



FROSTBURG CITY POLICE DEPARTMENT

37 BROADWAY, FROSTBURG, MD 21532 • 301-689-3000 (P) 301-687-0642 (F)

Kevin G. Grove
Commissioner of Public Safety

Nicholas J. Costello
Chief of Police

Policy Interpretation and Guidelines

I. Purpose:

The purpose of this policy is to provide the method of interpretation and application of the Policies and Procedures of the Frostburg City Police Department.

II. Policy:

- A.** Except where limited or required by the Mayor & City Council or by law, the Commissioner of Public Safety, the City Administrator, the Chief of Police, and authorized City of Frostburg authorities or designees, are responsible for the issuance of Policies and Procedures for Operation and Administration of the Frostburg City Police Department.
 - 1.** These Policies and Procedures are normally issued by the Office of the Chief of Police.
 - 2.** The Chief of Police retains authority and responsibility for day-to-day issuance of, retraction of, deviation from, and enforcement of the Policies and Procedures of the Frostburg City Police Department.
 - a.** Deviation from or modification of any Policy or Procedure may be authorized by the Chief of Police by written Special Order, intra-departmental communication, or verbally. However, the Chief of Police does not have authority to allow deviation from the law or to relive any duties imposed by law.
- B.** All Policies and Procedures issued by the Office of the Chief of Police rescind and replace all prior conflicting policies and procedures.
- C.** There is no set of rules that can reasonably anticipate and perfectly apply to the every daily, dynamic, practical, or other aspect of police operations and administration, many of which are wholly unpredictable, present unique or complicated fact patterns, or are so internally focused as to have no meaningful impact on the public interest. Except for requirements by law, each Policy and Procedure of the Frostburg City Police Department shall be and is a **guideline**.



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1. Accordingly, the Chief of Police retains the authority, and may delegate the same authority, to authorize deviations from any and all department policies and procedures, except where the law requires otherwise.
 2. Police Officers should normally adhere to the established Policies and Procedures, which they are presumptively expected to follow. If a Police Officer deviates from a policy or procedure, the Police Officer must be prepared to justify that deviation. In the event the justness of deviation is unclear, the Commissioner of Public Safety, the Chief of Police, the City Administrator, and the Officer's Supervisor shall review the matter and make a determination.
- D.** The vast array of matters that might arise in policing require the department to provide guidance to its Police Officers for handling matters, which is the purpose of all of the Frostburg City Police Department's Policies and Procedures.
1. No Policy or Procedure of the Frostburg City Police Department is intended to create a contract between the City of Frostburg or its police department, its elected officials, its employees, or its agents and representatives (the "City") and any employee or agent thereof ("Employees"), nor any rights or entitlements. That is, the Policies and Procedures of the Frostburg City Police Department, individually or collectively, do not form a contract between the City and its Employees.
 2. Every Policy and Procedure of the Frostburg City Police Department is intended solely and exclusively for the internal use of the Frostburg City Police Department in guiding, directing, and managing its Employees.
 - a. The Policies and Procedures, individually and collectively, of the Frostburg City Police Department:
 - i. Are not intended to establish any legal rights or duties to the public or to any individual beyond those imposed by law;
 - ii. Are not to be construed as establishing legal duties or obligations, whether for matters civil or criminal, that are higher or different than those imposed by the law.
 - b. The Policies and Procedures of the Frostburg City Police Department may be used for administrative action, disciplinary action, and/or training, as may be most just and most effective at rendering a resolution.