



BEAUFORT COUNTY SHERIFF'S OFFICE

GENERAL ORDERS MANUAL

Subject: Chain of Command

Number: 130A

Type: Administrative

Pages: 5

Effective Date: May 21, 2009

Evaluation Date: December 31, 2014

References: CALEA 11.4.5; 12.1.1; 12.1.2 a,b,c,d; 12.1.3; 12.1.4

Purpose:

To recognize the authority of the Sheriff as the Chief Executive Officer of the Sheriff's Office and to designate the chain of command during the absence of the Sheriff. To establish guidelines for Command staff meetings, attendance and dissemination of information and guidelines for resolving conflicting orders from supervisors.

Policy:

The authority to command is delegated by the Sheriff to members of the Beaufort County Sheriff's Office with command responsibility.

Procedure:

A. Authority and Responsibility of the Beaufort County Sheriff:

1. The Sheriff is an elected official who answers directly to the people. This is an executive role. As chief administrator of the Sheriff's Office, the Sheriff performs as a policy maker. He also ensures that all such policies are properly executed with this office.
2. (CALEA 12.1.1) The Beaufort County Sheriff is elected by the citizens and is designated as the Chief Law Enforcement Officer of the County (SC Code of Laws 23-11-10 & 23-11-20), and has the authority and responsibility for the fiscal management of the Sheriff's Office. As prescribed by state law, the Sheriff may appoint deputy sheriffs to patrol the county, enforce criminal law and to provide for the service of civil process. It is the policy of the Beaufort County Sheriff's Office to provide an organization that promotes efficiency and is governed by a clear command protocol.

B. Command Protocol:

1. (CALEA 12.1.2 a) Whenever the Sheriff is absent from the State or otherwise unavailable to perform the duties of Sheriff, the Chief Deputy will act in the Sheriff's stead and will be empowered with all the authority of the Sheriff while serving in that capacity.
2. Next in succession to command would be the Chief of Staff, followed by the Deputy Chief of Staff, Division Major, and so on. For this system of succession, seniority shall be determined based on time in grade in a sworn supervisory position or for unranked positions, on the length of service with the agency as a sworn member.
3. (CALEA 12.1.2 b) In the event of an emergency, the first arriving Deputy Sheriff will designate himself/herself as the Incident Commander (IC) and begin organizing the incident unless another senior official who has responsibility for controlling the operations of the site is on-scene. If the Sheriff's Office is not the primary response agency with overall responsibility for the incident, the Deputy Sheriff will support the on-scene primary responders as necessary. A Deputy Sheriff, acting as Incident Commander, will do so until relieved by a higher ranking authority or until another senior official who has responsibility for controlling the operations is on-scene, at which time there will be an orderly transfer of command.

C. Normal Field Operations: (CALEA 12.1.2 d) Unless specific written directives or higher ranking authority dictates otherwise, the Uniform Team Supervisor has command responsibility for all field operations that take place during his or her shift. When the command staff is off duty or otherwise unavailable, the Team Supervisor (or his/her designee) has command responsibility for both operations and support. The Team Supervisor will immediately notify the on-call Command Duty Officer of the incident.

1. In the absence of a Team Supervisor, the highest ranking supervisor present at the scene of an incident will assume command until relieved.
2. (CALEA 12.1.2 c) In situations involving personnel of different functions engaged in a single operation, the Uniform Team Supervisor (or designee) has command responsibility. If an operation is in a specialty area, such as a major criminal investigation, potentially fatal or serious traffic accident, narcotics or vice special operation, etc., the Team Supervisor may voluntarily relinquish

control of resources to a Deputy Sheriff charged with that particular function. That Deputy Sheriff may then assume command of personnel assigned specifically to that operation. Any dispute in command for a particular function or situation shall be resolved in favor of the Team Supervisor and can be reviewed later by the Chief Deputy or the Sheriff. Unless specifically designated otherwise, whenever Team Supervisors of the same rank from different components are involved together in a situation, the senior with more time in grade in that sworn supervisory position will be in charge.

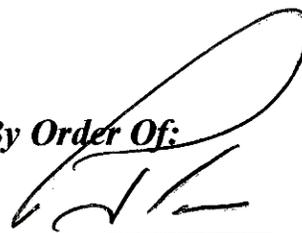
3. The Division Commanders are responsible for assuring notification to the Team Supervisor of any operations, details, special assessments, stakeouts scheduled to take place during his/her shift.
- D.** (CALEA 12.1.3) Lawful Orders: Employees will obey all lawful orders from superiors, including any order relayed from a superior by a member of the same or lesser rank. Employees, regardless of rank or position, will obey lawful orders promptly.
1. The term “lawful order” will be construed as an order in keeping with the performance of any duty prescribed by law or rule of the Sheriff’s Office, or for the preservation of order, efficiency and proper discipline.
 2. The willful neglect or deliberate refusal of an employee to obey any lawful order given by a superior will be considered insubordination. Flouting the authority of any superior by manifest disrespect or by disputing orders will be considered insubordination.
- E.** Unlawful Orders: No Commander or other supervisory personnel will knowingly and willfully issue any order which is in violation of any law, statute, ordinance, or agency directive.
1. No employee is required to obey any order which is contrary to law, statute, ordinance, or agency directive.
 2. Any employee who is given an unlawful or improper order will respectfully bring the matter to the attention of the superior issuing the order.
 3. Refusal to obey an order is the employee’s responsibility and that employee will be required to justify his or her action(s).

4. Obedience to an unlawful order is never a defense for an unlawful or improper action.
 5. Any employee who is given an unlawful order will, at the first opportunity, report in writing the full facts of the incident, including his or her action(s), to the Chief Deputy and the Sheriff via chain of command.
- F. Conflicting Orders: (CALEA 12.1.3)** Employees given an otherwise lawful and proper order that is in conflict with a previous order will respectfully inform the supervisor issuing the order of the conflict. If the supervisor does not alter or retract the conflicting order, it will stand. Under these circumstances, the responsibility for the conflict will be upon the supervisor, and the subordinate employee will not be responsible for neglecting to obey the previous order.
1. When any such conflicting order is received by radio communication, the subordinate employee will attempt to bring notice of the conflict to the issuing supervisor by telephone or personal contact.
 2. If circumstances do not allow telephone or personal contact, the receiving employee will explain the nature of the conflict as discreetly and succinctly as possible. Under no circumstances will any personnel engage in an argument in public or over the radio.
- G. Agency Staff Meetings/Agency Communication:**
1. The Sheriff, Chief Deputy and the Command staff will conduct meetings with their staffs as deemed necessary. Staff members will be responsible for disseminating information conveyed during such meetings as necessary.
 2. (CALEA 12.1.4) Other means by which the Sheriff, Command staff, and other members of the Sheriff's Office may communicate information is via memoranda to be posted on agency bulletin boards, read at roll call, via briefings provided at agency-wide training sessions, email, the Beaufort County Sheriff's Office Intranet and voice mail.
 3. (CALEA 11.4.5) All incidents where there may be a question as to the agency's liability; incidents that may result in heightened community interest; major incidents; incidents of death or serious injury involving an employee; incidents with significant loss of property; or any incident that has the potential of heightened media attention will be reported to the Sheriff or his designee in a

timely manner. During normal business hours it is the responsibility of the Team Supervisor to make telephone notification to the Branch Captain or Lieutenant who then is responsible for reporting the incident to the Division Major who reports the incident to the Deputy Chief of Staff. The Deputy Chief of Staff is responsible for making telephone notification to the Sheriff or his designee. After normal business hours the Team Supervisor will make notification to the Command Duty Officer who will make telephone notification to the Deputy Chief of Staff. The Deputy Chief of Staff is responsible for making telephone notification to the Sheriff or his designee. When the Deputy Chief of Staff is not available he will make e-mail notification to all Enforcement Supervisors advising that the Chief of Staff is standing in during his absence.

4. The Sheriff or his designee will also be notified as soon as practical of any serious injury or death of an employee.

By Order Of:



P.J. Tanner
Sheriff