

MISSION AND GENERAL POLICY STATEMENTS OF THE MARYLAND-NATIONAL CAPITAL PARK POLICE

January 23, 2013

INTRODUCTION

The Montgomery County Division of the Maryland-National Capital Park Police is the law enforcement arm of the Montgomery County Department of Parks, whose role is to protect and secure the properties and activities of the Maryland-National Capital Park and Planning Commission and its visitors. The responsibility of the park police is to provide assistance to the public during their visit, and to gain their cooperation and compliance with all rules, regulations and laws.

The term law enforcement is difficult to define because it encompasses many perceptions as to the services provided or expected, both by the law enforcement community and the public-at-large. The perplexing problem of definition has been generated by the changing police role, which has developed over the years because of society's uncertain demands. In view of the increased responsibilities of the park police in the park system, it is essential that each officer understand the objectives, mission and general policies of the Maryland-National Capital Park Police, Montgomery County Division.

DIVISION OBJECTIVES

- A. To protect the park resource.
- B. To deploy officers in sufficient numbers to maintain order in Montgomery County parks.
- C. To prevent, detect and deter criminal activity within Montgomery County parks.
- D. To enforce applicable laws and regulations in Montgomery County parks.

GENERAL POLICY STATEMENTS

Policy consists of the desires of the community, police ethics (principles and values) and the mandate of the laws, which guide the performance of a park police officer. Policy is not a statement of what must be done in a particular situation; rather it is a means by which management sets forth guiding principles for its officers to follow towards achieving the mission of the Division. Further, the mission and general policy statements of the Division are articulated to inform the public of the principles which will be adhered to by its officers in their performance of the public safety function.

The Division Directives consist of policies and procedures intended for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of these directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

The following general policy statements regarding organization, management, law enforcement, discretion, use of force and the code of ethics are provided to assist park police officers in performing their mission.

MISSION AND GENERAL POLICY STATEMENTS OF THE MARYLAND-NATIONAL CAPITAL PARK POLICE

I. ORGANIZATION

The structure of the Division requires organizational control and a utilization of effective management principles. Lines of authority, chain-of-command, and unity of command, the essential principles for an operative organizational structure, are all critical to the success of a police organization. Maintaining a continual review of these principles is an integral organizational function.

Each section or unit of the Division has the responsibility to adhere to the principles of organization. To deviate from or circumvent such principles would weaken the total organizational effectiveness, resulting in the loss of cohesive law enforcement services.

II. MANAGEMENT

All command and supervisory personnel are responsible for adhering to and utilizing park police guidelines, directives, and policies as effectively and as efficiently as possible. As part of this responsibility, they have an obligation to direct the officers of the park police towards the achievement of the Division's mission. Equally important is the responsibility to maintain an effective liaison with other law enforcement organizations and appropriate units of the criminal justice system.

Command personnel are responsible for the performance of all officers and employees under their command. Although authority and function may be delegated to subordinates, command personnel cannot delegate their own responsibility. They are answerable and accountable for failures or inadequacies of subordinates. Command personnel are responsible for motivating their subordinates to operate in compliance with park policies and procedures at optimum effectiveness and efficiency.

Supervisors direct the work of others. Success is measured by the performance of subordinates rather than a supervisor's personal production. A supervisor is a leader, evaluator and instructor of their subordinates. They must inform superiors of the accomplishments, short comings and productivity of their subordinates. Supervisors must be concerned for the welfare of their subordinates and be responsible for supporting them in their proper actions. This support does not include protection from the consequences of misconduct when a mistake is made; this will not be concealed or denied. Errors are to be corrected, an effort made to discover the cause and steps taken to preclude its recurrence.

A supervisor is a member of the management team and is therefore expected to act in the best interest of the agency. They are to inform superiors of matters, which concern their subordinates and keep subordinates informed of park police policies and the reasons for these policies. They control rumors by informing subordinates of the facts.

III. LAW ENFORCEMENT

Crime is a commission or omission of an act prohibited and punished by law. Whenever the Park Police believe a crime has been committed or is about to be committed, it is our responsibility and obligation to prevent, suppress, investigate or solve the crime in accordance with our authority.

Every person is entitled to certain basic constitutional rights, which are not to be violated. Officers must respect the rights of all persons and avoid provocative speech or actions. Once an arrest has taken place it is the obligation of the arresting officer and all supervisory personnel to ensure that post-arrest procedures and prosecutorial steps are followed in accordance with existing law and constitutional safeguards. To fail in this effort is a violation of law and of the principles of the law enforcement profession.

MISSION AND GENERAL POLICY STATEMENTS OF THE MARYLAND-NATIONAL CAPITAL PARK POLICE

The legally mandated authority vested in each sworn officer is derived from Article 28, Section 5-114 of the Annotated Code of Maryland, as well as from any Mutual Aid Agreements entered into by the Commission with other jurisdictions.

Active patrol by uniformed officers is one of the most useful available resources for crime prevention. To be effective, this resource must be deployed in relation to crime patterns and the total crime analysis.

Each officer has the responsibility to prevent those crimes, which are preventable by police action. It is the patrol officer's responsibility to conduct preliminary investigations of a crime, effect an immediate arrest if possible, and obtain all available information which will assist in the detection and apprehension of the offender.

To be effective in decreasing the number of crimes, law enforcement officers must be selective as to time, place and relative importance of the crime. They must direct their efforts towards those crimes which are most easily prevented by patrol.

Park Police Officers must act quickly and decisively with regard to major crimes and serious law enforcement problems. A delay in effecting an arrest or taking decisive action is warranted only in the absence of sufficient manpower to restore order or stabilize the situation.

The responsibility for enforcing traffic laws and regulations is shared by all uniformed personnel. The primary objectives of traffic enforcement are: to save lives, to prevent accidents and to expedite the flow of traffic. Attention should be directed towards the enforcement of those laws which, when violated, cause the greatest number of accidents, particularly at those times and places where most traffic violations occur. For minor violations, an officer may warn a violator, if in the officer's judgment the warning would be as effective as a citation.

IV. DISCRETION

Law enforcement operations consist of many diverse activities, which are directed toward the attainment of agency objectives. Activities such as patrolling, conducting field interviews and issuing traffic citations are not objectives in themselves; rather they are methods of achieving the ultimate goal of preventing and deterring crime, arresting criminal offenders and preventing traffic accidents.

Decisions in law enforcement operations frequently must be made in an instant and the lives of officers and others may depend on the quality of these decisions. Officers are confronted in stressful situations with both criminal and noncriminal behavior and they must base their conduct and actions in each instance upon the facts of the situation as they reasonably appear, relying on experience, training and judgment to guide them toward morally justified and lawful decisions and actions. The use of warnings, referrals to other agencies and other deterrents may be used when dealing with minor offenses when, in the judgment of the officer, justice would be best served.

What is reasonable in terms of appropriate police action or what constitutes probable cause varies with each situation and different facts may justify a variety of possible actions on the part of an officer including: investigation, detention, arrest or no action at all. The requirement that legal justification always be present imposes a limitation on an officer's actions. In every case, officers must act reasonably and within the limits of their authority.

