I. Purpose

The purpose of this policy is to provide members of the Harford County Sheriff's Office with guidelines regarding authority and jurisdiction of agency personnel.

II. 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.

It shall be the policy of the Sheriff's Office to ensure that members perform their duties as defined under the laws of the State and the authority of the Sheriff.
Harford County Sheriff's Office
Policy#MAN1400: Authority and Jurisdiction

NOTE: 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.

1400.1 Establishment of Authority
   1400.1.1 The authority of the Sheriff is established under Article IV, Subsection 44 of the Maryland Constitution and by various state statutes.
   1400.1.2 Members of the Harford County Sheriff's Office draw their authority directly from the Sheriff as established under Common Law and as further defined by the Maryland State Legislature.
   1400.1.3 The Sheriff may limit the exercise of these powers for good and sufficient reason.

1400.2 Oath of Office
   1400.2.1 All members shall be required to take an oath of office before assuming any duties.
   1400.2.2 Only those members who have taken the oath of office and have met state law enforcement certification requirements as mandated by MPCTC shall have the powers of arrest.

1400.3 Duties of Deputy Sheriff
   1400.3.1 The authority and general duties of a Deputy Sheriff are consistent with the member's training and assignment as designated by the Sheriff of Harford County.

1400.4 Off-Duty Authority within Harford County
   1400.4.1 An off-duty member is prohibited from taking official action in a personal dispute involving neighbors, friends, or relatives, unless the member's involvement is necessary to prevent physical injury to others.
   1400.4.2 An off-duty member is prohibited from taking official action while under the influence or impaired in the slightest degree by alcohol or prescription medication.
   1400.4.3 An off-duty member operating an agency vehicle shall take action whenever:
      1400.4.3.1 An emergency call is dispatched and the off duty member is close to the call.
      1400.4.3.2 When assistance is required.
   1400.4.4 Any official action taken by an off-duty law enforcement member shall be reported to communications for assignment of an incident number.
   1400.4.5 Off-duty members are not obligated to engage in any official activity, if the action might jeopardize civilians.
1400.5 Off-Duty Authority Outside Harford County
1400.5.1 Off duty law enforcement members outside of Harford County may take the following official action:
1400.5.1.1 When intervention is reasonably believed to be necessary to protect life or prevent serious bodily injury to others.
1400.5.1.2 When the member reasonably believes a felony involving the use of force or threat of force is occurring in the member’s presence.
1400.5.1.3 When a request for assistance is made by a law enforcement officer of another Maryland jurisdiction.
1400.5.2 Any action taken by the off-duty member outside the boundaries of Harford County shall be reported to the Duty Officer as soon as practical and the incident shall be documented.
1400.5.3 An incident entry may suffice for this purpose, unless the action would have required a report if it occurred in Harford County.

1400.6. Authority within Municipalities of Harford County
1400.6.1 Law enforcement members may exercise police powers within the incorporated municipalities of Harford County.
1400.6.2 Under normal circumstances routine law enforcement duties in a municipality shall be the responsibility of one (1) of the respective police agencies.
1400.6.3 The service of civil and criminal process directed to the Sheriff shall be served and/or executed by law enforcement members of the Sheriff’s Office within all municipalities of Harford County.
1400.6.4 Assistance shall be granted to any police officer making a request in accordance with established mutual aid agreements.

1400.7. Authority on Federal Property
1400.7.1 A Sheriff’s Office law enforcement member’s authority is limited within federal property of Aberdeen Proving Ground as follows:
1400.7.1.1 The service of civil and criminal process issued by a Harford County court shall be conducted after clearance with the Judge Advocate General (JAG).
1400.7.1.2 Detention of a person for criminal and/or serious traffic violation(s) occurring in his/her presence, pending the arrival of appropriate federal or military authorities.
1400.7.1.3 Action when the law enforcement member reasonably believes that immediate action is necessary to preserve life or prevent serious bodily injury to another.
1400.7.2 Any official action taken by a law enforcement member on federal property shall be reported to the Duty Officer as soon as practical.

1400.8 Temporary Law Enforcement Deputies
1400.8.1 Purpose
1400.8.1.1 To establish duties, responsibilities, authority, and jurisdiction for Temporary Law Enforcement Deputies hired to provide security for the Harford County Sheriff’s Office.
1400.8.2 Definitions

1400.8.2.1 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.

1400.8.2.2 Work Location- The interior and exterior of facilities, to include the curtilage from the structure to the property lines.

1400.8.2.2.1 The following facilities shall be considered work locations:

1400.8.2.2.2 Circuit Court
1400.8.2.2.3 Sheriff’s Office Headquarters
1400.8.2.2.4 Southern Precinct
1400.8.2.2.5 Northern Precinct
1400.8.2.2.6 Harford County Administration Building
1400.8.2.2.7 County Council Building and Chambers
1400.8.2.2.8 Family Court Services and State’s Attorney’s Office
1400.8.2.2.9 Child Advocacy Center, Megan’s Law Unit, and State’s Attorney’s Office
1400.8.2.2.10 Any other property or facility as designated by the Sheriff

1400.8.3 Duties and Responsibilities

1400.8.3.1 Temporary Law Enforcement Deputies shall be required to perform the following functions:

1400.8.3.1.1 Maintain the integrity and safety of the work locations.
1400.8.3.1.2 Render courteous assistance to all employees and visitors.
1400.8.3.1.3 Operate screening devices (i.e. magnetometer, hand held metal detectors, etc.).
1400.8.3.1.4 Provide security and proper decorum during trials.
1400.8.3.1.5 Take charge of prisoners that are taken into custody.
1400.8.3.1.6 Perform periodic checks of facilities for suspicious activities or items.
1400.8.3.1.7 Provide a safe and secure environment for prisoners in holding cells.
1400.8.3.1.8 Maintain order and efficiency during emergencies (i.e. fire evacuation or bomb threats).
1400.8.3.1.9 Perform clerical duties.
1400.8.3.1.10 Receive walk-in citizen’s reports/complaints.
1400.8.3.1.11 Receive telephone calls and prepare Telephone Report Forms (SO-093) for incidents that meet the criteria set forth in the Telephone Reporting Policy (MAN2700).
1400.8.3.1.12 Conduct computer or file checks, perform entries and make notifications (i.e. warrants or NCIC).
1400.8.3.1.13 Temporary Law Enforcement Deputies are authorized to transport prisoners.
1400.8.3.1.14 Any other duties assigned by a supervisor.
1400.8.4 Authority

1400.8.4.1 While in the facility and on the grounds of the work locations listed above, Temporary Law Enforcement Deputies are vested with full authority under the law.

1400.8.4.2 Temporary Law Enforcement Deputies shall be armed with an agency firearm while on-duty and are authorized to wear said weapon while in uniform traveling to and from the work location or other areas designated by the supervisor and authorized by the Sheriff.

1400.8.4.3 Temporary Law Enforcement Deputies are not authorized to carry their assigned weapon while out of uniform in an off-duty capacity and shall be responsible for securing their weapon either at the deputy’s residence or in a secured gun locker, if available at the work location.

1400.8.4.4 Temporary Law Enforcement Deputies shall have no law enforcement powers under the authority of the Sheriff once they have left the work location, to include traveling by vehicle or on foot to and from the work location.

1400.8.4.5 Exceptions:

1400.8.4.5.1 When detailed to another location by a Court Services or Patrol Operations Supervisor, Temporary Law Enforcement Deputies shall retain their law enforcement powers at that location.

1400.8.4.5.2 Temporary Law Enforcement Deputies shall retain authority when involved in the pursuit of a subject from the grounds of the work location or other locations where assigned. A Temporary Law Enforcement Deputy in pursuit shall immediately notify his/her supervisor and/or DEO Dispatch of the pursuit and request assistance of Sheriff’s Office personnel and/or allied law enforcement agencies.

1400.8.4.5.3 When traveling to and from work in uniform, Temporary Law Enforcement Deputies shall only take official action when there is imminent danger to themselves or others in the immediate area, or to prevent a crime from occurring in their presence.

1400.8.5 Jurisdiction

1400.8.5.1 The areas of jurisdiction for Temporary Law Enforcement Deputies encompass the facility and curtilage extending to the property lines of the work location.

1400.8.5.2 Temporary Law Enforcement Deputies may be directed to other county properties by the Court Services or Patrol Operations Supervisor as ordered by the Sheriff.

1400.8.6 Training

1400.8.6.1 Temporary Law Enforcement Deputies may be required to attend the following training to maintain all necessary certifications:

1400.8.6.2 Annual Firearms Qualification

1400.8.6.3 Annual In-Service Training

1400.8.6.4 Courtroom Security Training

1400.8.6.5 OC Aerosol Training (optional-OC not permitted in Circuit Court)
1400.8.6.6 Electronic Stun Device Training (optional, but mandatory for courthouse personnel)
1400.8.6.7 Any other training as deemed necessary by the supervisor.

1400.9 Correctional Officer Authority
1400.9.1 On-duty correctional officers have the authority and duties granted to the Sheriff under Common Law and under Article 87, Sub-Section 45 through 49 relating to the care and custody of prisoners.
1400.9.2 The authority is limited to on-site activities at the Harford County Detention Center (Correctional Services Bureau) and/or any on-duty correctional responsibility required to be performed off-site including, but not limited to, prisoner transportation and guarding a hospitalized prisoner, in and out of Harford County.
1400.9.3 A correctional officer does not retain his/her authority off-duty and does not have the powers of arrest on or off-duty. This does not prohibit a correctional officer from assisting a law enforcement member upon request, within the scope of his/her authority.

1400.10 Unranked Member Authority
1400.10.1 Any unranked member has no law enforcement or correctional authority beyond the authority granted under law to a private citizen.

1400.11 Limited Extra Jurisdictional Authority
1400.11.1 Deputy Sheriffs are granted limited statewide powers of arrest pursuant to Maryland Criminal Procedure Article 2-202 and Family Law Article 10-201 to 10-219.
1400.11.2 Deputy Sheriffs are granted limited statewide powers in both civil and the criminal process of the law.
1400.11.3 Deputies shall 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 (Refer to Legal Process, Section 1300).
1400.11.4 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.

1400.12 Prohibitions Outside of Harford County
1400.12.1 Enforcing the provisions of the Maryland Vehicle Law.
1400.12.2 Serving arrest warrants, unless in conjunction with the lawful exercise or jurisdiction under this authority.
1400.12.3 Using personal vehicles for enforcement action.

1400.13 Compliance Extra Jurisdictional Authority
1400.13.1 Members acting under EXTRA JURISDICTIONAL Authority shall:
1400.13.1.1 Abide by agency rules and regulations.
1400.13.1.2 Serve in a full duty capacity, without restrictions or limitations.
1400.13.1.3 Carry their badge and identification card, and be suitably armed, unless circumstances dictate otherwise.
1400.13.1.4 Notify the local law enforcement agency with primary jurisdiction where the action took place.
1400.13.1.5 Notify the member’s Duty Officer and/or Unit supervisor, who will in turn notify the Harford County Department of Emergency Operation as soon as practical.