





POLICIES AND PROCEDURES MANUAL

	LAW ENFORCEMENT ROLE AND AUTHORITY	
	POLICY NUMBER: 1-1	ISSUING AUTHORITY
	EFFECTIVE DATE: January 1, 2025	 Christine A. Elow Police Commissioner

I. GENERAL CONSIDERATIONS AND GUIDELINES

WHEN a police department defines its role, two broad purposes are served. First, sworn and civilian personnel are made aware of the actions and attitudes expected of them and can, therefore, act without hesitation in harmony with the police department's values, mission, policies, and procedures as set forth by the Police Commissioner. And second, members of the public are provided with a general understanding of the values, mission, goals, basic programs, and priorities of the department.

Written directives concerning police department role, limits of authority and use of force emphasize the department's intent to meet or exceed the public's expectation in the delivery of services. Community members expect that police will use only the amount of force that is reasonable, will issue weapons only to those department members who are authorized to carry them as a condition of their duties, and that all tactics are in conformance with sound policy, procedures, training, and law.

The Cambridge Police Department prepares its officers to be responsive to and to protect the constitutional rights of the community and in its values conveys a sense of responsibility and compassion thereby gaining legitimate authority in addition to its legal authority.

Therefore, the department establishes this Policies and Procedures Manual with the vision that all of its activities will be guided by the principles of procedural justice, including fairness, voice, inclusion, transparency, and impartiality.

II. POLICY

It is the policy of the Cambridge Police Department that:

- A. all sworn members of the department, prior to assuming sworn duties, will take and subsequently abide by an oath of office 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 and ordinances of the City of Cambridge;

- B. all employees of the department will abide by the appropriate code of ethics for the position held as adopted by this department and the applicable conflict of interest laws promulgated under M.G.L. c. 268A;
- C. all members of the department will operate within the limits of their legal authority and work to gain legitimate authority through the principles of procedural justice including fairness, impartiality, inclusion, and transparency; and
- D. all members of the department will be provided easy access to the Policies and Procedures manual; will become familiar with it; and will understand that only the Police Commissioner can authorize newly created or revisions to policies and procedures.

III. DEFINITIONS

- A. *Civilian Employees*: All non-sworn employees of the department who do not have powers of arrest or other police powers.
- B. *Employee*: Any person officially affiliated with the department whether full or part time, sworn, civilian, volunteer, intern, or other.
- C. *Full Time Permanent Police Officers*: Full time, permanent, sworn police officers who have satisfied the requirements set forth in M.G.L. c. 41, § 96B.
- D. *Special Police Officer*: Retired Cambridge Police Officers appointed by the City Manager who are duly sworn and vested with police powers under M.G.L. c. 41, § 98 and have the authority to make full custody arrests.
- E. *Sworn Personnel*: Those members of the police department, who are duly sworn and vested with police powers under M.G.L. c. 41, § 98 and have the authority to make full custody arrests.

IV. PROCEDURES

- A. 1.1.1 (M) Oath of Office
 - 1. All personnel, prior to assuming sworn status, shall take and subsequently abide by the department oath of office to enforce the law, uphold the Constitutions of the nation and the state, and to uphold City of Cambridge ordinances.
- B. 1.1.2 (M) Code of Ethics
 - 1. All personnel shall abide by the code of ethics adopted by the department (attached below) and shall receive ethics training at least biennially.
- C. 1.1.3 (O) Participation in Criminal Justice Diversion Programs
 - 1. The department has a well-developed program of diversion options for juveniles, which are described in the policy on juvenile issues.

2. A program for persons between the ages of 18 and 25 is titled “Restorative Justice Emerging Adult Diversion Plan” as prescribed in M.G.L. c. 276B. Details of the program are as follows.
 - a. The person must have no previous criminal history excluding motor vehicle infractions with no jail time. Automatic exclusions include sexual offenses, assault and battery on a family member (M.G.L. c. 265, § 13M), and offenses involving serious bodily harm or death.
 - b. The person is identified as a candidate for and accepted into the program pre-arraignment.
 - c. The person is identified by the District Attorney’s Office with a referral from the police department.
 - d. Acceptance into the program is contingent on consent of the victim, the defendant, and the District Attorney’s Office.
 - e. If the defendant is qualified, the judge will give a 14-day continuance. Once the 14 days pass, the defendant will be set up with a community-based program under the direction and control of the District Attorney’s Office.
 - f. The defendant must take responsibility for the actions committed but not for any criminal charges.
 - g. If the defendant fails the program, the District Attorney’s Office can remit the defendant as well as the original charges back to the court.
- D. 1.1.4 (M) Consular Notification
 1. (See policy 1-2 Consular Notification.)
- E. 1.2.1 (M) Legal Authority Defined
 1. The legal authority for the appointment of a Chief of Police/Commissioner is defined in M.G.L. c. 41, § 97A.
 2. In addition to state statute, the City of Cambridge has promulgated ordinance 2.52.010 as follows.
 - a. 2.52.010 - Police Commissioner—Authority.
 - b. “The Police Department shall be under the charge of a Police Commissioner who shall be the head of the Department and who shall, from time to time, make suitable regulations governing the Department and the officers thereof, subject to the approval of the City Manager. The Police Commissioner shall be in immediate control of all City property used by the Department, and of the police officers, who shall be assigned to their respective duties by the Police Commissioner, whose orders they shall obey.”
 3. According to 501 CMR 15, the definition of Law Enforcement Officer shall include a full-time police commissioner of a police department that has only one police commissioner.

4. The Cambridge Police Department has only one category of sworn officer whose duties are defined in M.G.L. c. 41, § 98.
- F. 1.2.2 Legal Authority to Carry and Use Weapons
 1. The legal authority for sworn police officers to carry and use weapons is defined in M.G.L. c. 41, § 98.
 - G. 1.2.3 (M) Compliance with Constitutional Requirements
 1. (See policies 1-3 Interrogations and 1-9 Field Interviews and Observations.)
 - H. 1.2.4 (M) Search and Seizure
 1. (See policy 1-3 Search and Seizure.)
 - I. 1.2.5 (M) Arrest with/without Warrant
 1. (See policy 1-6 Arrest Procedures.)
 - J. 1.2.6 (M) Alternatives to Arrest
 1. (See policy 1-6 Arrest Procedures.)
 - K. 1.2.7 (M) Use of Discretion
 1. (See policy 1-6 Arrest Procedures.)
 - L. 1.2.8 (M) Strip and Body Cavity Searches
 1. A strip search requires the removal or rearrangement of some or all clothing to permit a visual inspection of any skin surface, including genital areas, where weapons, dangerous instrumentalities, evidence, or contraband may be concealed. These searches shall:
 - a. be conducted in a non-humiliating, professional manner;
 - b. be conducted only in the presence of two officers of the same gender/gender expression as the detainee and only with the approval of a Deputy Superintendent or Shift Commander;
 - c. be conducted in the police booking area out of public view including windows and doors, with as minimal physical contact as possible without having the detainee completely disrobe, although the detainee may be asked to bend at the waist and spread the buttocks;
 - d. extend only for the time necessary to complete the search;
 - e. be video recorded by surveillance cameras in the booking area;
 - f. in extenuating circumstances, may be conducted outside of the booking area in another part of the building, or in the field if necessary, but only with prior approval of a Deputy Superintendent or Shift Commander.

2. Manual body cavity searches by members of the department are prohibited. However, manual body cavity searches may be conducted by skilled medical personnel with a valid search warrant signed by a judge, not a clerk magistrate.
3. With regard to searches, juvenile detainees shall be processed in the same manner as adult detainees; however, consideration shall be given to the age and physical stature of the juvenile. A juvenile is a person who is not yet eighteen (18) years of age.
4. All strip searches shall be documented in the department records management system.

M. 1.2.9 (M) Bias Policing

1. (See Policy 1-8 Bias-Free Policing.)

N. 1.2.10 (M) Duty to Intervene

1. All employees of the department while on duty have an obligation to intervene, prevent, or stop other members of the department from conducting any act that is unethical or that violates law or policy, such as excessive force, theft, fraud, inappropriate language, sexual misconduct, harassment, falsifying documents, and other inappropriate behavior.
 - a. Intervention may be verbal or physical.
 - b. Failure to intervene may subject an employee to disciplinary action, civil liability, and/or criminal prosecution.
 - c. Employees have a duty to report such conduct to a superior officer.
2. The City of Cambridge strictly prohibits any form of retaliatory action against employees who raise issues or ask questions, make reports, participate in an investigation, refuse to participate in suspected improper or wrongful activity, or exercise workplace rights protected by law.

Code of Ethics:

As a Cambridge Police Officer, my fundamental duty is to serve my community; 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 people to liberty, equality, and justice.

I understand the basic truth that all people are endowed with equal intrinsic value and that everyone has something to contribute regardless of social status, financial success, or physical appearance; and that labeling is just a way to diminish others.

I will lead my personal life with integrity to serve as an example to others; maintain courteous 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 Commonwealth and the rules and regulations of the Cambridge Police Department.

I will respect the views and opinions of others and only engage in civil discourse.

I will never act officiously or permit personal feelings, prejudices, animosities, or friendships to influence my decisions. 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.

Whatever I see or hear of a confidential nature or that is confided in me in my official capacity, I will keep secret unless revelation is necessary. And I will keep my word.

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 to my chosen profession of public safety.

I will know and support the mission and vision of the Cambridge Police Department; will act on the spirit of the law as well as the letter of the law; and will work to gain legitimate authority in the Cambridge Community. In doing so, I will apply the principles of Procedural Justice, including Fairness, Inclusion, Voice, and Transparency, in my everyday work.