

POLICE JURISDICTION, BOUNDARIES, AND AGREEMENTS

Directive: 6.6

A. Statewide Jurisdiction

1. Definition

As defined by State Code (Title 11, Chapter 19, Section 1911) police officers are granted statewide jurisdiction under certain conditions.

- a. "Police Officer" as it relates to this Department means any police officer holding current certification by the Council on Police Training as provided by Chapter 84, Title 11, Delaware Code, and who is:
 - (1) A member of the Police Department, Bureau or Force, of any incorporated city or town."
- b. "A police officer may arrest without a warrant at any location within the State any person he has reasonable grounds to believe is committing or attempting to commit a felony in his/her presence." (In this case, for example, if an officer was in another county, perhaps on vacation, and made an arrest for a felony committed in his presence, that action, provided it was legal in other regards, would be sanctioned by the State and you would be making the arrest in your capacity as a police officer and not as a private citizen.)
- c. "An on-duty police officer may arrest at any location in the State any person for any offense committed within the jurisdiction of the officer's employing agency and for whose arrest a warrant has been issued. The 'on-duty' police officer shall, where acting outside of his jurisdiction, take reasonable measures to notify the primary jurisdictional police agency of the intended time and place of the execution of the arrest warrant." In this case, notification of the jurisdictional police agency is sufficient.

- d. "A police officer may render assistance to another police officer at any location within the State if he reasonably believes that the police officer to be assisted is lawfully performing his duty and that death or injury will occur to that police officer if assistance is not provided." Again, you are recognized as acting in your official capacity as a police officer and not as a civilian.
- e. "A police officer acting under the authority of this section shall be considered to be acting within the scope of his employment."
- f. "Provisions of this section shall not serve to limit the authority of members of the Delaware State Police or other police officers as provided for elsewhere in this Title or by other authority."

B. Police Activities at the Medical Center of Delaware

1. Picking Up Patients On Warrant Following Discharge

a. Situation:

Patients arrive at Medical Center on their own, by ambulance or by police. There are either warrants pending or warrants are filed while they are patients in the hospital. Law enforcement agencies request to be notified upon their discharge. Presently, this is accomplished by various methods, including police asking the nurse or unit aides for a telephone call upon discharge.

b. Procedure:

Effective immediately, the following procedure will be implemented. Law enforcement agencies requesting to be notified of a patient's release so that they may be served with an arrest warrant will be handled in the following manner:

(1) Police will be responsible for contacting the Security Department at [REDACTED] and arranging the conversation between themselves and the Shift Supervisor of Security at the appropriate hospital.

(2) The Police Officer should be prepared to supply Security with the following information:

(a) Patient's name

- (b) Patient's Date of Birth
- (c) Charge and any other relevant information (i.e. violence, mental disorders, etc.)

(3) Security will then notify the appropriate nursing unit where the patient is located and advise the charge nurse of the warrants pending against a particular patient. When a patient is ready to be discharged, the nursing unit will be responsible for contacting Security at:

- (a) Wilmington and Pelleport Extension [REDACTED]
- (b) Christiana Hospital Extension [REDACTED]

(4) Security personnel will notify the appropriate agency that the patient is being discharged and may be picked up. When police personnel respond to the hospital for this purpose, they should proceed into the Emergency Room and meet with the security officer at the police room where they will be escorted to the floor to meet the patient. They will promptly escort the patient off the floor by way of the most discrete means possible, going directly to the police vehicle parked in the emergency area.

C. Plummer Halfway House and Multipurpose Criminal Justice Center (Gander Hill Facility)

1. Gander Hill Facility

a. "Any violation which occurs within the secured setting of the facility, (i.e., cell, receiving, or fenced in areas of the complex) will be investigated by the Division of State Police."

b. [REDACTED]

c. "Any violation which occurs within the area of Justice of the Peace Court No. 18 and the grounds surrounding the Gander Hill Facility will be investigated by the Wilmington Department of Police."

d. "In case of emergency, the nearest available unit will respond, and any follow-up to the initial response will be the responsibility of the appropriate agency."

2. Plummer House

"Violations occurring within this facility will be investigated by the Division of State Police." Pursuant to these agreements, the Wilmington Department of Police will respond to assist the Department of Corrections or the Delaware State Police when circumstances at the institutions become such that the risk of injury or death is high and they request our assistance to supplement their efforts.

D. Interstate Highway Jurisdictional Boundary

1. The King Street on-ramp to I-95 the Wilmington Department of Police will handle traffic activities for its entire length to the point where the north and southbound entry lanes divide. This boundary line is clearly marked by the use of two different surface types, i.e., the major portion of the ramp is asphalt and the area approaching the north/south division is concrete. All traffic activities west of this dividing line will be handled by the Division of State Police.
2. Our previous agreement with the Division of State Police will remain effective for all other portions of the interstate highway system within the City. The Wilmington Department of Police will handle traffic activities adjacent to, but excluding, the interstate ramps, with the Division of State Police being responsible for the interstate highway itself, including the entrance and exit ramps. The boundary lines for these ramps are identified by the use of different roadway surface types.

E. Hoopes Reservoir

It shall be the duty of the Department of Police to patrol the reservoir area and, accordingly, cite or arrest those person(s) responsible for criminal activity.

Whenever a police officer of the Department of Police has cause to issue a citation to or physically arrest a violator, the proper report and citation shall be completed as per normal procedure.

Whenever a crime of homicide, rape, kidnapping, robbery, burglary, assault, or theft shall be committed on the City property encompassing the Hoopes Reservoir, it shall be the responsibility of the Delaware State Police or the New Castle County Police to submit the proper reports and conduct the investigation of said offense. The Department of Police shall, in such circumstances,

provide the State Police with the assistance of a detective as required by the nature of the crime.

If a crime is committed in the City of Wilmington and compounded by another crime at the Hoopes Reservoir, the Department of Police shall report and investigate only that crime which is committed in the corporate limits of the City of Wilmington, and likewise the Delaware State Police or New Castle County Police shall report and investigate that crime that has been committed at the Hoopes Reservoir.

The Department of Police will, at all times, give every assistance possible to the Delaware State Police or New Castle County Police in an investigation of the criminal activity at Hoopes Reservoir.

F. Amtrak Facility Map

The entrance to this facility is at the foot of Vandever Avenue. Once on Amtrak property, access to the various buildings is via dirt roads.

It is recommended that district officers familiarize themselves with this area.

G. Regional Services

The Statewide Emergency Network (SWEN) is a specifically designated communication network for general law enforcement inter-jurisdictional communication. It may be employed for any operation involving other police jurisdictions, fire, and ambulance services within the State of Delaware. For detail information on SWEN see the Directive entitled "Computer-aided Dispatch".

The State Bureau of Identification is the centralized statewide fingerprint records system for the State of Delaware. Guidelines for the Department of Police concerning the State Bureau of Identification are outlined in the Directive entitled "Summons, Arrest & Warrants".

The Delaware Justice Information System (D.E.L.J.I.S.) is the centralized statewide criminal information system for the State of Delaware.

Information such as all incident, arrest and supplement reports will be entered into DELJIS by Data Entry Operators (C.L.U.E.S.) assigned to Support Services. See the Directive entitled "Support Services Division". Other information such as criminal warrants and stolen motor vehicles will be entered by the Data Center Clerk. See the Directives entitled "Support Service Division and Computer-aided Dispatch."

The National Uniform Crime Reporting System (UCR) is the statewide crime reporting system used by the State of Delaware. Guidelines describing the use of the system are contained in Chapter 4 of the Police Officer's Manual.

H. Jurisdiction

The primary jurisdiction of the Wilmington Department of Police is defined as the geographical area within the territorial limits of the City of Wilmington, as defined by the official map for the City of Wilmington. The City of Wilmington is divided into three Service Command Areas to promote better service for the citizens and visitors to the City of Wilmington. Each district is defined by boundary lines as described in the following:

Northern Command - Area north of the Brandywine River to the City Line.

Eastern Command - Area south of the Brandywine River and east of Interstate 95.

Western Command - Area south of the Brandywine River and west of Interstate 95.

I. Mutual Aid

Whenever the necessity arises during an emergency, the police of one jurisdiction may, pursuant to a valid mutual aid agreement, lawfully enter into another jurisdiction for the purpose of assisting in meeting such emergency. (See 11 Del. C. Sec. 1943)

Emergency situations often require increased law enforcement capabilities to restore order and assist victims. The Wilmington Department of Police currently has written mutual aid agreements with the New Castle County Police, Newark and the Elsmere Police Dept., that allows for a quick and efficient increase of law enforcement capabilities in the event of such an emergency.

The agreements list, but are not limited to such items as:

- Indemnification of the provider agency
- Emergencies (as defined by 11 Del. C., Chapter 19, Subchapter III)
- Joint Operations
- Activity Not Specifically Requested by Either Party
- Supervising Officer
- Waiver Of Claims
- Severability Of Clauses

Copies of the written agreements are kept on file in the Administrative Offices for review by any member of the Department.

J. Request for National Guard Assistance

If the Department of Police and neighboring departments are unable to cope with an emergency situation, it may become necessary to call upon the Delaware National Guard for assistance. The authorization to request the National Guard assistance lies with the Chief of Police or designee. The Chief of Police or designee will notify the Director of Public Safety of the emergency situation. The Director or designee will then contact the Mayor who in turn will contact the Governor of the State of Delaware.

K. Request for Federal Law Enforcement Assistance

Any supervisory officer or officer in charge of an investigation may request the specialized assistance of federal, state, and local support agencies. These agencies include any other police agency but are not limited to:

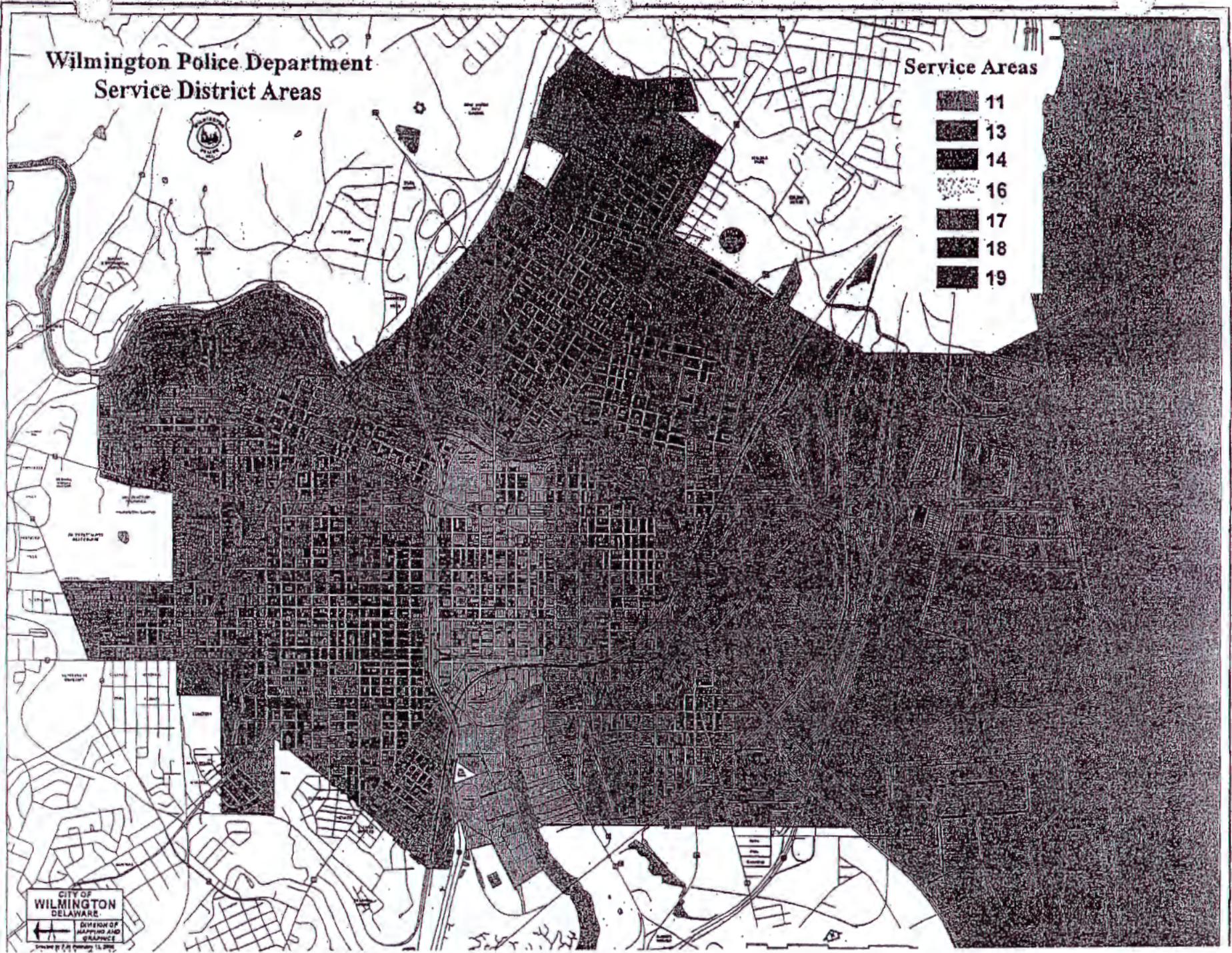
- Delaware Attorney General's Office
- Delaware State Police
- New Castle County Police
- Delaware Department of Transportation
- Amtrak Police Department
- Delaware Fish & Wildlife
- Delaware State Fire Marshal
- Delaware Marine Police
- Delaware Environmental Control & Natural Resources
- Any Municipal Police Department
- Federal Bureau of Investigation
- Drug Enforcement Administration
- Alcohol, Tobacco, and Firearms
- United States Marshal's Service
- Military Police Service
- United States Treasury
- Internal Revenue Service
- United States Custom Service
- United States Secret Service
- United States Immigration & Naturalization Service

Any of these agencies may be called, as needed to provide expertise or to assist the Department of Police. If assistance is used, the information will be included in the appropriate crime report, describing the actions of the support agency. The services of these agencies may also be employed in a crime of continuous jurisdiction or if the Department does not have the expertise or resources required.

Wilmington Police Department Service District Areas

Service Areas

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- 16
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