

# FALMOUTH POLICE DEPARTMENT

## STANDARD OPERATING PROCEDURE

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Distribution: <b>All Personnel</b>	Rescinds:
Subject: <b>Law Enforcement Role and Authority</b>	
Signature, Chief of Police:	
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Refer to: <b>SOP 85</b>	

### PURPOSE

To define the basic role and authority of the Falmouth Police Department including the department's purpose, goals, programs, priorities, and the limits of officer authority and the use of force.

### POLICY

The mission of the Falmouth Police Department is to provide service, leadership, protection and community involvement with our citizens, who in partnership with us, strive to make the Town of Falmouth a safer and more pleasant community in which to live. This agency believes it is our responsibility to provide, without prejudice, the highest degree of service and commitment to the citizens it serves.

Foremost in this mission is the protection of life and property. Specifically, officers are responsible for the maintenance of peace; enforcement of laws and ordinances; the detection, identification and apprehension of criminals; the prevention and investigation of crimes; regulation of traffic and the performance of any service that will improve the quality of life by providing for the security and safety of its citizens.

Officers shall adhere to the Law Enforcement Code of Ethics and shall diligently and efficiently carry out their responsibilities. All persons shall be treated courteously, respectfully and fairly, regardless of the officer's personal attitudes or bias. Officers shall not allow their actions to be affected by a person's race, religion, sex, sexual orientation or political affiliation. Officers are expected to maintain excellence in the performance of duty and the highest standards of integrity and ethics.

**LAW ENFORCEMENT AGENCY ROLE****A. Oath of Office**

1. Prior to assuming sworn status, personnel of the Falmouth Police Department must take an oath of office to uphold the laws and the Constitutions of the United States and the State of Maine. The oath shall be administered by the Town Clerk or designee under the direction of the Chief of Police and the Town Manager.
2. All officers shall abide by the following Code of Ethics:

Law enforcement is an honorable calling. Service in this field demands a professional rather than an occupational philosophy. Personal honor, a desire for professional status, and devotion to service above self are the motives which impel a police officer to discharge their responsibility in full measure.

A police officer's life is one of self-sacrificing service to a high ideal, based upon recognition of the responsibilities entrusted to them and the belief that law enforcement is an honorable vocation.

A law enforcement officer accepts their responsibilities to defend the right, to protect the weak, to aid the distressed, and to uphold the law in public and private living. He/she accepts the obligation to report facts and to testify without bias or display of emotion, and to consider all information coming to their knowledge by virtue of their position as a sacred trust, to be used for official purposes only. He/she gives loyal and faithful attention to the identification and apprehension of criminals, being equally alert to protect the innocent and prosecute the guilty. He/she performs the functions of the office without fear, favor, or prejudice, and does not engage in unlawful or improper practices.

A law enforcement officer does not disclose to unauthorized persons any information concerning pending matters which might be prejudicial to the interests of the State, the Town or the Department.

A law enforcement officer does not seek to benefit personally by any confidential information which has come to them by virtue of assignment. He/she is respectful and courteous to all citizens. He/she is faithful and loyal to their organization, constantly striving to cooperate with and to promote better relations with all regularly constituted law enforcement agencies and their representatives in matters of mutual interest and obligation.

Rigid adherence to the principles set out above is mandatory for anyone accepting a position in the Falmouth Police Department. Acceptance of these principles should not be perfunctory; it should be weighed carefully. Citizens are quick to criticize any misconduct of members of the Department; the community places a trust in police officers and expects them to so conduct themselves as to merit this trust. Members should be proud to hold a position that demands so much.

There must be a moral philosophy and strong appreciation of the need for service in any profession. Unwavering adherence to such a moral philosophy will earn for police officers the respect and support of the public.

3. All non-sworn employees shall abide by the following Code of Ethics:

- As a civilian employee of this agency, I regard myself as a member of an important and honorable profession.
- I WILL keep myself in the best physical and mental condition at all times.
- I WILL perform my duties with efficiency to the best of my ability.
- I WILL be truthful at all times. My conduct and performance of duties will be accomplished in an honest manner, and in compliance with the laws; local, county, state, and country.
- I WILL adhere to the confidentiality of the Law Enforcement profession.
- I WILL NOT, in the performance of my duties, work for unethical advantage or personal profit.
- I WILL recognize at all times that I am a public safety employee, and that ultimately I am responsible to the public.
- I WILL give the most efficient and impartial service of which I am capable at all times.
- I WILL be courteous in all my contacts at all times.
- I WILL regard my fellow employees with equality, dignity, and respect.
- I WILL be loyal to my fellow employees, my superiors and my agency.
- I WILL accept responsibility for my actions.
- I WILL strive to do only those things that will reflect honor on my fellow employees, my agency and me.

## **ENFORCEMENT AUTHORITY**

Pursuant to Title 30-A M.R.S.A. §2671 and within the limits established by the Constitution of the United States and the State of Maine, the sworn officers of the Falmouth Police Department are empowered to enforce all Federal, State and local laws and ordinances within the jurisdiction of the Falmouth Police Department.

### **A. Discretion**

Sworn personnel of the Falmouth Police Department shall utilize discretion in a manner which will ensure that their enforcement authority is exercised in a fair and judicious manner. Police response to any situation should involve an assessment of all rational legal and moral alternatives which are in the best interests of the police, the community and the alleged offender. Police officers should never exercise their discretion in a manner that will create an unreasonable risk to public safety or fellow officers.

The use of discretion shall at all times be consistent with the philosophy, goals and objectives of the Falmouth Police Department.

B. Duty Responsibilities

Sworn officers are always subject to duty although periodically relieved of its routine performance. Proper police action must be taken whenever required. The administrative delegation of the enforcement of certain laws and ordinances to particular units does not relieve other officers from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances when a situation confronting the officer requires it. Officers should be aware, however, that units may be operating in an undercover capacity in those areas.

C. While on duty, officers shall at all times take appropriate action to:

1. protect life and property;
2. provide emergency first aid to the injured;
3. preserve the peace;
4. prevent crime;
5. detect and arrest violators of the law;
6. enforce Federal, State, and local law according to Department policy; and
7. keep his/her supervisor or the dispatcher informed of his/her location and activity.

D. The following are suggested areas where an officer may wish to use their discretion to employ an alternative measure of response:

1. the enforcement of laws, i.e., a warning rather than a summons; a summons rather than an arrest;
2. prosecution and plea-bargaining;
3. the resolution of conflicts or disputes between citizens; and
4. the utilization of social service agencies and medical facilities rather than the criminal justice system.