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## Citizen's arrest

A **citizen's arrest** is an arrest made by a person who is not a sworn law enforcement official. In common law jurisdictions, the practice dates back to medieval England and the English common law, when sheriffs encouraged ordinary citizens to help apprehend law breakers.

Despite the title, the arresting person does not usually have to be a citizen of the country where he/she is acting, as they are usually designated as *any person* with arrest powers.

## United States

Each state with the exception of North Carolina permits citizen arrests if the commission of felony is witnessed by the arresting citizen, or when a citizen is asked to assist in the apprehension of a suspect by police. The application of state laws varies widely with respect to misdemeanors, breaches of the peace, and felonies not witnessed by the arresting party. American citizens do not carry the authority or enjoy the legal protections of police, and are held to the principle of strict liability before the courts of civil- and criminal law including but not limited to any infringement of another's rights.

Though North Carolina General Statutes have no provision for citizen's arrests, detention by private persons is permitted and apply to both civilians, and police officers outside their jurisdiction.

Detention of any person is permitted where probable cause exists that one has committed a felony, breach of peace, physical injury to another person, or theft or destruction of property. The key distinction between *arrest* and *detainment* is that a detainee may not be transported without consent.

The state of Washington does not have a specific statute granting citizen's arrest powers. However there have been several state court decisions rendered that affirm and uphold common law citizen's arrest power for (a) felonies committed in the presence of the person making the arrest or (b) misdemeanors committed in the presence of the person making the arrest provided the misdemeanor also constituted a breach of the peace.

## Legal and political aspects

A person who makes a citizen's arrest could risk exposing himself to possible lawsuits or criminal charges (such as charges of impersonating police, false imprisonment, kidnapping, or wrongful arrest) if the wrong person is apprehended or a suspect's civil rights are violated.

The level of responsibility that a person performing a citizen's arrest may bear depends on the jurisdiction. For instance, in France and Germany, a person stopping a criminal from committing a crime, including crimes against belongings, is not criminally responsible as long as the means employed are in proportion to the threat (note, however, that at least in Germany this results from a different legal norm: "self-defense" and "aid to others in immediate danger"—which are concerned with prevention, not prosecution, of crimes).

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