

SOUTH PORTLAND POLICE DEPARTMENT

STANDARD OPERATING PROCEDURES

Subject:	Law Enforcement Role and Authority	Policy #	1-1
Effective Date:	February 1, 2016	Review:	Annually
Distribution:	All Personnel	# of pages:	3

I. PURPOSE:

To define the basic role and authority of the South Portland Police Department and its employees.

II. POLICY:

The South Portland Police Department is committed to providing, without prejudice, the highest degree of service to the citizens of South Portland. Foremost in this mission is the protection of life and property. Officers are also responsible for maintaining peace; enforcing laws and ordinances; detecting, identifying, and apprehending criminals; regulating traffic; and performing any service that will improve the quality of life by providing for the safety and security of the citizens of South Portland. Officers are expected to maintain excellence, diligence and efficiency in the performance of duty, and will adhere to the highest standards of integrity and ethics.

III. LAW ENFORCEMENT ROLE:

- A. **Departmental Goals and Objectives:** Maintaining the highest standards of effective law enforcement requires a strategic planning process in which certain goals and objectives be established and periodically reviewed kept in line with the department’s mission statement, as well as any evolving methods of police procedure, criminal investigation, and court decisions. With input from all divisions and operational levels, the Chief of Police, or designee, will annually review performance towards the goals and objectives for the previous year and formulate and update the goals and objectives for the coming year. The goals and objectives may be department wide or relate to specific divisions or functions within the agency. The Chief of Police may also solicit input from the community and other stakeholders. The annual goals and objectives will be distributed to all personnel; and should aid in maintaining a justifiable use of employees, facilities, equipment and other resources; improving the department’s level of service in line with the needs and / or expectations of the community; and improving the levels of safety, efficiency and effectiveness within the agency.
- B. **Sworn Personnel – Oath of Office:** Prior to assuming sworn status, personnel must take an oath of office to uphold the laws and the Constitution of the United States and the State of Maine. The oath will be administered by the City Clerk, under the direction of the Chief of Police.
- C. **Officer’s Oath of Honor:** All South Portland police officers will abide by the following: *On my honor, I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold the Constitution and the laws of the community I serve.*

D. Code of Ethics:

1. All sworn personnel will abide by the following:

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect and protect the Constitutional rights of all the people to liberty, equality, and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule, develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought

and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature, or that is confided to me in my official capacity will be kept ever secret, unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecuting of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence, and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

2. All non-sworn personnel will abide by the following:

I will perform my duties with efficiency, impartiality and to the best of my ability, maintaining the confidentiality of the law enforcement profession, and recognizing at all times that I am a public safety employee and am ultimately responsible to the public.

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, ordinances, and written directives of the agency. I will not, in the performance of duties, work for unethical advantage or personal profit.

I will be courteous in all of my professional contacts with the public, and will treat my fellow employees, my superiors and my agency with courtesy, respect and loyalty.

I will accept responsibility for my actions, and will strive to do only those things that will reflect favorably upon my fellow employees, my agency and me as a public safety employee.

3. All employees shall receive ethics training biennially via classroom, roll call, computer-based, training bulletins or other means.

IV. ENFORCEMENT AUTHORITY:

- A. Pursuant to Title 30-A M.R.S.A., § 2671 and within the limits established by the Constitutions of the United States and the State of Maine, the sworn officers of the South Portland Police Department, only after being certified by the Maine Criminal Justice Academy as full-time law enforcement officers, are empowered to enforce all federal, state, and local laws and ordinances within the jurisdiction of the South Portland Police Department. Newly sworn, but not certified officers, are not authorized to enforce such laws, make arrests, and / or carry concealed firearms prior to certification.
- 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 officers or 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. ON-DUTY officers shall take appropriate action to:
 1. protect life and property, and provide emergency first aid to the sick or injured
 2. preserve the peace
 3. prevent crime, and detect and arrest violators of the law

4. enforce federal, state, and local laws and ordinances, according to department policy
 5. keep their supervisor and dispatcher informed of their location and activity
- C. Discretion: Sworn personnel may use discretion in a manner that will ensure that their enforcement authority is exercised fairly and judiciously. Police response to any situation should involve an assessment of all rational legal and moral alternatives that are in the best interests of the police, the community, the alleged offender, and / or other involved parties. The use of discretion will be consistent with the philosophy, goals, and objectives of the South Portland Police Department, and must never create an unreasonable risk to the safety of the public or other law enforcement officers. The following are areas where the officer may use discretion to determine the level of response:
1. enforcement of violations – warning rather than a summons, or a summons rather than an arrest
 2. use of force and degree of force necessary, consistent with reasonableness and other standards outlined in applicable law and SOP #1-1-A, USE OF FORCE & CONTROL
 3. prosecution and plea bargaining, consistent with law and other department policy
 4. resolution of disputes or conflicts between persons
 5. utilization of public or private social service agencies and medical facilities rather than the criminal justice system

By Order Of:

Timothy B. Sheehan
Chief of Police