


<b>POLICY 117.5</b>	<b>LEGAL AUTHORITY OF POLICE OFFICERS</b>	
	REVISED: 3/97; 09/19,06/23	RELATED POLICIES:
	CFA STANDARDS:	REVIEWED: AS NEEDED

**A. PURPOSE:**

The purpose of this policy is to define the legal authority of Fort Lauderdale Police Department law enforcement officers (sworn police officers) and to define the latitude of enforcement discretion given to each member.

**B. SCOPE:**

This policy shall apply to all Fort Lauderdale Police Department police officers.

**C. APPLICABLE FLORIDA STATUTES:**

Chapter 943, Department of Law Enforcement; Chapter 901, Arrests; Chapter 790, Firearms.

**D. AUTHORITY:**

1. Florida State Statute 943.10(1) authorizes law enforcement officers of the Fort Lauderdale Police Department to:

- a. bear arms;
- b. make arrests; and
- c. identifies the primary responsibility of law enforcement officers of the Fort Lauderdale Police Department as:
  - (1). prevention of crime
  - (2). detection of crime
  - (3). enforcement of the penal, criminal, traffic, and highway laws of the state.

**E. LATITUDE OF ENFORCEMENT DISCRETION**

1. Discretionary power is the power of free decision, or latitude of choice within certain legal bounds. A blend of common sense, requirements of the law, policies and procedures of the department, and particular circumstances of a situation will guide the officer in the decision making process. It is recognized that the complexities of law enforcement dictate a degree of latitude for discretionary options by an officer. In questionable situations, officers must be prepared to

justify the actions taken, and when time and circumstances permit, the officer should confer with a supervisor for guidance in questionable situations.

2. Therefore, it is imperative that officers take into consideration when exercising discretionary power, the goals and objectives of the department, the best interest of the public they serve, any mitigating circumstances and the volatility of the situation at hand.