

Georgia Department of Public Safety Policy Manual

SUBJECT POWERS AND DUTIES	POLICY NUMBER 17.14
DISTRIBUTION SWORN EMPLOYEES	DATE REVISED 8/14/2008

17.14.1 Purpose

To set out the powers and duties of sworn members of the Georgia Department of Public Safety (DPS).

17.14.2 Policy

It shall be the policy of the DPS to conform to statutory requirements set forth by OCGA §35-2-33.

17.14.3 Definitions:

- A. The term "sworn member" includes:
 - 1. Members of the GSP: Trooper Cadet, Trooper, Trooper First Class, Senior Trooper, Master Trooper, Corporal, Sergeant, Sergeant First Class, Lieutenant, Captain, Major, Lieutenant Colonel and Colonel;
 - 2. Members of the Capitol Police;
 - 3. Members of the Motor Carrier Compliance Division: MCCD Cadet, MCCO1, MCCO2, MCCO3, Corporal, Sergeant, Lieutenant, Captain, Major and Chief;
 - 4. Department of Public Safety (DPS) Police Corporals, and
 - 5. DPS Officers.

17.14.4 Statutory Authority of Sworn Members

- A. Sworn members are empowered and authorized to:
 - 1. Enforce the laws of this state relating to the use, ownership, control, licensing and registration of motor vehicles;
 - 2. On property owned by this state or any agency thereof:
 - a. To enforce the criminal laws of this state;
 - b. To apprehend and arrest any person who violates the criminal laws of this state, and
 - c. To serve and execute warrants.

3. To apprehend and arrest any person who is a fugitive from justice;
 4. To suppress riots, labor strikes, or picketing, as provided by law, at the direction of the Governor on request made by the chief of police of any municipality or the sheriff of any county, and
 5. To make initial inquiries into any situation which occurs off the public roads and highways and which occurs under circumstances where they have reasonable grounds to believe a criminal law has been, is being, or is about to be violated.
 - a. Sworn members shall further have the duty to make arrests in connection with such initial inquiries.
 - b. Any initial inquiry or arrest which is made pursuant to subparagraph (5) of this paragraph shall be initiated only if a local law enforcement officer is not readily available and the member reasonably believes that their failure to act could result in the commission of a criminal act or the escape of a person who has committed a criminal act. In any action taken by the member under subparagraph (5) of this paragraph, the member shall relinquish jurisdiction to the local law enforcement agency as soon as possible under the circumstances.
- B. Sworn members shall cooperate with all law enforcement agencies of this state or any municipality, county, or other political subdivision thereof in enforcing the laws of this State, any other State, or the United States relating to the operation of motor vehicles. The Commissioner of the Department of Public Safety may, and in the case of a request by the Governor shall, authorize and direct DPS sworn members to cooperate with and render assistance to any law enforcement agency of this state or any municipality, county, or other political subdivision thereof in any criminal case, in the prevention or detection of violations of any law, or in the apprehension or arrest of persons who violate the criminal laws of this state, any other state, or the United States, upon a request by the governing authority or chief law enforcement officer of any municipality, the sheriff of any county, a judge of the superior court of any county, or the Governor.
- C. The Commissioner of the Department of Public Safety may, and in the case of a request by the Governor shall, authorize and direct sworn members to:
1. Provide security protection services, or transportation or escort services, or both to coaches, players, and referees and other officials in connection with collegiate athletic events involving an institution of the University System of Georgia which offers four-year postsecondary degrees when such security protection services, or transportation or escort services, or both are necessary or appropriate to deter actual or potential threats to the safety of such individuals;
 2. Provide services which are necessary or appropriate to promote the safety of the collegiate athletic teams of such institutions of the University System of Georgia which offer four-year postsecondary degrees or the general public or both or to facilitate travel by such collegiate athletic teams or the general public or both;
 3. Allow sworn members, while on duty and in uniform, to accompany collegiate athletic teams of such institutions of the University System of Georgia which offer four-year postsecondary degrees traveling to athletic events inside or outside the state and to make use of department vehicles for this purpose, provided that the department shall be reimbursed by such affected institution of the University System of Georgia for any expenses incurred by such personnel of DPS while carrying out such duties; and

4. Allow sworn members, while on duty and in uniform, to provide security at special events at any location, whether or not the event takes place on state property.
- D. The duties and powers of sworn members, as provided for in this policy, shall be in addition to any other duties or powers provided by law.