

4.02b AUTHORITY AND RESPONSIBILITY



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I. GENERAL CONSIDERATIONS AND GUIDELINES

It is the responsibility of each department employee to satisfactorily perform assigned work and conform to the police department's written directives as defined by this manual as well as by any verbal orders and instructions given by each employee's supervisor. The intent of this policy is to ensure that officers and employees understand their authority and responsibility and have a clear understanding of the command structure of the department and supervisory authority.

II. POLICY

All full time and part-time sworn personnel derive their power and authority as police officers of cities and towns from M.G.L., Chapter 41, Section 98. All employees have the authority to make decisions and use available resources that are necessary for the successful completion of their assigned duties. Commensurate authority accompanies responsibilities in all positions of the West Brookfield Police Department, and each member is accountable for the use of their delegated authority. **[16.3.0] [11.3.1]**

Employees who are confronted by an extraordinary situation for which there are no guidelines or policies, and who are unsure of the correct course of conduct, are expected to consult with their immediate supervisor, or the Chief

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of Police on whom the ultimate accountability falls. In the event that this consultation is impossible, it is expected that each employee will exercise their best judgment in taking the necessary action, while keeping in mind the goals and philosophies of the department.

Direction from a supervisor should come via the chain of command as outlined in the department's organizational chart when practical. Each organizational component is under the direct command of either the Sergeant or Chief of Police. This supervisor is 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.

[11.2.1] [11.3.2]

III. DEFINITIONS

IV. PROCEDURES

The following will be adhered to concerning command authority in the department and apply to all employees, sworn and non-sworn (civilian):

1. All lawful orders of a superior, including orders relayed from a superior by an employee of the same or lesser rank, will be followed. **[12.1.3(1,2)]**
2. Officers and/or employees who are given a lawful and otherwise proper order which is in conflict with a previous order, rule, or directive shall respectfully inform the superior officer issuing the latter conflicting order. If the superior officer who has issued the conflicting order does not alter or retract it, the order shall stand and the officer and/or employee shall obey it, yet not be held responsible for disobedience of any prior order, rule, or directive. **[12.1.3(3)]**
3. No superior officer shall knowingly issue any order which is in violation of any law or bylaw. No employee is required to obey an order which is contrary to the laws of the United States, statutes of the Commonwealth of Massachusetts, or by-laws of the Town of West Brookfield. If an officer believes an order is unlawful, the officer shall respectfully inform the superior officer issuing the order of their belief. If the superior officer who issued the order does not alter or retract it, any officer refusing to obey the order

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shall be strictly required to justify this action or face disciplinary action. **[12.1.3(4)]**

4. In normal day-to-day operations the officer of the highest rank present at any place or occasion shall command in absence of orders to the contrary from a higher-ranking officer. If two or more patrol officers are on scene the officer who initiated the police action shall have command. **[12.1.2(c)] [12.1.2(d)]**
5. The Chief of Police may designate who is to be in charge of the department in his absence when they are to be out of town for any length of time. In unforeseen circumstances, such as the Chief being unreachable or incapacitated, the Sergeant or the highest-ranking officer reachable/on scene shall be in command. **[12.1.2(a)]**
6. In exceptional situations where personnel from outside agencies are utilized, the department will follow Incident Command Protocol. The West Brookfield Chief of Police or his designee will retain command of the overall incident. An officer of lesser rank may be given command over a specific function due to the officer's specialized training when designated to do so by the Chief of Police or the ranking supervisor on scene. **[12.1.2(b)]**