



Lincoln Police Department

Standard Operating Procedures

Integrity, Competency, Fairness



Subject:	Law Enforcement Role and Authority	Policy #	A-21
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Distribution:	All Sworn Personnel	# of pages:	4
MLEAP:	1.06, 1.09, 2.01, 2.02, 2.03, 2.17		
	<i>Rescinds All Previous Policies Related To This Current Policy</i>		
Issuing Authority:	Chief of Police Lee Miller		

I. POLICY:

The mission of the Lincoln Police Department is to provide, without prejudice, the highest degree of service and commitment to the citizens it serves. Foremost in this mission is the protection of life and property. Specifically, officers are responsible for the maintenance of peace; enforcement of laws and ordinances; the detection, identification, and apprehension of criminals; the prevention and investigation of crimes; regulation of traffic and the performance of any service that will improve the quality of life by providing for the security and safety of its citizens.

Officers shall adhere to the Law Enforcement Code of Ethics and shall diligently and efficiently carry out their responsibilities. All persons shall be treated courteously, respectfully, and fairly, regardless of the officer's attitudes or bias. Officers shall not allow their actions to be affected by a person's race, religion, sex, sexual orientation, or political affiliation. Officers are expected to maintain excellence in the performance of duty and the highest standards of integrity and ethics. **MLEAP 2.01, 2.17**

II. PURPOSE:

To define the fundamental role and authority of the Lincoln Police Department, including the department's purpose and priorities.

III. LAW ENFORCEMENT AGENCY ROLE:

Oath of Office

MLEAP 2.03

1. Prior to assuming sworn status, sworn personnel of the Lincoln Police Department must take an oath of office to uphold the laws and the Constitutions of the United States and the State of Maine. The Municipal Clerk under the direction of the Chief Law Enforcement Officer and the Town Council, shall administer the oath.
2. All officers shall abide by the following Code of Ethics:

MLEAP 2.02

As a sworn officer, my fundamental duty is to serve the community by safeguarding lives and property against threats that could take advantage of or harm members of my community or otherwise impact peace and order. I will uphold the Constitution and honor the rights of all to life, liberty, equality, and justice. I will never employ unnecessary force. I will respect the

privacy of people and communities that I serve, and I will fully obey the laws that I am sworn to enforce.

I will live by example, remembering that my character and conduct, on-duty and off, directly influence the legitimacy of the policing profession. I will exercise self-restraint and maintain courageous calm in the face of danger, scorn, and ridicule and be constantly mindful of the welfare of others as well as my own well-being.

I will never act officiously or permit bias or personal gain to influence my decisions. I will strive to protect the vulnerable from harm. If this fails, I will seek to identify and apprehend offenders, professionally and appropriately holding them to account. I will not solicit or accept any gifts, bribes, or anything of value from any person or entity that may create a perception of benefit or influence my performance as a public servant.

I recognize my shield of 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 police service. I will not engage in or condone acts of corruption, take advantage of circumstances for personal gain, or accept gratuities, and I promise to intervene when met with any unjustifiable acts by members of my profession. 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 professional performance and conduct and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these principles, dedicating myself to my chosen profession... policing.

This agency, in conjunction with the Maine Chief of Police's Association and the International Association of Chiefs of Police, has adopted the following Oath of Honor:

OATH OF HONOR Honor, Integrity, and Respect are never betrayed. I will always hold myself ACCOUNTABLE For having the Courage To do the right thing.

Rigid adherence to the principles set out above is mandatory for anyone accepting a position in this agency.

Acceptance of these principles should not be perfunctory; it should be weighed carefully. Citizens are quick to criticize any misconduct of members of the agency; the community places trust in law enforcement officers and expects them to conduct themselves to merit this trust. Members should be proud to hold a position that demands so much. There must be a moral philosophy and a strong appreciation of the need for service in any profession. Unwavering adherence to such a moral philosophy will earn officers the respect and support of the public.

3. All non-sworn employees shall abide by the following Code of Ethics;

- *As a civilian employee of this agency, I regard myself as a member of an important and honorable profession.*
- *I WILL keep myself in the best physical and mental condition at all times.*
- *I WILL perform my duties with efficiency to the best of my ability.*

- *I WILL be truthful at all times. My conduct and performance of duties will be accomplished honestly and in compliance with the laws; local, county, state, and country.*
- *I WILL adhere to the confidentiality of the Law Enforcement profession.*
- *I WILL NOT, in the performance of my duties, work for unethical advantage or personal profit.*
- *I WILL recognize at all times that I am a public safety employee and that, ultimately, I am responsible to the public.*
- *I WILL give the most efficient and impartial service of which I am capable at all times.*
- *I WILL be courteous in all my contacts at all times.*
- *I WILL regard my fellow employees with equality, dignity, and respect.*
- *I WILL be loyal to my fellow employees, my superiors, and my agency.*
- *I WILL accept responsibility for my actions.*
- *I WILL strive to do only those things that will reflect honor on my fellow employees, my agency, and me.*

IV. ENFORCEMENT AUTHORITY:

Pursuant to Title 30 A M.R.S.A. §2671(MUNICIPAL AGENCY) ; §381 (COUNTY AGENCY)and within the legal limits established by the Constitution of the United States and the State of Maine, the sworn officers of this agency are empowered to enforce all local and state laws and ordinances within the jurisdiction of the agency. **MLEAP 1.06**

All newly sworn officers must complete the basic course of instruction at the Maine Criminal Justice Academy or its equivalent and be agency qualified in the use of a firearm before being authorized to carry a firearm, make arrests or enforce the law. **MLEAP 1.09**

A. Discretion

Sworn personnel of the agency shall utilize discretion in a manner that will ensure that their enforcement authority is exercised in a fair and judicious manner. 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, and the alleged offender. Officers should never exercise their discretion in a manner that will create an unreasonable risk to public safety or fellow officers.

The use of discretion shall always be consistent with the philosophy, goals, and objectives of the agency.

B. Duty Responsibilities

Sworn officers are always subject to duty, although periodically relieved of their routine performance. Proper police action must be taken whenever required. The administrative delegation of the enforcement of certain laws and ordinances to particular units does not relieve other officers from the responsibility of taking prompt, effective police activity within the scope of those laws and ordinances when a situation confronting the officer requires it.

C. While on duty, officers shall always take appropriate action to:

1. Protect life and property;
2. Provide emergency first aid to the injured;
3. Preserve the peace;
4. Prevent crime;
5. Detect and arrest violators of the law;
6. Enforce federal, state, and local laws and ordinances according to department policy; and
7. Keep their supervisor or the dispatcher informed of their location and activity.

- D. The following are suggested areas where an officer may wish to use their discretion to employ an alternative measure of response:
1. The enforcement of laws, e.g., a warning rather than a summons; a summons rather than an arrest;
 2. Prosecution and plea-bargaining;
 3. The resolution of conflicts or disputes between citizens; and
 4. Utilization of social service agencies and medical facilities rather than the criminal justice system.