

WINTER HAVEN POLICE DEPARTMENT

GENERAL ORDER 12.1

COMMAND AND CONTROL

ACCREDITATION STANDARDS: CALEA – 11.3.1, 11.3.2, 12.1.1, 12.1.2, 12.1.3, 12.1.4; CFA 1.03, 2.03, 2.04, 2.06

EFFECTIVE DATE: June 8, 1995

RESCINDS: G.O. 12.1, March 10, 2015 and all applicable Amended/Temporary Orders prior to January 5, 2018

LAST REVISED DATE: January 5, 2018

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POLICY:

The Chief of Police is responsible for everything the Department accomplishes or fails to accomplish. The Chief of Police has authority over all members and components of the Department consistent with the laws and constitution of the State of Florida and the ordinances of the City of Winter Haven. Authority for the Office of Chief of Police is derived from Section 31 of the Municipal Code of the City of Winter Haven. (CALEA 12.1.1)

PURPOSE:

The purpose of this General Order is to delineate the authority of the Chief of Police and provide agency command and supervisory guidelines.

SCOPE:

This General Order shall apply to all members.

PROCEDURE:

I. Command Authority

The Chief of Police is designated as having the authority and responsibility for the management, direction, and control of the operations and administration of the Department.

- A.** The Chief of Police shall appoint staff as necessary to assist in the exercise of command. Subordinates may be appointed to supervise bureaus, divisions, squads, or units within the Department.
- B.** Delegated Authority: All supervisors are granted sufficient authority to effectively perform the tasks delegated to them and direct their subordinates. This authority is extended to acting supervisors for the period of their assignment.
- C.** Each member shall have the authority to make those decisions that are commensurate with and necessary for the effective and efficient execution of assigned duties and responsibilities. (CALEA 11.3.1a)
- D.** Command and Supervisory Authority: The Chief of Police may delegate authority but retains control of all tasks and duties. Each supervisor shall be accountable for the performance of the members under their immediate supervision. Each member shall be accountable for the effective and efficient execution of their assigned duties and the use of, or failure to use, the authority of the Chief of Police delegated to them. (CALEA 11.3.1b, 11.3.2)

II. Command Succession

- A.** To ensure the continuity of command and make certain there is timely leadership available in situations when the Chief of Police is out of the City of Winter Haven, incapacitated, or otherwise unable to act, command shall automatically succeed in the following order, unless otherwise directed: (CALEA 12.1.2a)(CFA 1.03a)
 - 1.** Deputy Chief of Police
 - 2.** Commander of Uniform Services Bureau
 - 3.** Commander of Investigative Services Bureau
 - 4.** Commander of Support Services Bureau
 - 5.** On-Duty Patrol Supervisor
 - a.** If the on-duty supervisor is a patrol sergeant and a supervisor of a higher rank assigned to another entity is on duty, the highest ranking officer shall assume command.

III. Command Protocol

Department supervisors shall follow the principle of unity of command. It is important that only one person be in complete command of each situation and that only one person be in direct command or supervision of each member. (CALEA 12.1.2d)(CFA 1.03c)

- A.** An incident shall be under the command and control of the division best suited to carry out the ultimate goal of the operation or incident as determined by the Chief of Police. Individual members or units assisting shall operate within the procedures established for their own division.
- B.** Members of equal rank at the scene of an incident: (CFA 1.03b)
 - 1.** When the highest ranking member of the Department on the scene of an incident consists of two members of equal supervisory rank, the supervisor with the longest time in grade shall be the Officer in Charge. That member shall make the determination which component shall handle the incident if necessary.
- A.** Members of senior rank assuming command:
 - 1.** In order to take full command of any situation, the member of senior rank shall identify themselves and announce their intentions to the member then in charge.
 - 2.** Assuming command shall only be undertaken when a situation appears to be beyond the control of the member then in charge, or if ordered to assume command by another member of senior rank.
- B.** Member of junior rank assuming command:
 - 1.** Any member of junior rank may take command of a situation by identifying oneself and announcing their intent to the member then in charge.
 - 2.** Such assumption of command shall only be undertaken when the member then in command is unable to perform their duties due to some physical or mental condition.
 - 3.** A written report of such action, in memorandum form, shall be submitted through the chain of command as soon as possible to the respective bureau commander.
- C.** Command by non-supervisory members: Whenever more than one member is present at a scene of an incident without a supervisor being present, the member originally dispatched or assigned shall be in charge unless specifically relieved.

IV. Chain of Command

- A.** The chain of command is a formal management structure where direction and communication is passed downward and upward. Its purpose is to assure formal communications are disseminated throughout all levels of the organization and therefore must be rigorously followed.

- B.** Breaking the chain of command is permitted only in certain situations such as:
- 1.** When a subordinate has probable cause to believe that a supervisor is involved in unlawful conduct or has violated General Orders, Department Directives, or Division Procedures; or
 - 2.** When a subordinate reasonably believes that they have been given an unlawful order.
- C.** Under normal circumstances, the subordinate must request permission from their immediate supervisor to circumvent the chain of command. On receipt of a written or oral request from a subordinate, the immediate supervisor shall accept the request and pass it along to the next level of command for disposition.
- D.** Informal communication is encouraged between all members to facilitate agency progress and growth. Members shall not use informal communications to undermine supervisory authority.

V. Obedience to Orders

- A.** Members shall promptly obey all lawful orders issued by a supervisor or other competent authority. This includes orders relayed from a supervisor by a member of the same or lesser rank. (CALEA 12.1.3)(CFA 2.03)
- B.** Unlawful orders: No member shall obey an order, which is contrary to law.
- 1.** No member shall be disciplined for refusing to obey an unlawful order.
 - 2.** A member who receives an unlawful order shall report the circumstances in writing, via the chain of command, to the appropriate Department commander, as soon as possible thereafter. (CALEA 12.1.3)
- C.** Conflicting orders: A subordinate given a lawful order that conflicts with a previous order, shall advise the person issuing the second order of this fact. Responsibility for countermanding the original order then rests with the person issuing the second order. If then so directed, the subordinate shall obey the second order. The member shall not be held accountable for disobeying the original order. (CALEA 12.1.3)(CFA 2.04)
- D.** Unjust or Improper orders: Members receiving lawful orders they feel are unjust or contrary to agency directives, shall first obey the order to the best of their ability, then report the circumstances, in writing, via the chain of command, to their respective commander.
- E.** Unclear orders: Members in doubt as to the nature, meaning or details of a lawful order shall seek clarification from the person issuing the order.

VI. Communications

- A.** To ensure acceptable levels of direct communications occur, properly orchestrated and participatory meetings of the Department staff are to be held periodically at the discretion of the Chief of Police. Examples of these are weekly executive staff and monthly staff meetings. (CALEA 12.1.4)
- B.** The Chief of Police or designee shall meet daily with select personnel for operational briefings on the Department's daily activity.
- C.** The Chief of Police and Bureau Commanders shall conduct periodic interaction meetings with selected personnel. The purpose of these meetings is to promote open communications, innovative ideas and discussion of member concerns.
- D.** Other means of encouraging communication, coordination and cooperation among Department employees and functions include the utilization of but not limited to:
 - 1. Memorandums;
 - 2. E-mail;
 - 3. Special alerts or bulletins; and
 - 4. Staff Briefing Summary Sheets.

VII. Mandatory Staff Notification

- A.** In order to maximize the utilization of resources within the City of Winter Haven, notifications of certain incidents and issues, via the chain of command are necessary.
- B.** In all instances wherein Department units are dispatched to incidents that involve serious injuries as a result of criminal activity, the on-duty supervisor shall respond to the scene as soon as possible. This shall ensure proper assessment of the necessity for any (but not limited to):
 - 1. Assignment of additional personnel.
 - 2. Utilization of stand-by/on-call resources.
 - 3. Request for assistance from other agencies.
 - 4. Timely chain of command notifications.
- C.** The following is not to be considered as an all inclusive list of those issues and times wherein notifications shall be made. If a question exists as to whether a chain of command notification should be made, personnel should make the notification. Notifications shall be made in all instances of serious nature, including but not limited to:

1. Day Staff Notification (0700-2200 hours)
 - a. Homicides
 - b. Robberies
 - c. Drowning
 - d. Officer Involved shootings
 - e. Industrial accidents
 - f. Vehicle pursuits
 - g. Crimes with serious bodily injuries to the victim
 - h. Serious bodily injuries to any agency member
 - i. Traffic crashes resulting in a death
 - j. Agency vehicle crashes
 - k. Any bomb detonation
 - l. Any natural disaster or terrorist activity

2. Night Staff Notification (2200-0700 hours)
 - a. Homicides
 - b. Officer Involved shootings
 - c. Vehicle pursuits involving deaths or serious bodily injuries
 - d. Serious bodily injuries to any agency member
 - e. Any bomb detonation
 - f. Any natural disaster or terrorist activity

VIII. Definitions

- A. *Acting* - Temporarily serving in a position to which a member is assigned by competent authority. All the authority, responsibilities and duties of the position to which a member is assigned an acting capacity shall then be acquired by the member so assigned for the length of assignment.

- B. *Authority* - The right to command and enforce obedience; the right to act officially.

- C. *Chain of Command* - The unbroken line of authority extending from the Chief of Police through a single subordinate at each level of authority, down to the level of execution and return.

- D. *Command Staff* - Those persons in the position of Chief of Police, Captain/Bureau Commander, or such other person(s) as directed by the Chief of Police.

- E. *Commander* - A supervisor in command of a Bureau, sworn or civilian as assigned by the Chief of Police.

- F. *Informal Communication* - Communication, which is casual in nature (it shall not be used to circumvent or undermine supervisory authority).

- G. *Unity of Command* - The concept that each individual in the organization has one and only one immediate supervisor.

APPROVE 

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