

1.100 AUTHORITY (1.2.1)

1.102 GENERAL POLICE AUTHORITY ESTABLISHED (1.2.2)

Consistent with **Education (ED) §13-601**, police officers employed by the Towson University Police Department are members of the University of Maryland Police Force and are peace and police officers in this State.

1.104 AUTHORITY & LIMITS (1.2.5, 2.1.1, 2.1.2, 74.3.2)

- A. The accompanying table lists statutes and other directives that grant or limit the police authority of Towson University Police Officers.
- B. The list is provided as a guide and is not intended to represent or fully describe all statutory permissions or limits on police authority.

Authority	Reference	Authority	Reference	Authority	Reference
Adult Protective Custody – May take adults into protective custody & Transport them to medical facilities	Estates & Trusts §13-709	Emergency Psychiatric Services – May take persons into custody & petition for emergency psychiatric evaluations.	Health General §10-622	Limited Extrajurisdictional Authority – May exercise.	Criminal Procedures §2-102
Armed Forces Deserters – May arrest deserters from the armed forces.	10 USC 808	Emergency Vehicles – May disregard specific traffic related laws in emergency vehicles.	Transportation §21-106	Parole Violators – May arrest parole violators.	Correctional Services §6-107
Arrest – May make arrests & enforce the general criminal laws of the state.	Criminal Procedures §2-101 & §2-202	Escapees – May arrest escapees.	Correctional Services §3-214	Safety Equipment Repair Orders – May issue for violations of motor vehicle safety & equipment regulations.	Transportation §23-105
Arrest Warrants – May be served only by peace officers & deputy sheriffs	MD Rule 4-212	Firearms – May carry upon training & qualification.	COMAR 12.04.01 & 12.04.02	Search Warrants – May serve & execute.	Criminal Procedures §1-203 & MD Rule 4-601
Arrests – May make warrantless arrests & generally related to the laws of arrest.	Criminal Procedures §2-202, et. seq.	Fresh Pursuit – May exercise authority during fresh pursuit.	Criminal Procedures §2-301, et. seq. & Education §13-601	State Law Enforcement Coordinating Council – May enforce Maryland laws when acting under authority granted by the Council	Executive Order 01.01.2012.03
Civil Citations – May issue civil citations for certain alcohol related violations.	Criminal Law §10-119	Fugitive Arrests – May arrest wanted fugitives, including for NCIC terrorist warrant hits.	Criminal Procedures §9-109 & §9-114	Traffic Arrests – May arrest without warrants for certain violations of the Maryland Vehicle Law.	Transportation §26-202
Criminal Citations – May issue criminal citations in lieu of custodial arrests for applicable violations.	Criminal Procedures §4-101 & MD Rule 4-201	Handguns – Active & retired law enforcement officers may carry concealed weapons in specified circumstances.	18 USC 926B & 18 USC 296C	Traffic Citations – May issue for certain violations of the Maryland Vehicle Law.	Transportation §26-201
Custody of Defendants – May transport & maintain custody of defendants outside agency's jurisdiction to Commissioner.	Criminal Procedures §2-106	Jurisdictional Limits – Geographical limits established.	Criminal Procedures §2-102 & Education §13-601		
Direct & Regulate Traffic – May direct & regulate traffic.	Education §13-601 & Transportation §25-102	Juveniles – May take juveniles into custody in specified situations.	Courts & Judicial Proceedings §3-8A-14		

1.106 OATH OF OFFICE (1.1.1)

- A. All officers hired by the agency will, upon completion of mandated training or appointment as lateral transfer officers, achieve sworn status only after being certified by MPTC and executing an oath of office administered by the Chief or designate. The Chief will achieve sworn status only by executing an oath of office administered by the university president or designate.
- B. Officers will abide by the oath of office to:
 1. Bear true faith and allegiance to the United States of America and to the State of Maryland;
 2. Uphold and defend the Constitution of the United States and the Constitution of Maryland;
 3. Serve the University System of Maryland, protect life and property, and enforce the law; and

4. Obey orders of the Governor, the Board of Regents, and superior officers according to the rules, regulations, and values of the agency.
- C. Printed oaths of office will be signed by affiant officers and the Chief. Originals will be presented to the affiant officers with copies maintained in officers' personnel files.

1.108 PRIMARY & CONCURRENT JURISDICTION

1.108.02 Primary Jurisdiction (2.1.1)

The primary jurisdiction of the Towson University Police Department is that property that is owned, leased, operated by, or under the control of the University System of Maryland.

1.108.04 Memorandums of Understanding – Generally (2.1.2)

Consistent with permissions established under **ED §13-601**, THIS AGENCY HAS EXECUTED A MEMORANDUM OF UNDERSTANDING FOR THE COORDINATION OF LAW ENFORCEMENT RESPONSIBILITIES (MOU) WITH THE BALTIMORE COUNTY POLICE DEPARTMENT (BCPD). A COPY OF THIS DOCUMENT IS AVAILABLE IN THE AGENCY'S ELECTRONIC DOCUMENT MANAGEMENT SYSTEM.

1.108.06 MOU – BCPD (2.1.1)

- A. This section synthesizes certain sections of the MOU with BCPD. Consult the complete document for details.
- B. **Criminal Enforcement:**
 1. TUPD is responsible for investigating all on-campus crimes except those specified in the next item.
 2. BCPD is responsible for investigating on-campus:
 - a. Homicides and attempts;
 - b. Unattended deaths, including suicides and deaths of persons under 18;
 - c. First and second degree rapes and first and second degree sex offenses and attempts; and
 - d. Physical or sexual child abuse and attempts.
 3. BCPD units who are using on-campus roadways and witness criminal acts will initiate appropriate police responses and ensure TUPD is notified to respond to render appropriate assistance.
 4. TUPD units who are using concurrent jurisdiction roadways listed in **C.2** and witness criminal acts will:
 - a. Initiate appropriate police responses to stabilize the situations and ensure BCPD is notified for dispositions; and
 - b. If involving CDS, take appropriate enforcement actions and ensure Precinct 6 is promptly notified to facilitate joint enforcement results.
- C. **Traffic Enforcement:**
 1. TUPD is responsible for on-campus traffic enforcement and accident investigation except for:
 - a. Fatal accidents; and
 - b. Accidents involving vehicles owned by Baltimore County.
 2. TUPD has concurrent jurisdiction on these roadways immediately adjacent to campus for on-view traffic enforcement, traffic control during special events, and parking enforcement only to the extent of immediate public safety interests:
 - a. York Rd. from Stevenson Ave. to Burke Ave.;
 - b. Towson Blvd. from Burke Ave. to Charles St.;
 - c. Burke Ave. from York Rd. to Towson Blvd.;
 - d. Osler Dr.; and
 - e. Cross Campus Dr.
 3. TUPD may engage in off-campus, pre-planned traffic enforcement on portions of these roadways that are contiguous to and associated with campus:

- a. Towsontown Blvd. from Burke Ave. to Charles St.;
- b. Burke Ave. from York Rd. to Towsontown Blvd.;
- c. Osler Dr.;
- d. Cross Campus Dr.

1.108.10 Jurisdiction Map

(2.1.1)

- A. At least one official map detailing jurisdictional boundaries is maintained in a location determined by the Chief.
- B. See **1.150 Jurisdiction Reference Map** for a reduced version of the agency's primary and concurrent jurisdiction map.

1.120 EXTRAJURISDICTIONAL AUTHORITY IMPLEMENTATION

(1.2.5)

- A. **CP §2-102** allows police officers in the State to take certain law enforcement actions throughout the state without limitations as to jurisdiction provided that officers are acting in accordance with regulations adopted by their employing units to carry out the extrajurisdictional authority.
- B. This directive implements regulations for Towson University Police Officers to exercise limited extrajurisdictional authority consistent with **CP §2-102**. Officers may exercise limited extrajurisdictional authority if:
 1. They are participating in joint investigations with officials from any other state, federal, or local law enforcement agencies at least one of which must have local jurisdiction; or
 2. They are rendering assistance to other police officers; or
 3. They are acting at the request of local police officers or State Police Officers; or
 4. Emergencies exist.
- C. Emergencies, as defined in **CP §2-101**, means sudden or unexpected happenings or unforeseen combinations of circumstances that calls for immediate actions to protect the health, safety, welfare, or property of individuals from actual or threatened harm or from unlawful acts.
- D. Officers:
 1. Must not be in a police powers suspended status;
 2. Are considered, at all times and for all purposes, on-duty employees of this agency;
 3. May serve arrest warrants only in conjunction with the lawful exercise of jurisdiction under this authority;
 4. Should, unless circumstances otherwise dictate, be in possession of the necessary professional tools and equipment to accomplish the desired enforcement effort;
 5. Will not use equipment unauthorized by this agency;
 6. May not use this authority to facilitate or solicit secondary employment that would require or reasonably assume the actual or potential use of law enforcement authority by officers.
- E. The use of extrajurisdictional authority during secondary employment will be consistent with **1.423 Secondary Employment**.
- F. This agency will investigate any allegations of misconduct on the part of officers acting pursuant to extrajurisdictional authority.
- G. Nothing in this directive or in statutes related to limited extrajurisdictional authority of police officers alters authority granted to officers consistent with **ED §13-601** and described in **1.108 Primary & Concurrent Jurisdiction**.
- H. Violations of agency directives do not, and are not intended to, negate the legality of any law enforcement action taken pursuant to limited extrajurisdictional authority.

1.125 EXTRAJURISDICTIONAL AUTHORITY OPERATIONS

(1.2.5)

1.125.02 Operational Guidelines

- A. On-duty officers are strongly encouraged to maximize the exercise of extrajurisdictional authority.
- B. Off-duty officers who are outside their primary jurisdiction and observe incidents requiring the exercise of law enforcement authority are strongly encouraged to ensure that proper law enforcement agencies are notified, requested to respond, and given the opportunity to handle incidents themselves. However, officers are not required to stand by for other responding agencies, but may take extrajurisdictional authority actions as reasonable, necessary, and prudent to protect the health, safety, welfare, or property of individuals from actual or threatened harm or from unlawful acts.

1.125.04 Notification Guidelines

- A. Officers acting under extrajurisdictional authority will ensure specified police agencies are notified consistent with **CP §2-102**.
- B. Unless extrajurisdictional actions were made as part of standard duties and responsibilities of task force or joint investigations, officers taking extrajurisdictional actions will notify this agency as soon as practical by:
 - 1. Reporting their actions by radio or calling on a recorded phone line;
 - 2. Informing Communications of the basic facts of the incident; and
 - 3. Requesting the Chief and the officer's respective commander is notified.
- C. When officers are acting under extrajurisdictional authority granted for participation in joint investigations, notifications to chief law enforcement officers must be made at reasonable times in advance of the exercise of police powers.
 - 1. When advance notice would endanger the life and safety of investigators or compromise the effectiveness of investigations, advance notice times may be abbreviated. In such cases, investigative team supervisors must approve notification delays. Notices should then be given to the local jurisdictions at the first reasonable opportunities, as determined by investigative team supervisors.
 - 2. Notices must be given to all jurisdictions wherein investigations will probably occur. In the event investigations occur unexpectedly in jurisdictions for which no advance notice has been given, notices must be given at the first reasonable opportunities.
- D. Officers will request local agencies respond to extra jurisdictional incident scenes when:
 - 1. Arrests are made;
 - 2. There were uses of force;
 - 3. Injuries occurred;
 - 4. Felonies occurred;
 - 5. Victims want to file incident reports;
 - 6. Evidence needs to be collected or processed;
 - 7. Property needs to be recovered or guarded; or
 - 8. There is reason to believe incident scenes will destabilize after officers leave.
- E. Officers will clearly identify themselves by displaying their badges and agency credentials to responding officers. Officers must also be prepared to identify themselves to citizens in the vicinity of extrajurisdictional incidents.

1.125.06 Transporting Arrestees

- A. Officers should request local jurisdictional assistance in transporting and securing arrestees.
 - 1. Officers operating agency vehicles that are equipped to transport arrestees may transport their extra jurisdictional authority arrestees if reasonable and prudent to do so.
 - 2. Officers will transport arrestees to police, court, or processing facilities in the local jurisdictions and not to this agency's Police Headquarters unless approved to do so as part of task force or joint investigation activities.

- B. Officers will not use their privately owned vehicles to transport arrestees except to protect themselves or others from eminent danger or harm, or the reasonable threat of eminent danger or harm. If necessary to transport arrestees without local jurisdictional support, officers should transport only so far as necessary to obtain adequate assistance.

1.125.08 Investigative Authority

- A. Officers will offer to transfer case and arrestee custody to local agencies unless:
 - 1. Officers discharged weapons;
 - 2. Persons were injured as the result of officers' actions; or
 - 3. Actions were taken in the course of task force or joint investigations.
- B. If conditions in **A.1** or **A.2** exist, involved officers will ensure the Chief, the employee's commander, and the IA Commander are notified to determine if case authority should be transferred to local agencies.
- C. Officers will be guided by directions and obey orders given by on-scene local police officials exercising supervision, command, or control over incidents.
- D. Officers will cooperate and participate in the handling of arrestees in addition to the handling and submission of evidence.
- E. If local agencies accept case and arrestee custody, officers will yield same, cooperate with local police officials, and participate as needed in court or other hearing processes.
- F. If local agencies do not accept case and arrestee custody, or this agency retains investigative authority, agency officers are responsible for complete case investigation, processing, arrestee presentment to commissioners, follow-up, etc. as if the incidents occurred in this agency's primary jurisdiction.

1.125.10 Reporting Guidelines

- A. Officers will, as necessitated by case investigative authority decisions:
 - 1. Prepare court documents and complete processes ensuring the placement of appropriate charges against arrestees;
 - 2. Cooperate with local jurisdictional officers in preparing and submitting evidence and necessary reports, both criminal and administrative, prior to clearing extrajurisdictional incidents;
 - 3. Obtain copies of local jurisdictional officers' reports and other pertinent documents for submission to Central Records; and
 - 4. Complete agency incident reports in addition to other applicable reports, forms, and documents, e.g., overtime forms, first report of injury, etc., as required by this agency upon returning to duty or as directed by the employee's respective commander or the Chief.
- B. Reporting officers will ensure reports contain information that includes, but is not limited to:
 - 1. Descriptions of officers' actions and reasons for exercising extrajurisdictional authority;
 - 2. Listings of the names, addresses, phone numbers, etc. of all known victims, witnesses, suspects;
 - 3. Local agency case numbers;
 - 4. Dates, times, and methods of local agency identifications;
 - 5. Identities of local police officials notified;
 - 6. Descriptions of local agency supporting actions; and
 - 7. Reasons for transferal or nontransferable of investigative authority.

1.125.12 Extrajurisdictional Arrests by Other Officers

- A. This agency will accept investigative authority of extra jurisdictional authority arrests that occur within our primary jurisdiction unless:
 - 1. Precluded by the directives of the extra jurisdictional officers' agencies;
 - 2. Arrests are illegal; or
 - 3. Extrajurisdictional officers' conduct was improper.

- B. Agency officers will respond to extrajurisdictional incident locations in order to establish command and control and render general assistance.
 - 1. Agency officers are not required to confirm probable cause or examine all case facts before rendering general assistance.
 - 2. Officers will initially rely upon good faith expectations that officers taking extrajurisdictional actions acted properly unless immediate circumstances suggest otherwise.
- C. Case facts and probable cause for extrajurisdictional actions will be confirmed by supervisory or administrative ranked officers prior to transporting arrestees or accepting transfer of investigative authority to this agency.
- D. Officers will not transport or accept custody of extra jurisdictional arrestees if conditions in **A.2** or **A.3** are determined to exist.
 - 1. Extrajurisdictional officers will be instructed to arrange alternative means of arrestee transport.
 - 2. If extrajurisdictional officers request, they will be allowed to use agency facilities, including the holding facility and processing equipment, however, patrol squad commanders will ensure agency employee contact with extrajurisdictional officers and their arrestees is restricted to that necessary to ensure the safety and security of all persons within agency facilities.
 - 3. Supervisory or administrative ranked officers denying agency support to extra jurisdictional incidents will:
 - a. Notify and inform the Chief, the IA Commander, and their respective commander of the incident for direction and instruction;
 - b. Complete incident reports detailing the facts and circumstances of the extra jurisdictional incident and reasons for denying agency support.
 - 4. The commander responsible for the IA function is responsible for ensuring the extrajurisdictional officer's home agency is notified of the improper arrests.
- E. When this agency accepts extra jurisdictional arrestees and investigative authority, officers will:
 - 1. Take physical custody of arrestees from arresting officers;
 - 2. Provide investigative and/or follow-up assistance as reasonable and prudent based on incident seriousness;
 - 3. Ensure safety, security, care, and processing of arrestees in compliance with agency directives;
 - 4. Assist arresting officers with completion of required charging documentation;
 - 5. Transport arrestees and arresting officers to District Court Commissioners and standby until pre-trial release determinations are made;
 - 6. Complete required agency reports;
 - 7. Provide arresting officers with copies of their reports as well as other incident related documentation; and
 - 8. Make departmental notifications consistent with **2.424 Notifications**; and
 - 9. Request arresting officers provide this agency with reports they prepare for their home agencies.

1.127 STATE LAW ENFORCEMENT COORDINATING COUNCIL

- A. **Executive Order 01.01.2012.03** establishes the State Law Enforcement Coordinating Council, hereafter "Council." The Council's membership is comprised of specified law enforcement agencies of the State of Maryland, including all of the police departments of the institutions of the University System of Maryland.
- B. Among the duties and responsibilities of the Council, its Executive Committee has the authority in certain circumstances to grant all the authority of police officers of the Department of the State Police (MSP) to police officers of member agencies who are carrying out actions approved by the Council.

1.130 FRESH PURSUIT

- A. **ED §13-601(b)(i)** establishes that TUPD officers may exercise their police powers when they are engaged in fresh pursuit of suspected offenders.
- B. According to **CP §2-301** and following sections:
 - 1. The elements of fresh pursuit are that pursuit:
 - a. Does not need to be instantaneous; and
 - b. Is continuous and without unreasonable delay;
 - 2. The conditions of fresh pursuit are that a person has committed:
 - a. A felony or is reasonably believed by an officer to have committed a felony within the officer's jurisdiction; or
 - b. A misdemeanor in the presence of an officer within the officer's jurisdiction.
 - 3. Officers engaged in fresh pursuit may:
 - a. Arrest the person anywhere in the state for a felony or misdemeanor as described in **2(a)** and **2(b)**;
 - b. Arrest the person reasonably suspected of committing a felony in the officer's jurisdiction if the pursuit continues into another state.
- C. Officers must obtain assistance from allied agencies that have primary jurisdiction when it becomes necessary to identify suspects off-campus in situations that are not covered by fresh pursuit authority, such as misdemeanors not committed in officers' presence. Officers will:
 - 1. Request supervisory approval before attempting to stop subjects;
 - 2. If approved, request allied agency assistance; and
 - 3. If prudent, wait for allied agency assistance before attempting to stop and identify subjects; or
 - 4. If acting at the request of specific allied officers, stop and identify subjects under extrajurisdictional authority.

1.150 JURISDICTION REFERENCE MAP

{Revised: 04/15/16}

(2.1.1)

- A. Boundaries in **RED** = Primary Jurisdiction.
- B. Roads in **GREEN** = Concurrent Jurisdiction.

Main Campus

