


GAINESVILLE POLICE DEPARTMENT

GENERAL ORDER

	TITLE Source of Police Authority and the Role of the Department		ACCREDITATION CALEA Chapter 1 & 12 PRIOR REVISIONS: 07/01/01, 12/07/05, 07/05/11 04/19/2018 ATTACHMENT:
	PROPOSER UNIT Office of the Chief		
NUMBER 1.1	ISSUE DATE 07/01/98	REVISION DATE 08/05/21	TOTAL PAGES 5

I. PURPOSE: This Order defines the source of the Department's law enforcement authority, and establishes the basic role of the law enforcement agency.

II. POLICY: The Gainesville Police Department operates under authority vested by the Constitution and Statutes of the State of Florida, and the Code of Ordinances of the City of Gainesville. The Chief of Police shall appoint sworn officers to assist in the performance of duties; which officers, while executing their duties, shall exercise discretion and utilize sound judgment. All Department members shall recognize, abide by and enforce applicable laws, codes, statutes and ordinances and shall represent the law enforcement profession in a manner which honors their duty to detect and prevent crime, to apprehend violators, and to preserve and protect the constitutional rights of everyone in the community. [CALEA 1.2.1]

III. PROCEDURE

A. Statutory Authority: The Constitution of the State of Florida gives the governing body of a municipality the right to exercise police power in all matters wherein the morals, health, comfort, safety and welfare of the public are involved; and provides all citizens of the State the right to bear arms within statutory requirements. [CALEA 1.2.1]

1. State of Florida: Florida State Statute 943.10 defines law enforcement officers, who are identified, in part as those "who [are] vested with the authority to bear arms and make arrests." Statute 790.052 provides for the carrying of a firearm, without a permit, by duly sworn law enforcement officers

2. City of Gainesville:

i. Authority of the Department: The Gainesville Police Department is established under Article 1, Section 1.04 (13) and (15) of Gainesville's Charter which states the City may:

a. Article 1 Section 1.04 (13): Provide fire protection and other governmental services within and without the city limits and enter into contracts for such purposes.

b. Article 1 Section 1.04 (15): Exercise full police powers over the entire width of right-of-ways of all streets and public ways which lie within, adjacent to, or partially within the city limits.

ii. Authority of the Chief: Chapter 21, Article 1, Section 21-1 of the Code of Ordinances for the City of Gainesville states that the Chief of Police shall preserve the peace of the City and command and direct the police force under the instructions of the City Manager, and see that the provisions of this Code and other ordinances of the city are strictly enforced. [CALEA 12.1.1]

Member Authority: The authority of sworn Department members is derived from this section and is conferred through the Commission and issued by the Chief of Police. By the authority of Florida State Statute and the Chief of Police, sworn members are authorized to carry, on or off duty, department issued weapons, personally owned weapons, and/or less-lethal weapons provided they have met the training and standards set by the Gainesville Police Department. See General Order 1.6 – Weapons for further details. [CALEA 1.2.2]

B. Police Authority and Responsibility: Commissioned personnel are sworn to uphold and enforce the ordinances of the City of Gainesville, the laws of the State of Florida, the Constitution of the State of Florida and the Constitution of the United States, in order to protect public peace and safety within the jurisdictional boundaries of the City of Gainesville, Florida. [CALEA 1.2.1]

C. Oath Of Office: Prior to assuming sworn status and being assigned any law enforcement duties, officers will take and subsequently abide by an Oath of Office to enforce the law and uphold the Nation's Constitution, basic law of the land and, where applicable, those of government subdivisions.[CALEA 1.1.1]

Oath: "I swear that I will support, protect and defend the Constitution and Government of the United States, and of the State of Florida, against all enemies, domestic and foreign, and that I will bear true faith and loyalty and allegiance to the same, and that I am entitled to hold office under the Constitution and that I will faithfully perform all the duties of police officer of the City of Gainesville, so help me God."

D. Code of Ethics: All personnel will abide by a code or cannon of ethics. Ethics training will be conducted for all personnel, at a minimum, biennially. [CALEA 1.1.2]

1. Sworn Members: will in recognizing their fundamental duties and responsibilities as law enforcement officers, abide by the following Code of Ethics. Law enforcement officers will:

As a Law Enforcement Officer, my fundamental duty is to serve mankind; 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 the Constitutional rights of all men to liberty, equality and justice.

I will keep my private life unsullied as an example to all; 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, animosities, or friendships to influence my decisions. With no compromise for crime and with relentless prosecution 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 constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

2. Non-Sworn Members: in recognizing their duties and responsibilities, abide by the following Code of Ethics:

As a Gainesville Police Department employee, it is my duty and responsibility to serve the community and provide professional support for the Departmental operations. I will keep my private life unsullied as an example to all, develop self-restraint and be constantly mindful of the welfare of others.

Honest in thought and deed in personal and official life, I will be exemplary in obeying the laws of the land, and the rules and regulations of the Department. What I see or hear of a confidential nature or that is confined in 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, animosities, or friendships to influence my decisions. I will constantly strive to achieve these objectives and ideals, dedicating my efforts toward ensuring the efficient and effective operation of the Gainesville Police Department.

I WILL,

- perform my duties with efficiency to the best of my ability.
- 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, state, and country.
- adhere to the confidentiality of the Law Enforcement Profession.
- recognize at all times that I am a public safety employee, and that ultimately I am responsible to the public.
- give the most efficient and impartial service.
- be courteous in all my contacts.
- regard my fellow employees with equality, dignity, and respect.
- strive to do only those things that will reflect honor on my fellow employees, my agency and myself.

I WILL NOT, in the performance of duties, work for unethical advantage or personal profit.

E. Department Vision: Gainesville is a safe and healthy community.

F. Department Mission: Together as a community we foster, order safety and freedom.

G. Department Goals:

Be a community model by maximizing the safety of our citizen and our workforce.

Foster greater equity; strengthen public trust and confidence by serving all people with dignity, fairness and respect.

Plan for a better future by partnering with out stakeholders to promote community safety and health.

Perpetuate a proactive management approach to crime prevention.

Support a strong economy by developing a professional, ethical and skilled workforce.

Build a community-focused workforce representative of the Gainesville residents.

Promote effective communication between our employees, volunteers and citizens.

H. Department Values: Members of the Gainesville Police Department, in carrying out their duties both in and outside the agency, and in accordance with this Order, will do so in a manner that supports honesty, integrity, respect, fairness, commitment, consistency, ethical decision-making, compassion, and trust.

Members of the Gainesville Police Department will adhere to the 3 C's:

Compassion

A person who is compassionate is able to sympathize and show respect regardless of the circumstances of the encounter. By having compassion as one of our core values we are acknowledging that our job is not to judge, but to assist those who are suffering and is accompanied by a strong desire to alleviate the suffering

Constitutional policing

Working in community affording citizens all their constitutional rights, thus working with high standards of accountability, Communities want effective, professional, respectful, accountable, biasfree policing. Law enforcement executives want the same things. Our goals are the same as those of police chiefs across the country: to protect the civil rights of all people, while ensuring that communities have confidence in their police departments.

Consistency

Officers should enforce laws and exercise prevention and intervention strategies, fair and impartial without implicit or explicit biases, regardless of assignment throughout the City of Gainesville.

I. City of Gainesville's Mission Statement: SERVE the people, PROTECT life, property, and rights. ENFORCE the law fairly and impartially. RESOLVE problems by working in concert with our neighbors to identify issues and potential solutions

By Order of

*Signed original on file in the
Accreditation Section*

**Tony R. Jones
Chief of Police**