

# WATERTOWN POLICE DEPARTMENT GENERAL ORDER



**JOANNA W. VITEK  
CHIEF OF POLICE**

<b>Effective Date:</b> July 1, 2006	<b>Rescinds:</b> <b>Amends:</b>	<b>Number:</b> A-2
<b>Subject:</b> Role and Authority of the Police		<b>Re-evaluation Date:</b> July 2009
<b>Distribution:</b> ALL PERSONNEL	<b>Related CALEA Standards:</b>	

This order consists of the following numbered sections:

1. Purpose
2. Policy
3. Definitions
4. Procedures
5. Command and Control
6. Goals and Objectives

## 1. PURPOSE

The purpose of this general order is to provide guidance to personnel in accomplishing their missions by defining their roles, authority and responsibilities, as defined by law and the authority of the Chief of Police of Watertown. This directive helps to insure direction and unity of purpose for the entire agency by providing for the enactment of organization goals and objectives and the measurement of progress toward those goals.

## 2. POLICY

The Chief of Police of Watertown, South Dakota is the chief law enforcement officer in the City. The Chief of Police's authority is derived through appointment by the Mayor by and with the approval of the City Council, and shall hold the office for the term of appointment unless sooner removed by the Mayor. All police officers shall be under the control of the Mayor and Chief of Police and shall be subject to their order.

### A. Oath of Office

All sworn personnel are required to take and abide by the Oath of Office, to enforce the law, and to uphold the United States Constitution and the Constitution of the State of South Dakota.

### B. Canon of Ethics

1. In addition to the duties and responsibilities enumerated in the following sections of this Order, all sworn and civilian personnel are directed to abide by our Mission and Vision Statements and Core Values as outlined in General Order A-1, Organizational Philosophy.
2. All agency personnel are expected to adopt, support and advance our Mission and Vision Statements, Core Values and the Watertown Police Department's operational policies.

### C. Exercise of Authority based on Legal Justification

What is reasonable action by an Officer or what constitutes probable cause varies with each situation. Facts and circumstances may justify an investigation, detention, search, arrest, or no action at all. The requirement that legal justification be present imposes a basic limitation on our actions. Officers must act reasonably and within the limits of authority as defined by statute, ordinance, and judicial interpretation, thereby insuring that the rights of the individual and the public are protected.

### D. Use of Discretion, Alternatives to Arrest

1. There will be instances when a crime occurs and no physical arrest is made. The decision not to arrest will be guided by the facts and circumstances of the situation, the availability of reasonable alternatives, the best interests of those involved, needs of the community and the interests of justice.
2. Should questions arise concerning a particular situation, the Officer involved should confer with a supervisor. Alternatives to arrest include, but are not limited to, citations, Notices to Appear, referrals, and informal resolution.

## 3. DEFINITIONS

(none applicable)

#### 4. PROCEDURES

##### A. General Duties and Responsibilities of Police

The Chief of Police of Watertown, as the Chief Executive Officer, has the authority and responsibility for the management, direction and control of the Watertown Police Department. Under that authority, the following duties and responsibilities are delegated to all sworn personnel:

1. Protect the Constitutional rights of all persons.
2. Do everything within their power and authority to prevent criminal behavior from occurring in Watertown.
3. Reduction of fear within our community in Watertown.
4. Maintain order within Watertown.
5. Provide effective disaster response to our community through proper disaster preparedness.
6. Problem solving, to include the identification, analysis, design and implementation of action to thwart crime inducing or enabling conditions.
7. Provide a professional service, resulting in community satisfaction and support.
8. Strive for public accountability and shared, community responsibility for crime control through an effective community oriented policing philosophy and practices.
9. Apprehend violators of the law.
10. Conduct thorough, logical and professional investigations.
11. Strive toward the attainment of the evolving Goals and Objectives of the Watertown Police Department.

#### 5. COMMAND AND CONTROL

##### A. Supervisor Accountability

1. Supervisors are accountable for the performance of employees under their immediate control. This standard applies to each level of supervision within this organization. Supervisors are charged with the responsibility of providing guidance and assistance to subordinate personnel in compliance with policies and directives.
2. Supervisors will be responsible for the adherence to the Watertown Police Department's rules, regulations, orders and policies. Supervisors are responsible for maintaining appropriate discipline. Supervisors will identify training needs not otherwise being met by our agency and ensure responsible personnel know these needs.

##### B. Authority Commensurate With Responsibility

1. Throughout the Watertown Police Department, and at every level, personnel will be given the authority necessary to effectively carry out their responsibilities.
2. If responsibility is delegated to a subordinate, all authority necessary to carry out the responsibility will accompany it. The employee will then be accountable for using or failing to use that authority.

##### C. Unity of Command

1. Each organizational component will be under the command of only one supervisor.
2. In order to promote efficiency and responsibility, each employee will be accountable to one supervisor at a given time.

##### D. Chain of Command

1. The chain of command designates the accepted lines of authority as established from top to bottom, through which all agency communications are transmitted. The chain of command must be rigorously followed.
2. The Chief of Police reserves the right to initiate communication at any level of the organization and with any subordinate employee as the need arises.
3. Breaking the chain of command is only permitted in certain situations, such as:
  - a. Whenever an employee of the department receives no satisfaction from an immediate supervisor regarding a personal or agency related problem.
  - b. Whenever any subordinate has probable cause to believe that a supervisor is involved in unlawful or immoral conduct.
  - c. Whenever a subordinate reasonably believes that they have been given an unlawful order.

##### E. Obedience to Orders

All personnel will obey the lawful order of a superior, including any order legitimately relayed from a supervisor by an employee of the same or lesser rank.

##### F. Conflicting Orders

1. Personnel who are given a proper order that is in conflict with a previous order, regulation, directive or standard operating procedure will respectfully inform the superior issuing the order of the conflict. If the superior issuing the order does not alter or retract the conflicting order, the new order will stand as given. Under these circumstances, the responsibility will be upon the superior; the individual obeying the conflicting order will not be held responsible for disobeying the previously established order.
  2. The employee obeying a conflicting order will then submit a report stating the facts and circumstances to the next higher level of command, with a copy to the supervisor issuing the conflicting command.
- G. Illegal Orders
1. Personnel will not obey an illegal order, but will respectfully refuse and explain their reasons for their refusal.
  2. The employee will then submit a report stating the facts and circumstances to the next higher level of command as soon as possible, with a copy to the supervisor issuing the order. This higher level of authority will initiate the necessary corrective actions through the appropriate chain of command.
- H. Span of Control
1. To achieve effective direction, the number of employees under the immediate control of a supervisor should not be excessive.
  2. Each supervisor will directly control no more than ten persons. The Chief of Police or his designee will directly authorize any deviation from this maximum span of control.
- I. Command Protocol
1. Incidents will be under the command and control of the operational component best suited to accomplish the mission. Command of an incident is generally assumed by the ranking on-scene Officer. Individuals or units assisting other components will operate within the procedures established for their own unit. Examples of this type of assistance are:
    - a. A Detective may be asked to assist a patrol operation, however the command and control of the incident will remain the responsibility of the patrol supervisor.
    - b. Narcotics and vice operations will remain under the control of the Criminal Investigations Division even though other support personnel and equipment are required for assistance.
    - c. When patrol personnel have established control of a homicide scene, the scene will be released to the assigned Detective upon their arrival.
  2. Supervisory and command personnel will assume command only under one or more of the following conditions:
    - a. When a situation appears beyond the control of the Officer in charge.
    - b. For disciplinary purposes.
    - c. When ordered to assume command by a superior officer.
  3. When assuming command of any incident, the supervisory and command personnel must identify themselves to the person in charge and announce their intention to take command.
  4. A subordinate may relieve a superior from duty when the superior in charge is unable to perform their assigned duties due to physical or psychological impairment. The subordinate will identify himself or herself, announce the reason to the supervisor being relieved, and advise all present that they have assumed command. The relieving subordinate will immediately notify the superior in the chain of command of the person being relieved.
  5. When more than one Officer is present at the scene of an incident without a supervisor being present, the Officer originally dispatched or assigned will be in charge unless specifically relieved by a supervisor.
  6. When two or more commands within the Watertown Police Department are engaged in a single, combined operation, the person in charge will be clearly identified to all participants at the incident's inception.
- J. Command Resources in the Field
1. Command of resources in the field rests with the senior ranking Officer or designee. The nature of the incident generally dictates the command level that is needed for adequate supervision. The person properly assuming command has the authority to direct the operation, and is responsible for its outcome.
  2. In order to assume full command of any situation, the senior ranking Officer must identify himself/herself and announce his/her intention to the Officer currently in charge.
- K. Order of Precedence of Command Authority

In the event the Chief of Police is incapacitated, off duty, out of town or otherwise unable to act, the order of Precedence of Command will be as follows:

1. The Assistant Chief of Police
2. The Administrative Services Captain
3. The Patrol Division Captain
4. The Criminal Investigative Division Captain

During special and contingency operations, the Chief of Police of Watertown may structure specialized commands to address unique situations.

L. Reporting Requirement

1. Routine Reports

- a. All agency components will prepare and submit monthly reports to the Assistant Chief, reflecting specific division/unit activity, providing comparative data and statistics to account for unit activity.
- b. All agency components will prepare and submit annual reports, reflecting comparative data and statistics, and outline the division/unit's efforts in achieving the overall goals and objectives of the Watertown Police Department.

M. Staff Meetings

1. Command Staff Meetings

- a. The following personnel comprise the agency's Command Staff, and will meet at a time and location as directed by the Chief of Police or designee:
  - 1) Chief of Police
  - 2) Assistant Chief of Police
  - 3) Administrative Services Captain
  - 4) Patrol Division Captain
  - 5) Criminal Investigation Division Captain
  - 6) Chief of Reserves
  - 7) Any other designated person

2. General Staff Meetings

- a. Divisional staff meetings will be held at a minimum, once a quarter at a time and location as directed by the division Captain or designee. Divisional staff meetings will be attended by the following personnel:
  - 1) Division Captain
  - 2) Supervisors
  - 3) Any other designated person

3. Personnel Information Input

Personnel at all levels, and all organizational components, are encouraged to provide suggestions, recommendations and meaningful input to their supervisors or by utilizing the Employee Suggestion Box located in the briefing room. Supervisors are expected to forward personnel input through their chain of command to the appropriate Captain. Command officers at all levels are expected to forward both positive and negative feedback and other personnel communications to the Assistant Chief for inclusion in staff meetings.

6. **GOALS AND OBJECTIVES**

A. Requirement for Goals and Objectives

1. To insure direction and unity of purpose within the Watertown Police Department, and provide a basis for measuring our progress, goals and objectives will be formulated, annually updated and distributed to all personnel.
2. Following organizational and public input, the Command Staff will formulate general goals for the department in the present and future fiscal years. The goals will be broad statements of the final desired outcomes.
3. Each organizational component will be required to have functional objectives and programs that align its resources with attaining the agency's stated goals as well as valid measures of performance reflective of progress in attaining these goals. Each organizational component's objectives should consist of specific, verifiable statements of those actions and activities that will achieve the stated goals.

B. Organizational Input to Goals and Objectives

All personnel levels within the Watertown Police Department can help provide direction for our agency. During the annual review and formulation process, all personnel are encouraged to communicate with

their supervisors and division Captains to provide meaningful recommendations for accomplishing our goals, objectives, duties and responsibilities, to our community, profession and our agency.

C. Progress Reports

Each organizational component will provide a quarterly, written evaluation stating the progress made toward the attainment of goals and objectives.

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JOANNA W. VITEK  
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Watertown Police Department  
Watertown, South Dakota