

TEXARKANA POLICE DEPARTMENT

GENERAL ORDERS MANUAL

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| SUBJECT | Multi-Jurisdictional Authority & Arrests | | |
| NUMBER | 1102.13 | EFFECTIVE DATE | February 15, 2011 |
| Scheduled Review Date | March 01, 2022 | ISSUE DATE | February 15, 2011 |
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| APPROVED BY |  | (Reserved for Expansion) | |

I. Purpose and Scope

- A. The Texarkana Police Department's responsibility and mission is concentrated within the borders of the city limits of Texarkana, Arkansas; however, because the City of Texarkana, Arkansas borders the City of Texarkana, Texas byway of State Line Avenue, the ultimate mission of the Department becomes difficult and sometimes disadvantaged.
- B. In addition, the pursuit of providing professional police services to the community in which we serve is often hindered when confronted with multi-jurisdictional rules, procedures, statutes and laws that remain applicable to each city's respective state entity. This policy is intended to address these issues and provide rules, procedures and guidelines that enable officers serving in either the Texarkana Arkansas Police Department or the Texarkana Texas Police Department to traverse into the neighboring state and enforce that state's law.

II. Policy

- A. It shall be the policy of the Texarkana, Arkansas Police Department to establish, manage and coordinate a set of guidelines that allows the commissioned officers within the Agency to traverse into the State of Texas and therein operate outside of their primary jurisdiction. The authority that allows commissioned officers in the State of Arkansas to operate in this manner originates from the following:
 1. A Texarkana, Arkansas Peace Officer qualified under Vernon's Annotated Texas Code of Criminal Procedure Article 2.124(b) may exercise the same powers and duties as a Texarkana, Texas Peace Officer within the Territorial Limits of Texarkana, Texas without further qualification, certification, oath, or bond.
- B. It shall be the policy of the Texarkana, Arkansas Police Department to establish, manage and coordinate a set of guidelines that allow the commissioned officers within the Texarkana, Texas Police Department to traverse into the State of Arkansas and therein operate outside of their primary jurisdiction. The authority that allows commissioned officers in the State of Texas to operate in this manner originates from the following:
 1. A Texarkana, Texas Peace Officer qualified under A.C.A. 16-81-115 may exercise the same powers and duties as a Texarkana, Arkansas Peace Officer within the Territorial Limits of the City of Texarkana, Arkansas without further qualification, certification, oath or bond.

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- C. All commissioned members of the Texarkana, Arkansas Police Department shall recognize and adhere to the guidelines and procedures set forth within this policy.

III. Procedures—Physical Arrests Occurring Within Arkansas

- A. When affecting a custodial warrantless arrest in Arkansas, officers of the Texarkana, Texas Police Department will adhere to the following guidelines:
 - 1. Notify the TAPD Supervisor of their intent to make a physical arrest prior to transport unless officer safety requires immediate prisoner transport. The officer should then notify the supervisor as soon as practical.
 - 2. The officer must complete the standard printed Arrest Report and book the offender in jail under an Arkansas CCN.
 - 3. After booking, the TTPD officer will complete an Arkansas warrantless arrest affidavit, and have the signature notarized by an Arkansas notary.
 - 4. Complete a standard TAPD Offense Report on warrantless arrests involving narcotics, or shoplifting offenses.
 - 5. Place the completed paperwork in the Arkansas Incoming Paperwork tray in the Arkansas Patrol Conference Room.
- B. When serving an Arkansas warrant in Arkansas, officers of the Texarkana, Texas Police Department will adhere to the following guidelines:
 - 1. The officer must complete the standard printed Arrest Report and book the offender in jail under the Arkansas CCN listed on the warrant. If no CCN is listed, the officer will obtain a new Arkansas CCN from dispatch.
 - 2. Pick up the warrant from Central Records and Communication (CRC), complete the warrant return, and place the Arrest Report and Warrant(s) in the Arkansas Incoming Paperwork tray in the Arkansas Patrol Conference Room.

IV. Procedures—Physical Arrests Occurring Within Texas

- A. When affecting a custodial warrantless arrest in Texas, officers of the Texarkana, Arkansas Police Department will adhere to the following guidelines:
 - 1. Notify the TTPD Supervisor of their intent to make a physical arrest prior to transport unless officer safety requires immediate prisoner transport. The arresting officer should then notify the supervisor as soon as practical.
 - 2. The officer must complete an Arrest Report in ADSI. The officer will print the report and sign the front page of the Arrest Report.
 - 3. After booking, the TAPD officer will complete a Texas warrantless arrest affidavit and ensure the affidavit is notarized by a Texas notary.
 - 4. The officer must complete an offense report in ADSI on all warrantless arrests involving assault, criminal trespass, theft or burglary, fraud and narcotics offenses.
 - 5. Direct book to Bowie County Sheriff Office (BCSO) a prisoner arrested for a county charge (Class A or B Misdemeanor), out of state felony, Texas out of county warrant, and there are no pending Texarkana, Texas city charges.

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6. Place the completed paperwork in the Texas Incoming Paperwork basket.

7. **Special instructions**

a. When foreign nationals are arrested or detained, they must be advised of the right to have their consular notified. In some cases, the nearest consular officials must be notified, regardless of the arrestee's wishes. Complete instructions, including consular contact information, will be kept posted in the TTPD patrol briefing room. Officers should note in the arrest report narrative all details of this requirement.

A. When serving a Texas warrant in Texas, officers of the Texarkana, Arkansas Police Department will adhere to the following guidelines:

1. Complete an Arrest Report in ADSI and book the offender in jail under the Texas CCN listed on the warrant. If no CCN is listed, the officer will obtain a new Texas CCN from dispatch.
2. Pick up the warrant from CRC, complete the warrant return, and place the Arrest Report and Warrant(s) in the Texas Incoming Paperwork basket. Felony warrant returns should be completed and a copy placed in basket (original returned to CID by CRC).

V. Procedures—Issuing Citations in Arkansas

A. When issuing citations within the State of Arkansas, officers of the Texarkana, Texas Police Department will adhere to the following guidelines:

1. TTPD Patrol Supervisors will be issued citation books for use by Patrol Officers as directed. Citation books must be maintained until all citations have been issued. At that point, the completed citation book will be returned to TAPD and maintained for audit purposes.
2. TTPD Officers will utilize the TAPD citation book to cite violators in Arkansas. The TTPD officer will assign the violator a valid Texarkana District Court date and provide the violator with the indicated (heavy stock) copy of the citation. Completed citations (white & yellow copies) will be placed in the Arkansas Incoming Paperwork tray. The green copy may be retained by the officer for personal records. All pink copies must be returned to TAPD for audit purposes when the entire citation book is completed.
3. To void a citation on which an error has occurred, the TTPD officer will write "VOID" in large letters across the citation, and a supervisor will sign the citation. The white and yellow copies of the voided citation will be placed in the Arkansas Incoming Paperwork tray.

VI. Procedures—Issuing Citations in Texas

A. When issuing citations within the State of Texas, officers of the Texarkana, Arkansas Police Department will adhere to the following guidelines:

1. TAPD Patrol Supervisors will be issued citation books for use by patrol officers as directed. Citation books must be maintained until all citations have been issued. At that point, the completed citation book will be returned to TTPD and maintained for audit purposes.
2. TAPD Officers will utilize the TTPD citation book to cite violators in Texas. The TAPD officer will assign the violator a valid Texarkana Texas Municipal Court date, and
3. provide the violator with the indicated copy of the citation. Completed citations (yellow copies) will be placed in the Texas Incoming Paperwork tray. The white copy will be retained by the officer to be returned to TTPD for audit purposes when the entire citation book is completed.

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4. To void a citation on which an error has occurred, the TAPD officer will write “VOID” in the docket number space, providing a written explanation for voiding the citation on the back of the yellow copy. All copies (yellow, white and pink) will be placed in the Texas Incoming Paperwork tray.
5. Officers are required to collect information relating to all traffic stops by documenting the required information on a traffic citation, written warning or a Data Collection/Field Interview Card. For every vehicle or pedestrian traffic stop made where a citation or written warning is not issued, the officer shall complete a Data Collection/Field Interview Card.
6. Officers should document the following on all citations, written warnings, and Data Collection/Field Interview Card:
 - a. Was a search conducted? Yes or no
 - b. If a search was conducted, the following codes signifying the basis of the search will be shown:
 - (1) P/C = Probable Cause
 - (2) S/A = Search incident to arrest
 - (3) R/S = Reasonable Suspicion
 - (4) C = Consent
 - c. If an inventory only was conducted, “No” should be indicated and the following code entered: I = Inventory
 - d. In the block or space labeled “was search consensual?”, the following codes should be used to indicate the type of any contraband found:
 - (1) G = Gun
 - (2) D = Drugs
 - (3) M = Money
 - (4) O = Other
 - e. In the block labeled “Was subject arrested?” the officer should enter the highest offense the subject was charged with or “Warrant” if arrested on warrants only.

VII. Procedures—Response to Subpoenas for Misdemeanor Cases

- A. Subpoenas for TAPD Officers to appear in Texas courts will be delivered to the TAPD Administration offices for distribution.
- B. Subpoenas for TTPD Officers to appear in Texarkana Arkansas District Court will be delivered to the Uniform Services Division Secretary for distribution.
- C. Felony subpoenas will be served according to existing procedures.

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VIII. Procedures—Evidence & Property Collected in Arkansas

- A. All property or evidence will have a completed TAPD Evidence Tag attached.
- B. All property will be packaged in a professional manner. If it is small enough to fit in an envelope or paper bag it should be placed in such.
- C. The packaged property will be placed in an evidence locker in the TAPD patrol area hallway. It should be noted in the arrest/offense report where the property or evidence was stored.
- D. If the property or evidence is too large to place in a locker, contact the on-duty TAPD supervisor.

IX. Procedures—Evidence & Property Collected in Texas

- A. A copy of the property report should be placed in the Texas Incoming Paperwork tray.
- B. The officer must ensure the property is in the correct package/container. Property/evidence requiring special handling (firearms, flammables and explosives, hazardous materials, perishable items, narcotics, currency, jewelry and bicycles) shall be submitted in accordance with TTPD General Order 15.03.
- C. The officer must attach original property report to the outside of the package container.
- D. The officer must write the, CCN, date/time, officers name and ID number, the suspect’s name and applicable charges filed on the outside of the package/container.

X. Procedures—Vehicle Impounds

- A. The following are the established guidelines for vehicle impounds in Arkansas.
 - 1. A Vehicle Report and Vehicle Impound Report should be completed when a vehicle identified by a Vehicle Identification Number is impounded as a recovered stolen vehicle, evidence or safe keeping due to arrest.
- B. The following are the established guidelines for vehicle impounds in Texas.
 - 1. A Vehicle Report and Vehicle Impound Report should be completed when a vehicle identified by a Vehicle Identification Number is impounded as a recovered stolen vehicle, evidence or safe keeping due to arrest.
 - 2. The Vehicle Impound Report must be signed by the impound wrecker driver after an inventory is made of items in the vehicle. If an item is removed for safekeeping an “X” should be placed under the column marked “Removed for Safekeeping”.
 - 3. The pink copy of the report must be given to the impound wrecker driver after he has signed the report. The top (white) copy should be placed in the Texas Incoming Paperwork tray. The yellow copy should be placed in the box outside of the property room marked “Property and Vehicle Reports”.

XI. Procedures—Juvenile Arrests

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- A. The following are the established procedures for managing and documenting all juvenile arrests occurring within the State of Arkansas. Members of the Texarkana, Texas Police Department making a juvenile arrest in the State of Arkansas shall rely on the following guidelines:
1. In the State of Arkansas, juveniles are defined as those persons ranging from ten (10) years-of-age to seventeen (17) years-of-age.
 2. If the officer elects to issue the juvenile (10-17 YOA) a Criminal Citation for a Criminal Violation in lieu of a physical arrest, the Criminal Citation will be issued from a **JUVENILE CITATION BOOK**.
 3. If the juvenile is to be issued a **CITATION** for a City Ordinance Violation, or a Traffic Violation in lieu of a physical arrest, the juvenile will be issued a citation from the **STANDARD UNIFORM TRAFFIC CITATION BOOK**.
 4. The juvenile will receive a copy of the citation, and the agency copies will be placed in the Arkansas Incoming Paperwork tray in the Arkansas Patrol Conference Room.
 5. If the decision is made to make a custodial juvenile arrest, the arresting officer will complete all applicable Offense / Probable Cause / Property paperwork. The arresting officer will complete a **JUVENILE CONTACT FORM** and transport the juvenile to the Juvenile Detention Center on Banks Road. A copy of the **JUVENILE CONTACT FORM** will be given to JDC personnel, and the original copy of the contact form will be placed in the Arkansas Incoming Paperwork tray in the Arkansas Patrol Conference Room.
- B. The following are the established procedures for managing and documenting all juvenile arrests occurring within the State of Texas. Members of the Texarkana, Arkansas Police Department making juvenile arrests in the State of Texas shall rely on the following guidelines:
1. In the State of Texas, juveniles are defined as those persons ranging from ten (10) years-of-age to sixteen (16) years-of-age.
 2. Notify TTPD Supervisor of intent to make physical arrest prior to transport unless officer safety requires immediate prisoner transport. Officer should then notify supervisor as soon as practical.
 3. Transport juvenile to the Juvenile Detention Center (JDC) located at 141 Plaza St.
 4. Complete a Juvenile Arrest Report, placing the yellow copy in the Texas Incoming Paperwork basket. Attach Probable Cause Affidavit stamped with "Juvenile" to paperwork to be notarized.
 5. On all arrests of Class B Misdemeanor and above, a Texas Department of Public Safety Juvenile Justice Reporting Form should be completed. Officers should write "TX0190500" in the Contributing Agency ORI block. Officers should ensure fingerprints are obtained for the DPS form.
 6. No written statements should be taken from juveniles.
- C. The following are the established procedures for managing and documenting instances of a juvenile warrant service occurring within the State of Texas. Members of the Texarkana, Arkansas Police Department making a juvenile arrest in the State of Texas shall rely on the following guidelines:
1. Attach the original warrant to the juvenile arrest report and place in the Texas Incoming Paperwork basket.
 - a. Adult with juvenile warrant

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- (1) If the subject is seventeen (17) years-of-age, the warrant can be served and the prisoner taken to JDC. If the subject is eighteen (18) years-of-age or older, the warrant cannot be served.
- (2) If warrant is issued by Texarkana Texas Municipal Court:
 - (i) Cite the person to court and provide a court date that corresponds to the Wednesday of the following week utilizing a Public Recognizance Bond while ensuring to place the applicable warrant number in charge blank of PR bond.
 - (ii) Indicate on the bottom of warrant the person was “cited to court” while ensuring the applicable court date and the court’s location is placed is also documented on the warrant. Once complete, place this paperwork in the Texas Incoming Paperwork basket with PR bond.

XII. Miscellaneous Procedures

A. Citizen Complaints

1. Inquiries and initial complaints on officers will be handled by a supervisor of the jurisdiction in which the incident occurred. If the complaint appears to have merit, the supervisor will forward the information to the shift commander that corresponds to the officer’s shift.

B. Training

1. Officers from both agencies will be provided with copies of the most commonly used criminal & traffic statutes. Officers seeking clarification or guidance should contact a supervisor of the appropriate jurisdiction.
2. In-service training on selected applicable topics will be held for officers & supervisors.

C. ADSI Entry - ARKANSAS

1. Following the submission of paperwork by TTPD officers to the TAPD incoming paperwork basket, TAPD supervisors will make a complete copy of all paperwork and will forward the copy to the ADMIN Secretary for entry into ADSI, and will forward all original paperwork to CRC.

D. DWI Arrests

1. Officers stopping and arresting a DWI suspect will transport the suspect to jail and follow the above procedures for an arrest. An officer from the actual jurisdiction will conduct breath testing for the arresting officer. The arresting officer will continue the booking & reporting process following alcohol testing.

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