

<p>University of Pennsylvania Police Department 4040 Chestnut Street, Philadelphia, Pa 19104</p>		  ACCREDITED SINCE 2001
Directive: 11	Subject: Law Enforcement Agency Role	Effective Date: 12/01/1997
Order of: Maureen S. Rush, Superintendent of Police		Amended Date: 05/26/2021

I. Purpose

The purpose of this directive is to define the law enforcement role of the University of Pennsylvania Police Department (UPPD).

II. Policy

Founded in 1740 as a charity school for Philadelphia children, the University of Pennsylvania is America's first University and one of the foremost institutions of higher education. The UPPD is a support unit of the University and is organized to contribute to the University's overall goals by providing first class police and public safety services, security services, and safety education.

It is the policy of the UPPD to enforce the law fairly and impartially, with due regard to the constitutional rights of all persons.

III. Scope

This directive shall affect all personnel.

IV. Procedures

A. Law Enforcement Agency Role

1. The primary objective of the UPPD is to provide the highest possible level of safety, security, and service for all members of the University and adjoining community and any guests of, or visitors to, the University. To accomplish these objectives, the professional responsibilities of the members of the department include the following functions:
 - a. the protection of life and the safeguarding of property;
 - b. the prevention and control of crime;
 - c. the investigation of crime, the apprehension of criminal offenders and the recovery of stolen property;

- d. the preservation of the peace and the maintenance of good order;
 - e. the enforcement of Federal and Commonwealth laws, City Ordinances and University regulations;
 - f. the immediate response to all emergencies on University property and to all persons therein who are in need of aid or assistance;
 - g. the performance of such other services required by the University, as determined by the Superintendent of Police;
 - h. the advancement of a cooperative relationship with the students, faculty and staff of the University as well as adjoining community members;
 - i. the creation of a sense of safety and security for the entire University community through vigilant preventive patrol; and
 - j. the accomplishment of all police objectives within the law and the constitutional guarantees of all persons.
2. Constitutional Oath of Office
- a. Each member of the department serving as a Police Officer prior to accepting sworn status is required to take and subsequently abide by an Oath of Office to uphold the Constitution of the United States of America, the Constitution of the Commonwealth of Pennsylvania, the Ordinances of the City of Philadelphia, and the Policies and Procedures of the Division of Public Safety and the University of Pennsylvania.
 - b. The oath of office (See Appendix C) will be administered orally by the Superintendent of Police or designee.
3. Canon of Police Ethics/Law Enforcement Code of Ethics
- a. The UPPD subscribes to the Canons of Police Ethics (See Appendix A) and the Law Enforcement Code of Ethics (See Appendix B) as adopted by the International Association of Chiefs of Police. All sworn officers are required to abide by these ethics.
 - b. Ethics training for all departmental personnel shall be conducted, at a minimum, on a biennial basis. The Training Coordinator will be responsible for developing and recording of all ethics related training.
 - c. All non-sworn personnel shall abide by the Canons of Ethics in place.
- B. Social Service Diversion Programs

1. As the UPPD is a University police department, officers should be aware of the various programs available to faculty, students, and staff of the University of Pennsylvania. Some of the programs are:
 - a. Drug and Alcohol Resource Center (DARE): provides confidential referrals for individual and group therapy, information about in-patient treatment centers, and schedules of self-help meetings within the University community.
 - b. Faculty/Staff Assistance Program: Officers specific services for alcohol and other drug-related problems including intervention, treatment referral, and other programs.
 - c. Campus Alcohol Resources and Education: provides free information, education, and services related to drug and alcohol concerns.
 2. In addition to the above, officers can request that student offenders be referred to the University's Office of Student Conduct in lieu of (or in addition to) criminal prosecution.
 3. The UPPD will work with all of the above mentioned groups to identify and refer those individuals in need of the resources available within and outside of the University community.

C. Compliance

Violations of this directive, or portions thereof, may result in disciplinary action.

D. Officers Assigned To Other Agencies

Officers of this department assigned to or assisting other law enforcement agencies will be guided by this directive.

E. Application

This directive constitutes departmental policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law. Violations of policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

Appendix "A"- Directive 11

Canons Of Police Ethics

Article I. Primary Responsibility of Job

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 law enforcement officer always represents the whole of the community and its legally expressed will and is never the arm of any political party or clique.

Article II. Limitations of Authority

The first duty of law enforcement officers as upholders of the law is to know its bounds upon them enforcing it. Because they represent the legal will of the community, be it local, state, or federal, they must be aware of the limitations and prescriptive which the people, through law, have placed upon them. They must recognize the genius of the American system of government which gives to no person, groups of persons, or institutions absolute power; and they must insure that they, as prime defenders of that system, do not pervert its character.

Article III. Duty to be Familiar with the Law and with Responsibilities of Self and Other Public Officials

Law enforcement officers shall assiduously apply themselves to the study of the principles of the law which they are sworn to uphold. They shall make certain of their responsibilities in the particulars of their enforcement, seeking aid from their superiors in matters of technicality or principle when these are not clear to them; they will make special effort to fully understand their relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.

Article IV. Utilization of Proper Means to Gain Proper Ends

Law enforcement officers shall be mindful of their responsibility to pay strict heed to the selection of means in discharging the duties of their 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 in the public mind a like disposition. 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 V. Cooperation with Public Officials in the Discharge of their Authorized Duties

Law enforcement officers shall cooperate fully with other public officials in the discharge of authorized duties, regardless of party affiliation or personal prejudice. They shall be meticulous, however, in assuring themselves of the propriety under the law of such actions and shall guard against the use of their office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question, they shall seek authority from their superior officers, giving them a full report of the proposed service or action.

Article VI. Private Conduct

Law enforcement officers shall be mindful of their special identification by the public as upholders 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 the 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 the unbroken tradition of safeguarding the American republic. The officer who reflects upon this tradition will not degrade it. Rather, they will so conduct their private life that the public will regard them as an example of stability, fidelity, and morality.

Article VII. Conduct toward the Public

Law enforcement officers, mindful of their responsibility to the whole community, shall deal with individuals of the community in a manner calculated to instill respect for its laws and its police service. Law enforcement officers shall conduct their official life in a manner such as will inspire confidence and trust. Thus, they will be neither overbearing nor subservient, as no individual citizen has an obligation to stand in awe of them nor a right to command them. The officers shall give service where they can and require compliance with the law. They will do neither from personal preference or prejudice but rather as duly appointed officers of the law discharging their sworn obligation.

Article VIII. Conduct in Arresting and Dealing with Law Violators

Law enforcement officers shall use their powers of arrest strictly in accordance with the law and with due regard to the rights of the citizens concerned. Their office gives them no right to prosecute the violator nor to mete out punishment for the offense. They shall, at all times, have a clear appreciation of their responsibilities and limitations regarding detention of the violator; they shall conduct themselves in such a manner as will minimize the possibility of having to use force. To this end they shall cultivate a dedication to the service of the people and the equitable upholding of their laws, whether in the handling of law violators or in dealing with the law-abiding.

Article IX. Gifts and Favors

Law enforcement officers, representing government, bear the heavy responsibility of maintaining, in their own conduct, the honor and integrity of all government institutions. They shall, therefore, guard against placing themselves 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, they should be firm in refusing gifts, favors, or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing their judgment in the discharge of their duties.

Article X. Presentation of Evidence

Law enforcement officers shall be concerned equally in the prosecution of the wrong-doer and the defense of the innocent. They shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In doing so they will ignore social, political, and all other

distinctions among the persons involved, strengthening the tradition of the reliability and integrity of an officer's word.

Appendix "B" – Directive 11

Law Enforcement Code of Ethics

As A Law Enforcement 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 violence or disorder; and to respect the Constitutional rights of all persons 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, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. 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 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, 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 before God to my chosen profession...law enforcement.

Appendix "C" – Directive 11

Oath of Office

I _____ do solemnly swear (Or Affirm)

That I will support, obey and defend,

The Constitution of the United States,

The Constitution of the Commonwealth of Pennsylvania,

The Ordinances of the City of Philadelphia,

and the Policies and Procedures of the Division of Public Safety,

and The University of Pennsylvania.

I will uphold and enforce the law justly and equally

and without favor.

I will perform the duties of <Police Officer>

for the University of Pennsylvania Police Department

with fidelity and honor to the best of my abilities,

so help me God.