

Article - Criminal Procedure

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§2–301.

(a) This section applies to a law enforcement officer of a jurisdiction in the State who engages in fresh pursuit of a person in the State.

(b) (1) Fresh pursuit is pursuit that is continuous and without unreasonable delay.

(2) Fresh pursuit need not be instant pursuit.

(3) In determining whether the pursuit meets the elements of fresh pursuit, a court shall apply the requirements of the common law definition of fresh pursuit that relates to these elements.

(c) A law enforcement officer may engage in fresh pursuit of a person who:

(1) has committed or is reasonably believed by the law enforcement officer to have committed a felony in the jurisdiction in which the law enforcement officer has the power of arrest; or

(2) has committed a misdemeanor in the presence of the law enforcement officer in the jurisdiction in which the law enforcement officer has the power of arrest.

(d) A law enforcement officer who is engaged in fresh pursuit of a person may:

(1) arrest the person anywhere in the State and hold the person in custody;
and

(2) return the person to the jurisdiction in which a court has proper venue for the crime alleged to have been committed by the person.

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