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**SEPTEMBER 1993**  
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**SUBJECT: JURISDICTION**

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1.20.01 POLICY

The geographic boundaries of the City of Wheat Ridge delineate the legal jurisdiction of the Wheat Ridge Police Department. Officers shall remain cognizant of these boundaries in considering authority and legislated enforcement parameters. The Wheat Ridge Police Department shall perform all duties and responsibilities within the City of Wheat Ridge in accordance with state laws and City ordinances.

Officers will also encounter routine situations not amounting to mutual aid requests involving criminal justice agencies that may have concurrent jurisdiction by law to conduct operations within the City of Wheat Ridge. In addition, other agencies may, on occasion, enter the city to carry out specific operations in the performance of their duties. It shall be the policy of the Wheat Ridge Police Department to provide assistance and cooperation to other agencies operating lawfully within the City of Wheat Ridge in accordance with the following procedures.

1.20.02 DEFINITIONS

A. CONCURRENT JURISDICTION - Concurrent jurisdiction means the sharing or overlapping of legal authority in a single geographic area by two or more governmental entities.

1.20.03 PROCEDURES

A. DETERMINING JURISDICTIONAL BOUNDARIES

1. Maps defining the geographical boundaries of the City of Wheat Ridge are located on the mainframe CAD map; in the department's training room and the Patrol Operations Division briefing area. Employees are provided maps in their individually issued COPS manuals for use as a field reference.
2. The city planning department has extensive and very detailed maps of the City and its boundaries. City planning staff can be used as a resource if time permits.
3. A member may contact the communications bureau for assistance. Communications has maps of the city at their disposal to assist in determining city boundaries.
4. If the member cannot resolve a matter of jurisdiction, it will be referred to a supervisor or the Watch Commander for resolution. In all cases, the jurisdictional dispute will be handled in the most professional manner possible.

B. CONCURRENT JURISDICTION

1. There are several law enforcement agencies (county, state and federal) that have jurisdiction within the corporate boundaries of the City of Wheat

Ridge. It is the policy of the Wheat Ridge Police Department to render all necessary and appropriate assistance, as requested, to the agents of these entities during the period that they are operating within the department's jurisdiction.

- a. Colorado Bureau of Investigation
  - i. The Wheat Ridge Police Department shall handle criminal matters referred by the Colorado Bureau of Investigation, which have occurred or are occurring within the city limits.
  - ii. The Wheat Ridge Police Department shall assist the Colorado Bureau of Investigation in carrying out lawful operations within the City of Wheat Ridge.
- b. Jefferson County Agencies
  - i. The Wheat Ridge Police Department shall handle criminal and traffic matters referred by Jefferson County agencies, which have occurred or are occurring within the city limits.
  - ii. The Wheat Ridge Police Department shall assist Jefferson County agencies upon request when they are conducting lawful operations within the City of Wheat Ridge.
- c. Colorado State Patrol
  - i. The Wheat Ridge Police Department shall handle criminal matters referred by the Colorado State Patrol, which have occurred or are occurring within the city limits.
  - ii. Traffic offense cases originated by the State Patrol will be handled by the State Patrol. The Wheat Ridge Police Department shall assist them in carrying out their duties upon request.
- d. Federal Enforcement Agencies
  - i. The Wheat Ridge Police Department shall handle state or city criminal matters referred by federal enforcement agencies that have occurred or are occurring within the city limits.
  - ii. The Wheat Ridge Police Department shall assist federal enforcement agencies upon request in their investigation of federal offenses occurring within the city of Wheat Ridge. These investigations may include, but are not limited to; bank robberies, counterfeiting, illegal aliens, alcohol, drugs, tobacco, and firearms violations.
- e. Other law enforcement agencies
  - i. The Wheat Ridge Police Department shall assist other law enforcement agencies in the performance of their lawful duties when they have occasion to perform those duties within the City of Wheat Ridge.
- f. Traffic collision cases within the city of Wheat Ridge shall be handled by the Wheat Ridge Police Department unless a mutual

agreement exists between the agencies that states another law enforcement agency will assume accident investigation responsibilities on certain highways.

C. POLICE POWERS – WITHIN THE BOUNDARIES OF THE CITY OF WHEAT RIDGE

1. Wheat Ridge police officers retain full power and authority as peace officers, whether on or off-duty, while they are within the corporate city limits of the City of Wheat Ridge. Off-duty officers are encouraged, if the situation permits, to act as witnesses and notify on-duty personnel rather than taking direct action. However, If the situation requires immediate action on the part of the off-duty officer, it is the policy of the Wheat Ridge Police Department that the officer assumes an on-duty status at the moment he begins to take lawful police action in an incident that comes to his attention.
2. In order to protect the officer from unwarranted civil and criminal liability, or avoidable personal risks for actions taken while off-duty, certain guidelines have been established:
  - a. When confronting a situation and it is reasonably assumed that police action is necessary and appropriate, when possible, the off-duty Wheat Ridge police officer shall immediately identify himself as a Wheat Ridge police officer prior to taking action.
  - b. To minimize the level of personal risk, the off-duty officer shall take all reasonable steps, under the circumstances, to resolve the situation without the use of physical force. As in all situations, if force is required, the officer shall utilize the minimum amount of force necessary.
  - c. The off-duty officer shall contact an on-duty officer as soon as possible and take only the necessary actions before the on-duty officers arrive.
  - d. An officer who is on administrative leave, suspension or on FTO status may act with citizens' powers only. The officer is still required to report the incident to the on-duty watch supervisor as soon as possible. The officer will follow up as soon as practicable, with a written report documenting the actions taken.
  - e. Off-duty officers shall avoid making traffic related contacts unless the violation is flagrant, and clearly dangerous enough to jeopardize the lives or safety of others. No effort shall be made to stop or pursue a violator's vehicle in a privately owned vehicle, nor in a police vehicle that lacks appropriate equipment to accomplish the stop or pursuit safety.
  - f. Off-duty officers shall not take official police action in personal disputes, or in disputes involving neighbors, friends or relatives unless such an intervention must be made to prevent physical injury to another.

D. POLICE POWERS –OUTSIDE THE JURISDICTONAL BOUNDARIES OF WHEAT RIDGE

1. On-duty officers engaged in police duties outside of Wheat Ridge jurisdiction shall be aware of relevant Wheat Ridge policy directives. In the event of a conflict between Wheat Ridge policy directives and those of the outside jurisdiction, Wheat Ridge Police policy directives shall supersede the policy directives of the other agency in regard to the actions of Wheat Ridge officers.
2. Police officers are subject to restrictions on their powers of warrantless arrest outside of their jurisdiction.
  - a. Officers may only arrest or detain suspects if the crime has been committed in their presence.
  - b. Officers who make traffic stops in unmarked vehicles outside the City of Wheat Ridge shall notify a supervisor as soon as practical of the circumstances of the stop.
  - c. Officers shall not engage in police pursuits outside the City of Wheat Ridge except in accordance with Policy 4.05, Police Vehicle Pursuits.
  - d. Officers attempting to serve a summons and complaint, effect an arrest or serve a warrant in another jurisdiction should advise that jurisdiction and ask to be accompanied by a peace officer from the receiving jurisdiction.
3. Officers are granted full authority to transport and detain persons and property taken into custody by another jurisdiction and transferred to Wheat Ridge officers for evidentiary or processing purposes or taken into custody in Wheat Ridge and transported out of the city for placement.
4. Wheat Ridge police officers are responsible to use the utmost caution and sound judgment before involving themselves in any kind of police action while off-duty and outside of the city limits of the city of Wheat Ridge. Off-duty officers are encouraged, if the situation permits, to act as witnesses and notify peace officers responsible for that jurisdiction of the incident rather than taking direct action. However, it is the policy of the Wheat Ridge Police Department that certain conditions and situations create professional and moral obligations. Therefore, under the limited circumstances specified below, Wheat Ridge police officers are permitted to exercise normal police powers when:
  - a. Intervention if reasonably necessary to protect human life or prevent injury to any person.
  - b. The officer reasonably believes that a crime is being committed in his/her presence with the use or threatened use of a deadly weapon.
  - c. An officer is requested to act by a peace officer from the other jurisdiction.
5. It is the policy of the Wheat Ridge Police Department that the officer assumes an on-duty status, and their actions are considered in the line of

duty at the moment they begin to take lawful police action in an incident as described above. An officer involved in a situation as stipulated above shall, as soon as practicable, notify the agency responsible for that jurisdiction and also notify the on-duty Wheat Ridge Police Department patrol supervisor. The involved officer shall follow up with a complete written report of the incident for the Wheat Ridge Police Department. Additionally, the involved officer shall cooperate fully with the subsequent investigation conducted by the effected jurisdiction.

6. Officers engaging in police actions outside of Wheat Ridge while off-duty shall be held responsible to the same provisions as those outlined in Section 1.20.03.C.
7. Peace officer powers of Wheat Ridge police officers do not extend beyond this state, except as provided for in the Uniform Act on Fresh Pursuit. Officers who are outside the boundaries of this state for extradition or other matters of direct concern to the city, are not to engage in police activities unless necessary in the performance of their duties as an agent of the City, and then only after consideration of the totality of the situation.

#### 1.20.04 RULES

- A. Violations of this directive may result in the officer taking enforcement action not being covered by *worker's compensation insurance* and *false arrest insurance*. The decision to engage in enforcement action when outside the legal jurisdiction or off-duty must be seriously considered and weighed with the associated liabilities.
- B. When possible, tactical operations occurring within Wheat Ridge shall be accomplished utilizing Wheat Ridge Police Department resources such as the SWAT Team. Should similar units from other agencies with concurrent jurisdiction wish to perform tactical operations within the City of Wheat Ridge, the patrol supervisor should coordinate with the involved agency to provide expertise and support as necessary. The deployment and application of tactical units within Wheat Ridge from any other agency shall be documented in an after-action report, submitted to the Patrol Operations Division Chief.