

**MOBILE POLICE DEPARTMENT
MOBILE, ALABAMA**

**GENERAL ORDER #12
03/12/2012
SUBJECT: DIRECTION**

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12.1.1 AUTHORITY AND RESPONSIBILITY OF THE CHIEF OF POLICE

The Chief of Police * *is subordinate to the City of Mobile Executive Director of Public Safety and the Mayor of the City of Mobile.* The Chief of Police is responsible for the general administration and control of the Mobile Police Department. The Chief of Police is responsible for the management, efficiency, and general good conduct of the department in keeping with the code of the City of Mobile. The Chief of Police shall direct and supervise the personnel of the department and exercise all powers and duties provided or required by law.

The principal task of the Chief of Police within the organization is to ensure that all employees are stimulated to capacity and efficiently directed toward the accomplishment of police objectives and that resources are utilized efficiently and economically. The Chief has an undeniable responsibility to delineate functions, responsibilities, authorities, and principal relationships of particular positions in the organization. The Chief is responsible for the planning of programs of the department, seeing that the plans are carried out according to specifications, and controlling the results by inspection and review. The Chief may delegate these tasks but he cannot avoid the responsibility for ensuring that authorized procedures are carried out.

Outside the Department, the Chief must demonstrate effective leadership to win support for his programs and nurture an understanding of the police purpose. The Chief is the one who logically should interpret law enforcement problems and needs of the public and other city officials.

The Chief of Police:

1. Shall have the power to transfer employees from one division to another within the Department.
2. May recommend suspension, demotion, or removal of any employee of the Department for just cause.
3. Shall prescribe such orders, rules, and regulations as may be necessary for the efficient operation of the Department.

4. Must approve any changes in the organization of the Department before the changes become effective. The detailed methods of directing and controlling specific functions of units of the department may be developed by the subordinate executive officers, but original direction or final approval and adoption of guiding principles rest with the Chief.
5. Shall, through his subordinates, keep informed of the activities and personalities of the criminal element and of any organized crime or vice activities.
6. Shall report to the **Executive Director of Public Safety or the Mayor of the City of Mobile* to enable him to be completely informed in matters relating to the Department. He shall keep the Mayor informed of programs and important happenings within the scope of his responsibilities. He shall submit to the Mayor for his approval any proposed changes in policies.
7. May, with the consent of the Mayor, appoint an Assistant Chief of Police **(Chief of Staff or Chief of Operations)*.
8. May, at his discretion, hold summary or general disciplinary proceedings.
9. Shall ensure that during his absence from duty an Executive Officer is designated to be in command.
10. Exercise such other powers as conferred by the Mayor.

12.1.2 ORDER OF PRECEDENCE

The order of precedence for the Chain of Command and Command Authority in the Mobile Police Department shall be as follows:

1. Chief of Police
2. Assistant Chief of Police **(Chief of Staff and Chief of Operations)*
3. Major
4. Captain
5. Lieutenant
6. Sergeant
7. Corporal
8. Police Officer 1
9. Police Recruit

When it is necessary for the Chief to be absent from duty, he shall ensure that leadership is available by issuing a memorandum designating the Executive Duty Officer who will be in charge. The Assistant Chief of Police **(Chief of Staff or Chief of Operations)* shall keep the chain of command informed of any changes in orders or assignments. Commanding officers will likewise keep their subordinate ranking officers so informed.

When it is necessary for a commanding officer to be absent from his command, he will designate a subordinate to act as commander during his absence. An officer so designated shall have the authority of a commanding officer until properly relieved.

Each member or employee shall be accountable and responsible to and shall have to identify only one supervisor at any given time.

In the event of an emergency necessitating immediate action under a single unified command, all personnel and equipment of the Department shall be under the command of:

1. The Chief of Police
2. **Chief of Staff*
3. **Chief of Operations*
4. The Major of the Investigative Services Division
5. The Major of the Special Operations Division

6. The Major of the Field Operations Division
7. The Major of the Support Services Division

12.1.3 **ORDERS**

A. Obedience to Orders:

Employees of the Department are required to obey any lawful order of a superior including any lawful order relayed from a superior by an employee of the same or lesser rank.

B. Unlawful Orders:

No employee shall knowingly issue an order that is in violation of public law or departmental rules and regulations. Employees are not required to obey unlawful orders. Employees receiving unlawful orders shall advise the Internal Affairs Unit.

C. Procedures for Conflicting Orders or Directives:

If a senior member or employee finds it necessary to give an order or instruction to a subordinate that conflict with previous instructions given that subordinate, the subordinate shall inform the senior member or employee of the contradiction. If the senior member or employee still desires that the order be carried out, the subordinate will do so. The subordinate will notify the original issuing superior of the change of orders.

D. **Receiving Orders*

Employees shall keep their immediate supervisor informed of any orders received from others, both from within or outside their chain of command.

12.1.4 **COMMUNICATION, COORDINATION AND COOPERATION AMONG AGENCY FUNCTIONS**

The Chief shall conduct agency staff meetings, at a minimum, once a month. Meetings shall include members of the command staff. Occasionally, other personnel may be invited or required to attend a staff meeting. The purpose of these meetings is for enhancing inter/intradepartmental verbal communications, addressing department problems, and for planning department goals and objectives. At the discretion of the Chief, staff meetings may be called more frequently.

All commands will develop procedures to facilitate the timely exchange of information. Command officers and supervisors will become familiar with the functions, services, and components of other units, especially specialized and support units. Methods for the exchange of information include but are not limited to: e-mail, daily crime bulletins, wanted bulletins, dissemination of crime analysis and crime mapping data, CoBRA meetings, roll-call meetings, required annual training, and detectives' briefings.

12.1.5 **UNITY OF COMMAND**

The concept of Unity of Command is that each member or employee in the department has one, and only one, immediate supervisor. To fulfill this concept the department shall establish Unity of Command in three ways:

1. Each member or employee shall be accountable and responsible to and shall have to identify only one supervisor at any given time.
2. Each organizational component is under the direct command of only one commanding officer or supervisor at any given time.
3. In situations where it is necessary to unite two or more organizational components, establish an emergency command, or unite the department as a whole, command protocol will be established as set forth in these rules and regulations.

12.2.1 ELEMENTS OF WRITTEN DIRECTIVE SYSTEM

I. DELINEATION OF WRITTEN ORDERS

All departmental rules, regulations, and directives shall be issued by the Chief of Police in written form and distributed to the affected personnel.

A. Values and Mission Statement:

The Mobile Police Department will maintain, periodically review, and update a department mission statement declaring the department's goals, values, and general philosophic approach to policing and the community we serve. This statement appears in the preamble of this General Order manual. Supervisors will periodically review this statement with subordinates.

B. General Orders:

General Orders are written directives that define policy and direct procedures having general effect on the department as a whole or several subdivisions subordinate to the issuing level.

The following shall come under this category:

1. Permanent personnel policies and procedures, including recruiting, hiring, training, promotion policies, and working conditions, but not including changes of status, such as promotions of individuals, transfers, or the like.
2. Permanent changes in departmental organization or changes affecting the above after their institution.
3. Installation of permanent programs which affect more than one unit subordinate to the issuing authority.
4. Institution of permanent procedures, rules, policies, and manuals, such as investigating procedures, reporting procedures, procedures relating to arrest and to persons in custody, etc.
5. Use of public facilities and equipment and expenditures of public funds.
6. Relationships with other agencies and citizens.
7. Issuance of the department's values, goals and mission statement.

C. Special Orders:

Special orders are orders on specific procedures, policies, or police details that are supplementary to the Manual of Rules and Regulations and orders, which are to be in effect temporarily.

D. Personnel Orders:

Personnel orders are orders announcing the appointment of new personnel; orders affecting assignment, transfer, promotion, demotion, suspension, dismissal, restoration to duty, termination by resignation or retirement; or any other orders affecting personnel. Such orders may remain in effect for one year from the date of issue. The Planning Section will maintain a permanent file of all Personnel Orders.

E. Memorandum Orders:

Memorandum Orders shall be issued to inform and direct. They shall not be used to disseminate information or instructions that do not warrant a formal order or direct the actions of subordinates in specific situations not authorized by General or Special Orders. Such direction cannot deviate from or conflict with established policies as documented by higher authority. Memorandum Orders shall explain or emphasize portions of previously issued orders or inform employees of the actions of other agencies. All Memorandum Orders shall be retained on a permanent basis unless otherwise rescinded.

F. Administrative Publications:

Laws and ordinances requiring the special attention of the department; amendments to laws and ordinances; opinions of the Legal Advisor, City Attorney, District Attorney, or State Attorney General; court decisions; notices to other units of government; notices regarding departmental associations; and other matters which should be known to the entire department for the information and guidance of those concerned shall be published as Administrative Publications. The Legal Advisor Update is an Administrative Publication. All Administrative Publications shall be retained on a permanent basis unless otherwise rescinded.

G. Emergency Special Orders:

Urgent orders which may be necessary for the immediate mobilization of the department for an unusual emergency or special orders which require immediate transmission to the department shall be issued by the Chief of Police or his designee as Emergency Special Orders. Such orders shall be immediately transmitted to all commands. No Emergency Special Order shall have force and effect more than 72 hours from the time issued. Copies of Emergency Special Orders shall be forwarded to the Planning and Research Unit within 24 hours of the time of issuance.

H. Unit Orders:

Assistant Chief of Police **(Chief of Staff or Chief of Operations)* and division commanders may issue orders within their respective commands, provided such orders do not conflict with or change provisions of information established in departmental or other orders issued by the Chief of Police and do not affect personnel of other departments outside their respective commands. Orders in conflict with other departmental orders shall be canceled immediately. Copies of all Unit Orders shall be filed in the Planning and Research Unit. All Unit Orders shall be retained on a permanent basis in the Command of issuance, unless otherwise rescinded.

I. Standard Operating Procedures (SOP):

Standard Operating Procedures are issued by details, units, sections, and divisions to describe the specific guidelines a member within that area shall follow. Immediate supervisors of personnel assigned to areas with Standard Operating Procedures are responsible for ensuring their personnel have read and understood the procedures. Section Commanders are responsible for any necessary updates and revisions.

II. PREPARATION OF ORDERS BY THE CHIEF OF POLICE

The Planning and Research Unit is responsible for the preparation of suitable forms for all orders to be issued from the Office of the Chief of Police. The Chief or his designee shall inform the Planning and Research Unit of the subject and substance of all orders to be issued. In turn, the Planning and Research Unit shall prepare the text, assign a title and order number, and prepare a list of conflicting orders should be rescinded. The order will be submitted to the Chief of Police or his designee for approval and publication as outlined below:

A. Requests for Orders:

Except for Emergency Special Orders, requests for orders may originate with the Assistant Chief of Police *(*Chief of Staff or Chief of Operations*) or division commanders and shall be submitted in written form to the Chief of Police with a copy to the Planning and Research Unit. Requests for orders shall contain a statement of the problem requiring an order, the requested dates of effect and expiration, and reference to any Rule or Regulation or existing orders that will be affected.

Emergency Special Orders shall originate with the Chief of Police or his designee and shall be transmitted directly to all commands.

B. Preparation of Orders on Request:

Upon receipt of request for orders as provided below, the Planning and Research Unit will prepare the order in proper form publication, assign a number, designate the series, provide for cancellation of conflicting orders, list the proper references, and title the order by the subject matter content. A copy of the order shall be returned to the originator of the request for approval and signature. The originator and the Planning and Research Unit shall confer on the working or the order to ensure its applicability to the situation. After approval by the originator, the Planning and Research Unit shall submit a preliminary outline of the proposed order to the Captain of the Administrative Services Section for the first review to determine if accreditation standards have been met. The Captain of the Administrative Services Section will make any needed changes and return to the Planning and Research Unit for rewriting and distribution to staff officers and other members or employees who may be directly affected by the order or directive for their review of the proposed policies, procedures, and rules and regulations prior to presenting to the Chief or his designee for review and approval. The time set for reviewing, commentary, and the return of the order shall be dependent upon the complexity of the specific order. Any order that is

disapproved shall be stamped "Disapproved," dated and signed by the Chief of police or his designee and forwarded to the Planning and Research Unit for filing.

C. Publication of Orders:

All approved orders shall be signed by the Chief of Police or his designee and returned to the Planning and Research Unit for distribution.

D. Filing and Reading of Orders:

Complete and separate files of each series of orders, in numerical order, shall be kept by all divisions, sections, and units. Missing orders may be obtained from the Planning and Research Unit. One copy shall be kept in the main office of each command and duplicate copies shall be posted on bulletin boards for the information of all personnel of the department. The official department files shall be maintained by the Planning and Research Unit and shall be filed and maintained both as a hard copy and on a computer database.

All orders, memoranda, and circulars shall be read to line officers by section supervisors or read as specified in the provisions of orders, memorandums, or circulars.

E. Cancellation and Expiration of Orders:

Emergency Special Orders shall automatically expire at the end of 72 hours from the time of issuance. Such expirations shall be self-executing and shall require no supplemental orders for effect. Cancellation of orders for which no definite date of expiration is set shall be by order of the Chief of Police.

12.2.2 DISSEMINATION OF WRITTEN DIRECTIVES

A. Indexing:

The Planning and Research Unit will prepare all directives and orders, in proper form for publication, after the Captain of the Administrative Services Section and the Chief of Police have approved them. A sequential number for indexing will be assigned to designate the series, listing the proper references by title and subject matter content. The effected Manual's Index and Table of Contents will be amended. Changes and amendments to Department manuals will be posted by the Captain of the Administrative Services Section as required.

B. Updating/Revising:

Orders and directives may be updated at such time as the initial issuing authority deems necessary. All orders that are to be updated will be issued a suffix to the initial sequential number assigned by Planning and Research. Updates to existing **directives* will include both the date of the original and the amendment in the directive heading. Amended portions will be indicated by a single asterisk in the left margin of the revised text, with the amended text in italics. Amendments of major scope will be accomplished through the re-issuance of the entire order as amended.

C. Purging:

Emergency and Special Orders shall automatically expire at the end of 72 hours from the time of issuance. Such expirations shall be self-executing and shall require no supplemental orders for effect.

Cancellation of specific orders for which no definite date of expiration is set shall be by order of the Chief of Police at the request of the effected Division Commander and with the concurrence of the Planning and Research Commander.

D. Electronic Posting:

Department directives will be posted electronically on the department's computer network to make those orders available to all personnel. Hard copies maintained in the Planning and Research Unit will also be available for review by all personnel.

E. Receipt of Orders:

Department members receiving any new, updated, or revised orders will sign, wither by electronic signature or, when applicable, the accompanying receipt, and the receipt shall be returned to Planning and Research for filing.

**When new orders requiring attendance to an event or function are disseminated, it shall be the supervisor's responsibility to ensure that their subordinates are notified. In the event that an employee does not receive the orders due to being on approved leave or an extended injury or illness, it shall be the responsibility of the employee's supervisor to notify the requesting party of the employee's absence.*

By order of:



Lawrence L. Battiste IV
Chief of Police

