

PALM BEACH GARDENS POLICE DEPARTMENT		
POLICY AND PROCEDURE MANUAL		
STATEMENT OF DEPARTMENT POLICIES		
Effective Date : 05/01/2015	Accreditation Standards:	Review Date: 10/01/2016

COMMAND PROTOCOL POLICY

4.0

1. In the absence of the Chief of Police, an Assistant Chief shall be delegated with operational and specified administrative responsibility over the Department.
2. In exceptional situations such as major operations or emergencies command authority will be as follows: on-duty Sergeant(s); Bureau Major(s); Assistant Chief(s) and Chief of Police.
3. In situations involving members of different functions engaged in a single operation, the overall command of the operation is assigned to the ranking on-duty Sergeant of the unit/shift initiating the event, unless otherwise directed by the involved unit's Bureau Major, Assistant Chief, or the Chief of Police. If a person of higher rank from another division elects to assume command, that person shall be responsible for the subsequent completion of the assignment.
4. The overall responsibility for patrol and traffic operations of the Department shall be delegated to the Field Operations Division Assistant Chief unless otherwise directed by the Chief of Police. In normal day-to-day Department operations, the Patrol Operations Bureau Major will be charged with carrying out the patrol and traffic operations of the Department.

USE OF DISCRETION POLICY

4.1

1. Where there is a call for service or an instance where public contact will occur, police services and protection shall be restricted to circumstances specified by law.
2. Some discretion should be used to take other appropriate measures when calls or instances are not a law enforcement matter.
3. Discretion shall be used in instances where an arrest would not be in the best interest of justice, fairness or the welfare of the public.
4. Should any use of discretion questions arise concerning a particular situation, the officer/member involved shall confer with the on-duty supervisor prior to taking action.

ADMINISTRATIVE REPORTING POLICY (PROGRAM)

4.2

1. The Bureau Majors or designees, Accreditation Manager, and the Crime Analysis, unless otherwise designated by the Chief of Police, shall be responsible for coordinating (formulating) designated administrative reports.
2. The purposes of administrative reports are to develop a basis for budget and manpower forecasting, identify problems and trends, operational deployment/strategies, and to evaluate the overall effectiveness/efficiency of the Department.
3. These reports should include, but not be limited to: UCR reports, computer master log reports, daily field activity reports, offense and case reports, arrest reports, etc. Each report will specify name/listings of the administrative report; person or position responsible for report; purpose of report; frequency of report; and distribution of report.
4. The frequency of the reports shall be daily, weekly, monthly, quarterly, semi-annually or annually in order to inform supervisors and staff of major crimes, accidents, arrests or to compare data on activities of previous months, year, etc. Some reports (annual) may be a summary of monthly statistical reports of each respective division, section or unit.

5. All divisions shall distribute their designated reports to affected personnel upon completion and after approval by the respective Bureau Major or Assistant Chief, unless otherwise directed by the Chief of Police.

ACCREDITATION REPORTING POLICY

4.3

1. All reports required by a policy or procedure, or written directive mandated for compliance to accreditation standards shall be completed and submitted as required by the respective policy or directive.
2. The Accreditation Manager shall coordinate and utilize the following system to periodically review all policies/procedures, plans, and programs where a required report or activity is required. The system will be:
 - A. Semi-annually, the Accreditation Manager will review all policies and procedures where visual observation can be made to verify compliance.
 - B. At frequency indicated, all reports/activities required in policy and procedure will be monitored by planning, research and accreditation to ensure completion by the appropriate designated Bureau Major or delegated authority.
 - C. Copies of such reports will be forwarded as indicated within the affected policy and procedure; also a copy provided to planning and research for placement in the accreditation files.
3. Copies of all reports necessary to maintain accreditation compliance will be forwarded to the Accreditation Manager for proofs in the accreditation file building process.
4. The appropriate Sergeant, supervisors, Bureau Major, or Assistant Chief will be notified when time sensitive reports or other activities required to maintain accreditation compliance have not been completed.
5. Progression with the accreditation process shall be reported through Department newsletter. introduction to the accreditation process will be provided to members as follows:
 - A. To all newly hired agency members during orientation after their employment begins.
 - B. To all agency members during the self-assessment phase associated with achieving initial accreditation and each reaccreditation.
 - C. To all agency members just prior to an on-site assessment associated with initial accreditation and each reaccreditation.

GOALS AND OBJECTIVES

4.4

1. Each unit\section will, on an annual basis, develop a set of goals for the upcoming year. These will be incorporated into bureau, division and Department goals.
2. Goal development will begin each October with unit\section and bureau goals to be completed by December. Goal development should also reflect proposed budget programs.
3. Goals achieved before the end of the year should be replaced with new goals. Additional goals approved by the Chief of Police can be added at any time.
4. Goals should be specific, pertinent, measurable, attainable, and observable. Department goals will tie in with the City goals, and will include: the desired result, the month estimated for achievement, and any costs that will be, or have been incurred.
5. A Department bulletin will be distributed by the Assistant Chiefs at the start of each goal development period requesting all members to submit prospective goals to their supervisors.
6. After developing unit\section goals with their respective shift teams, supervisors will submit the draft goals to their Bureau Majors; if under their authority.
7. Supervisors will submit a monthly goal status report to their respective Bureau Major indicating the status of the goal, and any problems or modifications required. Each Bureau Major will submit an annual overall goal status report to their Assistant Chief detailing the results of the particular goal achievement; why "X" goals were not achieved, and what goals need to be carried over into the next year.

PATROL CAR EQUIPMENT POLICY 4.5

1. The equipment specific to every patrol car used by this Department shall include as follows: Traffic cones, fire extinguisher, first aid kit, HIV kit, blanket, flares, and evidence bags.

AUTHORITY TO ISSUE/MODIFY POLICY/PROCEDURE 4.6

1. The Chief of Police may, at his discretion, issue, modify, approve, or rescind Department policies and procedures (written directives), policy statements, rules and regulations and special orders.

2. Assistant Chiefs are vested with the authority to change operating procedures upon consultation with the Chief of Police. Whenever this occurs, the affected Bureau Major will ensure that the policy and procedure reflect the change(s) by coordinating with the Accreditation Manager.

AUTHORITY OF CHIEF OF POLICE POLICY 4.7

1. Pursuant to section 8-1 of the charter of the City of Palm Beach Gardens, the Chief of Police is the chief executive officer of the Department, and is charged with the supervision of the Department, including ensuring that all members of the Department comply with and enforce all ordinances, laws and rules relating to the police Department; also pursuant to article VIII, section 8-1 of the city charter.

LIMITS OF AUTHORITY POLICY 4.8

1. Florida Statutes 166.021 authorizes municipal police officers to enforce all state laws, city ordinances or regulations, and to serve criminal and civil processes that may be directed to them by the General Court of Justice.

2. Pursuant to section 8-1 of the city charter of the City of Palm Beach Gardens, the Chief of Police and subordinate officers shall comply with and enforce all ordinances, laws, and rules relating to the powers and duties of the Department.

3. Officer's authority will be exercised within the limits of the city charter, state and federal constitutions and standards adopted by this Department.

4. Actions of officers shall be strictly toward their functions and no member of the Department should ever place themselves above the law.

OATH OF OFFICE REQUIREMENTS POLICY 4.9

1. All sworn officers of the Palm Beach Gardens Police Department, prior to assuming sworn status, and all non-sworn members shall take and subsequently abide by an oath of office to support the Constitution of the United States, and of the State of Florida, pursuant to FSS876.05, as follows:

CODE OF ETHICS POLICY 4.10

1. Sworn members; other members where applicable, shall abide by the code of ethics adopted by this Department.

PERFORMANCE OF MEMBERS POLICY 4.11

1. Members shall observe and obey all federal and state laws, municipal ordinances, rules and regulations, policies, procedures, other directives, and orders of the Department.

2. Members shall obey any lawful order of a superior, including any order relayed from a superior by a member of the same or lesser rank.

3. Upon receipt of an order conflicting with any previous order or instruction, the member affected will advise the person issuing the second order. If so directed, the latter command shall be obeyed first.

4. Police officers and all other members of the Department shall not obey any order which they know or should know would require them to commit an illegal act. When in doubt as to the legality of an order, police officers and other members of the Department shall request the issuing supervisory officer to clarify the order, or confer

with higher authority.

UNITY AND CONTROL OF COMMAND POLICY **4.12**

1. Each member shall be accountable to only one supervisor at any given time.
2. Each organizational function shall be under the direct command of only one supervisor.
3. All supervisory members shall be accountable for the performance of those members under their immediate control.
4. Limits for the number of members under the immediate control of a supervisor will not be excessive in order to achieve effective and efficiency in direction, coordination and control. The exact number of members supervised by any one (1) supervisor will be dependent on experience, nature of job to be performed, complexity of job, size of area to be supervised, but should not be more than eleven (11).

AUTHORITY AND RESPONSIBILITY POLICY **4.13**

1. Responsibility of each supervisor shall be accompanied by commensurate authority.
2. Each member shall be accountable for the use of delegated authority.

ALTERNATIVES TO ARREST POLICY **4.14**

1. Officers are permitted to use alternatives to physical arrest of violators. These alternatives are addressed in the policies and procedures of this Department. Nothing in this directive is to be construed as permission to disregard any federal or state law, city ordinance, rule, regulation, or policy of the Palm Beach Gardens Police Department.
2. Officers of this Department, when attempting to resolve the various types of problems to which they respond, are encouraged to seek alternatives to physical arrest (with incarceration) when no hazard(s) to the community, victim or suspect will result.
3. Officers of this Department are allowed the use of discretion within the guidelines of Department standards, statutory and case law, and to some extent, prevailing community standards.
4. No officer shall ever authorize an individual or agency to violate the law. However, when the safety of the community, victim, witness, and suspect can be maintained and no other exceptional circumstances exist, officers resolving **misdemeanor** situations necessitating formal action may do so with the use of a citation (traffic, ordinance, etc.), **NTA** and field release.
5. Whenever circumstances dictate, officers will exercise arrest powers in valid felony situations.
6. Officers may exercise the concept of "verbal warning" on those traffic and simple misdemeanor offenses where the facts indicate proper resolution of the event can be achieved without formal charge.
 - A. This discretionary action may be restricted by the supervisor or Department administration in those areas of directed patrol or selective traffic enforcement requiring stricter attention to enforcement or where community need warrants formal charges.
7. Officers should not use the "verbal warning" to evade resolving the situation properly. Supervisors will ensure that each incident response and resolution by the police will be properly documented as directed by applicable policy and orders.

JURISDICTIONAL AUTHORITY POLICY **4.15**

1. The City of Palm Beach Gardens geographical boundaries of its jurisdiction shall be as prescribed in Article II, section 8-1 of the City Charter.
2. The geographical boundaries as prescribed by Charter commence at section 19, township 42 south, range 43 east, to continue to prescribed directions covering all highways and streets prescribed and thence northeasterly right-of-way line of U.S. Highway No. 1 to point of beginning.

POSITION MANAGEMENT SYSTEM**4.16**

1. The Department's position management system is an information system established by the Chief of Police to provide as needed a distribution network to the division(s), bureau(s), and unit\sections to include, but not limited to:

- A. The number and type of each position authorized in the agency's budget.
- B. Location of each authorized position within the agency's organizational structure.
- C. Position status information, whether filled or vacant, for each authorized position in the agency.

ALLOCATION OF PERSONNEL POLICY**4.17**

1. The Department allocates personnel to, and distributes them within, all organizational divisions in accordance with analytical reports and other documented periodic workload assessments.

2. Each division will forward monthly the appropriate report(s) to the Chief of Police.

RESPONSE TO RESISTANCE**4.18**

1. Sworn officers have the authority to use force when necessary in the performance of their duties and all Department members have a right of self-defense. It is the policy of this Department that any force used by a member shall be in accordance with federal and state law, legal guidelines and this policy and procedure. Members may use only the amount of force that is reasonably necessary to accomplish lawful objectives, and the decision to use force must be based on facts known to the member at the time the decision is made.

AUTHORIZED WEAPONS**4.19**

1. Only members demonstrating proficiency in the use of Department-authorized weapons shall be approved to carry such weapons.

2. At least annually, all sworn officers will be required to receive in-service training on the Department's Response to Resistance policies and demonstrate proficiency with any approved weapon that the officer is authorized to use. Sworn police officers shall also receive:

- A. Department authorized firearm proficiency training monitored by a certified weapons instructor.
- B. Training and proficiency that is documented.
- C. Procedures for remedial training for those sworn officers who are unable to qualify with an authorized weapon prior to resuming official duties.

3. All sworn officers authorized to carry weapons shall be issued copies of and be instructed in use of force, deadly force, discharge of firearms, and less-lethal weapons.

LEGAL AUTHORITY TO CARRY AND USE WEAPONS**4.20**

1. All certified police officers during sworn active status, shall have the authority, in accordance with Florida Statutes Chapter 790, to carry firearms and other weapons during the course of, and in the performance of their duties.

SURVEILLANCE AND UNDERCOVER EQUIPMENT**4.21**

1. Surveillance and undercover equipment may be sophisticated and therefore expensive. Controls must be established for accountability, to prevent unauthorized use, and to minimize damage and/or loss. The following procedures shall be followed when surveillance and undercover equipment is utilized:

- A. All surveillance and undercover equipment shall remain under the control of an Investigations Supervisor.
- B. All usage of surveillance and undercover equipment shall be authorized by the Investigations Bureau Major. Requests for utilization of equipment shall follow chain of command, regardless of division assignment(s) and forwarded to the Investigations Bureau Major for approval.

- C. All equipment shall be distributed, after authorization, by an Investigations Supervisor.
- D. A visual inspection of the equipment shall be made at the time of distribution to ensure the equipment is operational and undamaged. If the equipment is not operational, its condition will be noted and provisions shall be made for its repair. If the equipment has damage that does not adversely effect its operation, damage location and type shall be noted by the issuing person.
- E. Upon return of equipment, another visual inspection shall be made to determine the equipment's condition and operational readiness. Any conditions found which were not there at the time of issuance shall be noted by the receiving person.
- F. All members shall be held accountable for proper utilization of the equipment. Any damages/loss incurred by carelessness, negligence or improper usage shall be the responsibility of the user and the member may be subject to disciplinary review due to their actions in this matter.
- G. An inventory of all surveillance and undercover equipment shall be made at least annually by the Investigations Bureau Major or Investigations Supervisor, if so directed.

AUTOMATED VEHICLE LOCATION (AVL)**4.22**

1. In order to enhance officer safety and the effective utilization of resources, GPS based location technology may be installed in vehicles, portable computers and/or police radios. The purpose of the technology is to provide the location of the device to dispatchers and supervisors for officer safety purposes and the management of resources. Examples of the usage of this technology include, but are not limited to: locating an officer calling for help or unable to answer a radio call, monitoring locations during pursuits, managing perimeters, and identifying the units closest to a call.
2. Employees are expected to fully utilize this equipment when available and to not take any actions intended to interrupt or disable the equipment. If an employee's immediate assignment would be adversely affected by having location information available, the employee's Bureau Major, or someone of equivalent rank or higher, may authorize the temporary disabling of the location equipment for as long as necessary to complete the assignment. At the conclusion of the assignment, the equipment shall be promptly returned to normal operational status.
3. The location equipment and associated data will not be used for initiating disciplinary action against an employee, but may be used to follow-up on a complaint and/or corroborate other information.



Stephen J. Stepp
Chief of Police

05/01/2015
Date