TYPE OF ORDER	NUMBER/SERIES	ISSUE DATE	EFFECTIVE DATE
General Order	100.02	1/7/2019	1/7/2019
SUBJECT TITLE		**PREVIOUSLY ISSUED DATES**	
Ethics and Limits of Authority		10/16/2015; 6/5/2014; 4/26/2013; 6/17/2007	
REFERENCE		**RE-EVALUATION DATE**	
CALEA 1.1.1, 1.1.2, 1.2.1, 1.2.5, 11.3.1, 12.1.2		1/7/2021	
SUBJECT AREA		**DISTRIBUTION**	
Administration		All Personnel	

PURPOSE
The purpose of this policy is to provide a Code of Ethics for Department personnel and to define limits of authority.

POLICY
The Law Enforcement Code of Ethics and the Law Enforcement Code of Conduct, as adopted by the International Association of Chiefs of Police, are embraced as fulfilling and establishing a written code of personal conduct for all sworn members of the Department. Non-sworn members of the Department shall ascribe to the Code of Ethics for Civilian Public Safety Employees, as codified in this directive.

DISCUSSION
Actions of Department personnel that are inconsistent, incompatible or in conflict with the values established by our agency negatively affect its reputation and that of its members. Such actions and inactions thereby detract from our agency's overall ability to effectively and efficiently protect the public, maintain peace and order, and conduct other essential business. Therefore, it is imperative that Department personnel conduct themselves at all times in a manner that reflects the ethical standards consistent with the rules contained in this directive and otherwise disseminated by this agency.

PROCEDURE
I. LAW ENFORCEMENT CODE OF ETHICS
A. Sworn members of this Department shall ascribe to the Law Enforcement Code of Ethics established by the International Association of Chiefs of Police:

"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 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."

II. LAW ENFORCEMENT CODE OF CONDUCT

A. All law enforcement officers must be fully aware of the ethical responsibilities of their position and must strive constantly to live up to the highest possible standards of professional policing. It is important that police officers have clear advice and counsel available to assist them in performing their duties consistent with these standards. The Providence Police Department has adopted the following ethical mandates put forth by the International Association of Chiefs of Police as guidelines to meet these ends.

1. PRIMARY RESPONSIBILITIES OF A POLICE OFFICER

a. A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by

statute. The fundamental duties of a police officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace, and ensuring the rights of all to liberty, equality, and justice.

2. PERFORMANCE OF THE DUTIES OF A POLICE OFFICER

a. A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief, or aspiration. All citizens will be treated equally with courtesy, consideration, and dignity.

b. Officers will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

3. DISCRETION

a. A police officer will use responsibly the discretion vested in his position and exercise it within the law. The principle of reasonableness will guide the officer's determinations, and the officer will consider all surrounding circumstances in determining whether any legal action shall be taken.

b. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice rather than arrest—which may be correct in appropriate circumstances—can be a more effective means of achieving a desired end.

4. USE OF FORCE

a. A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

b. The use of force should be used only with the greatest restraint and only after discussion, negotiation, and persuasion have been found to be inappropriate or ineffective. Although the use of force is occasionally unavoidable, every police officer will refrain from unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person.

5. CONFIDENTIALITY

a. Whatever a police officer sees, hears, or learns of that is of a confidential nature will be kept secret unless the performance of duty or legal provision requires otherwise.

b. Members of the public have a right to security and privacy, and information obtained about them must not be improperly divulged.

6. INTEGRITY

a. A police officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers.

b. The public demands that the integrity of police officers be above reproach. Police officers must, therefore, avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law.

c. Police officers must not receive private or special advantage from their official status. Respect from the public cannot be bought; it can only be earned and cultivated.

7. COOPERATION WITH OTHER POLICE OFFICERS AND AGENCIES

a. Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

b. An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that a police officer assists colleagues fully and completely with respect and consideration at all times.

8. PERSONAL-PROFESSIONAL CAPABILITIES

a. Police officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

b. Through study and experience, a police officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty.

The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

9. PRIVATE LIFE

a. Police officers will behave in a manner that does not bring discredit to their agencies or themselves.

b. The character and conduct of police officers while off duty must always be exemplary, thus maintaining a position of respect in the community in which they live and serve. The officers' personal behavior must be beyond reproach.

III. CODE OF ETHICS FOR CIVILIAN PUBLIC SAFETY EMPLOYEES

A. As a civilian employee working in a public safety agency, I regard myself as a member of an important and honorable profession.

B. I will recognize the positive relationship between good physical and mental conditioning and the performance of my job.

C. I will perform my duty with efficiency to the best of my ability.

D. I will be truthful at all times. My conduct and my performance of my duties will be accomplished in an honest manner, contributory to my fellow workers, and observant of the laws of the city, state and country.

E. I will adhere to the confidentiality of the Law Enforcement profession.

F. I will not, in the performance of my duty, work for unethical advantage or profit.

G. I will recognize at all times in my duty that I am a civilian employee working in a public safety agency, and that ultimately I am responsible to the public.

H. I will give the most efficient and impartial service of which I am capable at all times.

I. I understand the importance of courtesy and will maintain it as my reference point in all my duties.

J. I will regard my fellow coworkers with equality, dignity, and respect.

K. I share a reciprocal affinity and obligation with my fellow coworkers, my administration, and my agency.

L. I will accept responsibility for my actions.

M. I will strive for those values which will reflect honor on my fellow coworkers, my agency and myself.

IV. ETHICS TRAINING

A. The Commanding Officer of the Administrative Division shall ensure that documented ethics training is provided to all Department personnel biennially.

V. LIMITS OF AUTHORITY

A. Oath of Office

1. Each Department member will take the following Oath of Office prior to assuming sworn status:

> I, _____, DO SOLEMNLY SWEAR TO UPHOLD THE CONSTITUTIONS OF THE UNITED STATES AND THE STATE OF RHODE ISLAND; THAT I WILL, WELL AND FAITHFULLY, EXECUTE MY DUTIES AS A POLICE OFFICER; FAITHFULLY AND IMPARTIALLY ENFORCING ALL LAWS AND ORDINANCES; ZEALOUSLY GUARDING THE CONSTITUTIONAL RIGHTS OF ALL PERSONS; AND PROMPTLY OBEYING THE ORDERS OF THE OFFICERS APPOINTED OVER ME; ALL IN ACCORDANCE WITH THE REGULATIONS OF THE PROVIDENCE POLICE DEPARTMENT AND THE HOME RULE CHARTER OF THE CITY OF PROVIDENCE; SO HELP ME, GOD.

B. The success of the Department requires that responsibility be accompanied by the necessary authority. Authority to execute the required activities of each organizational component is delegated by the Chief of Police through the chain of command to individual personnel. At every level of the organization, personnel will be given the authority to make decisions necessary for the execution of their responsibilities.

C. To assist the Department in accomplishing established goals and objectives, personnel are delegated with the authority to perform their duties and assignments, and are accountable for the use of such authority.

1. A documented review of job descriptions for all personnel shall be conducted every four years and shall be disseminated and made available so as to facilitate a clear understanding by personnel of their duties and responsibilities.

D. Title 12, Chapter 7, of the Rhode Island General Laws gives law enforcement officers the authority to enforce criminal laws of the state and ordinances and regulations of the jurisdiction to which they are appointed.

E. Sworn members of the Department are expected to use good judgment and discretion when dealing with citizens. Officer interactions are to be professional, objective and non-prejudicial.

F. Arrest - Sworn members are to be professional, objective, and non-prejudiced at all times, and shall use good judgment, discretion, and common sense in considering the individual circumstances when deciding what, if any, enforcement action to take for violations of law.

1. An arrest is the deprivation of a person's liberty with the intent to make him/her answer to a particular charge(s).

2. It is preferable to obtain a warrant prior to making an arrest, if time and circumstances permit. However, under Title 12, Chapter 7, of the General Laws, an arrest without a warrant may be made in any felony or misdemeanor under the following conditions:

   a. 12-7-3. Arrest without warrant for misdemeanor or petty misdemeanor.

      A police officer may, without a warrant, arrest a person if the officer has reasonable cause to believe that the person is committing or has committed a misdemeanor or a petty misdemeanor, and the officer has reasonable ground to believe that person cannot be arrested later or may cause injury to himself/herself or others or loss or damage to property unless immediately arrested.

   b. 12-7-4. Arrest without warrant for felony.

      A peace officer may, without a warrant, arrest a person for a felony whenever:

      (1) The officer has reasonable ground(s) to believe that a felony has been or is being committed and that the person to be arrested has committed or is committing it.

      (2) The person to be arrested in fact has committed or is committing a felony; and in that case it will be immaterial that the officer did not believe him/her guilty or an unreasonable ground entertained belief in his/her guilt.

      (3) In either of these instances involving felony activity, it is not necessary that the officer have a reasonable belief that the person cannot be arrested later or that the person may cause injury to himself/herself or others, or damage to property, if not arrested immediately.

3. If an arrest warrant is issued, the arrest will be made by a sworn police officer. To effect such an arrest within a private residence, entry will be made only when one or more of the following circumstances exists:

a. The officer possesses a felony arrest warrant and has knowledge that the subject of the warrant is on the premises.

b. There are exigent circumstances.

c. There is an active search warrant.

d. The officer has the permission of the occupant or owner.

4. In situations that permit, the advice and direction of the supervisor is a good route for the officer to take in the decision-making process.

5. All adult arrestees shall be transported to the appropriate cellblock area located within the Providence Public Safety Complex.

a. Authorized Department personnel shall fingerprint and photograph all adult arrestees prior to their release from Department custody.

b. Juveniles who come into the custody of the Department shall be photographed and fingerprinted in accordance with General Order 370.01, entitled “Juvenile Operations”.

6. In addition to situations when a physical arrest is required, and based upon the seriousness of the crime(s), an officer’s discretionary judgment of a particular circumstance(s) and/or involved individual(s) may allow for alternatives to physical arrest. In making a discretionary judgment, along with a possible consultation with his/her supervisor, a member may use the following available alternatives, unless otherwise prohibited by policy or law:

a. District or Traffic Court Summons.

b. Verbal warning.

c. Motor vehicle equipment tag.

d. Commitment to a judicially-approved public treatment facility for a psychological, alcohol dependent, or drug dependent condition.

e. Referral to a social service agency.

VI. COMMAND PROTOCOL

A. Unless otherwise ordered or stated, command protocol shall be established during any exceptional situation; any situation involving personnel of different functions engaged in a single operation; or normal day-to-day Department operations; as follows:

1. The most senior-ranking sworn officer on-scene shall assume command of the incident unless relieved by a higher-ranking officer.

2. All other personnel shall adhere to the proper chain of command, in accordance with the established organizational structure.

3. All personnel shall promptly obey orders given to them by a superior officer, including any order relayed from a superior by an employee of the same or lesser rank.

APPROVED:

STEVEN M. PARÉ
COMMISSIONER
DEPARTMENT OF PUBLIC SAFETY

APPROVED:

HUGH T. CLEMENTS, JR.
COLONEL
CHIEF OF POLICE