



# ACTON POLICE DEPARTMENT

DEPARTMENT MANUAL; P&P: Administration		
POLICY & PROCEDURE # 4.03	DATE OF ISSUE: 2/14/2024	EFFECTIVE DATE: 2/21/2024
SUBJECT: AUTHORITY AND RESPONSIBILITY	ISSUING AUTHORITY: Chief James Cogan	
REFERENCE(S): Massachusetts Police Accreditation Commission #1.1.0; 16.3.0; 26.0.2; 26.0.3	<input type="checkbox"/> NEW <input checked="" type="checkbox"/> AMENDS <input type="checkbox"/> RESCINDS	

## I. PURPOSE

The purpose of this policy is to provide basic information relative to the role and authority of the Acton Police Department and its staff.

## II. POLICY

It is the Policy of the department that:

- A. All Acton Police Department employees shall abide by the appropriate code of ethics for the position held as adopted by this department. **[26.0.2(2)]**
- B. All Acton Police Department employees shall operate within the limits of their authority.

## III. DEFINITIONS

- A. *Full-Time Permanent Police Officers*: Full-time, permanent, sworn police officers.
- B. *Special Police Officers*:
  1. **Full-time MPTC academy trained**: Sworn personnel who are authorized to work all traffic and security details. Specials have limited arrest powers and those powers are limited to the period of time they are on duty. **[16.3.0]**
- C. *Civilian Employees*: All non-sworn employees of the department. They have no arrest authority. Civilian employees may or may not be uniformed. **[16.3.0]**

- D. *Employee*: Any other person officially affiliated with the department whether full or part-time, sworn, civilian, special, animal control officer, volunteer, intern, or other.
- E. *Sworn*: Refers to a person's ability to make a full custody arrest; it does not refer to the administration of an oath of office.

## IV. PROCEDURES

### A. SWORN PERSONNEL

#### 1. *SWORN OFFICER CODE OF ETHICS* [26.0.2(1A)]

- a. All sworn officers shall abide by the Sworn Officer Code of Ethics.
- b. Sworn Officer Code of Ethics:

*As a law enforcement officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence and disorder; and to respect the constitutional rights of all men to liberty, equality, and justice.*

*I will keep my private life unsullied as an example to all; 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 laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature or what is confided in me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.*

*I will never act officiously or permit personal feelings, prejudices, animosities or friendship to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courageously 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 the police*

*service. I will constantly strive to achieve those objectives and ideals, dedicating myself before God to my chosen profession – law enforcement.*

## **2. *LEGAL AUTHORITY***

- a. The Federal Constitution, State Constitution, and State Law define the scope and limits of law enforcement authority as it pertains to the enforcement of laws, statutes, and ordinances. **[16.3.0]**
- b. M.G.L. Ch. 41, § 97 grants the authority to municipalities to establish a police department and Ch. 41, § 98 defines police powers and duties. **[16.3.0]** Section 98 also gives police the authority to “carry within the Commonwealth such weapons as the chief of police or the board of selectmen...shall determine”. **[1.1.0(1A)]**
- c. The primary role of the Acton Police Department is to provide a high level of safety, security, and service for all members of our community as well as those traveling through or visiting our community. Having all the powers conferred or imposed upon them under M.G.L. Ch. 41, sec. 98, Acton Police Officers are responsible for:
  - The protection of life and property
  - The prevention and detection of crime
  - The arrest, detention, and prosecution of violators of the law.
  - The recovery of stolen property
  - The preservation of public peace.
- d. Rules and Regulations and Policies and Procedures for the Acton Police Department are issued by the Chief of Police pursuant to the authority conferred upon the Chief of Police by M.G.L. Ch. 41, sec. 97. **[16.3.0]**

## **B. NON-SWORN PERSONNEL**

### **1. *PUBLIC SAFETY DISPATCHER***

- a. All dispatchers shall abide by the Public Safety Dispatcher Code of Ethics: **[26.0.2(1B)]**

*As a Public Safety Telecommunicator, I am dedicated to serve the public; to safeguard life and property; to keep my personnel informed on all calls that may require their attention; to assist all public safety vehicles and personnel in the performance of their duties; assure that all rules and regulations which govern my position are not violated in any manner.*

*I will keep my private and social life free from criticism; maintain a calm attitude during times of stress and emergencies; develop self-control and be constantly mindful of the welfare of others, regardless of race, creed or religion. I will obey the laws of the land, rules and regulations of the Federal Communications Commission and my department. Whatever information I receive of a confidential nature will be revealed only in the official performance of my duties.*

*I will never act in a selfish or unofficial manner or let my personal feelings, friendships, prejudices or animosity influence my decisions. I will enforce the rules and regulations of my department and the Federal Communications Commission without fear, favor or ill will, never employing unnecessary force and never accepting gratuities.*

*I recognize the highest responsibility of my position as a symbol of public faith and trust and will accept it to be held as long as I am faithful to the ethics of public safety service. I will constantly strive to achieve those objectives and ideals which govern my profession, dedicating myself, to my chosen profession, public safety telecommunications.*

- b. Appointment: Public Safety Dispatchers are appointed by the Chief of Police.

## 2. OTHER CIVILIAN EMPLOYEES

- a. All other civilian employees shall abide by the Civilian Employee Code of Ethics: **[26.0.2(1B)]**

*Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.*

*Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.*

*Recognize that the chief function of local government at all times is to serve the best interests of all people.*

*Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.*

*Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.*

*Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline. Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.*

- b. Appointment: Civilian employees are appointed by the Chief of Police.

## **C. ALL EMPLOYEES**

1. ETHICS TRAINING **[26.0.2(3)]**: Ethics training shall be conducted for all personnel at least biennially.
2. CODE OF CONDUCT **[26.0.3]**: All department employees shall adhere to all code of conduct and appearance guidelines adopted by this agency and published in the department Rules and Regulations.

## **AUTHORITY AND RESPONSIBILITY INFORMATION**

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**History:**      **Manual I, Section I & III.**