

12.0 DIRECTION

POLICY: The Sheriff is responsible for the management, direction, and control of the Washington County Sheriff's Office. The Sheriff may delegate these responsibilities in his absence.

PURPOSE: To maintain an efficient public safety and law enforcement organization based on sound organizational principles of lawful authority, unity of command, delineation of authority and accountability for actions.

12.1.1 Authority and Responsibility of the Sheriff

The Office of Sheriff is a constitutional office, which has the powers and duties of a sheriff at common law except as modified by statute.

- A. Under common law, the Sheriff is the principal conservator of peace - i.e., the chief law enforcement officer - within the county.
- B. Through case law and statute, some specific duties have been enumerated such as: "...attending in person or by deputy the law courts of ...the county;" "...keeping all persons committed to his custody by lawful authority until such persons are discharged by due course of law"; and "serving all papers directed to him according to their instructions, within the time set by the court."
- C. In the Courts and Judicial Proceedings volume of the Annotated Code of Maryland, § 2-309 gives the Sheriff the authority to appoint deputies and jail wardens as necessary, as well as a chief deputy.
- D. The Sheriff of Washington County, as the elected head of the Washington County Sheriff's Office, reserves the right to organizationally structure the Sheriff's Office in a manner that, in his professional opinion, best meets operational requirements.

12.1.2 Command Protocol

In the absence/unavailability of the Sheriff, command of the department will rest with the highest-ranking deputy available, first by rank, then by time in grade. This structure will apply in all situations, to include the absence of the Sheriff, in exceptional situations, in situations involving personnel of different functions engaged in a single operation, and in normal day-to-day agency operations.

- A. Sheriff: Elected head of the department and highest authority.
- B. Colonel: Chief Deputy and second in command, subordinate only to the Sheriff.
- C. Major: Subordinate to the rank of Colonel and Sheriff.

- D. Captain: Subordinate to the rank of Major.
- E. Lieutenant: Subordinate to the rank of Captain.
- F. Sergeant: Subordinate to the rank of Lieutenant.
- G. Corporal: Subordinate to the rank of Sergeant.
- H. Deputy First Class: Subordinate to the rank of Corporal.
- I. Deputy; Subordinate to the rank of Deputy First Class.
- J. Civilians: Subordinate to all sworn personnel unless given specific authority by the Sheriff to supervise sworn personnel.

In a situation where the Sheriff or any Command Staff will be absence for an extended period of time they shall designate in writing an acting authority.

12.1.3 COMPLIANCE WITH LAWFUL ORDERS

Departmental personnel will promptly obey any lawful order from senior personnel (verbal or written), including any order relayed by personnel of equal or lower rank to the person receiving the order. Personnel to whom conflicting orders are given will bring the conflict to an immediate supervisor's attention as soon as possible. If the conflict is not resolved, the last order received will be obeyed. Any order may be countermanded in an emergency. Any such action will be reported to the supervisor issuing the order that was countermanded as soon as possible.

Departmental personnel who receive an unlawful order will inform the supervisor that the order is unlawful. If the order is not retracted the personnel shall communicate the situation to the supervisor's commander and await instructions.

12.1.4 COMMUNICATION, COORDINATION AND COOPERATION

A. Staff Meetings

1. Command Staff: The Sheriff will schedule staff meetings with his command personnel on a regular basis, as he deems necessary. For purposes of departmental policy, Command Staff denotes personnel with the rank of Major and above and other members as appointed by the Sheriff.
2. Supervisory Staff Meetings: Patrol and Judicial Division Commanders will hold a staff meeting with supervisors at least once every two months.

The Warden of the Detention Center will conduct and record a monthly staff meeting. This meeting will include Command Staff,

Shift Supervisors, civilian department representatives and contractual services supervisors.

Minutes of the meetings will be distributed to supervisors who will be responsible for informing subordinates.

Detention Center Staff should be provided with a copy of the minutes to review and then sign an acknowledgement form denoting their awareness and understanding of it.

Acknowledgement Forms would be kept on file with an appropriate administrator or Training Officer – for standards compliance in the case of the Detention Division of pertinent information.

Staff meeting notes will carry the weight of departmental policy, and will be incorporated into policy when appropriate.

Departmental personnel are responsible for complying with directions from staff meetings.

3. Supervisor/Subordinate Meetings: Shift supervisors will meet with subordinates on an individual basis as required and as specified in the departmental Job Performance Evaluation process. Formal meetings will be documented and topics of discussion will include, but not be limited to:
 - a. Subordinate 's work performance
 - b. Problem solving actions
 - c. Suggestions for improvement/change
 - d. Commendations for superior performance
- B. The exchange of information and the willingness to cooperate between different departmental functions are crucial to the success of the Sheriff 's Office. Personnel from different departmental functions are encouraged to share factual information on an individual basis. In addition, information sharing will be enhanced by:
 1. At least one member of the Criminal Investigation Unit will attend the Patrol "roll call" held during the investigator's shift, if at all possible.
 2. Uniformed Patrol supervisors and the CIU Commander or his designate will attend Patrol Staff meetings. This does not preclude the Judicial Division or Detention Division Commanders from attending at their discretion.

3. Communications personnel will supply shift capsule reports to the Patrol "Roll Call" Room.

12.2.1 Written Directives System

The written directives system for Washington County Sheriff's Office consists of all written orders, which provide direction to agency personnel.

The efficient and effective performance of the Sheriff's Office is heavily dependant upon quality of information and the direction provided to its personnel. This order is intended to serve as a catalyst in channeling departmental policies and directives into structured formats of a specific nature and to guide departmental personnel in their performance of departmental functions.

The written directive system must encompass a range of publications from permanent to temporary, and from mandatory instructions to informational memoranda. Publications will provide centralized information and direction toward common organizational objectives.

To provide a framework for the development of written departmental directives, the following general guidelines are adopted:

Directives will not be in conflict with statutory law of the State of Maryland, Federal Law, Federal Labor Law, Judicial Decisions of Maryland Courts of Appeal, United States Supreme Court, or Ordinances of Washington County, Maryland.

All directives will be stated in precise and positive terms, with grammatical accuracy, and simplified instructions.

Before being enacted, a Committee consisting of the Sheriff, the Chief Deputy, Professional Standards Command and other Division Commanders will review General Orders or revisions.

Any statement contained in any Manual found to be illegal, incorrect, or inapplicable, shall not affect the validity of the remaining contents.

When applicable, directives will be cross-referenced.

1. There will be two volumes of directives: the Administrative Manual and the Operations Manual. All personnel will receive electronically the same Administrative Manual. There will be two versions of the Operations Manual: one for Office of the Sheriff, Patrol Division personnel, Judicial Division and another for Detention Division personnel.
 - a. The Administrative and Operation manuals will contain:
 - (1) The Vision and Mission Statements

- (2) Rules of conduct
- (3) Code of ethics
- (4) Organizational charts
- (5) General Orders convey policies and procedures on the following subjects:
 - " Institution of permanent procedures, policies and manuals related thereto; examples: investigative procedures, procedures relating to arrest, search and seizure, and persons in custody
 - " Permanent changes in organization
 - " Installation of permanent programs which affect more than one unit
 - " Permanent personnel policies and procedures including recruiting, hiring, training, and promotion policies
 - " Relationships with other agencies
- (6) Manual Revisions will amend existing general orders;
- (7) Law Enforcement Officers' Bill of Rights
- (8) Job descriptions
- (9) Special Orders - will direct personnel to take a specific action. Special orders can be of a temporary nature having an expiration date.

b. Detention Center Operation manual will also contain:

- (1) Policy and Procedures
- (2) Post Orders
- (3) Directives
- (4) Memorandum
- (5) Inmate Handbook

B: The Sheriff of Washington County *reserves* the right to rescind, amend, or suspend policies, and procedures, and directives of the Washington County Sheriff's Office. The Sheriff shall have made an annual review of all policies and publications as mandated through standards.

C. There are no other positions authorized to issue written directives, other than Captains and above in reference to only special orders.

D. Types of Written Directives

1. Written directives consist of the following:

- a. General Orders may only be issued by the Sheriff
- b. Special Orders may only be issued by Captains and above
- c. Personnel Orders may only be issued by the Sheriff
- d. Memoranda may only be issued by Division Commanders and above

- e. Policies and Procedures may only be issued by the Sheriff
 - f. Post Orders for the Detention Division and may only be issued by the Detention Division Commanders and above
2. General Orders are issued to establish policy and procedures, barring amendment or cancellation for the indefinite future. All General Orders are issued under the authority of the Sheriff and will be reviewed and signed by the Sheriff. General Orders will be issued for, but not limited to:
- a. Institution of permanent procedures
 - b. Permanent changes in the Washington County Sheriff's Office
 - c. Installation of permanent programs
 - d. Permanent personnel policies standing until changed by Sheriff
 - e. Relationships with citizens and other agencies
 - f. Authorization of the use of, and standards for, maintaining departmental facilities and equipment.

Published General Orders will be issued to all sworn personnel and will be made readily available to civilian personnel.

Sworn personnel will receive manuals for maintaining issued General Orders and are responsible for maintaining their individual manuals in good condition, and for making additions, changes, and deletions to the manuals.

Each Division Commanders will be responsible for maintaining up-to-date manuals for access by civilian personnel.

Upon receiving a General Order, or changes to an order, personnel will sign an "Acknowledgment of Receipt" Form signifying receipt and acceptance of responsibility for reviewing the directive and for requesting clarification if it is not understood. Supervisors are responsible for the proper dissemination of directives, and completion of the Acknowledgment Sheet. Periodic Testing and In-Service training will be given on General Orders.

After completion, Acknowledge Sheets will be returned to the Chief Deputy and the compliance officer of each division will keep

a copy of the sheet. The Chief Deputy will keep them on file as standards compliance documentation.

3. Special Orders

- a. Special Orders announce instructions or assignments of a one-time nature. Special Orders are, by their nature, self-canceling, after the assignment is completed.
- b. Special Orders may be issued by personnel with the rank of Captain or above.
- c. Special Orders will be indexed using the last two digits of the calendar year of issuance and then sequentially numbered to three digits.
- d. The Division Commander will maintain a log and the original copy of Special Orders. Special Orders may be destroyed one year after the expiration date.
- e. Special Orders may address such events as a special detail assignment, annual budget preparation, or training orders.

4. Personnel Orders

- a. Personnel Orders will be issued to
 - (1). Direct a personnel status change
 - (2). Appoint new personnel
 - (3). Promotions and demotions
 - (4). Suspension or termination of employment
 - (5). Assignments to specialized positions
 - (6). Transfers
- b. All Personnel Orders will be issued by the Sheriff.
- c. Personnel Orders will be indexed with the last two digits of the calendar year followed by a three digit sequential number.
- d. The Chief Deputy, or his designate, will maintain a log for issuance of Personnel Order numbers.

- e. The original of Personnel Orders will be maintained by the Chief Deputy with a copy filed in personnel records of those affected.

5. Memoranda

- a. Other departmental directives will be in the form of memoranda. Memoranda, which are of a temporary nature, are used to give instruction, direction, or information. The Division Commander is responsible for keeping a master file of Memoranda.

E. Amendments and Cancellation of General Orders

- 1. Amendments to General Orders are frequently required to comply with legal changes, operational procedures, and revised policies. Necessary amendments will be expedited to assure maximum accuracy of reference materials.
- 2. Whenever possible, amendments will be issued in the form of revision pages. The revised page will be inserted properly in the manual and outdated material discarded.
- 3. If an amendment is of sufficient size to require major changes in the order, a complete new version of the order will be issued.
- 4. The Chief Deputy will maintain a “Dead File” of outdated General Orders. Dead File documents will be maintained for a period of time to meet compliance standards and then may be destroyed.
- 5. Notification of the cancellation of an entire General Order will be given to all staff member and will be noted on the “General Order Log” for that order. The order will then promptly be removed from manuals along with its corresponding log.

F. Statements of Agency policy are incorporated throughout the Administrative and Operations Manual.

G. Statements of Agency rules and regulations are incorporated throughout the Administrative and Operation Manual.

H. Procedure for carrying out agency activates are incorporated throughout the Administrative and Operation Manual.

- 1. Procedures for specific activities shall be found in the manual under that subject matter.

I. The procedure for review of proposed or revised policies, procedures, rules, and regulations.

1. The proposed or revision policies, procedure, rules or regulation will be documented and will be forward to the effected Division Commander and the Sheriff for their review and comment. The Commander and the Sheriff will provide feed back as soon as possible and always within the time proscribed.
2. The Division Commander will review and the Sheriff will review and approve.

If the proposed or revisions are approved by the Sheriff, they will be forward for incorporated in the Administrative or Operation Manual.

12.2.2 Dissemination and Storage of Directives / Policies and Procedures

A. Dissemination of Administrative and Operations Manuals

1. Upon employment, each employee of the Sheriff's Office shall be issued and become familiar with the Administrative Manual, and applicable Operations Manuals. These manuals will be issued for thirty days to allow the members to become familiar with the manual. The manual would be returned after that thirty-day period and the Members shall sign for their policies and procedures in Power DMS, which will act as a receipt as well as acknowledgment of their responsibility to know the contents.
 - a. Hard copies of the manual can be reviewed at the Lieutenant's Office at the Patrol Headquarters, Judicial Office in the Court House and at the Professional Standards Compliance Office at the Detection Center.
2. Dissemination of proposed or revised policies will take place through the Power DMS system. Staff will be notified via email when a new or revised policy has been added to the Power DMS system.

B. Storage of Written Directives will be done be using the Power DMS system. Hard copies will be kept as described in 12.2.2 A.1.

C. A member's employee number and their password in Power DMS will act as a receipt of Orders, Memoranda, and Manual Revisions and shall be an acknowledgment of the member's knowledge and review of the material presented.