

Department of the Air Force, DoD

§ 935.123

- (a) Have the authority of a sheriff at common law;
- (b) May serve any process on Wake Island that is allowed to be served under a Federal or State law; the officer serving the process shall execute any required affidavit of service;
- (c) May conduct sanitation or fire prevention inspections;
- (d) May inspect motor vehicles, boats, and aircraft;
- (e) May confiscate property used in the commission of a crime;
- (f) May deputize any member of the Air Force serving on active duty or civilian employee of the Department of the Air Force to serve as a peace officer;
- (g) May investigate accidents and suspected crimes;
- (h) May direct vehicular or pedestrian traffic;
- (i) May remove and impound abandoned or unlawfully parked vehicles, boats, or aircraft, or vehicles, boats, or aircraft interfering with fire control apparatus or ambulances;
- (j) May take possession of property lost, abandoned, or of unknown ownership;
- (k) May enforce quarantines;
- (l) May impound and destroy food, fish, or beverages found unsanitary;
- (m) May be armed;
- (n) May exercise custody over persons in arrest or confinement;
- (o) May issue citations for violations of this part; and
- (p) May make arrests, as provided for in § 935.122.

§ 935.121 Qualifications of peace officers.

Any person appointed as a peace officer must be a citizen of the United States and have attained the age of 18 years. The following persons, while on Wake Island on official business, shall be deemed peace officers: special agents of the Air Force Office of Special Investigations, members of the Air Force Security Forces, agents of the Federal Bureau of Investigation, United States marshals and their deputies, officers and agents of the United States Secret Service, agents of the United States Bureau of Alcohol, Tobacco, and Firearms, agents of the United States Customs Service, and

agents of the United States Immigration and Naturalization Service.

§ 935.122 Arrests.

- (a) Any person may make an arrest on Wake Island, without a warrant, for any crime (including a petty offense) that is committed in his presence.
- (b) Any peace officer may, without a warrant, arrest any person on Wake Island who violates any provision of this part or commits a crime that is not a violation of this part, in his presence, or that he reasonably believes that person to have committed.
- (c) In making an arrest, a peace officer must display a warrant, if he has one, or otherwise clearly advise the person arrested of the violation alleged, and thereafter require him to submit and be taken before the appropriate official on Wake Island.
- (d) In making an arrest, a peace officer may use only the degree of force needed to effect submission, and may remove any weapon in the possession of the person arrested.
- (e) A peace officer may, whenever necessary to enter any building, vehicle, or aircraft to execute a warrant of arrest, force an entry after verbal warning.
- (f) A peace officer may force an entry into any building, vehicle, or aircraft whenever—
 - (1) It appears necessary to prevent serious injury to persons or damage to property and time does not permit the obtaining of a warrant;
 - (2) To effect an arrest when in hot pursuit; or
 - (3) To prevent the commission of a crime which he reasonably believes is being committed or is about to be committed.

§ 935.123 Warrants.

Any Judge may issue or direct the Clerk to issue a warrant for arrest if, upon complaint, it appears that there is probable cause to believe an offense has been committed and that the person named in the warrant has committed it. If a Judge is not available, the warrant may be issued by the Clerk and executed, but any such warrant shall be thereafter approved or quashed by the first available Judge. The issuing officer shall—