

# ORGANIZATION

POLICY & PROCEDURE NO. <b>4.27</b>	ISSUE DATE: 07/01/14
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MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: <b>11.1.1; 11.1.2; 11.2.1; 11.2.2; 11.3.1; 11.3.2; 11.4.5; 12.1.1; 12.1.2; 12.1.3</b>	REVISION DATE: _____

## I. GENERAL CONSIDERATIONS AND GUIDELINES

This agency is structured into a series of organizational components that represent functional groupings of employees performing like activities. The organizational structure of the department provides management with a means for assigning responsibility for performance of a group of functions to a single supervisor or manager, as well as letting employees know to whom they are accountable.

The ranks of the police department reflect the para-military nature of the organization. The executive head of the department is the Chief of Police. The subsequent ranks provide a structure for the various levels of authority and responsibilities throughout the organization.

Commensurate with these responsibilities, all employees are given the authority to make the decisions and use the available resources that are necessary for the successful completion of their assigned duties. In the acceptance of this delegated authority, each employee also accepts the accompanying accountability for his/her actions (or lack of actions) and obligations. Employees confronted by an exceptional situation, for which there are no guidelines or policies, are expected to consult with their immediate supervisor, on whom the ultimate accountability falls. In the event that this consultation is impossible, it is expected that each employee will exercise his/her best judgment in taking the necessary action, while keeping in mind the goals and philosophies of the department. [11.3.1]

## **II. POLICY**

It is the policy of the department that it be so structured and organized as to:

- A. Efficiently accomplish the missions of the agency; and
- B. Effectively allocate and use personnel resources.

## **III. PROCEDURES**

### ***A. Rank Structure***

1. CHIEF OF POLICE: The Chief of Police is the highest-ranking sworn position within the police department and the Chief Executive Officer of the department. The Chief is appointed by the Board of Selectmen and is the sworn authority of the Chief of Police is derived from Chapter 41 Section 97A. [12.1.1]

The Chief of Police is authorized to make regulations governing the police department and staff. The Chief shall be in immediate control of all town property used by the department, and of the assignment of police personnel who shall obey his orders. The promulgation of regulations may be subject to the approval of the Board of Selectmen, provided that Board of Selectmen takes action within thirty (30) days after they have been submitted to them by the Chief of police.

2. SERGEANT: Sergeant's rank is achieved by promotion and is superseded in rank of Chief of Police. A Sergeant is generally assigned as a Supervisor.
3. FULLTIME OFFICER: Police Officer's rank is achieved by the selection process and is superseded in rank by Sergeant. A police officer is generally assigned as a patrol officer, detective, school resource officer, traffic officer, desk officer.
4. RESERVE OFFICER: Police Officer's rank is achieved by the selection process and is superseded in rank by Fulltime officer. A reserve police officer is generally assigned as a patrol officer, detective, school resource officer, traffic officer, desk officer.

### ***B. Organization***

1. ORGANIZATIONAL STRUCTURE AND FUNCTIONS: The department structure has been organized to carry out the mission of the department with the available personnel. Each division or unit shall be under the direct command of a single supervisor. [11.1.1; 11.2.2]
2. ADMINISTRATION: The Chief of Police oversees the operation of the police department and provides for the following:

- a. Overseeing the delivery of patrol and investigative services to the community;
- b. Planning, development management and control of those administrative functions necessary to support both patrol and investigative operations;
- c. Providing internal security, audit, and investigative oversight to other components of the department.

### 3. PATROL DIVISION

- a. The Patrol Division shall consist of uniformed officers assigned to staff the patrol routes of the department, including officers assigned to foot, bicycle, mounted and vehicle patrol.
- b. This division consists of three shifts each day commanded by the senior officer.

### 4. ORGANIZATIONAL CHART

- a. The Police Department Organizational Chart is posted to graphically display the agency's organizational structure.
- b. The Organizational Chart shall be updated by the Administrative Officer whenever a change to the department's organization is made to reflect those changes.
- c. It will be posted prominently in the dispatch area which is accessible to all department personnel. [11.1.2]

## ***C. Succession of Command Protocol***

1. A plan is in place to ensure the continuity of command in the absence of the Chief, due to a planned or unplanned event where the Chief is not available. The plan will ensure that executive level leadership is always available. [12.1.2(a)]
2. During day to day operations where the Chief is absent for less than one week, The Sergeant shall address executive command level issues. The Sergeant may deal with issues that clearly fall under the existing policies and procedures of this agency. Issues which are beyond the scope of existing policies and procedures should be deferred until the Chief returns or is conferred with. Issues which, in the judgment of the Sergeant require immediate action may be addressed. A report of the issues and actions shall be prepared for presentation to the Chief upon his/her return.
  - a. In the event of a planned absence in excess of one week, the Chief will designate an acting Chief.

- b. In the event of a sudden, unplanned absence or incapacitation, the succession of command is as follows: Chief, Sergeant, and Senior Full time Officer.

#### ***D. Unity of Command***

1. Each member of the department shall be accountable to his direct supervisor at any given time, according to his/her particular duty assignment at that time. If another supervisory officer needs to assign an officer not directly under his/her supervision, that supervisor shall consult with the officer's supervisor prior to such assignment whenever possible. [11.2.1]
2. Generally, when engaged in a police function, the senior officer shall be in charge.
  - a. When personnel of the same function are engaged in a single operation, seniority shall be determined by rank, followed by time in rank, followed by time in service.
  - b. In situations where personnel of the same rank, but different functions engage in a single operation, the senior officer of function under which operation falls shall be in charge. [12.1.2(c)]
  - c. In times of emergency, seniority shall be determined by rank, followed by time in rank, followed by time in service, regardless of function.[12.1.2(b)]
  - d. An employee of lower seniority may be placed in command of an operation by a senior officer if the employee possesses a high degree of specialization or expertise for that operation. [12.1.2(b)]
  - e. The Chief or his/her designee may place an employee in the position of command outside of the normal command structure.

#### ***E. Span of Control***

1. The term "span of control" refers to the number of persons reporting to any one supervisor.
2. Assignment of supervisors in the police department will be done in a manner that will ensure a manageable span of control whenever possible.
3. In an emergency or unforeseen circumstance, or whenever the needs of the department require it, commanding officers may require sufficient supervisors to work overtime in order to reduce the span of control to a reasonable number until their presence is no longer required.

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**F. Accountability**

1. Supervisors are responsible for directing the efforts of their employees and ensuring that they are performing satisfactorily. Supervisors shall be accountable for the activities of employees under their immediate control. [11.3.2]
2. It is the responsibility of all supervisors to notify the Chief of Police of any incidents where there may be a question as to the agency's liability or which may result in heightened community interest. Supervisory discretion must be used in judging the severity of the incident in determining whether the notification must be made immediately or if the notification may wait for the Chief's next scheduled duty day. [11.4.5]

**G. Obedience to Orders**

1. Employees are expected to be familiar with and comply with all lawful orders, rules and regulations, and policies and procedures issued by the department.
2. Employees are required to obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank. [12.1.3]
3. Unlawful Orders: Obedience to an unlawful order is never a defense for an unlawful action; therefore, no employee is required to obey any order which is contrary to any federal or state law. Responsibility for refusal to obey an unlawful order rests with the employee to whom such order was given. The employee shall be strictly required to justify such action. Employees issued what they believe to be an illegal order shall request the issuing superior to clarify the order or to confer with higher authority. [12.1.3]

Conflicting Orders: Should any order given by a superior conflict with any previous order, departmental order, rule, regulation, policy or procedure, the employee to whom such order is given will call attention to the conflict. If the person responsible for issuing the order does not change the order to avoid the conflict, the order will be obeyed, but the employee obeying the order shall not be held responsible for disobedience of the previous order, rule, regulation, policy or procedure. Responsibility for the conflict shall be upon the superior who issued the conflicting order. It should later be reported to the Chief of Police, through the chain of command, for clarification. [12.1.3]

4. Unjust or Improper Orders: When lawful orders which appear to be unjust or improper are given, the employee to whom the order is given shall respectfully notify the superior issuing the order of its impropriety. If the order is not corrected, then it is to be carried out.

After carrying out the order, the employee to whom the order was given may file a written report to the Chief of Police, via the chain of command, indicating the circumstances and the reasons for questioning the order, along with a request for clarification of departmental policy. After complying with this section, an employee who carries out an order found to be unjust or improper by the Chief of Police or court or tribunal of competent jurisdiction will not be held responsible for carrying out such order.

### ***H. Delegation of Authority***

1. Each commander, supervisor, or employee to whom responsibilities are delegated shall have commensurate authority to make decisions necessary for the effective execution of their responsibilities. [11.3.1(a)]
2. The delegation of authority by a superior rank to a lower rank shall not relieve the higher rank of responsibility for that which has been delegated. [11.3.1(b)]
3. The delegation of authority shall be consistent with the agency's organizational values and mission statement.