



## Lunenburg Police Department

<b>Policy Number:</b> <b>4.15</b>	<b>Subject:</b> <b>Authority &amp; Responsibility</b>
<b>Issue Date:</b> <b>12/03/2019</b> <b>Revision Date:</b> <b>10/22/2021; 2/10/2022</b> <b>Effective Date:</b> <b>12/03/2019</b>	<b>Massachusetts Police Accreditation Standards Referenced:</b> <b>1.1.1; 1.1.2; 1.2.1; 1.2.2; 26.1.1</b>
<b>Issuing Authority:</b>  <i>Chief Thomas L. Gammel</i>	

### I. GENERAL CONSIDERATIONS & GUIDELINES

The intent of this directive is to provide basic information relative to the role and authority of the Police Department and its staff.

### II. POLICY

It is the policy of the department that:

- A. All Police Department personnel, prior to assuming sworn status, shall take and subsequently abide by an Oath of Office [1.1.1] to uphold the Constitution of the United States and the Constitution of the Commonwealth of Massachusetts, and to enforce the laws of the Commonwealth and the bylaws of the Town of Lunenburg Massachusetts.
- B. All Police Department employees shall abide by the appropriate code of ethics [1.1.2] for the position held as adopted by this department.
- C. All Police Department employees shall operate within the limits of their Authority [1.2.1]

### III. DEFINITIONS

- A. Civilian Employees: All non-sworn employees of the department. They have no arrest authority but may be authorized to issue civil citations for violation of the Town of Lunenburg by-laws. Civilian employees may or may not be uniformed.
- B. Employee: Any person officially affiliated with the department whether full or part time, sworn, civilian, special or auxiliary police, crossing guard, animal control officer, volunteer, intern, or other.
- C. Full Time Permanent Police Officers (FTPPO): Full time, permanent, sworn police officers. This category includes all sworn ranks.
- D. Reserve Officer: A sworn officer who works less than full time.

- E. Crossing Guard: An adult civilian employee who may be uniformed and who is assigned to control traffic for the safe passage of pedestrian and vehicular traffic at street crossing points.
- F. Special Officer: A sworn officer whose police authority is limited in scope in relation to hours of the day, geographic area, assignment, and/or length of (days/months) authority.
- G. Sworn: Refers to a person's ability to make a full custody arrest; it does not refer to the administration of an oath of office.
- H. Sworn Personnel: Those members of the Department, full and part time, who are duly sworn and vested with police power under M.G.L. Chapter 41, Section 98. Sworn personnel have the authority to make "full custody" arrest (as opposed to a citizen's arrest), and carry and use lethal and non-lethal weapons as determined by the Chief of Police and appointing authority [1.2.1; 1.2.2]. This definition does not apply to civilian employees who take an oath of office or are sworn-in.
- I. Auxiliary: A civilian (non-sworn) who performs his/her duties outside the confines of the agency's headquarters facility in a uniform but is unarmed (i.e. not carrying a lethal weapon such as a firearm) is included in this category.

#### **IV. PROCEDURES**

- A. SWORN PERSONNEL LEGAL AUTHORITY [1.2.1]: This Police Department is composed of the following categories of sworn agency personnel. All sworn officers shall have, within the territorial limits of the Lunenburg, the powers and duties conferred or imposed upon Police Officers by M.G.L., Chapter 41, Section 98.5:

1. Full Time Permanent Police Officers (FTPPO): The category includes all sworn ranks. FTPPOs are appointed by the Town Manager and shall be subject to an appointment of one year. FTPPOs shall have police powers at all times.
2. Reserve Police Officers: Reserve Police Officers are part-time employees with the department, appointed by the Town Manager and shall be subject to an appointment of one year. Reserve police officers shall have the same police powers as full time officers.
3. Officers from other communities may be also appointed as Special Police Officers in this community for such purposes as the appointing authority determines, including but not limited to paid details and mutual aid pursuant to M.G.L. c. 41 §99.

- B. NON-SWORN PERSONNEL

1. Animal Control Officers are appointed by the Board of Selectmen and shall be subject to an appointment of one year. They shall have the authority granted under their warrant, and M.G.L. c. 150 §151 and §151A.6.
2. Civilian employees are appointed by the Town Manager.

- C. ALL EMPLOYEES

Code of Conduct [26.1.1]: All department employees shall adhere to a code of conduct and appearance guidelines adopted by this agency and published in the department Rules and Regulations