




CHELTENHAM TOWNSHIP POLICE DEPARTMENT

Directive:	1	Chapter:	1. Standards for Organization and Management
Effective Date:	11/24/09	Section:	4. Direction
Re-Issue Date:	4/04/20	Title:	Authorization, Mission and Oath
Reevaluation Date:	4/04/22	Issued By:	 John Frye, Chief of Police

Replaces:	Authorization, Mission and Oath issued 4/04/12
Distribution:	All Police Sworn
PLEAC References:	1.1.1, 1.2.1, 1.4.3 a
Revisions:	FINAL

I. PURPOSE:

- A. Authorization:** This Directive provides the statutory authorizations and legal authority for the Cheltenham Township Police Department to conduct law enforcement activities, including arrest powers and the authorization to carry and employ firearms during the course of their duties.
- B. Mission and Values Statement:** This Directive establishes the official Mission and Core Values of the Cheltenham Township Police Department.
- C. Oath of Office:** This Directive establishes an Oath of Office which all police officers must swear to uphold prior to assuming duties as a police officer. It is essential that all sworn law enforcement officers adhere to a solemn pledge to obey and enforce the law fairly, equally and without personal bias towards any individual or group.

D. Priority of Life and Property: This Directive further refines the CTPD Mission Statement to establish a “Priority of Life and Property”. When confronted by multiple and possibly conflicting objectives during a critical incident, the mission objectives shall be ordered as follows, unless exigent circumstances exist:

- Priority 1: Innocent Persons and Hostages**
- Priority 2: First Responders and Emergency Personnel**
- Priority 3: Criminal Actors**
- Priority 4: Property**

II. AUTHORIZATION:

- A.** The Constitution of the United States, Constitution of the Commonwealth of Pennsylvania, Pennsylvania Rules of Criminal Procedure, and the Home Rule Charter of Cheltenham Township define the responsibilities and limits of the Cheltenham Township Police Department pertaining to the enforcement of laws, statutes and ordinances.
- B.** The Cheltenham Township Police Department (CTPD) is the legally constituted Police Department of Cheltenham Township. The CTPD was organized in 1900 by the Board of Commissioners under the provisions of a First Class Township.
- C.** On February 17th, 1903, the Cheltenham Township Board of Commissioners passed a resolution establishing the authority to employ a Chief of Police and several Police Officers. The resolution further provided authorization to provide the necessary equipment and establish rules and regulations for the government of the Police Department (PLEAC 1.2.1 a).
- D.** On November 1, 1976, under Article 1, Section C103 of the Home Rule Charter Code of Cheltenham Township, the Board of Commissioners established that the Township shall have and may exercise any powers and may perform any function not denied by the Constitution of the Commonwealth of Pennsylvania, by the Home Rule Charter or by the General Assembly. This authorization included any powers that might become available at a future date.
- E. As sworn members of a municipal police department, all Cheltenham Township Police Officers are certified as “Municipal Police Officers”** under L. 1974, Act 120, effective 6/18/1974, establishing the “Municipal Police Officers’ Education and Training Commission (MPOETC). Under Act 120:
 - 1.** A “Police Officer” is any full or part time employee of a city, borough, town, township or county police department assigned to criminal or traffic law enforcement duties.

2. Police Officers who are not certified by MPOETC are not eligible to make arrests or otherwise enforce the laws of the Commonwealth of Pennsylvania or their respective municipalities. Auxiliary police officers may enforce the laws per title 53. P.S. Article VI sec. 734.

- F. Cheltenham Township Police Officers are authorized to carry and employ firearms during the course of their duties** as authorized under the Pennsylvania Crimes Code Section 508 relating to Use of Force, and Section 6106b(1) relating to Firearms not to be Carried without a License (PLEAC 1.2.1 b).
- G. Police Officer (Definition):** Title 37, Subchapter B, Subsection 203.1 defines a “Certified Police Officer” as a Police Officer who is authorized to enforce the Pennsylvania Crimes Code (Title 18 Pa. C.S.) the Pennsylvania Motor Vehicle Code (Title 75 Pa. C.S.), and to carry and employ a firearm to perform his/her duties.
- H. Sworn Cheltenham Township Police Officers are duly authorized to effect arrests with or without an arrest warrant** in compliance with PA Statute and Rules of Criminal Procedure, Rule 515 (execution of arrest warrant). Title 49, sec.8952 (primary municipal police jurisdiction), sec. 9135 (arrest without warrant), sec.9162 (arrest without warrant-PA inter county).
- I. Sworn Cheltenham Township Police Officers shall be duly authorized to prepare criminal complaints and affidavits of probable cause** (Rules of Criminal Procedure, Rule 502 Instituting Proceedings, Rule 503 Complaint Procedures Generally, Rule 504 Contents of Complaint) and to swear or affirm before an issuing authority for arrest warrants (Rules of Criminal Procedure, Rule 513 Arrest Warrants-Requirements for Issuance) and search warrants (Rules of Criminal Procedure, Rule 203, Search Warrants, Requirements for Issuance, Rule 204, Persons to Serve Warrant).

III. POLICY:

A. The Cheltenham Township Police Department Mission Statement:

The mission of the Cheltenham Township Police Department is to work in partnership with our community in seeking out and solving problems in order to enhance our quality of life. We are committed to preserving the peace and protecting the lives, property and rights of all persons through professional, proactive policing strategies. (PLEAC 1.4.3 a)

B. The Core Values of the Cheltenham Township Police Department:

Honor: We shall conduct ourselves in a manner that brings honor to ourselves, our Department and our community.

Dignity: We shall respect the rights and human dignity of all members of our community.

Integrity: We shall keep the public's trust by holding ourselves to the highest standards of professional conduct and ethics.

Dedication: We shall provide the highest quality of law enforcement service to the community in order to identify and resolve issues that impact public safety.

Excellence: We shall constantly evaluate our operations to improve our performance and exceed the community's expectations.

- C. Cheltenham Township Police Officers shall Swear an Oath of Office:** Probationary Police Officers assuming field duties, newly promoted supervisors and newly promoted/appointed staff officers shall swear or affirm the following Oath of Office prior to performing their duties (PLEAC 1.1.1):

"I, (name), do solemnly swear I will support, obey and defend the Constitution of the United States, the Constitution of the Commonwealth, and the Home Rule Charter of Cheltenham Township. I will uphold, obey and enforce the law without consideration to a person's race, color, sex, religious creed, sexual orientation, gender identity and gender expression, age, national origin, ancestry, handicap or disability, and that I will discharge the duties of Police Officer of the Township of Cheltenham with fidelity."

- 1. Oath to be Administered by a Justice or Judge:** The above Oath shall be administered and signed by a Magisterial District Judge or Commonwealth of Pennsylvania Judge. The administering Justice shall seal both signatures and the original copy of the document will be placed in the member's main personnel file.

- D. Priority of Life over Property:** The preservation of human life is the primary objective of the Cheltenham Township Police Department. This primary directive to preserve life can be broken down into a hierarchy as follows:

- 1. Innocent Persons and Hostages:** The preservation of innocent life is the highest priority of the CTPD.
- 2. First Responders:** During critical incidents, police and other emergency personnel may need to place their own well being at risk to preserve innocent life.
- 3. Criminal Actor(s):** The CTPD will make every reasonable effort to apprehend criminals with a minimum of injury to the Actor.
- 4. Property:** The Cheltenham Township Police Department places a priority on the reduction of property theft and the apprehension of property thieves. However, the lives of innocent persons and First Responders shall not be placed in jeopardy in an effort to recover mere property.

E. Preservation of the Peace: The preservation of the peace and good order of the community is one of the primary duties of the Police Department. In addition to the preservation of life and protection of property, the Police Department is responsible for maintaining the peace and good order of the community of Cheltenham Township by enforcing federal, state and local laws, regulations and codes.