



# CONCORD POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

## EXTRATERRITORIAL JURISDICTION

<b>GENERAL ORDER:</b> 05.06	<b>CREATED:</b> December 1, 2000	<b>ISSUE DATE:</b> August 20, 2020
<b>CALEA STANDARD:</b> 1.2.1	<b>EFFECTIVE DATE:</b> August 20, 2020	
<b>ACTION:</b> Amends revision dated December 23, 2019.		

### **05.06.0**      **PURPOSE**

The purpose of this general order is to establish policies and procedures concerning the use of a police officer's authority within extraterritorial jurisdiction granted in [G. S. 160 A-286](#) , [15 A-402\(c\)](#), [G.S. 15A-402\(d\)](#) and under mutual aid agreements.

### **05.06.1**      **POLICY**

It is the policy of the Concord Police Department to act in accordance with the above-referenced North Carolina General Statutes which provides that Concord Police Department officers "...shall have all the powers invested in law enforcement officers by statute or common law within one mile of the corporate limits of the city, and on all property owned or leased by the city wherever located...".

### **05.06.2**      **PROPRIETARY INTEREST AND CITIZENS' NEEDS**

- A. The City of Concord has a proprietary interest in being able to use the property owned or leased by the City to the maximum benefit of the City.
- B. The City of Concord has no proprietary interest in the property of others and does not desire to assume the duties of other government entities.
- C. Citizens of our rapidly growing area should not suffer inconvenience due to lack of common understanding of geographical boundaries.

### **05.06.3**      **DEPARTMENTAL AUTHORITY**

The Chief of Police and every sworn officer of the department shall have all the powers vested in law enforcement officers by state statute(s) or common law on: property owned by or leased to the City of Concord located outside the city limits of Concord as the Department provides within the city limits; and within 1 mile of the corporate limits of the city; and on property leased or owned by the city wherever located. Department police officers have the power to serve all civil and criminal processes that may be directed to them by any Officer of the General Court of Justice and may enforce the ordinances and regulations of the City of Concord as the City Council may direct. (NCGS 160A-285, 160A-286, 15A-401, 15A-402.)

**05.06.4 POLICE ACTIONS WITHIN THE ONE-MILE EXTRATERRITORIAL JURISDICTION**

- A. In misdemeanor cases or requests for service where a police unit is dispatched, but there is uncertainty as to whether or not the location is within the city limits:
1. The unit will respond to the location and perform the level of police service appropriate to the same situation occurring within the city limits. If later determination concludes the incident is outside the city limits, a copy of the paperwork will be forwarded to the relevant agency for follow-up.
  2. In felony cases, the responding unit shall secure the scene, treat or arrange transportation of the injured; take any suspects at the scene into custody; gather witness information and secure any evidence. Before processing any evidence or beginning an investigation, the officer shall contact the district or, watch commander and request a determination of primary jurisdiction to proceed.
- B. Planned police actions and service of arrest or search warrants shall take place within the one-mile extraterritorial jurisdiction only as a cooperative effort in conjunction with the law enforcement agency having primary responsibility for the area. Secondary employment of a police/security nature shall fall into this category. All secondary requests that fall within this category must follow 05.06.6 of this General order.
- C. Self-initiation of police action within the one-mile extraterritorial jurisdiction shall occur only in life-threatening situations. (Ex: driving while impaired, assaults). A copy of all paperwork generated will be forwarded to the agency having primary jurisdiction. Officers may stop vehicles on extraterrestrial jurisdiction area for a violation that occurred within the city limits.

**05.06.5 FOLLOW-UP INTERVIEWS**

Investigative interviews of a non-custodial nature, following up on crime(s), which occurred within the city limits, may occur outside the city limits on the same basis as inside the city limits. The investigating officer should notify the jurisdictional agency and ask for an accompaniment to the location of the investigation, when practicable.

**05.06.6 MUTUAL AID ASSISTANCE**

The Concord Police Department maintains a standing mutual aid agreement with the Kannapolis Police Department and the Cabarrus County Sheriff's Department. These agreements may be invoked by telephone or police radio if needed in urgent situations. The standing agreement must be invoked in writing. The writing may be done by an exchange of Division of Criminal Information (DCI) messages in advance of taking any police action.



GARY J. GACEK  
CHIEF OF POLICE