


Fort Collins Police Services Policy Manual

 FORT COLLINS POLICE	POLICY	426
	TITLE	Extraterritorial Jurisdiction

426.1 PURPOSE AND SCOPE

The agency recognizes that situations may occur which warrant compelling and immediate police action by Agency officers while outside Agency jurisdiction. Therefore, in addition to other authority granted by officers by policy, directives, and by law, an officer is authorized to take police action in an on-duty or off-duty status outside the Agency's jurisdiction in any situation in which a felony or misdemeanor has been or is being committed in the officer's present within the State of Colorado.

426.1.1 ASSISTANCE TO AGENCIES OUTSIDE THE CITY

When an officer is on-duty and is requested by an outside agency to participate in law enforcement activity in another jurisdiction, he/she shall obtain prior approval from a Patrol supervisor or watch commander and shall respond to the request as outlined in Policy 352 – Mutual Aid and Outside Agency Assistance. If the request is of an emergency nature, the officer shall notify Dispatch before responding and thereafter notify an on-duty supervisor as soon as practicable.

426.1.2 LAW ENFORCEMENT ACTIVITY OUTSIDE THE CITY

- (a) Pursuant to Colorado Revised Statute (CRS) § 16-3-110, this policy grants officers the authority to take police action when outside the Agency's jurisdiction but within the State of Colorado.
 - 1. Such authority, however, is granted only to those officers who are certified as peace officers pursuant to CRS § 24-31-305; this does not include community service officers or other employees of the Agency.
 - 2. Such authority is granted only regarding felonies and misdemeanors committed in the officer's presence; it does not include traffic infractions, petty offenses, and crimes not committed in the officer's presence.
- (b) An officer who intervenes in a criminal act under the provisions of this policy shall make prudent decisions based on the totality of the circumstances and shall adhere to Agency policies relating to the use of force.
- (c) When practical, an officer acting under the provisions of this policy shall identify himself/herself as a police officer prior to taking police action.
- (d) Officers are discouraged from initiating or engaging in motor vehicle pursuits outside Agency jurisdiction except under circumstances which are clearly life-threatening.
- (e) An officer should not intervene in a criminal act under the provisions of this policy if the officer has consumed an alcoholic beverage or medication which alters mood, skills, or judgement.

426.1.3 REPORTING

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- (a) Pursuant to CRS § 16-3-110(2), if an officer makes an arrest of any person while acting outside Agency jurisdiction, the officer shall immediately notify the law enforcement agency having jurisdiction of the arrest, or any person arrested by the officer shall be released to the custody of that law enforcement agency as soon as practical.
- (b) If an officer is involved in any type of police action while outside Agency jurisdiction, whether on or off duty, he/she must inform the on-duty watch commander of the incident as soon as possible.
 - 1. If the watch commander determines that the incident warrants immediate attention, he/she shall immediately notify the officer's division assistant chief.
 - 2. The division assistant chief is responsible for notifying the chief of Police.
- (c) The involved officer must complete a police report as soon as practical.

426.1.4 EXCEPTION

An officer duly assigned to another agency or task force shall follow the operational and reporting procedures established by that entity when taking police action outside Agency jurisdiction.

426.1.5 LIABILITY AND WORKER'S COMPENSATION

- (a) For purposes of the Colorado Governmental Immunity Act (CRS § 24-10-101, et seq.), any acts or omissions of an officer taking police action in accordance with this policy, whether on-duty or off-duty, shall be deemed to have occurred during the performance of their duties and within the scope of their employment with the Agency.
- (b) For purposes of the Colorado Workers' Compensation Act (CRS § 8-40-101, et seq.), and the Public Safety Officers' Benefit Act (42 U.S.C. Section 3796, et seq.), if an officer is injured or killed as a result of taking police action in accordance with this policy, his/he resulting injuries or death shall be deemed to have occurred while on-duty and arising out of and in the course of his/her employment with the Agency.
- (c) The Agency and the City of Fort Collins do not intend and are not agreeing by this policy to provide to any officer acting in accordance with this policy any insurance coverage, compensation, or other benefits in excess of or in addition to those legally available to the officer under the above-mentioned statutes or any other laws.