



# Rhode Island State Police

## General Order - 1A

<i>Section:</i>	<b>Administration - Authority &amp; Organization</b>
<i>Article:</i>	<b>Role &amp; Authority</b>
<i>Title:</i>	<b>Law Enforcement Role &amp; Authority</b>
<i>Special Instructions:</i>	

### I. PURPOSE

The purpose of this policy is to provide specific guidelines to define the role of the Division of State Police, to delineate the parameters of sworn members' authority and to provide a statement of Division mission, goals and priorities.

### II. MISSION STATEMENT

The Rhode Island State Police is a full service, statewide law enforcement agency whose mission is to fulfill the law enforcement needs of the people with the highest degree of fairness, professionalism and integrity, and protect the inherent rights of the people to live their lives in freedom and safety. To this end, Division employees shall perform their respective patrol, investigative and support functions to the best of their ability and cooperate with other State agencies, as well as with local and federal authorities.

#### A. ORGANIZATIONAL MISSION

The organizational mission of the Division is distributed among its patrol, investigative, and administrative components.

1. The patrol component provides basic protection for life and property, promotes highway safety, investigates criminal and non-criminal activities, provides commercial vehicle enforcement, gives assistance to local and other state agencies, maintains order at demonstrations and public events, and makes public service visits to schools and community groups.
2. The investigative component handles criminal investigations relating to all criminal violations of the Rhode Island General laws and the processing of criminal suspects and crime scenes. This component also provides assistance to the State Attorney General's Office, and other state local and federal agencies conducting long-term investigations.
3. The administrative component provides support and training to ensure the efficient operation of the Division.

B. VISION STATEMENT

To be recognized as the most professional, well respected, highly trained, proactive, community-oriented law enforcement agency in the United States.

C. DIVISION VALUES

1. Honor
2. Integrity
3. Fairness
4. Excellence
5. Courage
6. Honesty
7. Devotion to Duty

D. DIVISION CREED

"You are always to remember that you are in the Division of State Police and in the Service of the State. It is a call of honor. It requires unselfish devotion to duty and the highest type of honesty and downright courage."

- E. The success of the Division requires that responsibility be accompanied by the necessary authority. Authority to execute the required activity of the organizational component is delegated by the Superintendent 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.

III. INDIVIDUAL PROVISIONS

- A. Prior to assuming sworn status, all sworn division members will take and subsequently abide by an oath of office to enforce the laws of the State of Rhode Island and uphold the United States Constitution, adhere to and abide by the Police Code of Ethics, the Canon of Police Ethics and Division Rules and Regulations, and faithfully perform all of the prescribed duties of a Rhode Island State Police Officer, as contained herein and in the General Laws of the State of Rhode Island. Prior to participation with any task force, task force members that are not employees of the Division will be required to take, and subsequently abide by, an oath of office specific to the duties and responsibilities of the task force they are assigned.
- B. Members of the Division shall act in accord with written Division goals and objectives in which each member shall have input for formulation and implementation.
- C. Members shall always act in accord with legally mandated authority, using discretion whenever appropriate.

- D. To assist the Division in accomplishing established goals and objectives, personnel are delegated authority to perform the duties of their assignments and are accountable for the use of such authority.
- E. Each sworn member shall adhere to the following:

#### POLICE CODE OF ETHICS

As a Rhode Island State Police 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 violation 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; maintain courageous calm in the face of danger, scorn and ridicule; develop self-restraint; and be constantly mindful of the welfare of others. I will be 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 the Division. Whatever I see or hear of a confidential nature or whatever is confided in me in my official capacity will be kept secret, unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, 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 the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession – law enforcement.

- F. Each sworn member shall adhere to the following:

#### CANONS OF POLICE ETHICS

##### Article 1. Primary Responsibility

The primary responsibility of the police service, and of the individual officer, is the protection of the people of the United States through the upholding of their laws; chief among these is the Constitution of the United States and its amendments. The Rhode Island State Police officer always represents the whole of the community and its legally expressed will and is never the arm of a political party or clique.

## Article 2. Limitations of Authority

The first duty of a Rhode Island State Police officer, as an upholder of the law, is to know its constraints upon him/her in enforcing it. Because he/she represents the legal will of the community, be it local, state or federal, he/she must be aware of the limitations and prescriptions which the people, through law, have placed upon him/her. He/she must recognize the genius of the American system of government which gives to no man, groups of people, or institution, absolute power and he/she must insure that, as a prime defender of the system, he/she does not pervert its character.

## Article 3. Duty to Be Familiar with the Law and With Responsibilities of Self and Other Public Officials

The Rhode Island State Police officer shall assiduously apply himself/herself to the study of the principles of the laws which he/she is sworn to uphold. He/she will make certain of his/her responsibilities in the particulars of their enforcement, seeking aid from his/her superiors in matters of technicality or principle when these are not clear to him/her; he/she will make special effort to fully understand his/her relationship to other public officials, including other law enforcement agencies, particularly on matters of geographic and substantive jurisdiction.

## Article 4. Utilization of Proper Means to Gain Proper Ends

The Rhode Island State Police officer shall be mindful of his/her responsibility to pay strict heed to the selection of means in discharging the duties of his/her office. Violations of law or disregard for public safety and property on the part of an officer are intrinsically wrong; they are self-defeating in that they instill a like disposition in the public mind. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.

## Article 5. Cooperation with Public Officials in the Discharge of Their Authorized Duties

The Rhode Island State Police officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of party affiliation or personal prejudice. He/she shall be meticulous in assuring himself/herself of the propriety, under the law, of such actions and shall guard against the use of his/her office, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question, he/she shall seek authority from his/her superior officers, giving them full report of the proposed service or action.

#### Article 6. Private Conduct

The Rhode Island State Police officer shall be mindful of his/her special identification by the public as an upholder of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege cannot but reflect upon the police officer and the police service. The community and service require that the law enforcement officer lead the life of a decent and honorable person. Following the career of a police officer gives no person special prerequisites. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding the American Republic. The officer who reflects upon this tradition will not degrade it. Rather, he/she will so conduct his/her private life so that the public will regard him/her as an example of stability, fidelity and morality.

#### Article 7. Conduct Toward the Public

The Rhode Island State Police officer, mindful of his/her responsibility to the whole community, shall deal with individuals of the community in a manner calculated to instill respect for its laws and the police service. The law enforcement officer shall conduct his/her official life in a manner that will inspire confidence and trust. Thus he/she will be neither overbearing nor subservient, as no individual citizen has an obligation to stand in awe of him/her. The officer will give service where he/she can, and require compliance with the law, without prejudice, as a duly appointed officer of the law. The officer while on duty or in uniform, or otherwise recognized as a member of the Rhode Island State Police, shall give their badge number, rank or position in a respectful and courteous manner to any person requesting such identification unless engaged in an undercover capacity. All Division members are issued an identification card that shows a photograph of the member, members name and rank. All Division members are required to present their Division-issued identification card if requested.

#### Article 8. Conduct in Arresting and Dealing With Law Violators

The Rhode Island State Police officer shall use his/her powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. His/her office gives no right to prosecute the violator nor to mete out punishment for the offense. He/she shall, at all times, have a clear appreciation of his/her responsibilities and limitations regarding detention of the violator; he/she shall conduct himself/herself in such a manner as will minimize the possibility of having to use force. To this end, he/she shall cultivate a dedication to the service of the people and to the equitable upholding of their laws, whether in the handling of law violators or in dealing with the law-abiding.

#### Article 9. Gifts and Favors

The Rhode Island State Police officer, representing government, bears the heavy responsibility of maintaining, in his/her own conduct, the honor and integrity of all government institutions. He/she shall, therefore, guard against placing him or herself in a position in which any person can expect special consideration or in which the public can reasonably assume that special consideration is being given. Thus, he/she shall be firm in refusing gifts, favors, gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing his/her judgment in the discharge of his/her duties.

#### Article 10. Presentation of Evidence

The Rhode Island State Police officer shall be concerned equally in the prosecution of the wrongdoer and the defense of the innocent. He/she shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In doing so, he/she will ignore social, political, and cultural distinctions among the person involved, strengthening the tradition of the reliability and integrity of the officer's word. A Rhode Island State Trooper shall take special pains to increase his/her perception and skill of observation, mindful that in many situations he/she will provide the only impartial testimony to the facts of the case.

#### Article 11. Attitude toward Profession

The Rhode Island State Police officer shall regard the discharge of his/her duties as a public trust and recognize his/her responsibility as a public servant. By diligent study and sincere attention to self-improvement, he/she shall strive to make the best possible application of science to the effective leadership and public influence in matters affecting public safety. He/she shall appreciate the importance and responsibility of his/her office and hold police work to be an honorable profession rendering valuable service to his/her state and country.

### IV. AUTHORITY AND ARREST PROCEDURES

- A. The legally mandated authority of Sworn Division members is defined in the General Laws of the State of Rhode Island, 1956, as amended, as they pertain to the enforcement of all state laws and ordinances.
- B. The legally mandated authority of sworn investigators who are not sworn members of the RI State Police is defined in the General Laws of the State of Rhode Island, 1956, as amended, as they pertain to the enforcement of State laws and ordinances.
- C. Sworn members of the Division are expected to use good judgment and discretion when dealing with citizens; actions are to be professional, objective and non-prejudicial.

- D. Arrest Procedures- Sworn members 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. When a sworn member must call a violation of law to a citizen's attention, he/she must explain in a professional manner and the reason for the member's actions, as it is a citizen's right to be informed.
  2. An arrest is the deprivation of a person's liberty with the intent to make him/her answer to a particular charge (s).
  3. If an arrest warrant is issued, the arrest shall be made by a sworn police officer.
  4. When an arrest is made, the probable cause must be sufficient to support the charge.
  5. It is preferable to obtain a warrant prior to making an arrest, if time and circumstances permit. However, under Title 12 of the General Laws, an arrest without a warrant may be affected for the commission of any felony or certain misdemeanors.
  6. Police officers may enter the home of a suspect for whom a valid arrest warrant has been issued and without a search warrant, when the member has reason to believe that the suspect is inside. Absent third person consent or exigent circumstances, police officers may enter the home of a third person only when a search warrant, in addition to an arrest warrant, has been issued.
  7. Physical arrests by sworn Division members shall only be made:
    - a. To protect lives and property;
    - b. To preserve the peace and prevent the commission of other offenses;
    - c. To protect a defendant in an action from injury or harm;
    - d. To execute a signed arrest warrant.
  8. Sworn investigators who are not sworn members of the RI State Police are limited to effecting arrests for which they have taken and oath.

E. DISCRETIONARY JUDGEMENT

In addition to physical arrest and based upon the seriousness of the crime(s), the member's discretionary judgment of a particular circumstance(s) and/or involved

individual(s) may allow for alternatives to physical arrest. If any of the requirements in Paragraph IV, D, 7 above are violated or if the crime(s) is a felony, a physical arrest shall be executed. In making a discretionary judgment, along with possible consultation with his/her supervisor, a member may use the following available alternatives unless otherwise prohibited by policy or law:

1. District or Traffic Court Summons;
2. Verbal warning;
3. Motor vehicle equipment tag;
4. Commitment to an approved public treatment facility by the judicial system for a psychological, alcohol dependent, or drug dependent condition;
5. Referral to a social service agency;
6. Misdemeanor Release Form.

## V. COMMAND PROTOCOL

- A. In the absence of the Superintendent, the Lieutenant Colonel, Deputy Superintendent/Chief of Field Operations will serve as the Acting Superintendent. In the absence of the Superintendent and the Lieutenant Colonel, Deputy Superintendent/Chief Field Operations, the Lieutenant Colonel, Commanding Officer Department of Public Safety will serve as the Acting Superintendent. All other appointments of Acting Superintendent will be made through official Division Personnel Appointment Order.
- B. 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 Division operations as follows:
  1. The most senior ranking Member during any situation shall assume command of the incident unless relieved by a higher-ranking Division Member.
  2. All other personnel shall adhere to the proper chain of command in determining accountability, responsibilities, reporting problems or requesting information 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.

## VI. ANNUAL DIVISION AND UNIT GOALS AND OBJECTIVES

The process of setting goals and objectives will be used to further the stated mission of the Division.



A. Personnel Reporting Requirements:

1. All Commissioned Officers and Unit Supervisors shall develop annual goals and objectives for the Division.
2. All Commissioned Officers and Unit Supervisors shall also develop annual goals and objectives for their respective organizational components.
3. Other Division employees are encouraged to submit annual Division and Unit goals and objectives.

B. Annual Reporting Procedures:

1. The Planning, Research & Accreditation Unit will annually request Division and Unit goals and objectives that shall be documented and forwarded, through the proper channels.
  - a. Submissions must be consistent with the Division's mission and prepared as an adjunct to the preparation of the next fiscal year budget.
  - b. Submissions must be specific and approved by the next higher authority in the chain of command.
2. No later than 60 days after receipt of Division and Unit goals and objectives, the Long-Range Planning Committee shall meet to review and approve the annual Division and Unit goals and objectives.
3. Upon review of the Long-Range Planning Committee, all goals and objectives shall be forwarded to the Superintendent for final approval.
4. Upon final approval of the Superintendent, a listing of all approved goals and objectives shall be made available to all Division employees.
5. By the end of the first quarter of the succeeding year, Patrol Commanders and Unit Supervisors shall forward a written report to the Planning, Research & Accreditation Unit listing the progress made toward the attainment of their previously submitted Unit goals and objectives. The Planning, Research & Accreditation Unit will subsequently compile a cumulative progress report which will be submitted to the Command Staff for evaluation. Any unattained goals and objectives shall be incorporated into the following fiscal year's goals and objectives.

VII. MULTI-YEAR DIVISION AND UNIT GOALS AND OBJECTIVES

- A. The Inspectional Services Officer shall establish and maintain a Long-Range Planning Committee which will be responsible for the development, timely updating, and publication of a Division of State Police Multi-Year Strategic Plan. This plan should exhibit a clear method of progress for the Division by establishing, at a minimum:
1. Long-term goals and operational objectives to meet the future needs of the citizens of Rhode Island;
  2. Anticipated workload and population trends;
  3. Anticipated personnel levels;
  4. Anticipated capital improvements and equipment needs.
- B. All multi-year Division and Unit goals and objectives will be developed by the Long-Range Planning Committee for submission to the Superintendent. Once approved by the Superintendent, they will be distributed, along with the annual Division and Unit goals and objectives, to all Division employees.



By Order of Colonel Manni

James M. Manni  
Colonel  
Superintendent