

## Salisbury University Police Department

### CHAPTER 2 – AGENCY JURISDICTION AND MUTUAL AID

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*The Directives in this chapter relate to the department's jurisdiction and the provision and use of mutual aid and regional law enforcement services among agencies through cooperative agreements.*

#### **2.1 Agency Jurisdiction and Mutual Aid**

##### **2.1.1 Agency's Jurisdiction**

The University Police Department shall be responsible for the response to emergency and non-emergency situations, the investigation of all crimes and the enforcement of all applicable laws, statutes and ordinances within the geographical boundaries of Salisbury University's campuses, properties and facilities.

A detailed official map, which designates the boundaries of Salisbury University and its facilities, is maintained in the Communications Center and other locations readily accessible to personnel within the agency. These locations include the Squad Room and offices of Division Commanders.

##### **2.1.2 Concurrent Jurisdiction – Agency Responsibilities**

*and*

##### **2.1.3 Written Agreements for Mutual Aid**

Salisbury University and the University Police Department have entered into agreements with local jurisdictions which define the authority of University Police Officers beyond the jurisdiction of University-owned property and facilities where officers have full authority granted under the Maryland Educational Article 13-601.

Salisbury University's President and Chief of Police as well as other representatives of other jurisdictions have entered into the attached Police Mutual Aid Agreement which defines the authority of law enforcement officers if it becomes necessary for officers to extend beyond their current jurisdictions into neighboring jurisdictions within Wicomico County, Maryland.

Salisbury University's President and the Chief of Police have also entered into the attached Memorandum of Understanding with the City of Salisbury and the Salisbury Police Department regarding the obligations of each department outlining primary response obligations in off-campus locations with a high density of the university's student population:

*The Salisbury Police Department is and will remain the primary law enforcement agency responsible for providing public safety to various student housing areas and roadways surrounding the university. University Police may patrol the following areas: University Park, University Village, Cedar Crossing, Seasons at Salisbury University, Varsity Lane Townhouses, Seagull Village, and University Townhouses. In addition, University Police may patrol the following roadways surrounding the campus: Onley Road, Wayne Street, Bateman Street, Power Street, Milford Street and Avery Street.*

*University Police may exercise full police authority when patrolling the aforementioned housing areas and roadways whenever they witness a crime or in an emergency situation, and in all cases where they may be acting within the scope of their employment outside the normal jurisdictional limits.*

*University police officers shall immediately notify the Salisbury Police Department in every instance where police enforcement action is taken at any of the aforementioned areas (pursuit, arrest, etc.).*

*University Police will not dispatch officers to these areas if a call for service is received by dispatch personnel. The call will be directed to the Salisbury Police Department. University police officers may receive requests from the Salisbury Police Department for back-up, but may only provide such back-up as availability permits. Serious life-threatening events in which back-up is requested must be given a higher degree of consideration than calls that are non-life threatening. All of the below listed crimes will be immediately turned over to the Salisbury Police Department for investigation:*

*Homicide  
Forcible Rape  
Robbery  
Aggravated Assault  
Burglary  
Theft Over \$500*

*Motor Vehicle Theft  
Arson  
All Deaths  
Suspected Child Abuse  
All Other Crimes Deemed Necessary*

*The Squad Supervisor or the OIC will determine the availability of University Police to respond to routine calls for back-up. In the event that the either Division Commander is on duty, the management of resources pursuant to the MOU will then become their responsibility. Primary consideration should be given to the number of officers patrolling the main campus and how devoting resources off campus will impact on-campus safety. University Police is under NO obligation to respond if not available. University Police dispatch will NOT devote resources to the areas off campus without the approval of the aforementioned approval authorities.*

*It is expected that all University police officers who interact with Salisbury Police officers conduct themselves with the highest degree of professionalism. Differences in interpretation of the MOU or disputes concerning any aspect of the MOU should first be mediated by the OIC or supervisor on duty. If diplomacy fails, the on-call Commander will be notified immediately and will resolve the issue. The Chief of Police will also be advised of any disputes or abuses concerning activities stemming from the MOU.*

*Patrol checks in the aforementioned areas will be made based upon officer availability. On campus issues will take precedence over this requirement. However, a good faith effort to conduct patrol checks is expected. A patrol check card will be prepared in every instance when checks are conducted. All other reporting policies will be followed when police or enforcement action is taken. Each patrol vehicle is equipped with a map outlining the affected areas.*

*Documentation and notification to the Chief of Police is paramount to the success of this joint venture. The Chiefs of Police of both agencies must address the abuse or misinterpretation of the MOU immediately.*

Additionally:

- A. When it becomes necessary for a University Police Officer to take action outside of his/her jurisdiction, the officer will submit a report in writing to the Chief of Police via the chain of command outlining the circumstances upon which his/her action was taken.
  - 1. When an arrest is made by a Salisbury University Police Department (SUPD) Officer in the jurisdiction of the City of Salisbury or Wicomico County, the SUPD officer will complete all of the required charging documents and associated paperwork.
  - 2. The officer will notify the proper agency where the arrest was made to ensure that they are aware arrest and to ascertain if the agency wants to assist in the investigation.

- B. Officers will not initiate investigations outside the jurisdiction of the University and its property or facilities.
- C. Officers will not initiate traffic investigations outside of the University's property and facilities unless the investigation began in or on such locations. SUPD officers are authorized to patrol the roadways surrounding the university. As such, if a traffic accident occurs in the presence of the officer, or if he observes a flagrant violation, he will take appropriate action. Other than minor traffic offenses, the respective agency where the action (motor vehicle accident) took place will be notified. Officers will not seek out traffic violators in any area outside the SUPD's jurisdiction.
- D. If it becomes necessary to execute an arrest warrant or search warrant outside the SUPD's jurisdiction relative to a criminal/traffic case that originated on University property, officers will contact the respective agency (MSP, SPD, Sheriff's Office, etc) and request their assistance.
- E. SUPD officers will respond to backup calls from other agencies if SUPD officers are available and able to respond within a reasonable distance outside their jurisdiction. If SUPD officers require assistance from other agencies, a request through the communications center will be made for assistance.
- F. Officers of the Salisbury Police Department, Wicomico County Sheriff's Office or Maryland State Police will have primary authority in their respective jurisdictions and will handle all calls for service accordingly. In accordance with the Memorandum of Understanding between Salisbury University and the Salisbury Police Department, specific crimes that occur at student housing areas off-campus will be handled by the Salisbury Police Department. SUPD officers may assist with these calls for service if requested by the allied agency. In the event SUPD officers witness a felony or misdemeanor crime in progress which occurs off campus in any of the locations outlined in the MOU, SUPD officers will take the appropriate enforcement action. Offenses which are reported to SUPD but which occur within the jurisdiction of the Salisbury Police Department will be referred for investigation to SPD.
- G. Information relative to reports or arrests will be exchanged between the law enforcement agencies when SUPD officers take action outside their jurisdiction or when allied agencies take action concerning University students off-campus. If necessary, meetings will be held with representatives of the University, the SUPD and the City of Salisbury or other allied agencies relevant to the terms of the mutual aid agreement or MOU.
- H. The Squad Supervisor and/or Division Commanders will resolve any differences in the interpretation of either the Mutual Aid Agreement or Memorandum of Understanding. The Chief of Police will be notified of any conflicts regarding interpretation of the MOU.
- I. SUPD exercising their authority outside their jurisdiction in accordance with either of the above listed agreements will establish and maintain radio communication with personnel of outside agencies.

Also refer to Salisbury University's *Emergency Preparedness Manual*.

## Statewide Jurisdiction

### 1. Authority

Generally, police officers of this department are granted the authority to make warrantless arrests and conduct investigations, without regard to jurisdictional boundaries, under the following circumstances:

Subject to the limitations set forth below, a police officer of this department may make a warrantless arrest, outside the jurisdiction of Salisbury University when:

- a. A person commits or attempts to commit any felony or misdemeanor in the presence of within view of such officer;
- b. An officer has probable cause to believe that a felony or misdemeanor is being committed in the officer's presence or within his view, may arrest without a warrant any person whom the officer may reasonably believe to have committed such offense;
- c. An officer may arrest a person without a warrant of the officer has probable cause to believe that a felony has been committed or attempted, and that such person has committed or attempted to commit a felony whether or not in the officer's presence or view;
- d. Certain other offenses have been committed and unless the person is immediately arrested:
  - i. The person may not be apprehended;
  - ii. The person may cause injury to the person or damage to the property of one or more persons; or
  - iii. The person may tamper with, dispose of, or destroy evidence.

### 2. Limitations

A police officer of this department may make a warrantless arrest under these provisions when:

- a. Participating in a joint investigation with officials from other federal, state and local law enforcement agencies;
- b. Rendering assistance to a police officer;
- c. Acting at the request of a state or local police officer;
- d. An emergency exists; and
- e. Is acting in accordance with these regulations.

### 3. Emergency Response

Under the statewide jurisdiction law, 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. The University Police Department limits those circumstances which constitute an emergency to:

- a. Felony in progress or Violent Misdemeanor: when there is reasonable belief that a person is in immediate danger or death or serious physical injury.
- b. Destruction of Property which could result in injury or death.
- c. Probable cause to believe a felony has been committed or attempted.

#### 4. Notifications Required

When acting under the authority granted by this law, notification must be given to the CEO of the law enforcement agency with primary jurisdiction where the action takes place. Specifically, the statute designates the following notifications, to include but not limited to:

- a. When in an incorporated municipality, to the Chief of Police or his/her designee;
- b. When in a county with a police department, to the Chief of Police or designee;
- c. When in a county without a police department, to the Sheriff or designee;
- d. To the Maryland State Police barrack commander or designee, unless there is an agreement otherwise existing;
- e. In addition to the required notifications, the SUPD officer acting under the provisions of this law will notify the on-duty or on-call Division Commander who will notify the Chief of Police.

When a police officer is acting under the extra jurisdictional authority granted for participation in joint investigations, the notification to the CEO of the law enforcement agency must be made at a reasonable time in advance of the exercise of police powers.

#### 5. Prohibitions

- a. A police officer may not enforce the provisions of the Maryland Motor vehicle law beyond the officer's sworn jurisdiction.
- b. A police officer may not serve arrest warrants unless in conjunction with the lawful exercise of jurisdiction under this authority.

#### 6. Required Action

- a. A police officer acting pursuant to this legislation must act conformance with law.
- b. An officer will act in a professional manner so as not to discredit himself or the agency.
- c. An officer must abide by the directives, rules, regulations and practices of the department.

#### 7. General Guidelines – Procedures

A police officer acting under this authority:

- a. May not enforce the provisions of the Maryland Motor vehicle law beyond the officer's sworn jurisdiction.
- b. Must be serving in a full-time capacity, without restrictions or limitations (ie. medical leave, suspended, etc)
- c. Acts and is subject to this department's rules and regulations.
- d. Is at all times and for all purposes, an employee of this department. All allegations of misconduct on the part of the officer will be received and investigated by this department.
- e. Must be properly equipped. SUPD officers are required to carry their badge and identification card at all times. Consideration should be given to the equipment available and the possibility of injury to the officer, the suspect or 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.
- f. May not use his personal vehicle or unauthorized equipment.

- g. May not act under this authority while working within the scope of a security-type secondary employment except if acting at the request of or rendering assistance to another police officer.
  - h. Is at all times responsible for the proper performance of his/her duties.
8. Required Actions When Exercising Authority Pursuant to Statewide Jurisdiction Law
- a. Consideration will be given to notifying on duty officers to have them take necessary enforcement action.
  - b. Officer will assess the consequences of their actions (ie. injury) and must consider whether adequate information is available to arrest the suspect at a later time.
  - c. If practical, identify yourself to the suspect as an officer by displaying your badge and ID card and announcing your intent to arrest. Be prepared to identify yourself to other citizens and police officers as well.
  - d. Arrest the suspect, if necessary, in a lawful manner by securing the suspect in a safe, efficient way that assures the safety and security of the suspect, the public and the officer.
  - e. Seize and protect any evidence.
  - f. Notify the local law enforcement agency having primary jurisdiction of the arrest and request assistance in securing and transporting the arrestee. Do not attempt to transport without local jurisdiction support.
  - g. Identify yourself to responding officers and follow their instructions regarding transports.
  - h. Follow instructions of on-scene police officials exercising supervisory control over the incident.
  - i. Cooperate and participate in the handling of the arrestee and any evidence, as necessary.
  - j. Prepare all court documents and required reports concerning charges, as directed.
  - k. Obtain copies of the local jurisdiction's field and investigative reports or other documentation and submit copies to your Division Commander along with your required administrative report.
  - l. Complete any and all other required SUPD reports such as overtime slips, use of force reports, first report of injury, etc.
9. Joint Investigations
- a. This statute requires that notice of a joint investigation be given to the designated individual in the jurisdiction in which the investigation will be conducted at a reasonable time in advance. Where advanced notice would endanger the safety of investigators or compromise the investigation, the reasonable time in advance may be abbreviated. Notice will be given as soon as practical if no advance notice has been given.
  - b. SUPD officers who engage in or are made aware of joint investigations will ensure that all of the above notifications, reporting responsibilities and required actions are followed in accordance with this directive and rules of the department.
10. Responding Officers to Salisbury University
- a. If an officer from another jurisdiction makes an arrest on university property, SUPD officers shall respond and follow the department's arrest procedures:
    - i. Upon notification of an arrest, you shall promptly respond to the scene and assume control of the situation; giving direction to the arresting officer, as necessary.

- ii. Render aid and/or assistance.
- iii. Secure the scene and preserve evidence.
- iv. Take custody of the arrestee, if necessary.
- v. Have arresting officer accompany you to booking facility and obtain all required information to complete and submit reports.
- vi. Absent prearranged planning with another law enforcement agency's officers concerning their intent to locate and arrest an individual on-campus (ie. arrest warrant, bench warrant, etc.), if an arrest occurs, SUPD officers will assist the officer in accordance with departmental policies. Questions should be referred to the Squad Supervisor or Division Commander.

11. Other Issues

An officer who is injured while taking action pursuant to this law is entitled to compensation, worker compensation, disability, death benefits, life insurance and all other benefits to the same extent had the injury occurred in the officer's own jurisdiction.

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

## 2.1.4 Procedures for Requesting Federal Law Enforcement in Emergency Situations

### A. Requesting Federal Law Enforcement Assistance

1. In the event that it becomes necessary to request the assistance of any federal enforcement agency and/or its resources in emergency situations, the following procedures shall be followed:
  - a. The Squad Supervisor/OIC at the time of the incident shall contact the on-call Division Commander and advise him/her of the situation and of the assistance or resources required.
  - b. The Division Commander shall notify the Chief of Police, who shall determine if the requested federal assistance is necessary.
  - c. In the event that the decision is made to request federal assistance, then the Chief of Police, or his/her designee, shall be responsible for requesting the necessary assistance through the appropriate channels.
  - d. In the event that federal assistance is made available, the Chief of Police, or his/her designee, shall coordinate all joint activities until such time as the emergency situation no longer exists.

Federal Bureau of Investigation (Salisbury Office)	410-749-5249
Alcohol, Tobacco and Firearms	443-965-2000
Drug Enforcement Agency	410-860-4800

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Edwin Lashley  
Chief of Police