



Oath of Office

101.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that, when appropriate, oaths are administered to department members.

101.2 POLICY

It is the policy of the Havre de Grace Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the department and the dedication of its members to their duties.

101.3 OATH OF OFFICE

- A. All department members, when appropriate, shall take and subscribe to the required oath or affirmation to the Clerk of the Circuit Court in addition to any other form of oath or affirmation required by the Maryland Constitution, state law or ordinance (Md. Const. Art. I § 9; Md. Code CJ § 2-104; Md. Code PS § 3-309). If a member is opposed to taking an oath, he/she shall be permitted to substitute the word "affirm" for the word "swear."
- B. Upon becoming a sworn member of the Havre de Grace Police Department, each person so appointed shall subscribe to the following oath of office:

I do solemnly swear that I will fulfill the requirements of the office I am about to assume; that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of Maryland and support the Constitution and Laws thereof; and that I will faithfully and impartially, without fear, favor or prejudice, discharge the duties of Police Officer for the City of Havre de Grace to the best of my ability.

- B. A signed copy of every officer's written Oath of Office will be placed in the member's personnel file.
- C. A copy of every officer's written Oath of Office will be given to the officer taking the oath.

101.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (Md. Const. Art. I § 10; Md. Code PS § 3-309).

101.5 LEGALLY MANDATED AUTHORITY

Members of the Havre de Grace Police Department will operate in accordance with the authority vested to them as stipulated in local, state, and federal laws and will not take police action beyond their authority. Further, all officers will strive to ensure that the legal rights of those they come in contact with are respected.

All members of the Havre de Grace Police Department who are sworn and empowered by the City of Havre de Grace as well as certified as a law enforcement officer through the Maryland Police and Training Standards Commission, shall preserve the peace, protect persons and property, and obey and enforce all ordinances of the legislative authority of the City of Havre de Grace, all criminal and motor vehicle laws of the State of Maryland and the United States.

- A. Section 50-52 of the City of Havre de Grace Charter grants authority for the establishment of the Havre de Grace Police Department.
 - II. The Havre de Grace Police Department shall perform any other duties that are provided by ordinance.
 - III. All officers with the Havre de Grace Police Department will apply themselves diligently to the study of the laws and the principles which they are sworn to uphold.

101.6 LEGAL AUTHORITY TO CARRY/USE WEAPONS

- A. Section 50 – 52 authorizes and identifies duties and responsibilities governing the actions of police officers for the City of Havre de Grace.
- B. The Annotated Code of Maryland Criminal Procedure, Subtitle 1, Section 2, details the authority of police officers, including those in a municipal corporation, giving such officers powers of law enforcement and arrest of state laws.
- C. All sworn officers of the Havre de Grace Police Department who meet all Maryland Police Training and Standards Commission standards, Havre de Grace Police Department policy standards, and Federal Law Enforcement Safety Act rules, along with applicable Municipal, State and Federal laws, allowing them to use and carry a firearm are permitted to do so concealed or open during the execution of their lawful duties.