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Sheriff

HARFORD COUNTY SHERIFF'S OFFICE ADMINISTRATIVE POLICY

Authority and Jurisdiction

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1. Purpose

To provide deputies of the Harford County Sheriff's Office (HCSO) with guidelines regarding authority and jurisdiction of Agency personnel.

2. Policy

With courage, honor and integrity we protect the rights and dignity of all citizens. In partnership with our communities, we strive to preserve the peace and provide for a safe environment for all. The HCSO will ensure that all deputies perform their duties as defined under the laws of the State of Maryland and the authority of the Sheriff.

3. Definitions

TEMPORARY LAW ENFORCEMENT DEPUTY: an armed deputy who is certified by the Maryland Police and Correctional Training Commission (MPCTC), required to attend annual law enforcement in-service training, and serves under the authority of the Sheriff to provide security and other assigned duties at specific work locations.

4. References

Maryland Code Annotated Criminal Procedure Article 2-202
Maryland Code Annotated Family Law Article 10-201 to 10-219
Maryland Constitution, Article IV, Subsection 44

5. Procedures

- A. A violation of an Agency rule or regulation does not, and is not intended to, abrogate the legality of any law enforcement action taken pursuant to the authority granted by law.
- B. Establishment of Authority
 1. The authority of the Sheriff is established under Article IV, Subsection 44 of the Maryland Constitution and by various state statutes.
 2. Deputies of the HCSO draw their authority directly from the Sheriff as established under Common Law and as further defined by the Maryland State Legislature.

3. The Sheriff may limit the exercise of these powers for good and sufficient reason.

C. Oath of Office

1. All sworn deputies will be required to take an oath of office before assuming any duties.
2. Only those deputies who have taken the oath of office and have met state law enforcement certification requirements as mandated by the MPCTC will have the powers of arrest.

D. Duties of Deputy Sheriff

1. The authority and general duties of a Deputy Sheriff are consistent with the deputy's training and assignment as designated by the Sheriff of Harford County.

E. Off-Duty Authority within Harford County

1. An off-duty deputy is prohibited from taking official action in a personal dispute involving neighbors, friends, or relatives, unless the deputy's involvement is necessary to prevent physical injury to others.
2. An off-duty deputy is prohibited from taking official action while under the influence or impaired in the slightest degree by alcohol or prescription medication.
3. An off-duty deputy operating an Agency vehicle will act whenever:
 - a. An emergency call is dispatched, and the off-duty deputy is close to the call; and
 - b. When assistance is required.
4. Any official action taken by an off-duty law enforcement deputy will be reported to Department of Emergency Services (DES) Dispatch for assignment of an incident number.
5. Off-duty deputies are not obligated to engage in any official activity if the action might jeopardize civilians.

F. Off-Duty Authority Outside Harford County

1. Off-duty law enforcement deputies outside of Harford County may take the following official action:
 - a. When intervention is reasonably believed to be necessary to protect life or prevent serious bodily injury to others;
 - b. When the deputy reasonably believes a felony involving the use of force or threat of force is occurring in the deputy's presence; and
 - c. When a request for assistance is made by a law enforcement officer of another Maryland jurisdiction.

2. Any action taken by the off-duty deputy outside the boundaries of Harford County will be reported to the Duty Officer/Watch Commander as soon as practical.
3. A Computer Aided Dispatch entry with DES may suffice for this purpose, unless the action would have required an Incident Report in the Law Enforcement Records Management System (RMS) if it occurred in Harford County.

G. Authority within Municipalities of Harford County

1. Law enforcement deputies may exercise police powers within the incorporated municipalities of Harford County.
2. Under normal circumstances routine law enforcement duties in a municipality will be the responsibility of one of the respective police agencies.
3. The service of civil and criminal process directed to the Sheriff will be served and/or executed by law enforcement deputies of the HCSO within all municipalities of Harford County.
4. Assistance will be granted to any police officer making a request in accordance with established mutual aid agreements.

H. Authority on Federal Property

1. An HCSO law enforcement deputy's authority is limited within federal property of Aberdeen Proving Ground as follows:
 - a. The service of civil and criminal process issued by a Harford County court conducted after clearance with the Judge Advocate General (JAG);
 - b. Detention of a person for criminal and/or serious traffic violation(s) occurring in his presence, pending the arrival of appropriate federal or military authorities; and
 - c. Action when the law enforcement deputy reasonably believes that immediate action is necessary to preserve life or prevent serious bodily injury to another.
2. Any official action taken by a law enforcement deputy on federal property will be reported to the Duty Officer/Watch Commander as soon as practical.

I. Temporary Law Enforcement Deputies

1. The following facilities will have temporary work location assignments:
 - a. Circuit Court;
 - b. Sheriff's Office Headquarters;
 - c. Southern Precinct;
 - d. Northern Precinct;

- e. Harford County Administration Building;
 - f. County Council building and chambers;
 - g. Family Court Services and State's Attorney's Office;
 - h. Child Advocacy Center, Megan's Law Unit, and State's Attorney's Office; and
 - i. Any other property or facility as designated by the Sheriff.
2. Duties and Responsibilities
- a. Temporary Law Enforcement Deputies will be required to perform the following functions:
 - i. Maintain the integrity and safety of the work locations;
 - ii. Render courteous assistance to all employees and visitors;
 - iii. Operate screening devices (i.e. magnetometer, handheld metal detectors, etc.);
 - iv. Provide security and proper decorum during trials;
 - v. Take charge of prisoners that are taken into custody;
 - vi. Perform periodic checks of facilities for suspicious activities or items;
 - vii. Provide a safe and secure environment for prisoners in holding cells;
 - viii. Maintain order and efficiency during emergencies (i.e. fire evacuation or bomb threats);
 - ix. Perform clerical duties;
 - x. Receive walk-in citizen's reports/complaints;
 - xi. Conduct computer checks of various databases and make notifications as needed;
 - xii. Transport prisoners; and
 - xiii. Any other duties assigned by a supervisor.
3. Authority
- a. Temporary Deputies are vested with full authority under the law on or off-duty.
 - b. Temporary Law Enforcement Deputies will be armed with an Agency firearm while on-duty and are authorized to wear said weapon while off-duty.

4. Jurisdiction

- a. The Temporary Law Enforcement Deputies will have the same jurisdictional authority as full-time Deputies.

5. Training

- a. Temporary Law Enforcement Deputies may be required to attend the following training to maintain all necessary certifications:
- i. Annual Firearms Qualification;
 - ii. Annual In-Service Training;
 - iii. Courtroom Security Training;
 - iv. Chemical Agents Training (optional – Chemical Agents not permitted in Circuit Court);
 - v. Conducted Electrical Weapons Training (optional, but mandatory for courthouse personnel); and
 - vi. Any other training as deemed necessary by the supervisor.

J. Correctional Deputy Authority

1. On-duty correctional deputies have the authority and duties granted to the Sheriff under Common Law and under Article 87, Subsection 45 through 49 relating to the care and custody of inmates.
2. The authority is limited to on-site activities at the Harford County Detention Center (HCDC) and/or any on-duty correctional responsibility required to be performed off-site including, but not limited to, inmate transportation and guarding a hospitalized inmate, in and out of Harford County.
3. A correctional deputy does not retain his authority off-duty and does not have the powers of arrest on or off-duty. This does not prohibit a correctional deputy from assisting a law enforcement deputy upon request, within the scope of his authority.

K. Unranked Employee Authority

1. Any unranked employee has no law enforcement or correctional authority beyond the authority granted under law to a private citizen.

L. Limited Extra Jurisdictional Authority

1. Deputies are granted limited statewide powers of arrest pursuant to Maryland Criminal Procedure Article 2-202 and Family Law Article 10-201 to 10-219.
2. Deputies are granted limited statewide powers in both the civil and the criminal process of the law.

3. Deputies will notify the law enforcement agency in the jurisdiction in which they are serving papers as a matter of courtesy and/or to request assistance if necessary.
4. Limited Extra Jurisdictional Authority allows the use of police powers granted by law, in emergencies. For these purposes, an emergency is defined as a 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.

M. Compliance - Extra Jurisdictional Authority

1. Deputies acting under Extra jurisdictional Authority will:
 - a. Abide by Agency rules and regulations;
 - b. Serve in a full duty capacity, without restrictions or limitations;
 - c. Carry their badge and identification card, and be suitably armed, unless circumstances dictate otherwise;
 - d. Notify the local law enforcement agency with primary jurisdiction where the action took place; and
 - e. Notify the Duty Officer/Watch Commander who will in turn notify the DES as soon as practical.

N. 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 or jurisdiction under this authority.
3. Using personal vehicles for enforcement action.

Approved

JEFFREY R. GAHLER
SHERIFF
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