


## Private Person's Arrest

### 330.1 POLICY HEADER

<b>Original Effective Date:</b>	<b>Revised Date:</b>
September 1, 2021	January 4, 2023
Authorization:  Jason Haberman Chief of Police	

### 330.2 PURPOSE AND SCOPE

This policy provides guidance for the handling and acceptance of a private person's arrest.

### 330.3 POLICY

It is the policy of the Mt. Lebanon Police Department to accept a private person's arrest only when legal and appropriate.

### 330.4 ARRESTS BY PRIVATE PERSON

A private person may arrest another under the following circumstances:

- (a) If a felony has been committed and the person reasonably believes the suspect committed the offense
- (b) Breaches of the peace committed in the person's presence
- (c) Without a warrant when the person has reasonable information that the person to be arrested has criminal charges pending in another county or state punishable by death or more than one year of imprisonment (42 Pa.C.S. § 9162; 42 Pa.C.S. § 9135).

### 330.5 OFFICER RESPONSIBILITIES

An officer confronted with a person claiming to have made a private person's arrest should determine whether such an arrest is lawful.

If the officer determines that the private person's arrest is unlawful, the officer should:

- (a) Take no action to further detain or restrain the arrested individual, unless there is independent justification for continuing a detention.

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- (b) Advise the parties that the arrest will not be accepted but the circumstances will be documented in a report.
- (c) Document the incident, including the basis for refusing to accept custody of the individual.

Whenever an officer determines that a private person's arrest is justified, the officer may take the individual into custody and proceed in the same manner as with any other arrest.