

La Plata Police Department – General Orders

	Title: Discretion		Order #: 406	
	Effective Date: May 15, 2014	Review Date:		
	<input checked="" type="checkbox"/> New <input type="checkbox"/> Amends <input type="checkbox"/> Rescinds			
Approved by: Chief Carl Schinner			CALEA 5 th Edition	
CALEA Standard: 1.13 1.2.7			Pages: 1	

01 POLICY: It is the policy of the La Plata Police Department to allow officers to exercise common sense in their use of discretion. It is difficult, if not impossible, for the Department to make rules covering the infinite variety of situations faced by individual officers.

A. PROCEDURE: One of the most critical aspects of the use of police authority is in the area of discretion. The use of discretion can be a highly successful tool to resolve problems and conflict, but only if used properly.

B. The use of discretion involves a giving of trust and confidence which cannot be violated.

C. Discretion becomes necessary for many reasons. The most predominant reason for exercising discretion is the lack of resources to deal with violations of many laws. Police must differentiate between ambiguous and obsolete laws, the effects of enforcement on community relations, the effectiveness and efficiency of the overall police operation, and the role of the police in the community.

D. The Department recognizes limitations to discretion. Employees do not have any discretion when given lawful orders, or when dealing with compliance of directives, laws, rules, regulations, policies or procedures mandating courses of conduct or action.

E. Officers are allowed the use of discretion in many areas, such as to arrest or release, arrest or refer, cite or issue a written warning, make referrals to other components of the Department or organizations better suited to address and resolve the problem.