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| <b>POLICY<br/>501.6</b>   | <b>ARRESTS MADE IN OTHER JURISDICTIONS (O. J. ARRESTS)</b> |   |
|  | REVISED: 2/98, 5/00, 08/11,<br>03/12, <b>03/14</b>         | RELATED POLICIES: 116.1, 306.2, 501.2,<br>501.3, 501.4, 501.5, 501.7, 501.8, 501.9,<br>501.10 |
|   | CFA STANDARDS:   | REVIEWED: 01/01, 10/07, 12/08, 05/10,<br>08/11, 03/12, <b>03/14</b>                           |

**A. PURPOSE**

The purpose of this policy is to establish guidelines and procedures to be followed should a Fort Lauderdale Police Officer make an arrest outside the city.

**B. POLICY**

It is the policy of the Fort Lauderdale Police Department to permit Fort Lauderdale Police Officers to make arrests in Other Jurisdictions unless otherwise prohibited by this policy or Florida State Statute.

**C. FRESH PURSUITS**

The reference to fresh pursuits in this policy relates to Other Jurisdiction arrests only. It should not be interpreted as to conflict with any other policy regarding pursuits.

1. A fresh pursuit will not necessarily imply instant pursuit but pursuit without unnecessary delay.
2. A fresh pursuit is permitted when necessary to make an arrest of a person whom the officer reasonably believes has committed or is committing a felony.
3. A fresh pursuit is permitted when necessary to make an arrest of a person who committed a misdemeanor, a traffic infraction or a city ordinance violation in the officer's presence.
4. An arrest made outside of the county pursuant to a fresh pursuit will be handled according to § 901.25 Florida Statutes.

**D. OTHER JURISDICTION ARRESTS WITHIN BROWARD COUNTY**

1. Arrests in other jurisdictions (OJ) made outside the city but within Broward County may be made by Fort Lauderdale Police officers only in accordance with:
  - a. The law enforcement Mutual Aid Agreement as set forth in department policy; or
  - b. Other laws and city policies as may be provided.
2. The agency having jurisdiction in which the arrest is being made will be immediately notified and the arrest coordinated with that agency. If possible, the agency of jurisdiction should actually make the arrest and complete the Probable

Cause Affidavits, which may either be co-signed by the Fort Lauderdale Police officer, or list the Fort Lauderdale Police officer as a witness/victim.

3. All information of an O. J. arrest will be properly documented in an offense report, including the O. J. report number and O. J. officers assisting in the arrest.
4. A Fort Lauderdale Police supervisor (Sergeant or above) shall be notified as soon as reasonably possible of arrests occurring outside of the jurisdiction of the Fort Lauderdale Police Department. The supervisor will then determine the necessity of any further investigation or reporting.

**E. OTHER JURISDICTION ARRESTS OUTSIDE OF BROWARD COUNTY BUT WITHIN THE STATE OF FLORIDA**

Arrests in other jurisdictions made outside Broward County, but within the State of Florida, may be made by Fort Lauderdale Police officers only as provided by law and city policy.

**F. CITIZEN'S ARRESTS (Outside Broward County but within the State of Florida or Outside the State of Florida)**

At common law, a private citizen may arrest a person who in the citizen's presence commits a felony or breach of the peace, or a felony having occurred and the citizen believes this person committed it. There is no common law right of a private citizen to arrest someone for committing a misdemeanor that is not a breach of the peace. Each state has its' own laws concerning a citizen's arrest.

1. Fort Lauderdale Police Officers are not authorized by the City of Fort Lauderdale to make a citizen's arrest on behalf of the City either outside Broward County but within the State of Florida or outside the State of Florida.
2. Any Fort Lauderdale Police officer making a citizen's arrest, either outside Broward County but within the State of Florida, or outside the State of Florida does so at his/her own risk and will be subject to the laws of the jurisdiction where such an arrest may have occurred.
3. A Fort Lauderdale Police Officer who, as a private citizen, makes a citizen's arrest either outside Broward County but within the State of Florida or outside the State of Florida and, is either injured or charged with a crime, will not receive any of the following from the City for any such action:
  - a. Worker's Compensation
  - b. Pay or benefits for missed work
  - c. A civil or criminal defense representation
4. The jurisdiction in which a citizen's arrest occurs will be immediately notified by the Fort Lauderdale Police Officer making the citizen's arrest.

5. All information of an O. J. arrest will be properly documented in an offense report, including the O. J. report number and O. J. officers assisting in the arrest.
6. A Fort Lauderdale Police supervisor (Sergeant or above) shall be notified as soon as reasonably possible of arrests occurring outside the jurisdiction of the Fort Lauderdale Police Department. The supervisor will then determine the necessity of any further investigation or reporting.