

503.00 DISCRETION AND REQUIRED ENFORCEMENT ACTION

503.01 Procedures:

- Sworn members of the Department are required to initiate investigative action when allegations or violations of the ordinances of the City of Greeley, laws of the State of Colorado and the United States come to their attention. Such actions by sworn members will be conducted with the restrictions established by departmental directives and may range in scope from referral to the appropriate agency to the arrest of the violator.
- Enforcement action shall be required by all sworn members of the Department when on duty, when the following criteria exist:
 - All elements of a crime exist.
 - Probable cause exists indicating the suspect committed the offense.
 - All department policies and procedures are complied with.
 - A willing complainant exists requesting police action or the officer observes the crime.
- The required enforcement action is based upon Colorado Revised Statute 18-8-405: "A public servant commits second degree official misconduct if he knowingly, arbitrarily, and capriciously:
 - Refrains from performing a duty imposed upon him by law or clearly inherent in the nature of his office; or
 - Violates any statute of lawfully adopted rule or regulation relating to his office."
- Officers initiating enforcement action or making an arrest will adhere to the below listed directives:
 - No employee's action, inaction, or degree of severity shall be influenced by malice or vengeance or because of prejudice based upon race, sex, ethnic background, religious belief, or political affiliation.
 - No employee's enforcement action shall be more severe than can be reasonably supported as professionally and objectively necessary in furtherance of the goals and objectives of law enforcement.

- Officers may conclude police incidents by informal disposition. Incidents eligible for this type of disposition include but are not limited to:
 - Calls for service not involving a violation of law or ordinance.
 - Calls involving misdemeanor violations without a known complainant or a complainant unwilling to initiate a police report.
 - Calls involving suspect(s) under the age of ten (10) years.
 - Calls of a peace-keeping nature, when no party is injured.
 - Disputes which are civil in nature.
 - Information disposition includes: referral to another agency, agreement among affected parties, and warning.