

# GENERAL ORDER

## PORT WASHINGTON POLICE DEPARTMENT

SUBJECT:	<b>STRUCTURE, ACCOUNTABILITY, AND COMMAND AUTHORITY</b>	NUMBER:	1.3.1
		ISSUED:	5/1/09
SCOPE:	All Police Personnel	EFFECTIVE:	5/1/09
DISTRIBUTION:	General Orders Manual	▪ RESCINDS	A-6-94 4.1
		AMENDS	
REFERENCE:		WILEAG 3 <sup>rd</sup> EDITION STANDARDS: 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.4.1, 1.4.2, 1.4.3	

INDEX AS:     Accountability of Authority  
                   Chain of Command  
                   Command Protocol  
                   Division Responsibilities  
                   Duty to Obey Lawful Orders  
                   Insubordination  
                   Organization Structure  
                   Supervisor Accountability

PURPOSE:     The purpose of this Order is to inform employees of the organization and command structure of the department, to establish the chain of command in the absence of the Chief of Police, to establish internal and external command protocol, to inform employees they are accountable for the use of delegated authority, and to establish procedures for obeying lawful orders.

This Order consists of the following numbered sections:

- I.     ORGANIZATION STRUCTURE
- II.    CHAIN OF COMMAND
- III.   INTERNAL PROTOCOL
- IV.    PROTOCOL INVOLVING OUTSIDE AGENCIES
- V.     DELEGATION OF AUTHORITY
- VI.    SUPERVISOR ACCOUNTABILITY
- VII.   DUTY TO OBEY LAWFUL ORDERS

Appendix 1 (Division Responsibilities)

## I. ORGANIZATION STRUCTURE

- A. The Port Washington Police Department shall maintain an updated organization chart including all positions in the department that shall be available to all personnel.
- B. The responsibilities of each operational division within the department shall be set forth in a written statement that shall be available to all personnel.
- C. Each position within the department shall have a written job description that shall be available to all personnel.

## II. CHAIN OF COMMAND

- A. The chain of command is the department's formal hierarchy and establishes the necessity for personnel to follow a certain order in the hierarchy when traveling up or down the organization levels.
- B. The Port Washington Police Department recognizes the existence of a formal rank structure, and the necessity for personnel to follow the etiquette and protocol established within the formal rank structure within this department. Personnel shall follow the path of protocol in both directions, up and down the structure.
- C. The Chief of Police is the head administrative member of the police department and has complete control over all administrative and command responsibilities within the department. The Chief of Police answers directly to the City Administrator and the Police & Fire Commission.
- D. In the absence of the Chief of Police, the officer on duty with the highest rank shall be in command of the department. The department's organization chart illustrates the rank and command structure of the department. Each employee is immediately accountable to his/her direct supervisor.
- E. Exceptional circumstances:

In the event of incapacitation or any exceptional situations causing the absence of the Chief of Police, the senior officer of the next lower rank shall assume control of the Department until such time that the Police and Fire Commission names an acting or permanent replacement.

- F. Day-to-day operations:

Unless otherwise designated by the Chief of Police, only operational titles are granted command authority. The standard (day-to-day) command protocol is depicted on the Department organizational chart.

### III. INTERNAL PROTOCOL

- A. Coordination is one of the most difficult problems when faced with a single incident that requires the combined resources and joint functioning of two or more divisions. This section characterizes the normal protocol for such incidents when they are not specifically described.
- B. When the need arises to form a special team comprised of officers, the highest ranking officer shall be responsible for the team.

### IV. PROTOCOL INVOLVING OUTSIDE AGENCIES

- A. The protocol to be observed during functions with outside agencies is as follows:
  - 1. First and foremost, employees of the Port Washington Police Department operating in multi-jurisdictional settings or situations are responsible and accountable to the Port Washington Police Department, its supervision, and command staff.
  - 2. Officers of the Port Washington Police Department operating in multi-jurisdictional settings or situations shall follow the rules and regulations, general orders, and any other directions of the Port Washington Police Department.
  - 3. Officers sent to another jurisdiction under a mutual aid request may be under the general direction of the requesting agency for tactical situations. Officers must keep in mind their ultimate responsibility is to the Port Washington Police Department.
- B. Direction/Control of outside agencies asked to assist in Port Washington
  - 1. Employees of any outside agency acting jointly inside the City of Port Washington shall be under the direction of the ranking Port Washington supervisor or senior officer in control of the incident. Supervisors must understand that employees of outside agencies are responsible and accountable to their employing agency and must operate under their agency's established standards. Supervisors should, whenever feasible, give direction to employees from the outside agency through their immediate supervisors.
  - 2. Employees of the Port Washington Police Department are under the direct control of the ranking Port Washington Police Department supervisor controlling the scene of any incident in which an outside agency may be assisting. They are not under the control of any supervisor from an outside agency that may be on the scene.

3. Any time an outside agency's specialized unit teams, (i.e., S.W.A.T.) are called in to assist the Port Washington Police Department, they will act only under the direction of the ranking Port Washington supervisor or senior officer. Their specialized functions and tactical operations will be controlled by the team's supervisor, but they will act only under the direction of the ranking Port Washington supervisory or senior officer. Their actions may be terminated at any point by the ranking Port Washington supervisory or senior officer, if they deem it appropriate.

#### V. DELEGATION OF AUTHORITY

- A. The Chief of Police is the head administrative member of the department and has complete authority and responsibility for the department. By law he may delegate portions of his authority to his subordinates.
- B. All employees of the department shall be given the authority to make decisions necessary to perform the functions of their jobs. All employees shall be held accountable for the use of delegated authority as well as for the failure to use it.
- C. The authority to accomplish specific tasks as delegated from level to level within the hierarchy of the agency is granted by the Chief of Police. Employees to whom tasks are delegated are empowered to take the appropriate actions to accomplish the task. By being given the responsibility to complete an assigned task, the employee is delegated and granted the authority to direct the completion of the assigned task.
- D. Employees are accountable for their actions or failure to act; however, the ultimate responsibility for the task's completion falls with the ranking officer delegating the task. The ultimate responsibility falls on the Chief of Police for his/her subordinate's actions.

#### VI. SUPERVISOR ACCOUNTABILITY

- A. Supervisors are accountable and responsible for the performance of employees under their immediate control.

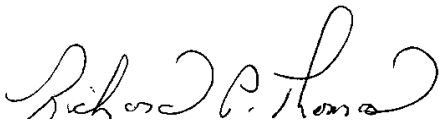
#### VII. DUTY TO OBEY LAWFUL ORDERS

- A. Employees shall promptly obey any lawful orders of a superior officer. This will include orders relayed from a superior officer by an employee of the same or lesser rank.
- B. Upon the order of the Chief of Police, the Chief's designee, or a superior officer, employees shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department which may be asked them.
- C. Orders from a superior to a subordinate shall be in clear, understandable language, civil in tone, and in pursuit of department business. A request made by a supervisor shall be considered an order.

- D. No command or supervisory officer shall knowingly or willfully issue any order which is in violation of departmental values, orders, rules or procedures, except in accordance with established departmental procedures.
- E. Employees shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, the employee shall request the superior officer issuing the order to clarify the order. If the legality of the order remains in question, the employee shall confer with higher authority.
- F. Employees who are given an otherwise proper order, which is in conflict with a previous order, rule, regulation, or directive, shall respectfully inform the superior officer issuing the order of the conflict. If the superior officer issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation or directive previously issued.
- G. All employees shall treat superiors, subordinates and associates with respect. They shall be courteous and civil at all times in their relationships with one another. While on duty and in the presence of the public, officers shall be referred to by rank.
- H. Employees shall not publicly criticize or ridicule the department, its policies, or other employees by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.

**APPROVED:**

**DATE:**



5/1/09

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Chief Richard P. Thomas

**PORT WASHINGTON POLICE DEPARTMENT  
DIVISION RESPONSIBILITIES**

- I. OFFICE OF THE CHIEF OF POLICE
- II. COMMUNITY SERVICE OFFICER
- III. PATROL DIVISION
- IV. RECORDS BUREAU

- I. OFFICE OF THE CHIEF OF POLICE

- A. POLICE MANAGEMENT: Management is primarily an internal service encompassing all aspects of planning, organizing, staffing, directing, coordinating and budgeting. The office of the Chief of Police consists of the Chief, one Captain, an administrative assistant and a court clerk. Management directs and coordinates police officer recruitment activities and oversees all training functions. Activities include monitoring of calls for service, crime trends, investigations, response time, staffing levels, grant application and reporting, citizens' complaints and responding to requests for information or coordinating special projects. The administrative assistant is responsible for the monthly Uniform Crime Reports, maintaining administrative files, recording officers' work hours, vacation time, etc. Management works closely with other city divisions and departments as well as community-based organizations on projects within the structure of city government or the community.

- II COMMUNITY SERVICES:

- A. COMMUNITY SERVICES: The police department has one community services person. The service includes parking enforcement and coordinating the crossing guard program.

### III. PATROL DIVISION

- A. **PATROL SERVICES:** Patrol maintains 24-hour coverage with three shifts, seven days a week. Shift hours are: 1st shift - 6 a.m. to 2 p.m., 2nd shift - 2 p.m. to 10 p.m., and 3rd shift - 10 p.m. to 6 a.m. Officers are required to report to duty 20 minutes early, which is normally used for training (roll call) except when emergencies arise. Relief of the preceding shift begins on the hour. Patrol responds to all calls for service when a police officer's presence is necessary or desirable. It includes conducting preliminary investigations and some follow up investigations, resolving disputes, preventive and directed patrol activities and policing special events. Traffic law enforcement, accident investigation, traffic direction and traffic control are also patrol responsibilities.
- B. **PATROL ASSIGNMENT:** Police officers are assigned to patrol areas on a long-term basis to support the department's Community Oriented Policing philosophy and approach. The city is divided into basic geographical patrol areas, which are designed to encompass identifiable neighborhoods and to equalize workload demands as much as possible. The same basic patrol areas are used on all shifts. The long-term assignments and consistency of patrol areas allow officers from all shifts to work toward problem identification and resolution within their area. Additional officers, when available, are assigned to random patrol, overlapping patrol areas or to specific tasks such as directed patrol. These officers are essential to support community policing and the department's ability to respond to the number of calls for service received. Community Oriented Policing integrates traditional policing methods with proactive, face-to-face interaction between police officers and community residents.
- C. **TRAFFIC ENFORCEMENT:** The use of selective enforcement is the police department's approach to traffic enforcement activities. Enforcement efforts are directed toward violations that are the cause of traffic crashes. All traffic crashes are investigated and analyzed to obtain data relating to cause, violation type, location, time of day, and other factors relating to enforcement activities. In addition, enforcement efforts are directed toward specific locations where traffic violations occur with frequency and interfere with the safe flow of vehicular and/or pedestrian traffic even though the traffic crash experience may be low. Another area where enforcement efforts occur is in response to citizen complaints of traffic violations.
- D. **BICYCLE PATROL UNIT:** The unit is a voluntary assignment, comprised of officers from 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> patrol shifts. Officers have received training in the use of the department's police equipped mountain bikes. Unit operations are seasonal and depend on manpower availability, as well as weather conditions. Unit officers are expected to have their uniforms and equipment available on any duty day. Officers generally patrol individually. They have the same general responsibilities as patrol officers, with obvious limitations. Unit officers provide police services to areas less accessible by car and have more direct contact with citizens. The unit is used to patrol

parks, bike/hiking paths, troubled neighborhoods, schools, and special events.

- E. SCHOOL CROSSING GUARDS: Funding for school crossing guards is contained in the police department budget and the hiring, training and supervision of the guards is carried out by the police department. The hours for the crossing guards may be all or a combination of before school, during lunch period, and after school.
- F. FOLLOW UP INVESTIGATION OF INCIDENTS: Supervisors review all initial complaint investigations conducted by patrol officers. The intent is to manage investigative follow-up efforts of incidents that have little or no likelihood of being solved in order to focus investigative efforts on those incidents that have the greatest probability of being successfully concluded. The decision to assign or not to assign an incident is based upon identifiable "solvability factors" which includes information regarding suspects or potential suspects, traceable property, physical evidence and mode of operation. Because of their seriousness, incidents such as homicides, major robberies, major burglaries and major arsons are assigned for follow-up investigation even though there may be no solvability factors present. Follow-up investigations are assigned on all shifts and as appropriate. This provides more follow-up opportunities and affords patrol officers additional opportunities to become involved in investigative work.

### III. RECORDS BUREAU

- A. POLICE RECORDS: The Records Division maintains 16 hour/day coverage with two shifts, five to seven days a week. The Records Division provides counter service to the public Monday through Friday, 7:00 a.m. to 11:00 p.m. Saturdays and Sundays may be staffed 7:00 a.m. to 11:00 p.m. or 10 a.m. to 6 p.m., if adequate staffing is unavailable. The Records Division is staffed with full-time record clerks or by the Police Aide or the part-time court clerk. Records Division personnel are responsible for the processing, maintenance and custody of police department records utilizing manual, imaging, and computer systems. This service disseminates records to the public when applicable under the law and to police officers when needed. In addition, this service has the primary responsibility for the teleserve system, which is taking incident reports in person and via telephone when an officer's presence is not necessary. The Records Division personnel answer non-emergency telephone calls and provide counter service to the public.
- B. COURT CLERK: It is the responsibility of the court clerk to process all arrests and related reports through the judicial system. The person maintains and updates records of arrests, and maintains liaison with the City Attorney, municipal court, District Attorney and Circuit Court. The clerk is also responsible for the entry of warrants from municipal court.