emergency calls for police service. Either County may request support of the other through PSC.

The requesting County shall provide the:

- ❑ Reason for the request
- ❑ Location where assistance is needed
- ❑ Number of officers needed

PSC shall notify a supervisor the rank of sergeant or above when Charles County makes such requests. Assisting officers shall complete an Incident Report documenting the type of incident and their actions.

The responding agency will serve as a backup for the minimum time necessary. Responding officers serve at the discretion of the requesting jurisdiction. The assisting jurisdiction may unilaterally withdraw its personnel after notifying the requesting jurisdiction. When entering Charles County to render assistance, all PGPD officers shall follow the provisions, rules, and regulations of the PGPD's General Order Manual. Officers shall only use deadly force as authorized by Departmental regulations. ***See: VOLUME II, CHAPTER 51. USE OF FORCE***

Officers engaged in the provision of law enforcement services have all immunities from liability, powers of arrest, exemptions from laws, ordinances, and regulations in Charles County as they do in Prince George's County.

City of District Heights

As outlined in a mutual agreement between PGPD and the City of District Heights, PGPD shall:

- ❑ Provide copies of law enforcement reports, upon request, to the District Heights Police
- ❑ Not take telephone reports for calls for service located in District Heights
- ❑ Subsequent to a serious crime or major incident, provide technical expertise, including evidence collection and investigative services upon request of a supervisory officer

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Original and follow-up investigations of crimes or incidents occurring within areas under City jurisdiction shall be handled by City Police, except for the below listed crimes, which shall be handled by appropriate PGPD Investigators:

- ❑ Homicide
- ❑ Rape
- ❑ Extortion
- ❑ Hostage and Kidnapping
- ❑ Confirmed explosive devices

In all cases investigated by PGPD in the City, PGPD will have sole responsibility for the crime scene. The PGPD will keep the City's Police Chief apprised of the case status upon request, and will provide a final written report within 30 days after completion of the case.

City of Laurel

Pursuant to the terms of a written agreement between PGPD and the City of Laurel pertaining to incidents occurring at public schools in the City, PGPD officers will respond to requests for assistance from the City's Police Chief under the following circumstances:

- ❑ The City does not have sufficient police personnel or equipment;
- ❑ The City does not have sufficient specialized equipment or;
- ❑ The City does not have sufficient expertise immediately unavailable to properly handle the emergency.

The City's Police Chief shall make requests for assistance to the PGPD Chief of Police.

City of Mount Rainier

PGPD investigates the following occurring within the City:

- ❑ Homicides
- ❑ Suspicious deaths
- ❑ Rapes
- ❑ Assaults with intent to rape
- ❑ Armed robberies handled by CID

Mount Rainier police officers may respond and take initial reports of armed robberies. They shall notify CID and send a teletype containing the name of the T/A, suspect description, and M.O.

If a Mount Rainier officer makes an on-scene arrest, they shall charge the arrestee. The assigned investigator shall render assistance.

Hyattsville City

CID shall investigate the following occurring in the City:

- ❑ Homicides
- ❑ Rapes
- ❑ Kidnappings
- ❑ Bank hostage situations

Hyattsville investigators may accompany CID investigators during all phases of the investigation. The Commander, CID, shall ensure a copy of the completed investigative report is forwarded to the Chief, Hyattsville City Police Department within 30 days of the investigation's completion.

PGPD shall honor requests from Hyattsville City Police to have crime scenes processed by forensic services evidence technicians.

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Maryland National Capitol Park (MNCPPC)

MNCPPC has primary police responsibility within parks, to include buildings under the jurisdiction of the commission and that portion of all roads and sidewalks immediately adjacent to park property.

PGPD has concurrent jurisdiction in these areas. When a PGPD officer is required to take immediate action in an area under commission jurisdiction, MNCPPC shall be notified. The Records Section shall forward all reports concerning PGPD action to the appropriate MNCPPC commanding officer within seven calendar days.

In areas of the County outside their jurisdiction, MNCPPC officers are authorized to take action when:

- ❑ An actual or threatened commission of a criminal act or motor vehicle violation poses an immediate danger to a person's life or limb
- ❑ There's an immediate threat of serious property damage
- ❑ Failure to take action may result in the escape or evasion from apprehension of a perpetrator

MNCPPC shall immediately notify PGPD of any action taken by them in areas not under their jurisdiction. Follow-up investigations shall be conducted by PGPD.

Pursuant to the provisions of a written agreement executed between PGPD and the MNCPPC, PGPD will investigate all deaths or serious injuries on MNCPPC property. Upon receipt of notification by either agency of such an incident, the agency receiving the notification shall ensure that the other is immediately notified. The MNCPPC Police will dispatch an officer to complete an initial

report, which will serve as the source of Uniform Crime Report data. MNCPPC Police officers shall maintain the integrity of the scene until the arrival of PGPD investigators, who shall assume full responsibility of the investigation. Upon arrival of the PGPD investigator, the Park Police investigative supervisor, or designee, shall provide assistance as needed. PGPD shall be afforded access to the crime scene and any information or requested data that may assist the Park Police.

Maryland Natural Resources Police (MNRP)

The Maryland Natural Resources Police (MNRP) investigates boating accidents on County waterways, and those controlled by public agencies. Such accidents occurring on privately owned bodies of water are investigated at MNRP discretion.

Officers responding to boating accidents shall:

- ❑ Take appropriate life-saving action
- ❑ Preserve the scene
- ❑ Notify MNRP
- ❑ Standby pending the arrival of an MNRP officer.

If the MNRP do not respond, officers shall conduct an investigation within the limits of their training, documenting such on an Incident Report. Assistance from other PGPD units or outside agencies may be obtained with supervisory approval.

If the MNRP officers cannot or will not respond, officers shall conduct a basic investigation and submit an Incident Report.

MNRP officers have legislated authority to investigate fatal boating accidents or accidental drownings on waters owned or

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controlled by public agencies. However, in any water-related incident involving a death, officers shall notify the Homicide Unit regardless of the MNRP response status. The Homicide Unit shall conduct an investigation, or assist MNRP, following consultation with MNRP officials.

Maryland State Police (MSP)

In accordance with the terms of a Memorandum of Understanding (MOU) executed between PGPD and MSP, the Maryland State Police has primary jurisdiction along the entire length of the following highways within the County, including the adjacent interchanges:

- ❑ All Interstate Highways
- ❑ US 50
- ❑ US 301
- ❑ MD Route 3

MSP has primary traffic enforcement responsibility for the portions of the following highways that lie outside Interstate 95:

- ❑ US 1
- ❑ MD Route 4
- ❑ MD Route 5
- ❑ MD Route 198
- ❑ MD Route 202
- ❑ MD Route 214

PGPD has primary enforcement responsibility on State routes and other major highways not listed above, except those patrolled by other law enforcement agencies with primary jurisdiction.

Additionally, MSP investigates any accident involving:

- ❑ A Maryland State Police vehicle

- ❑ A vehicle owned by the State of Maryland
- ❑ A vehicle owned by the Maryland Toll Facilities Police

PGPD shall investigate any accident occurring in the County, which involves County-owned vehicles.

MSP refers all calls for service to PGPD unless the principal specifically requests that MSP respond. In areas where PGPD has primary jurisdiction, officers shall respond to, and investigate, all criminal offenses. MSP shall investigate criminal offenses when:

- ❑ An MSP trooper witnesses an offense and makes an on-scene arrest
- ❑ A crime other than murder, rape, armed robbery (or attempts) occurs on one of the highways or access ways where MSP has primary jurisdiction

MSP investigates aircraft accidents within the County. Officers responding to aircraft accidents shall preserve the scene and take life-saving action.

Officers who perform significant assistance such as rendering rescue and first aid services or collecting evidence shall complete an Incident Report and a Commander's Information Report.

PGPD investigates all natural disasters in the County, as well as disasters such as train accidents. The agencies shall share traffic and crowd control assignments as necessary.

PGPD has primary responsibility for providing backup assistance to University of Maryland and Bowie State University police officers. MSP is responsible for long-term commitments and for any planned events for

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which University of Maryland requests assistance.

MSP has primary responsibility for responding to all calls for service at the Cheltenham Youth Facility. All Part 1 offenses occurring at the facilities shall be investigated by PGPD.

MSP and PGPD are jointly responsible for investigating organized criminal activity and criminal conspiracies affecting either agency. MSP Special Operations Bureau and PGPD investigative components shall exchange information and coordinate investigations as necessary.

MSP and PGPD shall, upon request, exchange monthly statistical reports of all traffic and criminal incidents occurring in the County. This exchange supplements monthly and quarterly UCR information already being distributed.

Prince George's County Community College (PGCC)

PGPD will render assistance when requested by the PGCC campus police. In such cases, the campus police shall be subordinate PGPD officers.

Town of Berwyn Heights

In accordance with the terms of the written agreement between PGPD and the Town of Berwyn Heights, PGPD shall:

- ❑ Provide copies of law enforcement reports, upon request
- ❑ Provide all available crime information regarding the Town
- ❑ Respond to calls for service in the Town if a Town officer is not available or on duty

- ❑ Handle calls relinquished by the Town if believed to be in the best interests of time, public safety, or other significant considerations
- ❑ Take reports via telephone from Town residents via the Telephone Reporting Unit similar to other parts of the County
- ❑ Subsequent to a serious crime or major incident, provide technical expertise, including evidence collection, investigative services, and accident reconstruction upon request of a supervisory officer

Original and follow-up investigations of crimes or incidents occurring within areas under Town jurisdiction shall be handled by Town Police, except for the listed crimes or incidents:

- ❑ Homicide
- ❑ Rape in the 1st or 2nd Degree
- ❑ Sex offense in the 1st or 2nd Degree
- ❑ Child abuse, physical or sexual
- ❑ Extortion
- ❑ Hostage and Kidnapping
- ❑ Commercial armed robberies
- ❑ Confirmed explosive devices
- ❑ All discharges of firearms by PGPD
- ❑ Shootings by Town Police officers in which an individual is struck by a projectile (contact shooting)
- ❑ Any allegation of misconduct by a PGPD officer

Attempts and conspiracies to commit these crimes shall be handled by appropriate PGPD Investigators.

In all cases investigated by PGPD in the Town, PGPD will have sole responsibility for the crime scene. The PGPD will keep the Town's Police Chief apprised of the case status upon request, and will provide a final written report within 30 days after completion of the case.

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Town of Bladensburg

PGPD investigates the following occurring within the Town:

- ❑ Homicides
- ❑ Rapes

The Bladensburg Police Department has primary responsibility for investigating homicides resulting from official acts of a Bladensburg police officer. PGPD may render assistance upon request.

Town of Edmonston

When a Town Police officer is not available, PGPD officers will respond to calls within the Town, rendering aid as required. The Edmonston Police Officer is the officer in charge until such time as that responsibility is yielded.

PGPD investigators handling cases in the Town shall keep the Town Police informed of the status of ongoing investigations.

Whenever a PGPD officer writes a police report that relates to an incident occurring in the Town, the patrol officer shall indicate in the report that a copy of it is to be forwarded to the Edmonston Police Department. Copies of reports written by Town Police officers will be forwarded to the PGPD Records Section to be filed.

Town of Fairmont Heights

In accordance with the terms of the written agreement between PGPD and the Town of Fairmont Heights, PGPD shall:

- ❑ Provide copies of law enforcement reports, upon request
- ❑ Provide all available crime information regarding the Town

- ❑ Respond to calls for service in the Town if a Town officer is not available or on duty
- ❑ Handle calls relinquished by the Town if believed to be in the best interests of time, public safety, or other significant considerations
- ❑ Take reports via telephone from Town residents via the Telephone Reporting Unit similar to other parts of the County
- ❑ Subsequent to a serious crime or major incident, provide technical expertise, including evidence collection, investigative services, and accident reconstruction upon request of a supervisory officer

Original and follow-up investigations of crimes or incidents occurring within areas under Town jurisdiction shall be handled by Town Police, except for the below listed crimes or incidents, and attempts and conspiracies to commit them which shall be handled by appropriate PGPD Investigators:

- ❑ Homicide
- ❑ Rape
- ❑ Hostage and Kidnapping
- ❑ Use of explosive devices
- ❑ Arson
- ❑ Robbery

In all cases investigated by PGPD in the Town, PGPD will have sole responsibility for the crime scene. The PGPD will keep the Town's Police Chief apprised of the case status upon request, and will provide a final written report within 30 days after completion of the case.

Town of Forest Heights

PGPD investigates the following occurring within the Town:

- ❑ Homicide

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- ❑ Rape
- ❑ T/A robbery

The Forest Heights Police Department investigates confirmed suicides, natural deaths, and street robberies. PGPD may render assistance upon request. PGPD officers responding to crimes in Forest Heights shall ensure that Forest Heights officers are notified. Copies of initial reports by Forest Heights officers are forwarded to the Records Section, and the appropriate unit in CID.

When Forest Heights officers make on-scene arrests involving homicides rapes or robberies, investigators shall assume custody and complete the processing of the suspect. Reports shall be forwarded to the Chief, Forest Heights Police Department, at the conclusion of the case. PGPD issues all press releases regarding these investigations.

Town of University Park

Except as provided below, the Town Police shall handle a call for service received by the County that is determined to be located within an area under Town jurisdiction, unless the call is relinquished by the Town to PGPD.

PGPD will handle all preliminary and follow-up investigations for the following crimes or incidents:

- ❑ Homicide
- ❑ Rape in the First or Second Degree
- ❑ Sex Offense in the First or Second Degree
- ❑ Child Abuse
- ❑ Extortion
- ❑ Hostage and Kidnapping
- ❑ Commercial Armed Robberies
- ❑ Contact shootings – all discharge of firearms by PGPD officers

- ❑ Criminal investigations of shootings by Town Police officers in which an individual is struck
- ❑ Any allegation of misconduct by a PGPD officer

PGPD will keep the Town Police Chief, or designee, apprised of the case status, upon request. If requested by the Town Police Chief, or designee, an Executive Summary prepared by PGPD may be forwarded to the Town Police Chief, or designee, within 30 days after the case is completed. The Executive Summary shall be deemed confidential and used for official law enforcement purposes only. It may not be disseminated without prior notice to the PGPD Chief of Police.

United States Army Research Laboratory (ARL), Adelphi Laboratory Center (ALC) - Federal Property

(Title 50 United States Code, Section 21 – Internal Security Act of 1950)

PGPD responds to calls from designated officials at the ARL-ALC for assistance when officers need backup or when there is a threat to public safety. In those areas around and within the ARL-ALC where PGPD officers normally patrol, or have cause to be, the officers have full authority to take action on violations, or render necessary assistance.

Should a law enforcement situation arise where the need for resources exceeds the capability of the ARL-ALC staff, PGPD may render assistance as required (i.e., Special Operations Division, Emergency Services Team).

United States Fish and Wildlife Service, Patuxent Research Refuge

The Patuxent Wildlife Refuge is a federal reservation on which PGPD officers have law enforcement authority pursuant to the provisions of a written agreement. In accordance with the agreement, PGPD officers:

- ❑ Shall respond to calls for assistance from designated officials at the Patuxent Research Refuge when law enforcement situations arise and when there is a need for backup or there is a threat to public safety
- ❑ Have full authority to take police action or render assistance in those areas within the Patuxent Research Refuge where PGPD officers might normally patrol, or have cause to be
- ❑ May render assistance, if requested by designated officials at Patuxent, when a law enforcement situation arises.
- ❑ Shall permit the use of District station detainee processing facilities when a Patuxent officer makes an arrest

United States Park Police (USPP)

(Title 16 United States Code, Section 1a-6(b))

USPP has exclusive jurisdiction in the following areas:

- ❑ Beltsville Agricultural Research Center
- ❑ Greenbelt Park
- ❑ Suitland Parkway passing through the Census Bureau and Andrews Air Force Base

PGPD shall provide law enforcement assistance to the USPP upon request. Requests for assistance shall be made through the PSC.

PGPD officers serve as “special police officers” when assisting the USPP, and shall act primarily as backup during such incidents. Officers are considered federal employees for the purpose of worker’s compensation or tort liability claims arising from these incidents.

USPP officers shall normally process arrests. If circumstances require a PGPD officer to make an arrest, USPP processing procedures shall be followed. USPP shall assist PGPD personnel in these instances.

USPP has primary jurisdiction in the following areas, where PGPD has concurrent jurisdiction:

- ❑ Baltimore-Washington Parkway
- ❑ Fort Foote
- ❑ Fort Washington
- ❑ Harmony Hall
- ❑ Marshall Hall
- ❑ Oxon Hill Colonial Children’s Farm
- ❑ Oxon Cove Park
- ❑ Piscataway Park

PGPD officers may enforce State or County laws within these areas. When doing so, they are considered County employees for the purposes of worker’s compensation or tort liability claims.

When a PGPD officer makes an arrest at these sites, the officer will follow PGPD processing procedures.

If a PGPD officer acts or makes an arrest while within USPP jurisdiction, a supervisor shall be notified and an Incident Report completed. “USPP” will be placed in the COPY TO block of the Incident Report. In emergencies, notification will be made through PSC directly to USPP.

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United States Secret Service (USSS) & Bureau of Alcohol, Tobacco & Firearms (BATF)

Responsibilities of the USSS include:

- ❑ Protecting certain U.S. officials and foreign heads of state
- ❑ Preserving the integrity of American and foreign currency systems
- ❑ Investigating the theft or fraudulent use of financial instruments, such as large-scale credit card fraud

Responsibilities of the BATF include the enforcing of federal regulations concerning:

- ❑ The specifications, uses and distribution of firearms and explosives
- ❑ The production and distribution of distilled spirits
- ❑ The payment of taxes on tobacco products.

BATF can track domestic and imported firearms from the manufacturer to the owner. BATF also retains files on registered weapons.

Officers obtaining routine information of potential interest to the USSS or BATF shall include such information on an Incident Report. Officers shall note “INTELLIGENCE UNIT” in the COPY TO block on the Incident Report. An Intelligence Unit officer shall make the appropriate follow-up.

Officers shall refer the following information to USSS:

- ❑ Threats or harmful actions planned toward the President, Vice President, former Presidents or their families; foreign heads of State; major

Presidential or Vice Presidential candidates

- ❑ Information regarding the forgery or counterfeiting of U.S. or foreign obligations, such as currency or bonds

When officers have information that requires immediate notification, they shall contact the appropriate agency directly by telephone. They shall also make telephone notification to NED. The officer will document the following in their report:

- ❑ Name of agency contacted
- ❑ Date and time of notification to agency and NED
- ❑ Name of agent notified
- ❑ Name of NED investigator

University of Maryland Police (UMPD)

With respect to the enforcement of traffic laws, University of Maryland Police (UMPD) has concurrent jurisdiction with PGPD on U.S. Route 1, Baltimore Avenue, from its intersection with College Avenue to Lakeland Road. UMPD jurisdiction extends to those intersections adjacent to University of Maryland property, by which traffic enters or exits.

UMPD has concurrent jurisdiction with PGPD as it relates to the enforcement of all criminal laws within College Park adjacent to the University of Maryland campus.

When UMPD responds to the following incidents, they shall immediately notify PGPD:

- ❑ All UCR part I offenses
- ❑ Deaths other than those resulting from motor vehicle accidents
- ❑ Child abuse

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- ❑ Crimes occurring on Prince George's County school property

Unless apprehension is made on the scene of the crime and immediately after its commission, UMPD may not arrest the perpetrator.

UMPD will attempt to handle civil disturbances occurring within their jurisdiction. If assistance is needed, they will request assistance from MSP, who will assume command from UMPD upon their arrival.

Departmental employees will not respond unless requested by MSP. PGPD will be subordinate to MSP; however, they will not be under the command of the MSP.

Washington Metropolitan Area Transit Authority (WMATA)

WMATA police (Metro Transit) have primary patrol responsibility for WMATA facilities, however, they share concurrent jurisdiction with PGPD on all WMATA facilities in the County.

Metro Transit and PGPD are jointly responsible for reporting incidents occurring at WMATA facilities. Generally, the first officer on the scene of such calls completes the initial report.

Officers who observe violations of the law shall make arrests. When a violation is reported but no officer observed the violation, the first responding officer shall make the arrest if probable cause can be established.

PGPD investigates all traffic accidents occurring on WMATA facilities in the County, including accidents involving a WMATA bus, County school bus, or bus

owned by a government agency other than owned by the State. If the accident occurs in a municipality, the municipal police department may investigate the accident.

See: VOLUME II, CHAPTER 1. ACCIDENT INVESTIGATION.

When a vehicle must be removed from WMATA facilities, the towing of the vehicle shall be handled by the agency reporting the incident.

Arrests and search warrants shall be executed by the agency holding them. Metro Transit will notify PGPD prior to executing warrants in the County. PGPD shall notify Metro Transit prior to executing warrants at WMATA facilities.

All arrests in the County are processed using PGPD procedures. Metro Transit officers process prisoners at PGPD facilities, and will perform processing as appropriate.

PGPD may assist with prisoner transport when a Metro Transit vehicle is not available. In such cases, the Metro Transit officer will assume custody of the prisoner at the PGPD facility. When an individual arrested by Metro Transit requires medical treatment, they will transport them to the nearest hospital in the County prior to bringing them to any PGPD facility. If PGPD transports a Metro Transit prisoner to a hospital, Metro Transit shall respond and stand by with the prisoner.

Responsibility for follow up investigations rests with the agency filing the report. This includes crime scene processing and evidence collection. PGPD has primary investigative responsibility for:

- ❑ Deaths, except suicide by train
- ❑ Homicides
- ❑ Rapes

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- Robberies

Exceptions may be approved upon agreement between Metro Transit and PGPD commanders.

PGPD assists Metro Transit with:

- Examination, storage, and destruction of CDS and firearms seized in the County
- Chemical testing of suspects in DWI cases

5. Out of County Incidents

Except in situations described elsewhere in the GOM, officers shall not patrol or be dispatched to calls for service beyond the borders of Prince George's County. Persons outside the County who desire to file reports shall be referred to the Telephone Reporting Unit (TRU) or advised to file the report upon their return to the County.

Extra-jurisdictional authority applies to emergency situations occurring in a visited jurisdiction within the State of Maryland. Except where task force operations are concerned, it does not apply to continuing investigations that take an officer across jurisdictional boundaries. Therefore, officers who travel to other jurisdictions while investigating County incidents shall not, pursuant to the County case, make arrests or seize evidence. Officers may, however, accept evidence that is voluntarily surrendered by a cooperative witness, and may transport unarrested suspects back to the County if the suspects are willing.

6. Calls Along County Borders

The PSC shall dispatch units to calls along the County's borders when the exact location or proper jurisdiction is in doubt. Upon arrival, the responding officer shall

notify the dispatcher to request the appropriate agency's response if the call is found to be outside the County.

If the call is located outside the County and the other jurisdiction has been requested, the officer does not need to stand by pending the arrival of that officer. However, if circumstances suggest that any person's safety or property will be in danger if the officer departs, the officer shall stand by and, if necessary, take immediate action to protect that person's safety or property in accordance with section 11. **Extra-Jurisdictional Incidents Outside the County**, of this chapter. Officers shall complete an Incident Report for all actions and citizen contacts occurring in the neighboring jurisdiction.

7. Travel Outside the County in Departmental Vehicles

Employees may remove Departmental vehicles from the County for official business. This includes traveling in areas adjacent to the County border while on duty, performing follow-up investigations, or attending assigned functions. Notification to PSC shall not be made unless deemed necessary for officer safety purposes. Authorization must be obtained from the appropriate Commander/Director for other on duty use outside the County. ***See: VOLUME I, CHAPTER 10. DEPARTMENTAL VEHICLES***

8. Shift Commander Authority

A shift commander may direct an officer to respond outside the County to take an initial report in any serious or sensitive matter in which a delayed preliminary investigation may jeopardize the successful resolution of a case.

9. Response to Out-of-County Hospitals

Public Safety Communications (PSC) accepts requests for service at out-of-county hospitals in the Washington metropolitan area. Prior to dispatching, however, the PSC supervisor shall notify the appropriate sector supervisor, who shall determine whether or not a response is appropriate.

The sector supervisor may cancel a response in minor cases when delaying the taking of a report will not jeopardize the successful resolution of the case or cause physical evidence to be lost.

If the supervisor does not approve a response, PSC shall call the hospital back to confirm cancellation of the call, and explain alternatives regarding TRU or the victim reporting the incident upon their return to the County.

Response is mandatory in the following cases:

- ❑ All death cases, including accidental or unattended
- ❑ Rapes, attempted rapes and other sexual assaults
- ❑ All felony assaults, including all shootings and cuttings
- ❑ Suspected or confirmed child abuse cases
- ❑ Robberies or abductions, including attempts
- ❑ Motor vehicle accidents involving incapacitating injury

When an immediate follow-up response by an investigator is likely to be necessary, the supervisor may request that a shift commander direct an investigator to respond and write the initial report, rather than a uniformed officer.

An officer taking a report at an out-of-state hospital shall request a hospital security officer, or police officer from the host jurisdiction, to stand by as a precautionary measure if the suspect is present.

Exceptions

No provision of this section limits the authority of any officer to take action in another jurisdiction when:

- ❑ Pursuing a suspect into a neighboring jurisdiction under the doctrine of fresh pursuit
- ❑ Deployed under a mutual aid agreement
- ❑ Dispatched into a neighboring jurisdiction in response to that jurisdiction's request for assistance
- ❑ Operating in a multi-jurisdictional task force

10. Extra-Jurisdictional Incidents in the County

(Criminal Procedure 2-102)

The Department shall assist officers from other jurisdictions who take emergency police action in the County. Assistance includes, but is not limited to, transporting prisoners, processing evidence, investigative support, and providing fingerprint cards and equipment.

Officers are not required to confirm probable cause or examine the facts of a case before rendering general assistance to officers of another jurisdiction. They shall rely upon a good faith expectation that the officer is acting properly, unless circumstances suggest otherwise.

Prior to any PGPD officer transporting a prisoner, accepting custody of a prisoner, or accepting transfer of investigative responsibility for a case, the facts of the case

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shall be examined and the probable cause for arrest confirmed. If the responding officers believe that the outside agency officer's conduct is improper, or that the arrest is unlawful, they shall request a supervisor.

If the supervisor concurs, they shall ensure that no transfer of prisoner custody or responsibility for the case occurs. A PGPD officer shall not transport the prisoner. Obtaining an alternative means of transport shall be the outside agency officer's responsibility.

If probable cause is judged insufficient or their actions improper, the outside agency officer shall be allowed to use the Department's facilities, including processing facilities and equipment, to expedite the prisoner's presentment to a District Court Commissioner. However, the desk officer shall not accept custody of the detainee and shall limit their control over the detainee to the extent necessary to ensure the safety and security of the prisoner and other persons within the processing facility.

If an officer from another jurisdiction notifies a PGPD officer of extra-jurisdictional action in the County, the PGPD officer shall notify the PSC supervisor.

PSC shall dispatch an officer if:

- ❑ The outside officer is still on scene
- ❑ The conflict has not been resolved
- ❑ A report remains to be taken for a criminal offense that occurred in the County subsequent to the jurisdictional incident

If none of these conditions exist, the PSC supervisor shall notify the appropriate District Investigative Section or CID. The

component receiving the notification shall initiate an investigation. The extent of the investigation shall be determined by the circumstances of the incident.

The investigator shall complete an Incident Report and place "034" in the SPECIAL STUDIES block. If no criminal offense is confirmed, they shall title the report, "EXTRA-JURISDICTIONAL INCIDENT." If a criminal offense is confirmed, they shall title the report with the appropriate criminal violation, and write "EXTRA-JURISDICTIONAL INCIDENT" in bold letters across the top margin. The report shall:

- ❑ List the outside officer's name, ID number, agency, and telephone number
- ❑ List names, addresses, and telephone numbers of all victims, witnesses and suspects
- ❑ Describe the actions of the outside officer and the assisting PGPD officers, indicating whether transfer of prisoner custody or investigative responsibility occurred

The Incident Report shall be attached to a CIR, and a copy faxed to the Office of the Chief and Patrol Services before the end of the officer's tour of duty.

Officers who assist outside agency officers, and employees who receive notifications of extra-jurisdictional actions, shall request the outside officer to forward copies of their agency's reports to the Records Section.

The Department may accept custody of detainees and assume investigative responsibility for a case if the outside officer consents. In such instances, the outside officer shall provide a written statement regarding their actions, and be summoned as a police witness. If custody of the detainee

is transferred, a PGPD officer shall prepare the report, process the detainee, and present them before a District Court Commissioner.

If the extra-jurisdictional incident involves a felony, the appropriate investigative component shall be notified and make an effort to assume investigative responsibility, including accepting custody of all lawfully arrested individuals. If the outside officer refuses to transfer the case, the officer's agency shall be contacted and a request for cooperative transfer made. If the officer's agency refuses, appropriate support will be provided and the refusal shall be noted in the Incident Report.

The Department reserves the right to decline custody of any detainee and responsibility for any case.

11. Extra-Jurisdictional Incidents Outside the County

Any officer who discovers an incident requiring police attention in another jurisdiction in the state of Maryland shall cause notification to the police agency for the area of occurrence.

The officer need not wait for the other agency. However, if immediate action is necessary to prevent personal injury or property damage, the officer may take such action if permitted by law.

When taking action in another jurisdiction, the officer continues to be governed by PGPD written directives.

All provisions of this section apply to on-duty and off-duty actions.

Authority of Officers

Officers may exercise police powers in other Maryland jurisdictions if:

- ❑ An emergency, as defined in section **III. DEFINITIONS**, exists
- ❑ Requested by the host jurisdiction's officer or by MSP
- ❑ Assisting an officer, even if such assistance was not specifically requested
- ❑ Operating in a joint investigation or task force involving other federal, state or local law enforcement agencies, provided that at least one of those agencies has local jurisdiction

When taking action in one of these situations, officers are empowered with full police authority, except that they shall not enforce any motor vehicle law. The officers may make criminal arrests, seize evidence, conduct investigations and take other appropriate actions to enforce state laws.

While performing these duties in the host jurisdiction, the officer enjoys the same immunities from liability that apply in their home jurisdiction, as well as any immunities that apply to MSP officers. The officer remains for all purposes a PGPD employee.

Notifications

Officers who take action in another jurisdiction shall notify the host jurisdiction's police department (or sheriff's department when no police department exists) as soon as practical.

If the incident occurred in a municipality, notification shall be made to the municipal police rather than the County agency. If the incident occurred on state owned or controlled property, notification shall be to the appropriate state agency.

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When the action is taken pursuant to a task force or joint investigation, the officer shall ensure that notification is made in advance of the action if practical. Notification to the host jurisdiction's participating officer may be sufficient although other procedures may be required for certain agencies.

When making notification, the officer may request that the host agency respond to the scene of any incident. Such a request is mandatory if:

- ❑ An arrest is made
- ❑ The officer displayed a weapon or used force
- ❑ A person was injured
- ❑ A felony occurred
- ❑ An offense report is necessary
- ❑ Evidence is available for processing or unattended property needs to be recovered or guarded
- ❑ There is a reason to believe further disturbances will occur after the officer's departure

The officer shall notify the supervisor, PSC, within one hour following completion of an extra-jurisdictional action, except when the action was taken as part of their standard duties in a task force or joint investigation.

PSC Duties

Upon notification that an officer is involved in an extra-jurisdictional action, PSC shall immediately notify the appropriate host agency by telephone unless the officer has already done so. If a local host agency in the State of Maryland cannot be identified or contacted, PSC shall notify MSP.

The PSC supervisor shall ensure that the name and assignment of the host agency official accepting notification is provided to

the officer involved in the extra-jurisdictional action.

Transporting Prisoners

If the officer makes an arrest and does not have a Departmental vehicle appropriate for prisoner transport, they shall request that the host agency make the transport. If the host agency refuses, the officer shall contact PSC for guidance from a Command Officer.

Unless authorized by a Command Officer, prisoner transports in privately owned vehicles are prohibited except in emergencies or when timely contact with appropriate authorities is physically impossible, such as arrests occurring in an isolated rural area without phone or radio.

Prisoners shall be transported to a police or court facility in the host jurisdiction and shall not be brought back to Prince George's County, except when transport to a different location is specifically authorized within a task force or joint investigation.

Investigative Responsibility

The law does not require responsibility for a case or custody of a prisoner to transfer to the host agency. However, PGPD officers taking action in other jurisdictions shall offer such transfer unless the officer discharged a weapon, injured a person during their action, or took that action in the course of a joint investigation or task force operation.

If the officer's firearm discharged or injury occurred, the officer shall notify a Command Officer for determination regarding any transfer of the firearm. The officer may consult with a Command Officer in any other situation when they believe transfer may be inappropriate.

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If the action occurred as a result of a task force or similar joint investigation, procedures previously agreed upon by participating agencies establish investigative responsibility or identify the person who will make that decision.

The host agency may accept or decline a transfer of investigative responsibility. If the host agency accepts, officers shall yield authority to the assigned host investigator, cooperate with the investigator, and make themselves available as a witness for court.

If the case is not accepted by the host agency, the officer shall have complete investigative responsibility as if the crime occurred in Prince George's County. If they have made an arrest, they shall charge their prisoner on a statement of charges and present the prisoner to a District Court Commissioner in the host jurisdiction. They shall also recover and process evidence, obtain statements, coordinate with the local State's Attorney's Office, and perform all other appropriate follow-up investigation.

The officer's Commander may assign an investigator to assist the officer with follow-up duties if appropriate.

Processing & Reports

Whenever an officer takes action in another jurisdiction, they shall complete an Incident Report upon their return to the County. The report shall:

- ❑ Describe the officer's actions and identify the reasons why action was taken
- ❑ List the names, addresses and phone numbers of all known victims, witnesses and suspects (if the host agency processes a PGPD apprehended prisoner,

list the host agency's processing ID number for that prisoner)

- ❑ Record the date, time and method of notification to the host agency and identify, by name, the host agency's official who received that notification
- ❑ Describe the host agency's response or supporting actions, and indicate whether a transfer of custody or investigative responsibility occurred
- ❑ Place "034" in the SPECIAL STUDIES block
- ❑ List the out-of-county address of occurrence in the LOCATION block

If the officer makes an arrest and the host agency accepts custody of the prisoner, the host agency is responsible for prisoner processing and completion of required paperwork. No documents other than the Incident Report are required of the officer.

If the host agency does not accept custody and the prisoner is charged by the officer, the officer shall obtain a PGPD arrest number for use with the charging document, and shall complete a PGPD Arrest Report upon their return to the County. They shall also fingerprint, and, if possible, obtain a photograph of the prisoner using the host agency's facilities and equipment. If the host agency refuses to provide cards or allow use of its equipment, they shall not process the prisoner, and shall note the host agency's refusal in the Arrest Report narrative.

Scheduled Prisoner Transport

Such transports do not include removal of prisoners from the scene of an arrest.

Officers shall maintain custody and control of prisoners during scheduled transports in other Maryland jurisdictions. They are authorized to use the same degree of force

necessary to control the prisoner or prevent escape as would be permitted in the County.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- ❑ Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.1, 1.2.5, 1.3.1, 2.1.2, 2.1.3, 2.1.4, 41.2.1, 82.2.1

Governing Legislation:

- ❑ Criminal Procedure 2-101
- ❑ Criminal Procedure 2-102
- ❑ Criminal Procedure 2-106

In accordance with Section 18-190 of the Prince George's County Code, personnel of the Department, together with all necessary equipment, may lawfully go or be sent beyond the boundaries of Prince George's County to any point within or without the State of Maryland under the following circumstances:

- ❑ Upon the direction of the Chief of Police or their designee acting at the request of the State of Maryland, another state, the District of Columbia, or a County or municipal corporation
- ❑ Pursuant to a mutual aid agreement
- ❑ Pursuant to any statute of the State of Maryland, an ordinance of Prince George's County, or other lawful authority. (CB-126-1987)