




Clayton County Police Department PROCEDURES

Subject DEPARTMENT ROLE & AUTHORITY		Procedure # A1	
Authorizing Signature 	Effective 08-01-2022	<input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Rescinds	Total Pages 10

I. PURPOSE

The purpose of this policy is to affirm the goals, objectives, role and authority of the Clayton County Police Department. Furthermore, to establish procedures for administering the Oath of Office and ensuring that employees understand the Oath of Office and Code of Ethics.

II. POLICY

It is the policy of the Clayton County Police Department to: set identifiable and attainable annual and long term goals and objectives; to hold all employees to a high standard of ethics; and to perform various roles and responsibilities in a way that protects everyone's constitutional rights.

III. DEFINITIONS

Goals: A broad measurable outcome that an organization wishes to achieve that will assist the organization in achieving its stated strategic mission and vision.

Objectives: A precise measurable action that facilitates the achievement of an organizational goal.

Strategic Plan: A guide used by organizations to communicate organizational vision; develop a "roadmap" to achieve an organizational mission in the most effective and efficient manner while maintaining adaptability; synchronize and validate organizational budget needs and requests; synchronize with the goals and objectives of both superior and subordinate entities, and inform organizational stakeholders and personnel of leadership's vision and intended goals over a specific span of time.

IV. GOALS AND OBJECTIVES

The Clayton County Police Department will establish goals and objectives to ensure the direction of the Department is consistent with its mission statement.

A. Multi-year Planning

The Chief of Police and designated staff members shall be responsible for the development of a three (3) year plan which will encompass:

1. Long-term goals and operational objectives.
2. Anticipated workload and population trends.
3. Anticipated personnel levels.
4. Anticipated capital improvements and equipment needs.
5. Provisions for review and revision as needed.

B. Annual Goals and Objectives

1. On an annual basis, Division Commanders are responsible for establishing written goals and objectives that:
 - a. Provide a level of service consistent with community needs.
 - b. Maintain cost-effective use of employees, facilities, and equipment.
 - c. Manages the agency in such a manner that continuously improves the level of service to the public as well as other elements of the agency.
 - d. Are made available to all affected personnel.
2. Divisional goals and objectives will be submitted to the Chief of Police for approval.

C. Organizational Goals – Strategic Parameter Integration

The Department has developed five (5) goals that will assist in facilitating the wanted organizational outcomes and integrate with Clayton County priorities and goals, and ensure that the Department functions at the highest level of effectiveness, efficiency and adaptability to produce a safe and secure environment for the community and improve quality of life. The five (5) goals are outlined below with corresponding objectives and Clayton County Government Strategic Parameters.

1. *Recruitment of qualified candidates and retention of quality personnel within the Department.*
 - a. Interview military personnel separating from service and college visits.
 - b. Establish educational, employment and mentorship pathways for local citizens/students to positions within the Department.
 - c. Educate employees regarding resources available to them in order to cultivate a positive work environment.

2. *Reduce, solve and prevent crime within the Department's jurisdiction.*
 - a. Cultivating stronger alliances with all law enforcement agencies to ensure maximum crime prevention/solvability in an effective and expeditious manner.
 - b. Reduce violence using proven methods and non-traditional civil enforcement remedies.
 - c. Increase high visibility presence through aggressive traffic enforcement.
3. *Integrate technology within our organization for improved internal and external communication.*
 - a. Provide internal training and external education regarding current technological capabilities being utilized by the Department.
 - b. Exploration of future communication systems (i.e. texting to E911).
 - c. Public dissemination of information from the Department on current local issues and citizen's concerns.
4. *Operational and Tactical Equipment Enhancement.*
 - a. Provide tactical first aid training and improved first aid equipment to sworn and field personnel.
 - b. Enhancing tactical options for our sworn and field personnel.
 - c. Upgrade current equipment to meet the needs of current and future public safety operational readiness to ensure optimal utilization of resources.
5. *Improve quality of life.*
 - a. Decrease response time to priority calls.
 - b. Increase the number of Animal Control personnel.
 - c. Develop relationships with social services resources to assist with the challenges of the Department's special need's population.

D. Strategic Plan

The Department has developed a three (3) year Strategic Plan. The aforementioned goals and objectives are listed in the plan. The *Clayton County Police Department Strategic Plan* can be viewed on the Department's Intranet Site or by clicking on the link shown below.

<https://www.claytonpolice.com/wp-content/uploads/2022/03/Strategic-Plan-2022-2024-v2.pdf>

E. Evaluation Process

1. To ensure continuing progress and success in implementing the Department's multi-year plan, a committee designated by the Chief of Police will evaluate the Strategic Plan on an annual basis.

2. The evaluation will be conducted in the 2nd Quarter of each fiscal year. This time period will give the Department sufficient information to determine if the multi-year plan is being executed as projected, or if adjustments need to be made for the subsequent fiscal year(s), concerning goals, resources, and other operational considerations that impact the mission of the County and/or Department.
3. The Chief of Police may revise and/or update the plan as necessary.

V. AGENCY ROLE

- A. The role of the Clayton County Police Department is best stated by the Department's Mission and Vision Statements.

Mission Statement: To serve and protect all citizens with excellence.

Vision Statement: The Clayton County Police Department is dedicated to establishing safer communities by building trust and confidence through professionalism and collaborations.

- B. The Clayton County Police Department shall enforce the law fairly and firmly; to prevent crime; to pursue and bring to justice those who break the law; to keep the peace; to protect, help and serve the people of Clayton County; and to do all of this with integrity, common sense and sound judgment.
- C. Employees must be compassionate, courteous and patient, acting without fear or favor or prejudice to the rights of others. Employees must be professional, calm and restrained in the face of violence and use only that force which is reasonable and necessary to accomplish our lawful duty.
- D. Employees must strive to reduce the fears of the public and, so far as employees can, to reflect their priorities in the actions employees take. Employees must respond to well-founded criticism with a willingness to change.
- E. Employees must support and uphold the Constitution of the United States of America and the Constitution of the State of Georgia. Employees must discharge their duties consistent with the Department's Oath of Office and the Law Enforcement Code of Ethics.

VI. OATH OF OFFICE & CODE OF ETHICS

All personnel shall perform their duties ethically, with due diligence and in compliance with written directives of the Department, Clayton County Civil Service Rules and applicable laws. Sworn personnel are further expected and required to be knowledgeable of and in compliance with their Oath of Office and the Law Enforcement Code of Ethics in the performance of their duties. Non-sworn personnel are expected and required to be knowledgeable of and in compliance with the Civilian Code of Ethics.

A. Oath of Office

1. All sworn personnel of this Department shall upon employment as certified peace officers by the Georgia Peace Officer Standards and Training Council (GPOSTC) be administered the adopted Oath of Office, swearing (or affirming) to support and defend the Constitution of the United States of America and the Constitution of the State of Georgia.
2. Sworn personnel will read the adopted *Oath of Office Form*. Sworn personnel agree to abide by the Oath of Office by signing the Department's *Oath of Office Form*. The signed form shall be placed in the employee's personnel file and a copy provided to the employee.

Refer to *Appendix A* of this procedure for the *Clayton County Police Department's Oath of Office Form*.
3. The Oath of Office will be administered to the Department's Police Recruits after they have successfully completed all of the required training at the Clayton Law Enforcement Academy, but before they are assigned to field training.
4. There is no Oath of Office for non-sworn personnel.

B. Code of Ethics

1. Law Enforcement Code of Ethics
 - a. The adherence to the Law Enforcement Code of Ethics is a cornerstone to a successful law enforcement career. Hence, sworn personnel shall therefore abide by the Law Enforcement Code of Ethics established by the International Association of Chiefs of Police (IACP) and adopted by this Department.
 - b. All sworn personnel of this Department shall upon employment read the adopted *Law Enforcement Code of Ethics Form*. All sworn personnel agree to abide by the Law Enforcement Code of Ethics by signing the Department's *Law Enforcement Code of Ethics Form*. The signed form shall be placed in the employee's personnel file and a copy provided to the employee.

Refer to *Appendix B* of this procedure for the *Clayton County Police Department's Law Enforcement Code of Ethics Form*.
2. Civilian Code of Ethics
 - a. All non-sworn personnel of this Department shall upon employment read the adopted *Civilian Code of Ethics Form*.
 - b. All non-sworn personnel agree to abide by the Civilian Code of Ethics by signing the Department's *Civilian Code of Ethics Form*. The signed form shall be placed in the employee's personnel file and a copy provided to the employee.

Refer to *Appendix C* of this procedure for the *Clayton County Police Department's Civilian Code of Ethics Form*.

VII. TRUTHFULNESS

- A. Employees shall be truthful in all matters and shall not lie, falsify, conceal, purposely distort, diminish, embellish, or fail to fully disclose facts associated with any departmental business.
- B. All employees, regardless of position, duty assignment or rank, are representatives of the Department. Therefore, each employee is expected to conduct departmental business without intentional, malicious, deceptive conduct. Such conduct may take one (1) or more of the following three (3) forms:
 - 1. Deceptive action in a formal setting (e.g., testimony during hearings or court proceedings; statements provided or submitted during administrative questioning or internal affairs investigations; documentation during completion of County or departmental forms and/or reports; etc.);
 - 2. Failure to bring forward information about another employee(s) involved in criminal behavior or egregious violations of departmental policy; or
 - 3. Creation of false evidence that tends to implicate another person in a criminal act.

Intentional, malicious, deceptive conduct in any of these forms may permanently destroy an employee's credibility as well as damage the public's trust of the Clayton County Police Department.

- C. Any employee guilty of intentional, malicious, deceptive conduct may face disciplinary action, up to and including termination.

VIII. AGENCY AUTHORITY AND LIMITS THEREON

The Department's statutory or legal basis is as follows:

- A. Article 9, Section 2, Paragraph 1 (a) of the Georgia Constitution states that the governing authority of each county shall have legislative power to adopt clearly reasonable ordinances, resolutions, or regulations relating to its property, affairs, and local government for which no provision has been made by general law and which is not inconsistent with the Constitution or any local law applicable thereto.
- B. Article 9, Section 2, Paragraph 3 (a) (1) of the Georgia Constitution states that in addition to and supplementary of all powers possessed by or conferred upon a county, the county may exercise police powers and provide police protection.
- C. Section 36-8-1 of the Official Code of Georgia Annotated (O.C.G.A.) states that the county governing authority shall have authority to elect or appoint such number of county police as in its discretion it deems proper, provided that the county governing authority complies with the provisions of this Code section.

- D. The Clayton County Police Department is a legally constituted government entity having mandated responsibilities to enforce State and Local laws having personnel utilizing general and specific law enforcement powers as authorized by State law. Clayton County Police officers are authorized representatives of the Clayton County Police Department.
- E. The sworn officers of the Clayton County Police Department are empowered to enforce the laws of the State of Georgia within the boundaries of the County. They also have the authority to cite for violations of County ordinances that apply to all land within the jurisdiction of unincorporated Clayton County, being all portions of the County not in the ownership of the municipal, state, or federal government and to any area for which the Clayton County Board of Commissioners has jurisdiction consistent with the provisions of Georgia law. All sworn officers shall be responsible for the use or misuse of delegated authority.
- F. Power of Arrest
 - 1. Powers of County Police Generally: Pursuant to O.C.G.A. § 36-8-5, under the direction and control of the county governing authority, the county police shall have:
 - a. The same power to make arrests and to execute and return criminal warrants and processes in the county of their election or appointment only, as sheriffs have; and
 - b. All the powers of sheriffs as peace officers in the county of their election or appointment.

By virtue of the above-cited code section, the sworn officers of the Clayton County Police Department have jurisdiction to enforce the laws of the State of Georgia within the jurisdictional limits of the County, including municipalities.

- 2. Although sworn officers have jurisdiction within the city limits of the incorporated areas of the County, pursuant to O.C.G.A. § 36-8-5, every attempt shall be made to allow the respective city agency to take control of situations encountered by a County Officer in an incorporated area.

For additional information, refer to standard operating procedure A8: *Arrest Procedures* regarding the authority to arrest.

IX. POST CERTIFICATION INFORMATION

The Georgia Peace Officer Standards and Training Council (hereinafter referred to as "POST") was established in 1970 by the Georgia General Assembly as a regulatory body. POST is responsible for the certification and regulation of Georgia's peace officers and other various public safety personnel. Additionally, POST is responsible for establishing the minimum training standards and curriculum of the personnel certified by the agency. Before POST will certify a candidate as a peace officer, the candidate must meet certain minimum standards for employment. These requirements are outlined in O.C.G.A. § 35-8-8.

- A. Sworn officers must comply with POST certification and/or registration requirements in order to perform as peace officers in the State of Georgia. Each officer is required to have POST certification and/or registration to have arrest powers in the State of Georgia.
- B. POST may revoke or suspend a peace officer's certification or registration or impose other discipline when officers violate the law, violate ethical standards, are not getting the required training, using excessive force, getting arrested, etc.
- C. Information on the Recertification Process & Dealing with Expired Certifications
 - 1. POST has voted to end the recertification requirement for all POST certified peace officers, effective January 1, 2022. There will be no further recertification process. However, those POST certified officers whose certifications have already expired will be required to complete the following courses in order to remove the expired status:
 - a. Classroom or Online Instruction:
 - 1) Legal Update;
 - 2) Use of Force;
 - 3) De-escalation; and
 - 4) Community Oriented Policing
 - b. Skills Demonstration with GA POST Certified Firearms Instructor:
 - 1) Georgia's Standard Qualification Course for Firearms Requalification
 - 2. POST also recommends the returning officer take the sixteen (16) hour Georgia Criminal Law course either at the Georgia Public Safety Training Center (GPSTC) or from a POST certified instructor.
 - 3. Upon determination that the courses have been passed and that there are no other issues with the officer's certification, POST will remove the expired status.
- D. Sworn officers are ultimately responsible for maintaining their POST certification. Any officer who fails to renew their certification may expose themselves and the Department to criminal and/or civil liability. Dependent upon the circumstances, any officer who allows their certification to expire may face disciplinary action, up to and including termination.
- E. **Each officer can view their certification status by checking their training records via the GPOSTC website or by clicking on the following link: www.gapost.org.** Select the 'POST Data Gateway' link on the left side of the page and log in. Once logged in, select the 'Demographics' link; this link will display the Officer's Information (i.e., Okey number and officer's last name), Annual Training Dashboard, Demographics, Officer Certifications, Employment History, Mandated Training History and Training History.

F. In-Service Training

In-Service Training shall provide employees with continuous and on-going instruction designed to enhance, refresh and update job related knowledge, skills and abilities. A minimum of twenty (20) hours of In-Service Training is required of all sworn personnel each year (by December 31st each year) by the State of Georgia and POST. The Department recommends that each officer receive a minimum of forty (40) hours of in-service training annually. This requirement can include the twenty (20) hours as required to meet state mandate.

X. POST CERTIFICATION STATUS CHANGE NOTIFICATIONS

POST rules regarding officer records being updated and disciplinary actions being reported:

A. Applications to be Permanent Records: Responsibility to Keep Current

All certification applications under these rules shall be a permanent record. Should any change occur after certification that would require a different answer to any question in the application, to include change of address, or any supporting document that is made as part of the application, such change must be reported, by the officer, as an amendment to the application within thirty (30) days of the date of the occurrence of such change.

B. Notification of Disciplinary Action

Any applicant/candidate for certification or person certified pursuant to O.C.G.A. Title 35, Chapter 8, who has disciplinary action taken against them by any agency, organization, or department of this State, a subdivision or municipality thereof, or federal, shall notify POST within fifteen (15) days of said action. For purposes of the fifteen (15) day time limit, evidence that notification was mailed within fifteen (15) days shall be sufficient. Disciplinary action as used herein means any action taken by any municipal, county, state or federal agency against a certified officer, which meet any of the following criteria:

1. Arrest by local, state, or federal authorities;
2. Suspensions, in totality, of thirty (30) days or longer for singular incidents of misconduct, demotions (other than for administrative purposes), termination by employing agency, or resignations in lieu of terminations;
3. Indictments of presentments in any local, state or federal courts; or
4. Conviction or bond forfeiture, in any local, state or federal court. The term "conviction" shall include a finding or verdict of guilt, plea of guilty, or a plea of nolo contendere, regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon.

Minor traffic citations written to a certified officer need not be reported to POST.

C. Notification Required by Employing Agency

Employing agencies shall inform POST in writing within fifteen (15) days of any applicant/candidate for certification or certified officer arrest.

D. Supervisor Notification

Sworn personnel shall immediately, and without delay, notify their immediate supervisor of any circumstance that has, may or will affect the current status of their POST certification, ability and authority to operate a County vehicle, or when they become aware of a POST certification status change. After such notification, the affected officer shall immediately notify the Chief of Police in writing, via chain of command, of the circumstances and change in POST certification status.

The following circumstances require immediate notification as outlined above:

1. When the POST certification of an affected officer is suspended or revoked for any reason;
2. When the driver's license of an affected officer is suspended or revoked for any reason;
3. When an officer is arrested for any crime;
4. When an officer is arrested for any serious traffic offense(s) in which a physical arrest occurs; and
5. Any other circumstance, which could affect their POST certification and/or ability to perform their job duties.

XI. SOCIAL SERVICE REFERRALS

Refer to standard operating procedures *A4: Social Service Referrals* and *D37: Mental Illness*.

XII. TRAINING

All employees, within the Department, will receive ethics training as mandated by the Department, County and POST. Ethics training can be in the form of classroom, roll call training, computer-based training and bulletins, or any combination of methods as determined by the County.

XIII. CANCELLATION

- A. This procedure amends and supersedes the following standard operating procedure: *A1: Departmental Role & Authority*, dated November 1, 2016.