



SPRINGFIELD TOWNSHIP POLICE DEPARTMENT
Wyndmoor, Pennsylvania

Policy 5-02

Policy Title: Discretion and Alternatives to Arrest

Date of Issue: December 1, 2022

Rescinds: None

By Authority of:

Chief of Police

I. Purpose

The purpose of this policy is to define the authority, guidelines, and circumstances when sworn personnel may exercise alternatives to arrest. It is also intended to govern the use of discretion by sworn officers.

I. Policy

Officers of the Springfield Township Police Department have the authority to use alternatives to arrest. Additionally, officers may exercise discretion within the limits of department policies.

II. Alternatives to Arrest

- A. Officers shall institute proceedings by citation in summary cases based upon the procedural guidelines found in Chapter 4 of the Pennsylvania Rules of Criminal Procedure (Title 234), which governs proceedings in all courts, including courts not of record. All actions proceeding by citation in summary cases must follow these rules.
- B. Officers shall institute proceedings in court cases by summons based upon the procedural guidelines found in Chapter 5 of the Pennsylvania Rules of Criminal Procedure (Title 234).
- C. In lieu of formal action, an officer may exercise discretion consistent with the laws of the Commonwealth of Pennsylvania and the policies and standards of the Springfield Township Police Department. Informal action may be utilized to solve a given problem, such as referral, informal resolution, and written or verbal warning.
 1. Referrals – The officer shall offer referrals to other agencies and organizations when, in their discretionary judgment, it is the most reasonable alternative for the offender.

2. Informal Resolution – An officer, at their discretion, may offer informal resolutions to situations and conflicts when in the officer’s judgment they can be adequately resolved by: the use of verbal warning, informing the proper agency or organization, advising parents of juvenile activity, etc.
 3. Warnings – A warning may be issued by an officer when, in their discretionary judgment, it is the most reasonable alternative for the offender.
- D. If an individual is arrested on probable cause and further investigation by the arresting officer determines that sufficient probable cause no longer exists, a supervisor will be immediately notified. Once insufficiency of probable cause is determined, the suspect must be released. The arresting officer shall notify their supervisor, and the details of the arrest and investigation shall be included in the report.

III. Use of Discretion

- A. Sworn officers are vested with a broad range of discretion when deciding whether to make an arrest and while carrying out other police duties and functions. The principal of reasonableness will guide the officer’s determinations. The officer must consider all surrounding circumstances in determining whether legal action will be taken. The goals and objectives of the department, as well as the best interests of the public, shall always be kept in mind.
- B. Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. When discretionary power is poorly exercised, it may be viewed by the public as favoritism, bias, or corruption.
- C. The use of discretion and alternatives to physical arrest shall be sharply limited in felony situations.
- D. The proper exercise of discretion does not relieve the investigating officer of the responsibility to conduct a thorough investigation.
- E. Officers are authorized and encouraged to use alternatives to arrest when, based upon their discretion, such action is in the best interest of the public, the parties involved, and the criminal justice system.