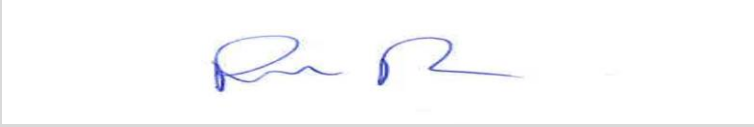



MERIDEN POLICE DEPARTMENT

GENERAL ORDER: Authority - 01

MPD- 01	Subject / Title: LEGAL AUTHORITY	
Issue Date: 01.24.2022	Effective Date: 02.15.2022	Last Revised: 07.09.2025
Issuing Authority:		
		
Roberto Rosado Chief of Police		
<u>POSTC Standards:</u>		
1.6.1, 1.6.2, 1.6.3, 1.6.4, 1.6.5		

I. PURPOSE:

- A. To establish a written directive which requires all officers to take an Oath of Office / Oath of Honor and abide by a Code of Ethics prior to assuming sworn status.

II. POLICY:

- A. It is the policy of the Meriden Police Department that all officers will take an Oath of Office / Oath of Honor prior to assuming sworn status, and that they will abide by a Canon and Code of Law Enforcement Ethics. The Chief of Police, or their designee, will administer the oath of office to all sworn employees. The oath will be reaffirmed during promotional ceremonies and potentially other circumstances as needed.
- B. An oath is universally recognized as a solemn pledge. Public trust, confidence and support are essential if the Department is to fulfill its commitment to the citizens of Meriden. Sincere commitment to an oath can provide vital guidance to officers during their career, especially when faced with difficult choices. Such commitment can also provide a moral anchor and a solid, emotional foundation that can endure the test of time. Officers must always behave in an ethical manner by sincerely abiding by this pledge to win the public's trust, confidence and support.

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III. PROCEDURE:

A. Legal Authority

1. Sworn members of the Meriden Police Department shall support and uphold the Constitutions of the United States and the State of Connecticut; the laws and statutes of the United States and the State of Connecticut; the Charter and ordinances of the City of Meriden; and the policies and procedures and Standards of Conduct of the Meriden Police Department.
2. The sworn members of the Meriden Police Department derive their power and authority from state and local law, as provided for in the General Statutes of the State of Connecticut and the Charter of the City of Meriden. Title 54 of the Connecticut General Statutes (Chapters 959* through 960*) details the legal authority of Connecticut law enforcement officers. Sworn officers of the Meriden Police Department shall enforce all state and federal laws, including the ordinances of the City of Meriden.
3. A sworn Meriden Police Officer's power and authority is bestowed upon them by the Chief of Police upon swearing (or affirming) through their Oath of Office and when the sworn officer has successfully completed all educational and training requirements set forth by the Police Officer Standards and Training Council (POSTC) and all laws and statutes noted above.

B. Oath of Office / Oath of Honor

1. Police officers risk their own safety and sometimes their lives, as well as, make extraordinary sacrifices, endure inconveniences, and at times suffer physical, psychological, and emotional trauma in order to protect the lives, defend civil liberties, and help fellow citizens within our society. Consequently, serving in the profession of policing is one of the most noble and selfless occupations in our society today. Making a positive difference in the quality of life for others, is an opportunity that policing provides, and few other professions can offer. A public affirmation of adhering to an oath of office and an oath of honor is a powerful vehicle demonstrating ethical standards.
2. Prior to assuming sworn status, all police personnel shall take an Oath of Office / Oath of Honor and pledge never to betray their badge, integrity or character and never to compromise the public trust. Officers promoted in rank shall reaffirm their pledge. Other unique circumstances may also require an officer to reaffirm their oaths as determined by the Chief of Police.

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3. The Oath of a Sworn Meriden Police Professional is as follows:

I, _____, do solemnly swear (or affirm), that I will support and defend the Constitutions, Laws, and Statutes of the United States of America and of the State of Connecticut...

That on my honor, I will never betray my badge, my integrity, or the public's trust...

That I shall faithfully and impartially, discharge the duties of my office, to the best of my knowledge and ability, so help me God.

IV. Law Enforcement Code of Ethics

- A.** There is little disagreement among police administrators that upholding professional ethics is the most critical issue facing the policing profession. The conduct and behavior of police officers, both on and off-duty, should emphasize the Department's core values and the principles to the extent that they meet or exceed the public's expectations in the delivery of professional policing services.
- B.** All employees of the Meriden Police Department are required to abide and uphold the highest standards of ethical conduct and share equally in the Department's commitment to its mission, goals and objectives. All sworn members shall abide by and are bound by the spirit and intent of all adopted codes of conduct. Therefore, all officers of the Meriden Police Department shall abide by the IACP Law Enforcement Code of Ethics.
- C.** In compliance with professional law enforcement ethics, sworn members of the Meriden Police Department are expected to be fully truthful and honest in all their dealings (when duty dictates). Sworn members shall not engage in lies or evasive half-truths that mislead or do not fully inform those who must depend upon their honesty. Sworn members must understand that courts focus on the overt duty of law enforcement officers to always be truthful as demanded by the Due Process Clause of the Fifth and Fourteenth Amendments.
- D.** One of the prime essential functions of a police officer is being able to tell the truth. Once a police officer's character, integrity, and/or reputation have been compromised or sullied, their ability to render credible and effective testimony in court, or before boards and/or commissions, is likely to be impeached. Untruthful police officers taint the entire criminal justice system and the public's perceptions of the police profession. Untruthfulness undermines the public's trust and confidence in our Police Department and is therefore contrary to our mission.
- E.** Members are warned that non-mission or case specific oriented overt acts of deception, omission, untruthfulness, or major acts of unethical behavior may lead to termination and decertification.

Reference: Brady v. Maryland, 373 U.S. 83, (1963); See also Giglio v. U.S., 405 U.S. 150 (1972); U.S. v. Agurs, 427 U.S. 97 (1976); U.S. v. Bagley, 473 U.S. 667 (1985); Kyles v. Whitely, 514 U.S. 419 (1995); LaChance v. Erickson, 522 U.S. 262 (1998); Smith v. Cain, 565 U.S. ____ (2012).

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V. THE MISSION

- A. In compliance with professional standards established by the Oath of Office, Oath of Honor, the Code of Ethics, written directives, General Orders, and the Standards of Conduct of the Meriden Police Department, the mission of the Meriden Police Department is to perform our duties in such a way so as to win the public's trust and confidence, and promote a spirit of cooperation among the agency and the public to enhance safety and security in the community.
- B. Our fundamental obligations are to be a responsible, professional, and honorable public service agency.
- C. Members of the Meriden Police Department are challenged to use their insights, problem-solving, and decision making skills in every contact with the public to accomplish something that can be objectively measured and evaluated that promotes our mission. Performance must be accomplished in a manner that is:
 - 1. Lawful and safe;
 - 2. Within the capabilities of a typical employee possessing the necessary knowledge, skills and abilities to do it, and within our existing physical and monetary resources;
 - 3. Verifiable through documentation;
 - 4. The ethical, social, and "right" thing to do under the circumstances at the time, even if doing it may appear contrary to existing Department policies, procedures, and practices.
- D. At the end of the day, our mission requires that members ask two questions of themselves on a daily basis:
 - 1. What have I accomplished, beyond routine responsibilities, to promote my most important responsibility, our mission?
 - 2. Under the given circumstances, how has my conduct and behavior best promoted our mission (i.e., How was the situation made better)?

VI. DISCRETION

- A. All sworn officers of the Meriden Police Department are expected to use discretion, based on knowledge, experience, ethical standards, and sound judgement, when exercising their legal authority and carrying out their assigned responsibilities. Discretion is the power of free decision or the latitude of choice, within legal guidelines. When discretionary power is poorly exercised, it may be viewed by the public as bias, favoritism, or even corruption.
- B. When a sworn member of the Meriden Police Department is authorized to exercise discretion in the performance of duty, it is imperative that officers take into consideration the intent of the law, the mission, goals, and objectives of the Department, the best interests of the public, and any mitigating circumstances surrounding each incident. The use of discretion is subject to supervisory review.

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- C. Members of the Meriden Police Department may exercise discretion except when their decision is unlawful, violates department policy or conflicts with the instructions of a supervisor. Officers of this agency do not have discretion to disobey a lawful order.
- D. A “totality of circumstances” approach should be employed by officers at all times during the performance of their duty, especially when exercising arrest authority. Upon evaluation of the situation and consideration of Department policy and procedure, officers should give thought to possible alternative resolutions, if possible.
- E. The use of discretion should be carefully reviewed by a supervisor and restricted in certain situations such as Family Violence investigations, DWI investigations, serious motor vehicle crashes, and felonies. Greater latitude of discretionary judgment will be permitted in the investigation of misdemeanors, infractions, or city ordinances. Each officer will be held accountable for the proper use of discretion in any given situation.

VII. UNIFORM PROCEDURES FOR TAKING ENFORCEMENT ACTION

- A. Officers have at their disposal numerous alternatives for resolving situations, among them, is that of a custodial arrest. When a situation arises, and a law violator can be brought to justice without incarceration, while still providing for public safety and the public welfare, officers are encouraged to select a suitable alternative.
- B. Alternatives to physical, custodial arrest include:
 - 1. Issuance of a misdemeanor summons (Written Complaint – Promise to Appear)
 - 2. Issuance of an Infraction
 - 3. Verbal warning
 - 4. Written warning (i.e., Motor Vehicle Equipment & Moving Violation)
 - 5. Informal resolution (e.g., mediation, negotiation, parental notification, etc.)
 - 6. Referral to governmental or social service agency

VIII. MANDATORY ETHICS TRAINING FOR ALL PERSONNEL

- A. Sworn Staff:
 - 1. All sworn staff shall receive training on ethics biennially, which shall include the following:
 - a. Ethical expectations
 - b. Policing Profession Code of Ethics
 - c. City Code of Ethics

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- d. Position or assignment potential ethical dilemmas
- e. Potential temptations that can be associated with the profession
- f. Responsibilities when encountering an ethical dilemma
- g. The duty to adhere to a code of ethics and the duty to report ethical violations

NOTE: All new officers shall receive one (1) hour of ethical training and expectations during their initial in-house training

- 2. Ethical training shall be conducted by any of the following personnel:
 - a. Supervisor or Commander of a unit
 - b. Certified POSTC instructor in the topic of ethics (102)
- 3. The following documents and sources may be used to conduct the training:
 - a. IACP Code of Ethics
 - b. POSTC Certified Ethics Lesson Plan
 - c. ICMA Code of Ethics adopted by the City Managers Association

B. Non-Sworn Staff and Personnel:

- 1. All non-sworn support staff shall also be required to receive ethics training on an biennial basis, which shall include the following:
 - a. Ethical expectations
 - b. City of Meriden Code of Ethics
 - c. Position assignment and potential ethical dilemmas
 - d. Responsibilities when encountering an ethical dilemma
 - e. The duty to adhere to the City's Code of Ethics and the responsibility to report ethical violations

C. Acceptable formats for Ethical Training:

- 1. Formal Classroom instruction
- 2. Roll call instruction
- 3. Computer based training (Power DMS™)