

Fort Lauderdale Police Department

OFFICIAL POLICY APPROVAL COVER SHEET

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Policy Number: **501.6**

Policy Name: **ARRESTS MADE IN OTHER JURISDICTIONS (O.J. ARRESTS)**

Approved Date: **September 22, 2023**


This Version Effective Date: **October 9, 2023**

The attached policy was approved by Chief of Police Patrick Lynn.

Approved:



Patrick Lynn, Chief of Police

POLICY 501.6		ARRESTS MADE IN OTHER JURISDICTIONS (O. J. ARRESTS)	
	REVISED: 2/98, 5/00, 08/11, 03/12, 03/14, 01/21, 09/23	RELATED POLICIES: 116.1, 306.2, 501.2, 501.3, 501.4, 501.5, 501.7, 501.8, 501.9, 501.10	
	CFA STANDARDS:	REVIEWED: AS NEEDED THIS VERSION PUBLISHED: 10/09/2023	

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 the course and scope of their duties, 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 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.

E. CITIZEN’S ARRESTS BY FLPD PERSONNEL (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 citizen's arrests on behalf of the city.
2. Any Fort Lauderdale Police officer making a citizen's arrest does so at his/her own risk and will be subject to the laws of the jurisdiction where such an arrest may have occurred. Officers should take note that they may not be afforded any legal protections from criminal prosecution or civil liability that are traditionally afforded to officers acting within the course and scope of their employment.
3. A Fort Lauderdale Police Officer who, as a private citizen, makes a citizen's arrest 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 a citizen 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.