



GENERAL ORDER

No. 101

Subject:

Agency Role and Authority

Issuing Authority:

Chief of Police

Effective Date:

12/01/2023

Supersedes:

- I. **PURPOSE:** The purpose of this order is to explain the role and authority of the Town of Manlius Police Department. In defining the role, two broad purposes are served. First, all members are made aware of the attitudes and actions expected of them and can act without hesitation in conformance with department policy. Second, the public is provided with a general standard by which they can measure the performance of the department.
- II. **POLICY:** It is the policy of the Town of Manlius Police Department to protect life and safeguard property. The department's purpose, vision, values, mission, goals and programs are so designed as to ensure that the department is responsible for the protection of the constitutional rights of the community. To achieve this end, this policy establishes professional standards of conduct, limits of law enforcement authority, and the formulation, annual updating and distribution of goals and objectives of the Town of Manlius Police Department.
- III. **DEFINITIONS:**
 - A. **MISSION** - A sending out with authority to perform a special duty.
 - B. **GOAL** - A broad statement of the end or result to be achieved. A goal usually requires a relatively long-time span to achieve. Goals should be stated in a way that permits measurement of their achievement.
 - C. **OBJECTIVE** - An objective is a sub-goal or an element of a goal and requires a shorter time to accomplish. Objectives should be quantifiable and include a timetable for completion.
- IV. **OUR MISSION:**

The mission of the Town of Manlius Police Department is to create and maintain a partnership with our community by compassionately solving problems through effective communication while utilizing both a constitutional and a community policing model with the goal of earning trust and respect.
- V. **OUR VISION:**

The Town of Manlius Police Department's vision is to provide service with integrity that exceeds the expectations of our community. [Revised: 12/01/2023]
- VI. **OUR VALUES:**
 - A. We will maintain the highest level of integrity.
 - B. We will be self-critical and accountable for our commitments and results.
 - C. We will treat all persons with compassion, respect, and dignity.
 - D. We will engage in open and honest communication.
 - E. We will always seek to provide the highest quality of service.
 - F. We will preserve and safeguard individual rights and liberties.

VII. GENERAL GOALS: The following are the general goals of the Town of Manlius Police Department:

- A. PREVENTION OF CRIME** - Crime is a problem that affects all segments of our society and is a concern of everyone. The department shall endeavor to involve the community in generating mutual understanding regarding the nature and extent of the crime problem and to involve the community in crime prevention efforts necessary to reduce crime.
- B. DETERRENCE OF CRIME** - Although there are certain crimes that cannot be prevented, crimes committed against innocent victims in public places and crimes against property can be deterred by proactive police patrol and involved citizenry. These types of crimes are deterred by the criminal's fear of immediate apprehension or by the increased likelihood of their detection. The deterrence of crime requires the investigation of behavior which appears to be criminally directed. The department shall strive to deploy its patrol forces so as to deter crime and inspire public confidence in its ability to ensure a peaceful environment.
- C. APPREHENSION OF OFFENDERS** - Once a crime has been committed, it is the duty of the department to initiate the criminal justice process by identifying and apprehending the offender, obtaining necessary evidence and by assisting in the prosecution of the case. The department must strive diligently to solve all crimes and to bring offenders to justice. The certainty of swift and sure punishment serves as an effective deterrent of crime.
- D. RECOVERY AND RETURN OF PROPERTY** - While the actual cost of crime is difficult to measure, it is possible to observe the steadily mounting cost of lost and stolen property. This loss, as well as the other costs must be borne ultimately by victims. In order to minimize the losses due to crime, the department shall make every reasonable effort to recover lost or stolen property, to identify its owners, and to ensure its prompt return.
- E. PUBLIC SERVICE** - Because other public or private agencies may be unavailable, the public relies upon the police for assistance and advice in both routine and emergency situations which develop. Saving lives, aiding the injured, locating lost persons, keeping the peace and providing for many other miscellaneous needs are basic services provided by the department. It is the department's responsibility to respond to all calls for service and to render such aid or advice, as is necessitated or indicated by the situation.
- F. VICTIM/WITNESS ASSISTANCE** - It is essential to our law enforcement efforts that we protect the rights of victims and witnesses. Therefore, the department shall strive to avoid the traumatization of victim/witnesses by assisting them through an awareness of the psychological trauma associated with their circumstances and providing them with the necessary information regarding resources that are available to them.
- G. ACCREDITATION** - Law enforcement accreditation is a process used to identify an agency's level of professionalism as measured by standards established by experts and practitioners in the law enforcement field. It is a goal of the department to continually maintain our accredited status through the Commission on Accreditation for Law Enforcement Agencies (CALEA) and the New York State Bureau for Municipal Police Law Enforcement Accreditation Program.

VIII. ANNUAL GOALS AND OBJECTIVES:

- A.** In order to ensure continual direction and unity of purpose for its members, the department shall formulate annual written goals and objectives for the agency and for each organizational component of the agency by March 31st of each year. These written

goals and objectives shall be distributed by Special Order to all members of the department. The goals and objectives shall be updated annually to reflect the department's response to the current needs of the community.

- B. Contribution to the management and operation of the department by the members is encouraged. At the start of each goal development period, which shall commence on October 1st of each year, all personnel will be advised in writing that their input is requested in developing department goals and objectives. Members who wish to contribute shall direct their ideas and suggestions in writing to their immediate supervisor.
- C. Supervisors shall submit the draft goals to their respective division commanders for review. Division commanders and the Chief of Police shall meet to formalize the goals and objectives of the department and its various components for the coming year, considering the input received. Goals should be specific, measurable, and attainable, including direct results and cost factors.
- D. Division commanders shall present a progress report on achieving the department's goals and objectives at each management staff meeting.
- E. The Chief of Police shall require that each division commander annually submit a goal status report detailing the results of particular goal achievement, reasons why certain goals have not been achieved and listing what goals need to be carried over into the next year.

IX. PROFESSIONAL STANDARDS OF CONDUCT:

- A. Members of the police department are among the most conspicuous representatives of local government. To the majority of the people they are symbols of stability and authority upon which the public relies. The conduct of law enforcement members is closely scrutinized. When actions are found to be excessive, unwarranted, or unjustified; they are criticized far more severely than persons in other occupations for comparable behavior. Since a member's conduct, both on and off-duty, may reflect directly upon the department, all members are expected to conduct themselves in a manner which does not bring discredit upon themselves, the department or the Town of Manlius. Their conduct shall exhibit the highest degree of professionalism at all times.
- B. Every person employed by the department, as a police officer shall, at the time of their appointment be officially sworn in by the Town Clerk. The oath of office requires officers to abide by and enforce the law, and to uphold the Constitution of the United States and the State of New York. Both the officer and the Town Clerk shall sign it. The original shall be maintained by the Town Clerk.
- C. The Town of Manlius Police Department has adopted the Law Enforcement Code of Ethics published by the International Association of Chiefs of Police for its sworn members. Every sworn member shall be presented with a copy of the Law Enforcement Code of Ethics. These rules of ethical conduct shall serve to guide and assist in the continuation of good conduct by sworn members and to promote public confidence in the department. The code, in addition to the rules and regulations of the department, relates to the ethical conduct of police department members. All sworn members shall abide by the Law Enforcement Code of Ethics. See (Appendix A) for the Law Enforcement Code of Ethics.
- D. The Town of Manlius Police Department recognizes a Law Enforcement Civilian Code of Ethics. Every non-sworn, civilian and volunteer member shall be presented with and

abide by the Law Enforcement Civilian Code of Ethics. See (Appendix B) for the Law Enforcement Civilian Code of Ethics.

- E. Members of the agency are required to notify their immediate supervisor following any conduct which is in direct violation of the professional standards of conduct or any conduct which could potentially bring discredit to the agency.

X. LIMITS OF AUTHORITY:

A. ENFORCEMENT AUTHORITY

1. Town of Manlius police officers have the authority to enforce village, town, county, state, and federal laws as mandated by law and custom. The authority utilized by the officer shall be within the limits of law, the Constitution and standards adopted by this department.
2. When exercising their authority, officers shall comply with all applicable legal and constitutional requirements, to include those that pertain to:
 - a. Interviews and Interrogations.
 - b. Access to counsel.
 - c. Informing suspects of their rights.
 - d. Confessions and admissions.
 - e. Pre-trial publicity.
 - f. Juvenile procedures.
 - g. Search exceptions.

B. DISCRETION

1. One of the most critical aspects concerning the use of police authority is that of discretion. Discretion, if used properly, can be a highly successful tool to resolve problems and conflicts. Discretion is necessary for many reasons. Among the most predominant is the lack of resources to deal with violations of many laws. Officers must differentiate between:
 - a. Ambiguous and obsolete laws.
 - b. The effects of enforcement and community relations.
 - c. The role of police in society.
 - d. The effectiveness and efficiency of the overall operation.
2. Unless otherwise directed, officers may use discretion in many areas, such as:
 - a. The arrest or release, for minor violations.
 - b. Issuance of a summons or verbal warning.
 - c. Settling minor disputes.
 - d. Performing selective enforcement.

- e. When assigned to enforce a targeted (specific) violation.
- 3. The department recognizes limitations to this power. Officers must clear decisions of an enforcement nature through a supervisor when they involve:
 - a. Investigations where either the facts at issue, or the legal questions are highly technical.
 - b. Potentially sensitive areas.
- 4. Officers do not have any discretion when:
 - a. Given a lawful order.
 - b. Dealing with compliance of department rules and regulations.
 - c. Dealing with specific laws mandating certain actions by the police.
- 5. This discretionary action may be restricted by a superior officer or by the department in those areas of directed patrol or selective enforcement requiring stricter attention to enforcement or where community needs warrant formal charges. Verbal warnings shall not be used to evade resolving the situation properly.

C. ALTERNATIVES TO ARREST

- 1. Town of Manlius police officers, when attempting to resolve the various types of problems that confront them, are encouraged to seek alternatives to physical arrest (incarceration) when no hazard to the community, victim or suspect will result.
- 2. As outlined in this directive, officers are permitted the use of discretion within the guidelines of department standards, statutory or case law and to some extent prevailing community standards.
- 3. No Town of Manlius police officer shall authorize any individual or agency to violate the law. However, when the safety of the community, a victim or a suspect can be maintained and no other exceptional circumstances exist, officers resolving misdemeanor and Class E felony situations necessitating formal action may do so with the use of an appearance ticket when it is likely the defendant will appear in court as scheduled.
- 4. Officers may exercise the option of a verbal warning for those traffic infractions where the facts indicate proper resolution of the event can be achieved without formal charge.
- 5. Officers may, when appropriate, employ referrals to other agencies and programs as alternatives to arrest. Such programs include, but are not limited to:
 - a. Juvenile referrals to the Community Support Unit.
 - b. Conflict resolution programs.

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[Revised: 06/30/1993]

[Revised: 04/15/1997]

[Revised: 02/01/1998]

[Revised: 03/17/2000]

[Revised: 09/30/2004]

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[Revised: 01/25/2023]

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