

1.300 POLICIES

The policies contained in this section are broad based statements of agency principles that provide framework for the development of agency procedures, rules, and regulations. This section does not constitute all of the agency's policies. Other agency policies are found in the Manual's consolidated system of policies, procedures, rules, and regulations.

Written directives concerning the agency role and limits of authority emphasize the agency's core values and intent to meet or exceed the public's expectations in the delivery of professional law enforcement services.

1.301 MISSION STATEMENT

The mission of the University of Maryland, College Park Department of Public Safety is to serve the university community, protect life and property, and enforce the law.

1.302 AGENCY VALUES

- A. The primary agency value is to provide customized police service to all segments of the community.
- B. The delivery of police services must be structured in a way that will reinforce the strengths of the community. This is accomplished by involving the community in policing activities and soliciting community input into the development of policies which directly impact the quality of community life.
- C. The police cannot carry out their responsibilities alone; thus the agency understands the value of involving the community in aspects of policing which directly impact the quality of community life.
- D. The agency will react to criminal behavior in a way that emphasizes prevention and that is marked by vigorous law enforcement.
- E. The agency will deliver its services in a manner that preserves and advances democratic values.
- F. The agency will deliver police services in a manner which will best reinforce the strengths of the community.
- G. The agency will collaboratively work with the community to understand the true nature of their policing and public safety concerns and develop meaningful cooperative strategies which will best deal with those problems.
- H. The agency will actively seek the input and involvement of all employees in matters which impact job performance and manage the agency in a manner which will enhance employee development, job satisfaction, and effectiveness.
- I. The agency will integrate social marketing and business strategies in its programs to effectively manage and enhance existing resources, enhance the effectiveness of programs, give the community a stake in the police process, and be accountable as legitimate representatives of the people.

1.304 CODE OF ETHICS

- A. The Law Enforcement Code of Ethics, as published by the International Association of Chiefs of Police, is adopted as a general standard of conduct for this agency's police officers.
- B. The Annotated Code of Maryland, General Provisions article Title 5 is adopted as a general standard of conduct for all agency employees.
- C. Agency employees will receive initial training and at least biennial in-service training on the Code of Ethics.

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 inno-

cent 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 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 both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. 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 my duty.

"I will never act officiously or permit personal feelings, prejudices, 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."

1.305 PROFESSIONAL POLICE PRINCIPLES

- A. The agency recognizes the professional police principles, authored by Sir Robert Peel in 1822 as policies and guides for providing police services to the community.

PEEL'S PRINCIPLES

"The basic mission for which the police exist is to prevent crime and disorder as an alternative to the repression of crime and disorder by military force and severity of legal punishment.

"The ability of the police to perform their duties is dependent upon public approval of police existence, actions, behavior and the ability of the police to secure and maintain public respect.

"The police must secure the willing cooperation of the public in voluntary observance of the law to be able to secure and maintain the respect and approval of the public.

"The degree of cooperation of the public that can be secured diminishes, proportionately, the necessity for the use of physical force and compulsion in achieving police objectives.

"The police seek and preserve public favor, not by catering to public opinion, but by constantly demonstrating absolute impartial service to the law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws; by ready offering of individual service and friendship to all members of society without regard to their race or social standing; by ready exercise of courtesy and friendly good humor; and by ready offering of individual sacrifice in protecting and preserving life.

"The police should use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice, and warning is found to be insufficient to achieve police objectives; and police should use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.

"The police at all times should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police are the only members

of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interest of community welfare.

"The police should always direct their actions strictly toward their functions and never appear to usurp the powers of the judiciary by avenging individuals or the state, or authoritatively judging guilt or punishing the guilty.

"The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with them."

- B. The agency also recognizes the recommendations of the President's Task Force on 21st Century Policing; e.g. Pillars;
- Pillar One: Building Trust and Legitimacy,
 - Pillar Two: Policy and Oversight,
 - Pillar Three: Technology & Social Media,
 - Pillar Four: Community Policing & Crime Reduction,
 - Pillar Five: Training & Education, and
 - Pillar Six: Officer Wellness & Safety
- C. These recommendations can be found in detail at https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

1.306 LOYALTY

Officers are often called upon to make difficult decisions where their rights and liabilities and those of the agency hinge upon their conduct and judgment. Officers must be faithful to the code of ethics, professional police principles, objectives of the agency, and their oath of office. Officers must not allow personal motives to govern their decisions and conduct.

1.307 CONDUCT UNBECOMING OF AN OFFICER

Any violation of law, breach of the peace, neglect of duty, misconduct, or any conduct on the part of any officer which undermines, or is prejudicial to, the good order, efficiency, or discipline of the agency, or which reflects discredit upon the agency or its employees, even though these offenses may not be specifically enumerated, shall be considered conduct unbecoming of an officer.

1.308 RESPECT FOR CONSTITUTIONAL RIGHTS

No person has a constitutional right to violate the law; neither may any person be deprived of constitutional rights merely because they are suspected of having committed a crime. Officers may enforce any federal, state, or local statute which is valid on its face without fear of abrogating the constitutional rights of the person violating that law or statute. Officers who lawfully act within the scope of their authority, without malice and without gross negligence do not deprive persons of their civil liberties. However, when officers act contrary to their authority by unreasonable conduct, they violate the sanctity of the laws which they are sworn to uphold.

1.308.02 Protection of Constitutional Rights

The agency recognizes the importance of protecting the civil and constitutional rights of all members of the community. The agency believes that these rights and freedoms are central to pluralistic, democratic society and are essential to our way of life. The agency is committed to understand, respect, and uphold those civil and constitutional rights.

1.308.04 Nondiscrimination

- The agency recognizes that both fundamental democratic principles and public respect for law, order, and the police depend on the uniform and nondiscriminatory protection of individual rights.
- The agency is committed to respect and protect such rights and will not discriminate on any improper basis as described by law or in the University of Maryland Human Relations Code.
- Agency employees will not engage in any official conduct or harassment that discriminates on any improper basis. The agency prohibits harassment of employees and the public at large on the

basis of gender identity.

- Profiling, in itself, can be a useful tool to assist agency officers in carrying out their duties. Bias based profiling, however, is the selection of individuals based solely on a common trait of a group. This includes, but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable groups.
- This agency does not condone the use of any bias based profiling in its enforcement programs as it may lead to allegations of violations of the constitutional rights of the citizens we serve, undermines the legitimate law enforcement efforts, and may lead to claims of civil rights violations.

1.309 RESPECT FOR INDIVIDUAL DIGNITY

The recognition of individual dignity is essential in our society. Employees are responsible for protecting this right. Treatment of citizens with respect for their personal dignity, though, does not abrogate or reduce the department's expectation that employees be treated with respect to their own personal dignity. Intolerance directed at any segment of our society, even the police, is itself intolerable.

1.310 USE OF FORCE

- Officers shall use de-escalation techniques in all situations as necessary and practical in order to lessen the probability of a use of force situation developing. These include but are not limited to: communication, empathy, instinct and sound officer safety tactics, or combinations of these or other techniques.
- As long as members of the public are victims of violent crimes and officers in the performance of their duties are confronted with deadly force, it will remain necessary for police officers to be properly armed for the protection of society and themselves.
- Officers are regularly confronted with situations where control must be exercised to effect arrest and to protect the public safety. Control may be achieved through advice, warnings, and persuasion, the use of less-than-lethal force, or deadly force.
 - Officers are permitted to use reasonable force when force is used that is necessary to accomplish lawful objectives, effect an arrest, or defend the officer or another from bodily harm.
 - Officers may use deadly force only when they reasonably believe that the actions are in defense of human life or in defense of any person in imminent danger of serious physical injury.
- Officers will not use force in an arbitrary or capricious manner, or in a way that discriminates against any person because of race, gender, national origin, citizenship, religion, age, physical handicap, sexual orientation, or other improper basis.
- 2.800 Use of Force and Weapons** contains specific directives pertaining to the use of force in this agency.

1.311 INTEGRITY

The integrity of police officers must be above reproach. The dishonesty of a single officer may impair public confidence and cause suspicion upon the entire agency. Officers must avoid any conduct which might compromise the integrity of themselves, fellow officers, or the University Police.

1.312 ATTENTION TO DUTY

As most police work is necessarily performed without close supervision, the responsibility for the proper performance of an officer's duty lies primarily with the officers themselves. Officers discharge their responsibilities by faithful and diligent performance of their assigned duties. Anything less violates the trust placed in the officer by the people.

1.313 COOPERATION

All employees must establish and maintain a high spirit of cooperation within the agency.

1.314 ASSISTANCE

- A. All employees are required to take appropriate actions toward aiding police officers exposed to danger or in situations where danger might be impending.
- B. When any person needs assistance or advice, or makes a complaint or report, either by telephone or in person, all pertinent information will be obtained in an official and courteous manner and will be properly and judiciously acted upon in accordance with agency directives.

1.315 KNOWLEDGE OF LAWS AND REGULATIONS

All employees are required to maintain a working knowledge of, and comply with, all agency directives, laws, rules, regulations, policies, and procedures as applicable to their positions, ranks, or assignments.

1.316 REPORTING VIOLATIONS OF LAWS, REGULATIONS, RULES, OR ORDERS

Employees knowing of other employees violating laws, rules, regulations, policies or regulations will report the facts and circumstances using the agency complaint process consistent with **2.900 Complaints and Discipline**.

1.317 AUTHORITY AND RESPONSIBILITY

- A. Authority to execute the required activities of agency units or functions is delegated by the chief through the command structure in order for responsibilities to be accompanied by commensurate authority.
- B. Employees must recognize and accept the need for individual accountability for actions resulting from delegated authority.
- C. Accountability extends to employees delegated authority who fail to use the responsibility where warranted and/or expected or when such actions can be construed to constitute misfeasance, malfeasance, or nonfeasance.

1.318 DISCRETION

- A. One of the most critical aspects of the use of police authority is in the area of discretion. The use of discretion can be a highly successful tool to resolve problems and conflicts, but only if used properly.
- B. The use of discretion involves a giving of trust and confidence which cannot be violated.
- C. Discretion becomes necessary for many reasons. Among the most predominant reasons for exercising discretion is the lack of resources to deal with violations of many laws. Police must differentiate between ambiguous and obsolete laws, the effects of enforcement on community relations, the effectiveness and efficiency of the overall police operation, and the role of the police in our community.
- D. The agency recognizes limitations to discretion. As such, officers must obtain the approval of superiors for many enforcement related decisions. Employees do not have any discretion when given lawful orders, or when dealing with compliance of directives, laws, rules, regulations, policies, or procedures mandating courses of conduct or action.
- E. Officers are allowed the use of discretion in many areas, such as to arrest or release, arrest or refer to the Office of Student Conduct, cite or issue a written or verbal warning, make referrals to other university components or to other organizations better suited to address and resolve problems, etc.

1.319 ALTERNATIVES TO ARREST

- A. It is agency policy that decisions for officers to arrest or not to arrest suspects should be made after consideration of circumstances that may include, but are not limited to:
 1. Whether arrests would cause greater risks of harm to the public than not arresting offenders;
 2. Whether arrests would cause harm to offenders who pose no threat of danger to the public; and
 3. The seriousness of crimes involved.
- B. Officers may seek alternatives to physical arrest when hazards to the community, victims, or suspects do not result. This is a natural result of officers being vested with the use of discretion within the guidelines of agency standards, statutory and case law, and to some extent, prevailing community standards.
- C. The agency recognizes that there are a variety of situations which may be resolved more suitably by exercising alternatives to arrest.
 1. Agency officers are encouraged to make necessary or appropriate referrals to public and private agencies that can provide services to address or solve underlying problems that cause incidents.
 2. **2.416 Criminal / Civil / Juvenile Citations** contains specific directives relating to alternatives agency officers have to issue criminal/civil citations in lieu of custodial arrests.
 3. **2.432 Student Conduct** contains specific directives relating to the referral by officers of university students to the Office of Student Conduct.
 4. District Court Commissioners are permitted to issue District Court Summonses as charging documents for minor crimes. See also **2.600 Arrest Procedures** for directives related to processing individuals charged with crimes via criminal summonses.
 5. See also **2.200 Traffic** for directives relating to the enforcement of traffic laws through issuing citations, written warnings, and verbal warnings.
 6. Maryland Court Rule 4-121 places authority for determining pretrial release and/or prearrest confinement in District Court Commissioners.
 7. Persons arrested pursuant to TR 26-202 will be taken without unnecessary delay before District Court Commissioners, as specified in TR 26-401, unless arresting officers, in their discretion, release arrestees upon their written promise to appear for trial.
 8. Officers will immediately release prisoners/ detainees from custody if it is determined that the formal placing of charges would be inappropriate, or investigations or other situations lead to the diminishment of probable cause to the point that it no longer exists.
- D. Officers will not authorize a person to violate the law. However, when the safety of victims, witnesses, suspects, and officers can be maintained and no other exceptional circumstances exist, officers resolving misdemeanor situations necessitating formal action may do so within guidelines for citations in lieu of arrest and/or referral to OSC.
- E. Officers may exercise the concept of a written or verbal warning on those traffic and simple misdemeanor offenses where the facts indicate proper resolution of the incident can be achieved without formal charge. However, officers will not evade the responsibility of properly resolving incidents or situations.

1.320 THE NATURE OF POLICE OPERATIONS

Decisions in police operations frequently must be made in an instant. The lives of officers and other members of the community may depend upon the quality of those decisions. Officers must base their conduct and actions upon the facts of the situation as they reasonably appear, relying upon their experience, training and judgment to guide

them toward morally justified and lawful decisions and actions.

1.321 POLICE ACTION BASED ON LEGAL JUSTIFICATION

What is reasonable in terms of appropriate police action or what constitutes reasonable suspicion or probable cause varies with each situation. The requirement that legal justification be present imposes limitations on an officer's action. In every case, officers must act reasonably within the limits of their authority as defined by statutes and judicial interpretation, thereby insuring that the rights of both the individual and the public are protected.

1.322 CALLS FOR SERVICE

- A. The agency cannot be aware of each circumstance on the university where police action or assistance may be required. The agency is dependent upon members of the community for such information. The community, in return, expects the police to respond to requests for police service within a reasonable time and to satisfactorily perform the necessary service. A person calling for police assistance expects to be provided with a service. As a practical matter, the extent of the service may necessarily be limited, but, regardless of its extent, a professional quality of service must be rendered in all cases.
- B. Because it is not always possible for the agency to respond to every call for service, the agency must organize available resources to give the highest level of efficient service possible.

1.323 EQUALITY OF SERVICES

- A. The university is a large higher education community of many different races, cultures, and backgrounds. Although all communities have some unique and similar characteristics, all share the common need for protection and fair and impartial police service. To that end, employees are expected to extend an even and unbiased delivery of law enforcement services to all segments of the community.
- B. The agency prohibits harassment of employees and the public at large on the basis of gender identity.
- C. The agency conducts proactive patrol, aggressively investigates suspicious persons and circumstances, and actively enforces the law. Agency personnel must have reasonable suspicion or probable cause supported by specific articulated facts that persons contacted regarding their identities, activities, or locations have been, are, or are about to commit crimes or are currently presenting threats to the safety of themselves or others.
- D. See also **2.431 Impartial Policing**.

1.324 OPENNESS OF OPERATIONS

Agency activities must not be shrouded in secrecy. It is essential that there be a full and public disclosure of policies and openness in matters of public interest. This, though, is not in conflict with the need of the agency to protect sensitive investigations, material, and individual rights.

1.325 COOPERATION WITH THE MEDIA

- A. The agency will cooperate fully and impartially with representatives of the various news media in their efforts to gather factual information pertaining to activities of the agency, so long as the activities of the media are consistent with established procedures and do not subvert the ends of justice or infringe upon individual rights to privacy.
- B. **2.450 Public Information & Media Relations** contains specific directives implementing this policy.

1.326 DIVERSION & REFERRAL SERVICES

- A. Agency employees are responsible for referring persons in need

of assistance to proper criminal justice or social service agencies or organizations when this agency's resources are insufficient or not available.

- B. Employees will make referrals to agencies or organizations with mission related authority or in response to discretion and diversion programs consistent with directives that include, but are not limited to:
 - 1. **1.318 Discretion;**
 - 2. **1.319 Alternatives to Arrest;**
 - 3. **2.312 Victim / Witness Assistance;** and
 - 4. **2.434 Juvenile Operations.**
- C. Diversion and referral services points of contact are contained in the RMS and the Communications Manual. Communications personnel are responsible for ensuring that listings of diversion and referral services are updated as necessary.