

## **1.300 POLICIES** (12.2.1.f)

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 policies, although not specifically labeled as such, are found throughout the agency's directive system.

### **1.302 MISSION & VALUES** (12.2.1.a, 1.2.9, 26.1.3)

"The mission of the University Police, Towson University is to provide a safe and supportive environment for the university community through professional law enforcement, prevention of crime, intervention with offenders, problem solving, and community participation. Integrity, fairness, and service will guide our every action as we fulfill our commitment to the university and each other."

#### **1.302.05 Integrity**

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

#### **1.302.10 Fairness**

- A. Agency employees must treat everyone with respect, dignity, and act without improper basis. The recognition of individual dignity is essential in our society. Employees are responsible for protecting this right. Employees are expected to extend an even and unbiased delivery of law enforcement services to all segments of the community. Unfairness and intolerance directed at any segment of our society is itself intolerable.
- B. The agency conducts proactive patrol, assertively investigates suspicious persons and circumstances, and actively enforces the law. Agency personnel must have reasonable suspicion or probable cause supported by specific articulable 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 property or the safety of themselves or others.

#### **1.302.15 Service**

Agency employees must provide dedicated and compassionate assistance, promote leadership, cooperation, and creativity, and aspire to improve the quality of life in partnership with the university community.

### **1.304 CODE OF ETHICS** (1.1.2, 26.1.1)

- A. The agency has adopted codes of ethics for sworn and civilian employees.
- B. All employees will receive ethics training when they are hired and additionally at least biennially.

#### **1.304.10 Law Enforcement Code of Ethics**

The Law Enforcement Code of Ethics, as published by the International Association of Chiefs of Police, is adopted as an ethical code and standard of conduct for this agency's police officers.

"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 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.”

#### 1.304.20 Code of Ethics – Generally

The Maryland Ethics Law – **State Government (SG) §§ 15-501 through 15-508** and **COMAR 19A.02.01 and 19A.02.02** applies to all employees. It contains the following general types of ethical provisions administered by the state ethics commission:

- A. An employee or official may not participate as an employee or official in a matter in which he or she, certain relatives, or certain entities with which he or she is involved or has an interest.
- B. An employee or official may not participate in a matter which involves as a party a business entity in which he or she or certain relatives have employment, contractual, or creditor relationships or seek employment.
- C. An employee or official, in most instances, may not have financial interests in, or be employed by, an entity subject to his or her authority or of the agency with which he or she is affiliated. Employment under the Ethics Law includes being a member of a private board having these relationships even if there is no compensation.
- D. An employee or official, in most instances, may not have financial interests in, or be employed by, an entity having or negotiating a contract with the agency with which he or she is affiliated. In some situations, spousal interest may be attributed to the employee or official.

- E. An employee or official may not hold any employment relationships that would impair his or her impartiality and independence of judgment.
  - F. An employee or official may not intentionally use the prestige of his or her office for personal gain or that of another.
  - G. An employee or official whose duties include matters substantially relating to the subject matter of any contract with the State may not be or become, while a State employee, an employee of the party contracting with the State.
  - H. An employee or official may not assist or represent any party for contingent compensation in any matter involving any State agency or political subdivision other than in a judicial or quasi-judicial proceeding. Employees in the judicial branch are also prohibited from representing any party before a court or agency of the Judicial Branch.
  - I. A former employee or official may not assist or represent any one other than the State for compensation in a case, contract, or other specific matter involving the State if that matter is one in which he or she significantly participated as an official or employee.
  - J. An employee or official may not solicit any gifts. Subject to certain exceptions, officials and employees may not knowingly accept any gift directly or indirectly from any person whom they know or have reason to know:
    - 1. Is doing or seeking to do business of any kind with his or her agency;
    - 2. Is engaged in activities that are regulated or controlled by his or her agency;
    - 3. Has financial interests which may be substantially affected in a specific way by the employee, or
    - 4. Is a lobbyist with respect to the matters within the employee's functional jurisdiction.
- (NOTE: Exceptions to this prohibition are specifically outlined in **SG § 15-505**.)
- K. An employee or official may not disclose or use for personal economic benefit, or that of another, confidential information acquired by reason of his or her public position.

L. Persons, entities, employees or officials that assist the State in procurement specifications, in most instances, may not be involved in bidding or assisting a bidder in that procurement or be employed by the bidder at the time of the bid.

### **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.

### **1.308 CONDUCT UNBECOMING OF AN EMPLOYEE** (26.1.1)

Any violation of law, breach of the peace, neglect of duty, misconduct, or any conduct on the part of any employee 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, is conduct unbecoming of an employee.

### **1.310 RESPECT FOR CONSTITUTIONAL RIGHTS**

(1.2.9, 26.1.3)

- A. 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.
- B. 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.
- C. The agency is committed to respect and protect such rights and will not discriminate on any improper basis as described by law or in USM or Towson University policies related to non-discrimination, sexual harassment, etc.

D. Employees will not engage in any official conduct or harassment that discriminates on any improper basis.

E. The agency does not condone the use of any bias-based actions 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.

### **1.314 ATTENTION TO DUTY**

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

### **1.316 COOPERATION**

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

### **1.318 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 consistent with agency directives.

### **1.320 KNOWLEDGE OF LAWS & 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.

**1.322 REPORTING VIOLATIONS OF LAWS, REGULATIONS, RULES, OR ORDERS** (26.1.4)

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 **1.720 Punitive Discipline**.

**1.324 AUTHORITY AND RESPONSIBILITY** (11.3.1)

- 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.

**1.326 DISCRETION** (1.1.3, 1.2.7)

- A. The use of discretion can be a highly successful tool to resolve problems and conflicts, but only if used properly.
- B. The agency recognizes limitations to discretion. As such, officers must obtain the approval of superiors for many decisions.
- C. Officers are, unless otherwise directed, allowed the use of discretion in many areas, such as to arrest or release with citations, arrest or refer to Office of Student Conduct & Civility Education, cite or issue written warnings, make referrals to other university components or to other organizations better suited to address and resolve problems, etc.

**1.328 ALTERNATIVES TO ARREST** (1.1.3, 1.2.6)

- 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 will consult with the on-duty patrol supervisor or a commander for direction before attempting to exercise discretion completely forgoing legitimate enforcement actions.
- C. Officers may use alternatives to physical arrest when hazards to the community, victims, or suspects do not result and the mission and values of the agency are maintained.
- D. The agency recognizes that there are a variety of situations that may be resolved more suitably by exercising alternatives to arrest.
  - 1. 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. **2.410 Criminal, Civil, & Juvenile Citations** contains specific directives relating to the custodial and non-custodial charging of certain suspects.
  - 3. **2.419 Judicial Programs** contains specific directives relating to the referral by officers of university students to the Office of Student Conduct & Civility Education.
  - 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 or written warnings.
  - 6. 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. Refer to **2.600 Arrest Procedures** for documentation requirements when releasing arrestees without charges.

E. 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 OSCCE. Officers may exercise the concept of written warning on those traffic 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.

### **1.330 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.

### **1.332 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 neces-

sarily 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 provide in-person or immediate responses to all calls for service, the agency must organize available resources to give the highest level of efficient service possible.

### **1.334 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.

### **1.336 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. See also **2.429 Public Information & Media Relations**.

### **1.338 DIVERSION & REFERRAL SERVICES**

*(1.1.3)*

A. Agency employees are responsible for referring persons in need of assistance to proper criminal justice or social service agencies or organizations as appropriate.

B. Diversion and referral services points of contact are contained in Communications Resource System.

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