



CHEVY CHASE  
VILLAGE  
POLICE  
DEPARTMENT

Police Chief: John Fitzgerald

GENERAL ORDER: 3-3 EXTRA-JURISDICTIONAL AUTHORITY

DATE: 12/23/2015 Pages: 2 ◇ New ◇ Amended ◆ Revised 3-3

**I. POLICY**

It is the policy of the Chevy Chase Village Police Department that officers will comply with the legal requirements mandated in the Criminal Procedure §2-102 of the Maryland Code which deals with limited extra-jurisdictional (within Maryland but outside of Chevy Chase Village) authority of police officers. Officers may exercise extra-jurisdictional authority granted in this law only within Maryland and only if they are acting in accordance with regulations adopted by this Department to implement the extra-jurisdictional authority, and:

- A. They are participating in joint investigations with officials from any other state, federal, or local law enforcement agencies at least one of which has local jurisdiction;
- B. They are rendering assistance to other police officers;
- C. They are acting at the request of local police officers or State police officers; or
- D. An emergency exists and the officer is acting in accordance with Department policies and procedures to implement the authority and powers granted by the statute.

**II. PURPOSE**

This General Order establishes operational and notification guidelines necessary to implement the provisions of Criminal Procedure § 2-102 of the Maryland Code.

**III. DEFINITIONS**

- A. **Emergency:** As defined in § 2-101 of the Criminal Procedure Article of the Maryland Code; 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 a person from actual or threatened harm or from an unlawful act.
- B. **Extra-jurisdictional:** Outside of Chevy Chase Village, but within the State of Maryland.

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**IV. GENERAL**

- A. Before exercising police authority consistent with the above statute, officer should first consider whether it is safe or wise to do so. Even when an officer *may* lawfully exercise authority outside of the Village, it may not be smart or safe to do so.
- B. Officers in another Maryland jurisdiction should consider being a good eyewitness and calling the local law enforcement agency rather than taking action themselves.
- C. Officers are prohibited from exercising any police authority—regardless of where they are—if their police powers are suspended.
- D. May not use the extra-jurisdictional authority granted to facilitate or solicit secondary employment activities
- E. Nothing in this General Order or statutes dealing with extra-jurisdictional authority of police officers alters the authority granted to the Chevy Chase Village Police authorized under Article 23A, of the Annotated Code of Maryland.

**V. GUIDELINES**

If an officer effects an extra-jurisdictional arrest, the following guidelines take effect:

- A. Operational Guidelines
  - 1. Officers shall request assistance from the local law enforcement agency to secure and transport arrestee(s);
  - 2. Officers will immediately and clearly identify themselves to responding local officials;
  - 3. Officers will follow instructions/guidance given by on-scene local police officials exercising control over incidents;
  - 4. Officers will cooperate and participate in the

handling of arrestee(s) in addition to the handling and submission of evidence.

B. Reporting Guidelines

Officers shall:

1. Prepare or assist in preparing charging documents ensuring the placement of appropriate charges against arrestee(s)
2. Cooperate with local officers in preparing and submitting necessary reports, including administrative reports and the submission of evidence;
3. Obtain copies of local officers' reports and other pertinent documents for submission to the Lieutenant;
4. Complete a Village Incident Reports in addition to other applicable reports, forms, and documents as required by the Department upon returning to duty.

C. Notification Guidelines

1. When acting under limited extra-jurisdictional authority, officers of this department will, as soon as practical after the arrest, notify the Lieutenant. The notification will include the following information:
  - a. Arrestee's name, DOB, address;
  - b. Circumstances of the arrest;
  - c. Name and agency of the officer that arrestee was turned over to;
  - d. Name and address of the head of the law enforcement agency where the action took place.
2. This information will be forwarded to the Chief of Police, no later than 24 hours after the incident, who will send written notification of the arrest to the agency head with local jurisdiction.
3. These procedures will not abrogate any procedures set forth by Mutual Aid Agreements or Memoranda of Understanding.
4. When officers are acting under the extra-jurisdictional authority granted for participation in joint investigations, notifications to the chief law enforcement officers must be made at reasonable times in advance of the exercise of police powers.

- a. When advance notice would endanger the life or safety of police officers or compromise the effectiveness of investigations, advance notice times may be shortened. In such cases, notification delays must be approved by team supervisors. Notices should then be provided to the local jurisdictions at the first reasonable opportunity, as determined by the investigative team leaders.
- b. Notices must be given to all jurisdictions where investigations will probably occur. In the event investigations occur unexpectedly in jurisdictions for which no advance notice has been given, notices must be provided at the first reasonable opportunity.

**VII. EXTRA-JURISDICTIONAL ARRESTS BY OTHER OFFICERS**

When officer(s) from other jurisdictions (other than Montgomery County PD) take actions within the jurisdiction of this department, Village officers will:

- A. Respond to the incident location in order to establish command and control;
- B. Take physical custody of arrestee(s) from arresting officers; search arrestee(s) before transporting;
- C. Have the arresting officer(s) accompany agency officers to the Bethesda station for arrestee processing;
- D. Ensure the safety, security, care, and processing of arrestee(s);
- E. Assist the arresting officer(s) with the completion of required charging documentation;
- F. Have the arresting officer(s) complete any necessary Statement Forms;
- G. Transport the arrestee(s) and arresting officer(s) to the District Court Commissioner and standby until pre-trial determinations are made;
- H. Complete required Incident Reports;
- I. Provide arresting officer(s) with copies of their reports as well as other incident-related documentation;
- J. Make appropriate notifications.

This directive voids the previous version dated 1/21/2009.