

|                                                                                                                                                   |                                                                                  |                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|------------------------------------------|
|                                                                  | <b>MARICOPA COUNTY SHERIFF'S OFFICE</b><br><b>POLICY AND PROCEDURES</b>          |                                          |
|                                                                                                                                                   | <b>Subject</b><br><b>CROSS-CERTIFICATION OF</b><br><b>FEDERAL PEACE OFFICERS</b> | <b>Policy Number</b><br><b>GB-3</b>      |
|                                                                                                                                                   |                                                                                  | <b>Effective Date</b><br><b>09-14-23</b> |
| <b>Related Information</b><br>Oath of Office – Deputy Sheriff<br>ARS 13-3875<br>GC-2, <i>Management of Office Badges and Identification Cards</i> | <b>Supersedes</b><br><br>GB-3 (07-31-19)                                         |                                          |

## PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures by which the Sheriff will exercise the statutory authority to cross-certify federal peace officers, who meet the criteria to become cross-certified, empowering them to enforce state laws in the state of Arizona.

## POLICY

It is the policy of the Office to permit the cross-certification of selected federal peace officers to enforce the laws in the State of Arizona, as specified in ARS 13-3875.

## DEFINITIONS

**Badge:** A six-point badge issued by the Office and worn by compensated deputies, reserve deputies, detention officers, and security officers in uniform.

**Certification:** The administrative process by which prospective peace officers are conferred the authority and documentation of their position by the Sheriff.

**Cross-Certification:** Certification, by the Sheriff, of selected federal peace officers allowing them to possess and exercise all law enforcement powers of peace officers in the State of Arizona, for one year.

**Flat Badge:** A six-point badge and case combination issued by the Office to deputies, reserve deputies, designated detective personnel, and designated detention personnel.

**Office-issued Identification Card (ID):** A picture Office Identification Card issued to employees, volunteers, cross-certified federal peace officers, and designated contractors, that identify the person as a member of, or associated with, the Maricopa County Sheriff's Office.

## PROCEDURES

1. **Authorization to Cross-Certify:** The Sheriff shall permit the cross-certification of selected federal peace officers when the certification is in the best interests of the Office. That determination shall rest solely with the Sheriff.
2. **Requests to Cross-Certify:** The head of the local office of each eligible federal agency must submit to the Office a written cross-certification request for each federal peace officer desiring certification as a peace officer in the State of Arizona.

- A. The request must include a statement that each applicant is a federal peace officer and the reason for the cross-certification. The initial request must also include a legible, voided, copy of the federal peace officer's official credentials.
  - B. If the request includes the desire to enforce the criminal laws of the State of Arizona, evidence must be submitted proving:
    - 1. The officer is certified as a federal peace officer;
    - 2. The federal peace officer is authorized by federal law to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of federal law; and
    - 3. The federal peace officer is authorized by federal law to make arrests, serve warrants, and carry firearms.
3. **Identification:** The federal peace officer will be issued an Office-issued identification card (ID).
- A. Office-issued ID cards will be issued by the Maricopa County Sheriff's Office (MCSO) Human Resource Services Division after:
    - 1. A records check is completed through the National Crime Information Center (NCIC);
    - 2. The MCSO Human Resource Services Division determines whether or not the federal peace officer meets MCSO's established cross-certification standards; and
    - 3. Approval has been issued by the Sheriff or designee.
  - B. The MCSO Human Resource Services Division is responsible for issuing, activating, and deactivating the Office-issued ID cards for cross-certified federal peace officers, as specified in Office Policy GC-2, *Management of Office Badges and Identification Cards*.
  - C. An Office-issued badge and/or flat badge shall not be issued to any cross-certified federal peace officer, as specified in Office Policy GC-2, *Management of Office Badges and Identification Cards*.
  - D. Expired Office-issued ID cards for cross-certified federal peace officers shall be returned to the MCSO Human Resource Services Division, as specified in Office Policy GC-2, *Management of Office Badges and Identification Cards*.
  - E. Cross-certified federal peace officers shall surrender their Office-issued ID cards to their Office liaison under the follow circumstances:
    - 1. The federal peace officer is no longer conducting business with the Office;
    - 2. The federal peace officer's employment has ceased or becomes inactive; or
    - 3. The federal peace officer is transferred out of a multi-agency task force.
  - F. The Office liaison shall return the Office-issued ID card to the MCSO Human Resource Services Division. After the Office-issued ID card is returned to the Human Resource Services Division, the card will be disabled and destroyed.
4. **Oath of Office:** The Sheriff or designee shall administer the Oath of Office. The Oath of Office requires the cross-certified federal peace officer to support the Constitution of the United States and the Constitution and Laws of the State of Arizona (See Attachment A). The cross-certification is valid for a one-year period.

5. **Lapse of Cross-Certification:** When cross-certification has lapsed, the head of the local office of each federal agency may submit a written request for re-certification of the affected federal peace officers for an additional year.
6. **Liability:** A cross-certified federal peace officer is not a representative of the Office. By granting state certification to federal peace officers, the Office does not undertake to train, direct, or control such officers and accepts no liability for such officers, as specified in ARS 13-3875.D.
7. **Cross-Certification Notification:** The MCSO Human Resource Services Division Commander or designee shall forward information regarding all federal peace officers cross-certified by the Office to the current Arizona Peace Officer Standards and Training (AZ POST) compliance specialist assigned to MCSO.

Attachment A

**SHERIFF'S OFFICE OATH OF OFFICE – DEPUTY SHERIFFS**

I do solemnly swear that I will support the Constitution of the United States of America and the Constitution and Law of the State of Arizona; that I will bear true faith and allegiance to the same and defend them against all enemies whatsoever and that I will faithfully and impartially discharge the duties of my Office. I promise that I will always respect and obey the Rules and Procedures of the Maricopa County Sheriff's Office. I promise that I will always conduct myself in such manner that my actions will reflect credit on myself and the Maricopa County Sheriff's Office of which I am a sworn member. I promise that I will always strive by my example of morally clean living and actions to lead others in the same direction and assist those in trouble and need of help. I promise to always be fair and impartial to the Public and that I will not through ill will give false testimony against any person accused of a crime. I promise to use my influence to help maintain Law and Order in this County and to aid any Law Enforcement Officer in the discharge of his/her duties.