

	<b>Easthampton Police Department</b>	<b>POLICY NO. 4.15 (Rev 2)</b>
<b>Department Role and Authority</b>		
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: [12.2.1.a], [15.2.1], [1.1.1], [1.1.2], [1.2.1], [1.2.2], [1.2.1 & 1.2.2], [13.3.1], [1.2.7]		DATE OF ISSUE: 02-11-2015
GENERAL ORDER:	ISSUING AUTHORITY: <i><u>Robert J. Alberti</u></i> Chief of Police	EFFECTIVE DATE: 02-17-2015  REVISION DATE: 01-20-2021

## I. Introductory Discussion

- A. The intent of this Directive is to provide basic information relative to the role and authority of the Easthampton Police Department.

## II. Department Values & Mission Statement [12.2.1,a]

- A. The mission of the Easthampton Police Department:

*The Easthampton Police Department is a dedicated and diverse group of professionals who are committed to working with the community to make the City of Easthampton a safe and desirable place to live, work or visit.*

*Through these efforts we will strive to have a positive impact on the quality of life for our citizens while recognizing both our diversity and those ideals that we have in common.*

*Our mission is to partner with the community to solve problems and improve public safety in a manner that is fair, impartial, transparent, and consistent.*

- B. The primary values of the Easthampton Police Department are:

1. *Preserve and Advance Democratic Values* – We shall uphold this country’s democratic values as embodied in the Constitution and dedicate ourselves to the preservation of life, individual freedoms and justice for everyone.

2. *Improve the Quality of Community Life* – We must understand the importance of community values and expectations, be responsive to the concerns of all citizens, and encourage our officers to expand their role in helping the community to develop a better place to live.
3. *Exercise Compassion* – The role of the police is to resolve conflict through impartial enforcement of law, not through imposition of judgment or punishment. All persons shall be treated equitably and with compassion.
4. *Professionalism* – We must recognize that our success is dependent on the trust and confidence of the citizens of the community which we serve, therefore we shall always engage in behavior which is beyond reproach and reflects the integrity of police professionals.
5. *Pride* – We pride ourselves on being capable and caring people who provide a valued service to the citizens of Easthampton and we shall promote pride in our community, Department and profession.
6. *Teamwork* – Law enforcement, public safety, and quality of life issues are of community-wide concern; thus, we must actively seek citizen involvement in all aspects of policing. We shall strive to cultivate effective working relationships with other governmental public and private service agencies in pursuit of mutual goals.
7. *Commitment* - We must have a vision for the future of our community and our agency, and make a firm commitment to foster goals which will enable us to attain that end.
8. *Excellence* – We shall endeavor to meet or exceed state and nationally recognized law enforcement standards in every duty we undertake. We pledge to establish and maintain high performance standards to ensure public confidence and trust.
9. *Quality Service* – We shall strive to realize the aforementioned values in order to provide the citizens of Easthampton with the highest quality of police services possible and accomplish our department mission.

### **III. Establishment of Annual Agency Goals and Objectives** [15.2.1]

- A. As part of the generalized management function of providing vision and direction to the agency, it is important to establish goals and objectives as part of the management strategy of the department, and to obtain input at all levels of the department in the establishment of these goals and objectives.
  1. Goals are defined as the broad generalized directions, efforts, or impacts that the organization would like to achieve in support of its overall mission. An example of a goal would be:

- "To fully implement community policing in the city within a period of ten (10) years."
2. Objectives are the specific and measurable steps that may be taken to achieve a department goal. Objectives relative to the previous example could include:
- "Increase the number of patrol officer pro-active, problem solving activities by 50%."
  - "Add one school resource officer to the middle school."
- B. Annually, as part of its budget narrative, the Easthampton Police Department will prepare organizational goals and objectives. These goals and objectives represent a formal statement of organizational purpose and direction, as well as providing a standard by which to measure the success of the department. Each goal and objective will include in its outline what is Administrative or Operational.
- C. Each Shift/Bureau Commander shall provide input to the Chief of Police of the goals and objectives for their shift/bureau for the upcoming fiscal year. All commanders shall solicit input and/or permit subordinates to assist in the formation of the shift/bureau's individual departmental goals and objectives.
- D. Each year, the Chief of Police shall prepare organizational and unit goals and objectives for the upcoming year. These goals and objectives may form the basis of all or a part of the department's budget request and justification submitted to the Mayor prior to each fiscal year.
- E. The Chief of Police shall ensure that departmental goals and objectives are made available to all personnel each year through the dissemination of shift and bureau commanders [15.2.1].

#### **IV. Oath of Office** [1.1.1]

- A. All sworn personnel, prior to assuming sworn status, shall be required to take and subsequently abide by an oath of office to enforce the law and uphold the Constitution of the United States and the State of Massachusetts. Sworn personnel shall be defined as those departmental personnel with full or limited police powers.
1. The oath of office shall be administered by the Mayor or City Clerk as part of the entry level processing of the officer, and shall become a permanent record maintained in the City Clerk's file.

#### **V. Adherence to a Code of Ethics** [1.1.2]

- A. All personnel shall be provided electronically with a copy of the *Code of Ethics* as written by the International Association of Chiefs of Police and adopted by the Easthampton Police Department (*See EPD Policy 4.15a*).
- 1. All sworn officers shall abide by the IACP Code of Ethics. All sworn officers are also provided with ethical decision-making training as part of the recruit police academy.

## **VI. Legally Mandated Authority** [1.2.1]

### A. Full-Time Sworn Law Enforcement Officers:

- 1. The legally mandated authority of full-time sworn police officers is granted through a series of state statutes found under the Massachusetts General Law. The majority of these state statutes are derived from English Common Law. The extent of police powers has been further defined through court decisions which specify restrictions or extensions upon authority, and are further shaped and constrained by both the Constitution of the United States and the Commonwealth of Massachusetts. Specific statutes conferring police authority include section 98 of Chapter 41, section 29 of Chapter 90, and section 28 of chapter 276, all under the Massachusetts General Laws (*See also City of Easthampton Charter*).
- 2. In General, M.G.L. c. 41, §97A provides for the establishment of the police department. It also provides for the appointment of a Chief of Police, to supervise and establish regulations governing such department, as well as other officers deemed necessary [12.1.1]. The City of Easthampton Charter further provides for these appointments.
  - a. Once appointed, Police Officers for the City of Easthampton have the legally mandated authority to enforce the Criminal law of the Commonwealth of Massachusetts as well as the Ordinances of the City of Easthampton. Police powers are restricted to enforcement of these laws within the jurisdiction of the City of Easthampton unless specific legal authority grants an expansion of authority. Authority is legally expanded as follows:
    - 1.) A Easthampton police officer has the legal authority to serve an arrest warrant anywhere within the Commonwealth of Massachusetts, and maintains police powers over the arrested even though the officer is outside of the legal boundaries of the City of Easthampton.
    - 2.) Police officers maintain police powers in cases of “fresh and continuous pursuit” of a violator of the law, as provided under section 98A of chapter 41 of the M.G.L. This is always true within the Commonwealth of Massachusetts, and extends to other States in cases of Felony “fresh pursuit” situations. Police officers maintain certain limited police

powers in cases involving the attempted apprehension of misdemeanor law violators across state boundaries.

- 3.) Police officers have certain police powers in emergency mutual aid situations within communities that maintain mutual aid agreements, or when mutual aid is requested in the event of an emergency. (M.G.L. chapter 41, §99, also refer to Western MA Mutual Aid Agreement).
- 4.) Legal Authority to Carry Weapons: Under M.G.L. Chapter 41 § 98, full-time sworn police officers may carry within the Commonwealth such weapons as the Chief of Police shall determine. [1.2.2]

B. Part-Time Sworn Law Enforcement Officers:

1. Special Police Officers With Powers of Arrest: When on duty, Special police officers have all the powers and duties of members of the regular police force and may carry within the Commonwealth such weapons as the Chief of Police shall determine. (See Chapter 309 of the *Commonwealth of Massachusetts Acts of 1997* and M.G.L. Ch. 147 §13). [1.2.1 & 1.2.2] [16.3.1]

## VII. Exercise of Discretion in the Enforcement of the Law [1.2.7]

- A. The use of discretion by police personnel is defined as being “*the power to exercise judgment in the selection of a course of action from available alternatives.*”
1. The use of discretion by police officers is made necessary by ambiguous or outdated laws, the effects of actions on police community relations, the legitimate interest of justice and fairness, and the complexity and variety of the situations in which police officers find themselves. Such situations make the use of set standard responses impractical and undesirable in many cases.
  2. Situations where employees will normally be confronted with decisions that may require the use of discretion include:
    - a. The enforcement of laws.
    - b. The use of force.
    - c. The resolution of conflict or disputes.
- B. The use of discretion by police officers may be restricted or eliminated by any of the following:
1. Constitutional Law
  2. State Law
  3. City Ordinances
  4. Court Decisions

5. Policies and procedures of the Department.
  6. A lawful order by a superior.
  7. The Law Enforcement Code of Ethics.
- C. Although it is impossible to outline the precise parameters of discretion for every type of police activity, it is generally desired that employees exercise discretion in a manner that is consistent with:
1. The philosophy, mission, values and goals of the Department.
  2. Pertinent laws and court decisions.
  3. Direction, supervision, and orders received from superiors.
  4. Policies, Procedures, Rules & Regulations of the Department.
  5. The sense of justice and fairness that would be expected by an ordinary, reasonable and prudent member of the community.
  6. The Law Enforcement Code of Ethics.