



DEPARTMENT OF THE NAVY
UNITED STATES NAVAL ACADEMY
ANNAPOLIS, MARYLAND 21402

USNA/AACINST 5821.2C
4/SJA
16 May 1983

USNA/AAC INSTRUCTION 5821.2C

From: Superintendent, U. S. Naval Academy/Annapolis Area Coordinator

Subj: Instructions regarding the entrance of civil police officers into the areas under the jurisdiction of the Superintendent, U. S. Naval Academy

Ref: (a) JAG Manual, Chapter XIII

1. Purpose. To promulgate information and instructions pertaining to the entrance of civil police officers into areas under the jurisdiction of the Superintendent, U. S. Naval Academy.
2. Cancellation. USNA Instruction 5821.2B
3. Background. Jurisdiction within the boundaries of the Annapolis Sub-Area activities under the jurisdiction of the Superintendent, U. S. Naval Academy, including the Naval Station, NSRDC, ECAC, Radio Transmitting Facility, Annapolis, is vested in the U. S. Government by virtue of the Constitution of the United States, Article 96 of the laws of Maryland, and interpretations of both the foregoing sources by the Supreme Court of the United States and the Judge Advocate General of the Navy. The Legislature of Maryland ceded exclusive jurisdiction over such land "as has been, or may be hereafter acquired" ... by the United States, subject to the reservation by the State of Maryland of the right to serve civil and criminal process. The right to serve "process" does not include the power to make arrests, nor to pursue fugitives through the area under the jurisdiction of the Superintendent, U. S. Naval Academy, to make an arrest, except pursuant to a warrant as authorized in paragraph 5.
4. Policy. Reference (a) sets forth the conditions under which warrants of arrest and civil process may be served in the naval establishment. No one shall be permitted to use an area under the jurisdiction of the Superintendent as an asylum to avoid arrest or other accountability to the Courts of Maryland. However, since jurisdiction within the boundaries of the Annapolis Sub-Area activities under the jurisdiction of the Superintendent is vested in the U. S. Government, civil police officers may not enter said area indiscriminately to arrest and remove persons therefrom or to perform interrogations. The legal and proper means of obtaining custody of personnel within said area is by the use of a warrant of arrest, issued by a competent court. Such warrant, and any other civil process, will normally be honored by Commanding Officers upon presentation by civil police officers. Cooperation with civil authorities shall be rendered to the maximum extent commensurate with command responsibility.
5. Action
 - a. Marine sentries, Naval Station Police Patrolmen, and Naval Academy Security Policemen will deny entrance to all persons and/or private vehicles approaching any of the gates or entrances when being pursued by a civil police officer.
 - b. In the event that a civil police officer requests entrance to arrest an offender who has evaded him/her, the Marine sentry or Naval Academy Security Policeman shall summon the Marine Officer of the Day, the Naval Academy Police Division Sergeant of the Watch, or the Naval Station Police, who will accompany the civil police through the reservation to locate and identify the alleged offender. If such offender is located, the Marine Officer of the Day, the Naval Academy Police Division Sergeant of the Watch, or the Naval Station Police shall interrogate the suspected person as to his identity and shall furnish such information to the civil police officer so that he/she may obtain an arrest warrant if custody of the person is desired. Should the civil police officer wish merely to issue a summons to appear in court, he shall be permitted to do so in accordance with subparagraph 5c.

c. Civil police officers who present a warrant, subpoena, or any civil process, shall be escorted or directed to the Naval Academy Staff Judge Advocate or Naval Station Command Judge Advocate during working hours, otherwise, to the Naval Academy Security Officer, the Naval Station Security Officer, or the Naval Station Command Duty Officer, who shall accommodate the police officer in such manner as may be determined legally proper after consultation with a judge advocate. Warrants, subpoenas, and other civil process may be served during ordinary business hours only, except in extraordinary situations requiring immediate action to prevent flight or to protect life or property. If a warrant of arrest is determined to be proper, the person sought by warrant shall be turned over to the custody of civil police authorities.

d. The requests of the Federal Bureau of Investigation and other federal civilian investigative agencies to interrogate persons suspected or accused of crimes shall under normal circumstances be promptly honored. Similar cooperation will also be rendered to state law enforcement officers. Persons seeking to conduct an interrogation on board areas under the jurisdiction of the Superintendent, except in those situations covered below in subparagraph e, shall be escorted or directed as indicated in subparagraph 5c.

- R) e. Local police wishing to interview patients at the Naval Regional Medical Clinic, Annapolis (NRMCL) will be permitted to proceed directly to the Clinic. The police officer(s) will go to the main lobby of the NRMCL and advise the duty personnel at the desk of their desire for an interview. The attending physician will make a medical determination as to whether or not the patient is capable of being interviewed. If the patient is capable, the police officer(s) will be permitted to proceed with the interview.
- A) f. Local police wishing to interview Naval Academy midshipmen will normally not be permitted to do so without the prior approval of the Commandant of Midshipmen or his representative.


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