

FLORENCE POLICE DEPARTMENT

GENERAL ORDER

Subject: USE OF DISCRETION	Procedure: General Order 1.2.7 CALEA 1.2.7	Total Pages: 2
Authorizing Signature: Original with Authorizing Signature on File	Effective: 01/01/2011	
	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amended <input type="checkbox"/> Rescinds	

I. POLICY

It is the policy of this Department that it's members shall preserve the public peace, prevent crime, detect and arrest violators of the law, and protect life and property regardless of the citizen's race, sex, religious affiliation or national origin. All members are equally responsible for the enforcement of laws and ordinances. The delegation of the enforcement of certain laws and ordinances to particular subdivisions of the Department does not relieve any member from the responsibility of taking prompt and proper police action relative to violations of any laws or ordinances observed by them or coming to their attention. It is recognized that police officers exercise discretion in law enforcement duties; however, such discretion will not become bias, prejudice or otherwise discriminatory.

II. PURPOSE

This written order establishes guidelines for use of discretion by sworn officers. Letter and spirit of the law, and its application are central to the principle of discretion.

III. SCOPE

This written order is applicable to all sworn personnel.

IV. RESPONSIBILITY

It shall be the responsibility of all sworn personnel to comply with this directive.

V. GENERAL PROVISIONS

A. Sworn officers are vested with a broad range of discretion when deciding whether to make an arrest and while carrying out other police duties and functions. The principal of reasonableness will guide the officer's determinations. The officer must consider all surrounding circumstances in determining whether legal action will 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.

General Order 1.2.7
USE OF DISCRETION

- C. The use of discretion and alternatives to physical arrest will be sharply limited in some situations such as felonious crimes and instances of domestic violence.
- D. The proper exercise of discretion does not relieve the investigating officer of the responsibility to conduct a thorough preliminary investigation of the events that may precipitate an arrest.
- E. Officers are authorized to use alternatives to arrest when, based upon their discretion, such action is in the best interest of the public, the parties involved, and the criminal justice system. These alternatives to arrest may include warnings, citations, summonses, referrals, and/or informal resolutions.