

# MERIDIAN TOWNSHIP POLICE DEPARTMENT GENERAL ORDER

Subject: <b>CONSTITUTIONAL RIGHTS</b>	General Order: 962
Effective Date: February 10, 2003 Revision Date: April 21, 2011	Distribution: All Sworn Personnel

## I. PURPOSE

This general order establishes guidelines for personnel regarding the constitutional rights of all persons.

## II. POLICY

REVISED

It is the policy of the Meridian Township Police Department to respect and protect the constitutional rights of all persons. Department personnel shall comply with all constitutional requirements and protections during criminal investigations. Officers shall not restrict the freedom of individuals, whether by detention or arrest, except to the extent necessary to legally or reasonably apply the law. In accordance with accepted legal mandates and Department procedures, officers will perform their duty in the areas of interrogation, arrest or detention, searches, seizures, use of informants, and collection and preservation of evidence.

## III. PROCEDURES

### A. Individual Rights

The following pertain to all persons who are in custody or being detained.

REVISED

1. Prior to questioning, individuals who are in custody will be advised of their Miranda rights as required by court decisions.
  - a. The officer shall read the Miranda rights as written on the Meridian Township Police Department waiver form.
  - b. No questioning should take place without a valid waiver of these rights. All statements given, whether in custody or not, must be voluntary and free of coercion.
  - c. Coercion or duress shall not be used as a means of obtaining a confession or admission.
  - d. Persons shall not be deprived of their right to counsel.
  - e. Persons shall be allowed to make bond in accordance with existing statutes and Department rules.
  - f. Arraignment shall not be unnecessarily or intentionally delayed.

- g. The intentional release of information in order to prejudice a fair trial is prohibited. Therefore, a suspect's name should not be divulged to the media, or any other sources, prior to the issuance of a criminal warrant and arraignment unless otherwise specified in the News Media Relations (321) general order or at the direction of the Prosecutor's Office due to community safety concerns.

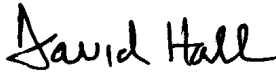
2. Officer Responsibility

It is the responsibility of each officer of the Department to remain knowledgeable of the laws, Department directives, and regulations pertaining to constitutional rights to ensure recognition of and compliance with those rights.

#### IV. CANCELLATIONS

**None**

Authorized by:



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David Hall, Chief of Police

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