



*Lynn Fitch*  
**ATTORNEY GENERAL**  
OPINIONS AND POLICY

December 17, 2021

Mr. Robert Hensarling  
President, McComb/Pike County Airport Board  
1018 Pinehurst West  
McComb, Mississippi 39648

Re: Jurisdiction of City Police Officer for Security Purposes

Dear Mr. Hensarling:

The Office of the Attorney General has received your request for an official opinion.

#### **Background Facts**

The McComb/Pike County Airport ("Airport") was established by a joint resolution between the City of McComb and Pike County pursuant to Mississippi Code Annotated Section 61-5-1 *et seq.*, and it is located within the city limits of Magnolia, Mississippi.

#### **Question Presented**

Can a City of McComb police officer, acting in his or her official capacity, provide security at the Airport Board meeting, given that the Airport office is located within the city limits of Magnolia, rather than within McComb?

#### **Brief Response**

No, the territorial jurisdiction of police officers of a municipality is limited to the corporate limits of the municipality. Therefore, a City of McComb police officer could not provide official on-duty security services at the Airport located within the city limits of Magnolia.

#### **Applicable Law and Discussion**

The territorial jurisdiction of a municipal police department is set by Section 21-21-1. MS AG Op., *Stanford* at \*1 (Apr. 15, 1988). Section 21-21-1 provides, in part:

The marshal or chief of police shall be the chief law enforcement officer of the municipality and shall have control and supervision of all police officers employed

by said municipality. The marshal or chief of police shall be an ex officio constable within the boundaries of the municipality, and he shall perform such other duties as shall be required of him by proper ordinance.

In describing the jurisdiction of municipal police officers to areas outside the corporate limits of the municipality, this office has consistently opined in the following manner:

The territorial jurisdiction of the chief of police and therefore all police officers of a municipality serving under him is thereby limited to the corporate limits of the municipality. This office knows of no statutory authority which extends the jurisdiction of municipal police officers to areas outside the municipality, simply because such areas are owned by the municipality.

MS AG Op., *Stanford* at \*1 (Apr. 15, 1988).

In *Stanford*, we found that a city police department would have no jurisdiction at an airport that the city owns but was outside the city limits. As a general matter, “a municipal police department is not authorized to enforce the law beyond the municipal limits, even where property outside the city is owned by the city.” MS AG Op., *Bowman* at \*2 (Mar. 9, 2001) (involving an airport located in one county but owned and operated by a municipality and a different county). Notably, there is an exception in a case of hot pursuit. MS AG Op., *Richardson* at \*1 (Dec. 18, 1998); MS AG Op., *Denton* at \*1 (Nov. 1, 2013). Accordingly, the City of McComb’s police officers, in their official capacity, would not have jurisdiction to provide security services at the Airport.

Pursuant to Sections 61-5-13 and 61-5-39, the joint airport board could appoint airport guards to enforce the Airport Board’s ordinances, resolutions, rules, and regulations, with the approval of the governing boards of the City of McComb and Pike County.

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: /s/ Gregory Alston

Gregory Alston  
Special Assistant Attorney General