

## ARRESTS – JURISDICTION OF OTHER LAW ENFORCEMENT OFFICERS WITHIN OMAHA

### POLICY:

It is the policy of the Omaha Police Department (OPD) to assist other law enforcement officers who make arrests within Omaha City limits. A law enforcement officer may arrest and detain a person for a violation of a Nebraska Revised Statute (NRS) or City of Omaha Ordinance while on-duty or while working in an off-duty capacity.

### PROCEDURE:

#### I. Omaha Misdemeanor/Felony Warrant Arrests

- A. When a Douglas County Sheriff's Office (DCSO) deputy or other law enforcement officer from a surrounding jurisdiction makes an arrest for an OPD misdemeanor or felony warrant in Omaha and calls the OPD for assistance, OPD officers will adhere to the procedures in the OPD "Warrants – Arrest Warrants" policy.
- B. Arrests by other law enforcement officers for OPD misdemeanor or felony warrants made outside Omaha are covered by the OPD "Warrants – Arrest Warrants" policy.

#### II. Douglas County Sheriff's Office Deputies Working Off-Duty

- A. When OPD officers respond to a location in which DCSO deputies are working in an off-duty capacity and have requested OPD officers to make a physical arrest or to issue a citation for charges by the DCSO deputy, responding officers will follow the OPD "Outside Employment" policy Sections V and VI, except the off-duty DCSO deputy will not be required to complete an OPD Supplementary Report. The following additional procedures will be followed:
  - 1. In situations where a physical arrest is authorized by OPD policy, OPD officers may transport and book the suspect at DCDC.
    - a. The responding OPD officer will complete all reports, listing the off-duty DCSO deputy as the reporting party on the Incident Report.
    - b. The OPD officer will list the DCSO deputy as "Arresting Officer #2" on the Booking/Arrest Report (PortalOne/OPD Form 277) (see the OPD "Booking – General Procedures" policy for additional guidelines on completing the Booking/Arrest Report).
  - 2. In situations where a citation in lieu of booking is required by OPD policy, OPD officers may, if requested by the DCSO deputy, issue the citation and complete the necessary reports. The DCSO deputy will be listed as an "External Officer" along with their badge number and agency name on the OPD citation and as the reporting party on the Incident Report (Officers may refer to the OPD "Citations" policy for additional procedures regarding citations).
- B. This policy does not prevent DCSO deputies from exercising their own power of arrest for a violation they witnessed but the DCSO deputy will use their own citations and booking procedures. This does not prohibit OPD officers' involvement to make certain the situation is secure.

#### III. Other Law Enforcement Officers Working Off-Duty

- A. When OPD officers respond to a location in which law enforcement officers other than OPD or DCSO are working in an off-duty capacity and have requested OPD officers to make a physical

arrest or to issue a citation for violations observed by the other law enforcement officer, the following procedures apply:

1. When the violation observed by the other law enforcement officer is shoplifting, NRS §29-402.02 authorizes the other law enforcement officer to make a physical arrest. OPD officers will either physically arrest or issue the appropriate citation per OPD policy.
  2. When the violation observed by the other law enforcement officer is a misdemeanor, OPD officer may rely on the other law enforcement officer's statement and either physically arrest or issue the appropriate citation per OPD policy.
  3. In all misdemeanor arrests, the other law enforcement officer will be listed as the reporting party on the Incident Report and their testimony will be recorded in the narrative of the Incident Report or in a Supplementary Report.
  4. When the violation observed or reported by the other law enforcement officer is a felony, OPD officers will follow standard felony investigation procedures and arrest if probable cause exists.
- B. Law enforcement officers other than OPD or DCSO working in an off-duty capacity in a law enforcement uniform are sworn law enforcement officers. All applicable NRS and City of Omaha Ordinances relating to Offenses Involving Integrity and Effectiveness of Government Operations (NRS §28-901 through §28-934) are applicable.
1. OPD officers may consider other law enforcement officers the same as OPD officers for "Assault on an Officer," "Obstructing a Peace Officer," and other such charges.
  2. OPD officers will complete an Incident Report for these types of charges and either make a physical arrest or issue the appropriate citation per OPD policy.

## **REFERENCES:**

### **I. Nebraska Revised Statutes (NRS)**

- A. NRS §28-901 through §28-934, and §29-402.02 are referenced in this policy.

### **II. Previous OPD Orders**

- A. Previous OPD General Orders include #61-70, #75-71, #2-87, #74-02, #26-08, #2-14, and #51-17.

### **III. Accreditation Standards**

- A. CALEA Accreditation standard 2.1.2 is relevant to this policy.