

Orono Police Department

Standard Operating Procedures **Professional Responsibilities** Number: 1-01

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ADOPTED: 08/24/10 AGENCY ROLE & AUTHORITY

SUBJECT: Professional Responsibilities

EFFECTIVE DATE: 05/01/18

REVIEW DATE: 07/01/21

AMENDS/SUPERSEDES: 08/14/17

APPROVED: _____

**Joshua W Ewing
Chief of Police**

I. POLICY:

It is the policy of the Orono Police Department that all personnel shall abide by the code of ethics provided in the Town's ordinance Chapter 28, Article VII, Employee Conduct, Section 28-01, Employee Ethics. All sworn officers of the department shall also abide by the Law Enforcement Code of Ethics which has been adopted by the Orono Police Department.

Mission, Vision, and Core Values -

Mission Statement - The Mission of the Orono Police Department is "To Protect and Serve"

To Protect with Vigilance, the safety, rights, property, and peace of all.

To Serve with Compassion and Excellence, striving to provide aid and support to any and all in need.

Vision - It is the vision of the Orono Police Department to provide exemplary community-oriented policing services; creating partnerships and problem solving strategies that promote safety, security, and well-being for all.

Core Values – Respect, Compassion, and Vigilance

Respect – We will treat *all* people with fairness and dignity, recognizing that to earn respect we must demonstrate it in all that we do.

Compassion – We will show genuine concern and empathy for others, always honoring our responsibility to do what is legally, ethically, and morally right.

Vigilance – We will be ever alert and aware, approaching all duties with diligence and steady care.

II. PURPOSE:

The purpose of this policy is to establish a canon of ethical behavior by which all personnel are expected and required to abide.

Law Enforcement Code of Ethics:

All Orono Police officers will display the degree of integrity required by the Law Enforcement Code of Ethics:

"As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence

or disorder; and to respect the constitutional rights of all to liberty, equality, and justice.

"I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life,

"I will be exemplary in obeying the law and the regulations of my agency. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of duty.

"I will never act officiously or permit personal feelings, prejudice, political beliefs, aspirations, animosities, or friendships to influence my decisions with no compromise for crime and with relentless prosecution of criminals. I will enforce the law courteously and appropriately without fear or favor, malice, or ill will, never employing unnecessary force or violence and never accepting gratuities.

"I recognize the badge of my 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 never engage in acts of corruption or bribery nor will I condone such acts by other police officers. 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 standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession law enforcement."

- B. All law enforcement officers of the Orono Police Department will, at all times, within jurisdictional limits, prevent crime, preserve the peace, protect life and property, detect and arrest violators of the law, in accordance with the rules, regulations, policies, procedures, and orders of the jurisdiction and the department. Orono Police officers will be ever conscious that when they act under "color of law," that the phrase includes not only laws but also policies, procedures, ordinances, common usage, and custom.

To accomplish these purposes, the professional responsibilities of the police, within their area of jurisdiction, include the following functions:

1. The protection of life and the safeguarding of property.
2. The prevention and control of crime.
3. The investigation of crime, the apprehension of criminal offenders and the recovery of stolen property.
4. The preservation of the public peace and good order.
5. The enforcement of statutes, ordinances and bylaws within the police area of responsibility.
6. The immediate response to public emergencies.
7. The performance of such other police related services required by the community.
8. The advancement of a cooperative relationship with the general public.
9. The creation of a sense of safety and security for the entire community through vigilant preventive patrol.
10. The accomplishment of all police objectives within the law and the constitutional guarantees of all citizens.

C. Oath of Office:

Prior to assuming sworn status, personnel of the Orono Police Department must take an oath of office to uphold the laws and the Constitutions of the United States and the State of Maine, as well as the provisions of the Charter and Ordinances of the Town of Orono. The oath shall be administered by the Town Clerk or designee under the direction of the Chief of Police and the Town Manager.

D. Compliance with Constitutional Requirements:

1. During interviews or interrogations, no officer will use coercion or any other improper or unlawful method to extract an involuntary confession or statement from a suspect.
2. All defendants will be arraigned within the time period required by the Maine Rules of Criminal Procedure.
3. Any person subject to custodial interrogation in a criminal investigation will be warned of his/her Miranda rights. It is important that the person in custody understands the Miranda rights and knowingly, intelligently and voluntarily waives them.
4. No suspect will be deprived of his/her Sixth Amendment right to counsel. All questioning will cease upon the decision of a suspect to invoke his/her Miranda rights and will not continue until counsel is present or has been expressly waived.
5. To avoid prejudicial pretrial publicity, all press releases pertaining to criminal investigations will be consistent with Orono Police Department Policy 1-11.

E. Training:

All sworn officers and civilians shall receive initial training on ethics upon hire, and sworn officers will receive additional training through either the Maine Criminal Justice Academy Basic Law Enforcement Training Program or the Orono Police Dept.'s Field Training Program.

All department members will receive additional ethics training biennially.

Appendix #1

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§2671. Police officers

1. **Appointment.** Except as provided by charter, ordinance or section 2636, subsection 6, the municipal officers may appoint police officers for a definite term and control and fix their compensation. Police officers, including chiefs of police, may be removed for cause after notice and hearing.
 - A. Before appointing any law enforcement officer, the municipal officers shall investigate the qualifications and background of any person being considered for appointment. This includes investigating the applicant's abilities, reputation for truthfulness and respect for the law.
[1987, c. 737, Pt. A, §2 and Pt. C, §106 (new); 1989, c. 6 (amd); c. 9, §2 (amd); c. 104, Pt. C, §§8, 10 (amd).]
 - B. An appointed law enforcement officer is subject to the training requirements of Title 25, chapter 341.
[1993, c. 349, §64 (amd).]
 - C. Notwithstanding section 2526, residency in the State is not a condition of initial or continued appointment as a municipal police officer.
[1989, c. 279, §1 (new).]
[1993, c. 349, §64 (amd).]

2. Powers. Police officers may serve criminal and traffic infraction processes and arrest and prosecute offenders of the law. A police officer has all the statutory powers of a constable, unless limited by charter or ordinance. No police officer has any authority in criminal or traffic infraction matters beyond the limits of the municipality in which the officer is appointed, except to:

- A. Recapture a prisoner whom the officer has arrested and who has escaped;
[1987, c. 737, Pt. A, §2 and Pt. C, §106 (new); 1989, c. 6 (amd); c. 9, §2 (amd); c. 104, Pt. C, §§8, 10 (amd).]
- B. Take a person before the District Court;
[1987, c. 737, Pt. A, §2 and Pt. C, §106 (new); 1989, c. 6 (amd); c. 9, §2 (amd); c. 104, Pt. C, §§8, 10 (amd).]
- C. Execute a mittimus given to the officer by the District Court;
[1987, c. 737, Pt. A, §2 and Pt. C, §106 (new); 1989, c. 6 (amd); c. 9, §2 (amd); c. 104, Pt. C, §§8, 10 (amd).]
- D. Pursue a person who has gone into another municipality and for whose arrest the officer has a warrant;
[1987, c. 737, Pt. A, §2 and Pt. C, §106 (new); 1989, c. 6 (amd); c. 9, §2 (amd); c. 104, Pt. C, §§8, 10 (amd).]
- E. Arrest a person who travels beyond the limits of the municipality in which the officer is appointed when in fresh pursuit of that person. This paragraph applies to all crimes and traffic infractions. As used in this paragraph:
 - (1) With respect to Class A, Class B and Class C crimes, the term "fresh pursuit" is defined in Title 15, section 152; and
 - (2) With respect to Class D and Class E crimes and traffic infractions, "fresh pursuit" means instant pursuit of a person with intent to apprehend; or
[1989, c. 104, Pt. C, §§8, 10 and Pt. D, §6 (amd).]
- F. As provided for in section 2674.
[1989, c. 104, Pt. A, §23 and Pt. C, §§8, 10 (amd).]
[1989, c. 104, Pt. A, §23, Pt. C, §§8, 10 and Pt. D, §6 (amd).]

2-A. Optional powers. Notwithstanding subsection 2, municipal officers may authorize a municipality's police officers who have met the requirements of Title 25, section 2804-C to perform any of the acts described in Title 17-A, section 15 while the police officers are outside the jurisdiction in which they are appointed if, when possible, the law enforcement agency of a foreign municipality in which the arrest is to be made is notified in advance or, when not possible, the law enforcement agency of the foreign municipality in which the arrest has been made is notified immediately after the arrest.

A.

[2003, c. 233, §4 (rp).]

B.

[2003, c. 233, §4 (rp).]

[2003, c. 233, §4 (amd).]

2-B. Liability. When a municipal police officer makes an arrest, as authorized in subsection 2-A, outside of jurisdictional limits of the municipality in which the police officer is appointed, that police officer has the same immunity from tort liability and all of the pension, relief, disability, worker's compensation, insurance and any other benefits the police officer enjoys while performing duties within the police officer's appointing municipality.

[1993, c. 594, §2 (new).]

3. Representation of the municipality in District Court. The municipal officers may authorize a law enforcement officer certified by the Maine Criminal Justice Academy, under Title 25, section 2803, subsection 3-A, to represent the municipality in District Court in the prosecution of alleged violations of ordinances which the officer may enforce. Under this subsection, the municipal officers may delegate their power to authorize law enforcement officers to represent the municipality to the municipality's full-time chief of police.

[1987, c. 737, Pt. A, §2 and Pt. C, §106 (new); 1989, c. 6 (amd); c. 9, §2 (amd); c. 104, Pt. C, §§8, 10 (amd).]

PL 1987, Ch. 737, §A2,C106 (NEW).

PL 1989, Ch. 6, § (AMD).

PL 1989, Ch. 9, §2 (AMD).

PL 1989, Ch. 104, §A23,C8,C10 D6 (AMD).

PL 1989, Ch. 279, §1 (AMD).

PL 1993, Ch. 349, §64 (AMD).

PL 1993, Ch. 594, §2 (AMD).

PL 2003, Ch. 233, §4 (AMD).