

P.G. 208-01 Law Of Arrest

Date Effective: 08/01/13

PURPOSE

To specify the conditions under which a uniformed member of the service may make an arrest.

PROCEDURE

Arrest with warrant:

1. When the warrant is addressed to a uniformed member of the service or to the Department of which he is a member, and,

a. Warrant issued by:

- (1) New York City Criminal Court, or
- (2) District court, or
- (3) Superior court judge sitting on lower criminal court.

Arrest at anytime, and anywhere within the State, or

b. Warrant issued by:

- (1) City court, or
- (2) Town court, or
- (3) Village court.

Arrest at anytime within the county of court of issuance, or within adjoining county.

2. When delegated by a police officer to whom warrant is addressed and:

a. Warrant may be legally executed as indicated above, and within arresting officer's territorial jurisdiction, or

b. The defendant is in a county other than one in which warrant is returnable.

3. Arrest without a warrant:

a. For an offense when reasonable cause to believe offense committed in his presence, or

b. For a crime (within presence or not) and reasonable cause exists that arrested person committed the crime.

c. For a petty offense in his presence (violations and traffic infractions) and:

(1) It is believed to have been committed within arresting officer's geographical area of employment, and

(2) The arrest is made in the county of occurrence or an adjoining county.

ADDITIONAL DATA

In close pursuit cases relating to petty offenses or traffic infractions, a police officer may pursue to any part of the State and make an arrest or issue a summons, if authorized by law to do so in his own geographical area of employment.

In close pursuit cases relating to crimes, police officer may pursue outside State to effect the arrest.

RELATED PROCEDURE

Arrest On A Warrant [\(P.G. 208-42\)](#)