


HAVERFORD TOWNSHIP POLICE DEPARTMENT OPERATIONS MANUAL		
Issue Date February 2021	Review Date February 2022	Directive Number 1.2.1
Accreditation Index: 1.2.1		Rescinds: Directive 1.2.1 of November 2019
Chapter: One – Organization and Management Role		Section: Two – Limits of Authority
Chief of Police: <i>John F. Viola</i>		

SUBJECT: AUTHORITY TO ENFORCE LAWS

I. PURPOSE

The purpose of this directive is to provide for the recognition of police authority and the associated limitations of that authority. This directive is established to define an officer’s authority through governmental legitimacy by defining that authority in terms of legal statutes and ordinance.

II. POLICY

It shall be the policy of the Haverford Township Police Department to provide for and promote the delivery of police services corresponding to the provisions of this directive.

III. LEGAL AUTHORITY DEFINED

- A. The United States Constitution, Constitution of the Commonwealth of Pennsylvania, Pennsylvania Rules of Criminal Procedure and the First Class Township Code define the scope and limits of law enforcement authority as it pertains to the enforcement of laws, statutes and ordinances.
- B. The Township of Haverford was established in accordance with the Act of June 24, 1931 (Pennsylvania Law 1206, No. 331), cited as “The First Class Township Code”; Reenacted and amended May 27, 1949 (Pennsylvania Law 1955, No. 569) As Amended.
(PLEAC 1.2.1 a)

- C. Section 1401 of the First Class Township Code of 1931, June 24, P.L., 1206, art XIV, as amended, 53 P.S. Section 56401 authorizes the Township Board of Commissioners to prescribe all necessary rules and regulations for the organization of the police force.
(PLEAC 1.2.1 a)
- D. Section 1402 of the First Class Township Code of 1931, June 24, P.L., 1206, art XIV, as amended, 53 P.S. Section 56402, authorizes the Township Board of Commissioners to designate a Chief of Police and other officers.
(PLEAC 1.2.1 a)
- E. Section 1403 of the First Class Township Code of 1931, June 24, P.L., 1206, art XIV, as amended, 53 P.S. Section 56403, provides for the Powers of Policemen.
(PLEAC 1.2.1 a)
- F. Section 1405 of the First Class Township Code of 1931, June 24, P.L., 1206, art XIV, as amended, 53 P.S. Section 56405, provides that the Chief of Police and policemen shall obey the orders of the Board of commissioners or such other person or committee as may be designated by Ordinance or Resolution of the Board for such purposes.
(PLEAC 1.2.1 a)
- G. Section 1502 of the First Class Township Code of 1931, June 24, P.L., 1206, art V, provides the Board of Commissioners of a First Class Township with the power to establish, equip and maintain a police force and to define the duties of the same.
(PLEAC 1.2.1 a)
- H. The Haverford Township Police Department is a legally constituted police department of a government entity, having been organized June 5, 1916 by Ordinance #77 adopted by the Haverford Township Board of Commissioners.
(PLEAC 1.2.1 a)
- I. As employees of a municipal police department, Haverford Township Police Officers are certified as “Municipal Police Officers” under L. 1974, Act 120, effective June 18, 1974, establishing the “Municipal Police Officers’ Education and Training Commission” (MPOETC).
 - 1. Under the Act, a “Police Officer” is any full or part-time employee of a city, borough, town, township, or county police department assigned to criminal and/or traffic law enforcement duties.
 - 2. Police officers not certified by the MPOETC are not eligible to make arrests or otherwise enforce the laws of the Commonwealth of Pennsylvania or their respective municipalities.

3. Under the Act, section 2167, municipalities of the Commonwealth of Pennsylvania are required to train all members prior to their enforcing criminal laws, enforcing moving traffic violations under Title 75 or being authorized to carry a firearm.

(PLEAC 1.2.1 b)

J. Section 6106 (b) (1) of the Pennsylvania Crimes Code authorizes police officers to carry a firearm.

(PLEAC 1.2.1 b)

BY ORDER OF THE CHIEF OF POLICE