

## Law Enforcement Authority

### 100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the University of Maryland, Baltimore Police Department to perform their functions based on established legal authority.

### 100.2 POLICY

It is the policy of the University of Maryland, Baltimore Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

### 100.3 AUTHORITY OF THE UNIVERSITY OF MARYLAND, BALTIMORE POLICE DEPARTMENT

Officers of the University of Maryland, Baltimore Police Department have the same powers as sheriff's deputies, police officers, and other peace officers possess within their respective jurisdictions and may execute arrest warrants throughout Maryland (Md. Code PS § 2-412).

Officers may act within the limits of a municipal corporation that maintains a police force when (Md. Code PS § 2-412):

- (a) In pursuit of a criminal suspect.
- (b) In search of a criminal or suspect wanted for a crime committed outside of the limits of this department or when interviewing or seeking to interview a witness or supposed witness to the crime.
- (c) A crime is committed in the presence of the officer and the arrested party must be immediately transferred to the custody of the local law enforcement agency having jurisdiction.
- (d) Requested to act by the Chief of Police.
- (e) Ordered by the Governor of Maryland to act within this department.
- (f) Enforcing the motor vehicle laws of the state, within its jurisdiction.
- (g) In Baltimore City while enforcing Title 23 of the Transportation Article.
- (h) In any building or place when ordered by either the Maryland President of the Senate or the Speaker of the House of Delegates to guard the safety of legislators or the integrity of the legislative process.
- (i) Acting to protect the safety of an elected state official.
- (j)
- (k) Conducting investigations or enforcing the laws related to:
  1. Sexual solicitation of minors in accordance with Md. Code CR § 3-324.

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2. Misuse of telephone facilities and equipment in accordance with Md. Code CR § 3-804.
  3. Misuse of electronic mail in accordance with Md. Code CR § 3-805.
  4. Visual surveillance in accordance with Md. Code CR § 3-902.
  5. Unauthorized access to computer and related material in accordance with Md. Code CR § 7-302.
  6. Child pornography in accordance with Md. Code CR § 11-207 and Md. Code CR § 11-208.
  7. Prostitution and human trafficking in accordance with Md. Code CR § 3-1102; Md. Code CR § 3-1103; Md. Code CR § 11-303; Md. Code CR § 11-304; Md. Code CR § 11-305; Md. Code CR § 11-306; and Md. Code CR § 11-307.
- (l) Participating in a joint investigation with officials from another state, federal, or local law enforcement agency, at least one of which has local jurisdiction, and in accordance with regulations adopted by the Secretary of Maryland State Police when:
1. Assisting a law enforcement officer.
  2. Acting at the request of a local law enforcement officer.
  3. An emergency exists that calls for immediate action to protect the health, safety, welfare, or property from actual or threatened harm or from an unlawful act.
- (m) Conducting investigations of suspected homicides of inmates in accordance with Md. Code CS § 9-602.1.

**100.4 INTERSTATE PEACE OFFICER POWERS**

Peace officer powers may be extended to other states:

- (a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.
- (b) When an officer enters the following states as follows:
  1. In Delaware, while in the pursuit of a person believed to have committed a felony, a misdemeanor or a violation of the motor vehicle code (11 Del. C. § 1932).
  2. In the District of Columbia, while in pursuit of a person who has committed a felony or who the pursuing officer has reasonable grounds to believe has committed a felony (D.C. Code § 23-903).
  3. In Pennsylvania, while in fresh pursuit of a person in order to arrest him/her (42 Pa.C.S. § 8922).
  4. In Virginia while in fresh pursuit of a person to arrest him/her for committing a felony (Va. Code § 19.2-79).
  5. In West Virginia while in fresh pursuit of a person to arrest him/her for committing a felony (W. Va. Code § 62-11-1).

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Whenever an officer makes an arrest in Delaware, the District of Columbia, Pennsylvania, Virginia or West Virginia, the officer shall take the offender to the appropriate judicial officer where the arrest occurred as soon as practicable (11 Del. C. § 1933; D.C. Code § 23-902; 42 Pa.C.S. § 8923; Va. Code § 19.2-79; W. Va. Code § 62-11-2).

### **100.5 CONSTITUTIONAL REQUIREMENTS**

All members shall observe and comply with every person's clearly established rights under the United States and Maryland constitutions.