



Michelle LaJoye-Young
SHERIFF

Kent County Sheriff's Office Policy and Procedure

Subject: Discretion	General Order: 1 . 1 . 3
Effective Date: 12/13/2022 Revision Date:	Distribution: All Personnel

I. PURPOSE

The purpose of this policy is to make a general statement on the use of discretion by Kent County Sheriff's Office personnel. Sworn personnel must recognize that discretion is addressed in other directives, such as those relating to vehicular pursuits, use of force, custodial arrests, and other orders issued by this department.

II. DEFINITIONS

Discretion can be defined as the power of free decision or latitude of choice within certain legal bounds. It is also defined as the ability to make responsible decisions.

III. PROCEDURES

- A. The Kent County Sheriff's Office Policy Manual cannot foresee every possible circumstance involving an employee. Therefore, the department reserves the right to allow departures from policy when an employee acts reasonably and professionally based on the totality of the circumstances.
- B. A police officer essentially has discretion whenever the effective limits of their power leave the officer free to choose among possible courses of action or inaction. Discretion is necessary because it is impossible to enforce every law that has been enacted at all times. Discretion comes with responsibility. Discretion then must be based upon the spirit and intent of the law and Departmental directives, as well as experience and training. Discretion is predicated on sound judgment.
 - 1. Officers must recognize when discretion exists and when it is limited. To do this, officers must know the law and directives that apply. Armed with this information, officers must put aside personal biases

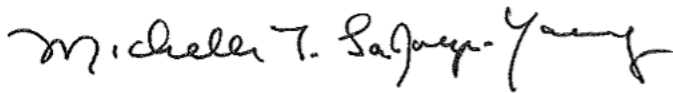
and utilize their training and experience in reaching a decision.

- C. If an employee has any question(s) about the use of discretion in a given situation, they should contact a supervisor to get their opinion and/or direction as to whether the use of discretion is appropriate in that particular situation.

IV. CANCELLATIONS

None

Authorized by:



Michelle Lajoie-Young
Sheriff

Index as:

Standard: None

Application: This directive constitutes department policy and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third-party claims insofar as the employer's or employee's legal duty as imposed by law.

KENT COUNTY SHERIFF'S OFFICE