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# University of Wisconsin–Madison Police

## Policy: 11.2

### SUBJECT: AUTHORITY AND RESPONSIBILITY

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#### POLICY:

The University of Wisconsin–Madison Police Department shall establish clear guidelines for the delegation of authority, command protocol, and the assignment of accountability.

#### DEFINITIONS:

“Unity of command” refers to the concept that each individual in the organization is accountable to only one supervisor at any given time.

“Chain of command” refers to lines of communication going downward or upward within the organizational hierarchy through each successive level of command.

“Order” for this directive refers to a command or mandate to perform a given task.

“Organizational component” is any organizational entity (i.e., unit, division) that is staffed on a full-time basis to provide a specific function.

#### PROCEDURE:

##### 11.2.1 CHIEF EXECUTIVE OFFICER

The following establishes the authority of the Chief of Police:

- A. According to Wisconsin Statute 36.11(2)(b), the Board of Regents for the University of Wisconsin “may employ police for the institutions and chiefs to head such police, or contract for police, all of whom shall be deemed peace officers under Wisconsin State Statute 939.22(22) under the supervision and control of the appropriate chancellor or the chancellor’s designees.”
- B. University of Wisconsin System Administrative Code 18.03(1) indicates “the Board [of Regents] may designate peace officers who are authorized to enforce these rules and regulations and to police all lands under control of the Board.”

##### 11.2.2 COMMAND PROTOCOL

The following establishes command protocol and provides for uninterrupted leadership:

- A. The Chief of Police shall appoint an acting chief of police during periods of scheduled absences. This individual may be an Assistant Chief of Police or any member of the Department command staff.
- B. In the event that the Chief of Police is not able to appoint an acting chief of police, the following order of precedence is designated:
  - 1. Assistant Chief of Operations
  - 2. Assistant Chief of Planning, Development, and Support
  - 3. Field Services Captain,
  - 4. Planning and Development and Support Captain,
  - 5. Investigative Services Captain

- C. In situations involving personnel of different functions engaged in a single operation, the ranking supervisor or manager present from the organizational component responsible for the event may assume command of the event.
- D. Seniority is established first by rank and second by aggregate time served in rank on a regularly assigned basis.
- E. During patrol operations, a field supervisor may designate any non-probationary police officer as the officer in charge (OIC) in his or her absence.
- F. The Chief of Police has the authority to designate command and authority in any situation as needed.

### **11.2.3 ORDERS**

The following describes the need to obey lawful orders:

- A. Department employees are required to obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank.
- B. Any employee who willfully disobeys or disregards a direct order, verbal or written, of a superior will be considered insubordinate. Failure to comply with a lawful order or directive is a serious breach of organizational discipline. Such violations will subject the employee to disciplinary action, which may include termination of employment.
- C. No employee will be required to obey any order that is unlawful or requires that an unlawful act be committed.
- D. If any employee receives a conflicting order or directive, the employee shall respectfully call the conflict to the attention of the supervisor issuing the order. If the conflict is not resolved, the receiving employee will notify an employee of higher rank than the employee that issued the order, as soon as practical.
- E. If an order conflicts with a prior order, the employee shall notify the supervisor giving the conflicting order and follow the second order. The supervisor will resolve the conflict as soon as practical and follow-up in writing within 72 hours. The supervisor giving the second order shall be responsible for consequences arising from the conflict.
- F. Many actions which are required in the performance of duties of law enforcement personnel have severe consequences, including the loss of life, if they are not carried forward in a timely manner. If an order is unlawful and will cause harm to the officer or another, the order shall not be followed. If an order is perceived as unlawful, it is the receiving employee's responsibility to justify why the order was challenged.

An employee who fails to comply with a lawful order is insubordinate and the formal disciplinary process will be followed. The employee could face civil action for failing to perform required duties.

If the order is confirmed as unlawful, the employee will suffer no adverse action for not following the unlawful order. An investigation will determine why the unlawful order was given. Results may include changes in training or discipline of the employee issuing the order.

### **11.2.4 ORGANIZATIONAL RELATIONSHIPS**

The following describes procedures for communication, coordination, and cooperation among agency functions:

- A. All management team personnel shall attend periodic staff meetings. The staff meetings are intended to enhance cooperation and communication and to coordinate the goals of the Department. Additional formal and informal meetings are to be held as needed.
- B. The routine exchange of information is also accomplished through
  1. Daily briefing sheets;
  2. Roll calls;
  3. Crime analysis bulletins;
  4. Directives, memoranda, or general orders;
  5. E-mail, voice mail, or other forms of communication.

### **11.2.5 UNITY OF COMMAND**

The following establishes procedures pertaining to the direction and supervision of employees:

- A. It is important that only one person be in complete command of each situation. Therefore, to ensure unity of command,
  - 1. Clearly defined lines of authority have been drawn so that each employee is accountable to only one supervisor at any given time; and
  - 2. A relationship in the organizational structure has been established between each employee and the Chief of Police.
- B. Employees should strive at all times to operate within the chain of command and to keep their supervisors informed of their activities.
- C. While it is understood that each employee has only one supervisor at a given time and that each employee has only one immediate supervisor who is responsible for evaluating performance, anyone of superior rank can and should provide leadership in the absence of the immediate supervisor.

### **11.2.6 ORGANIZATIONAL COMMAND**

The following establishes procedures pertaining to organizational command:

- A. Each organizational component is under the direct command of one supervisor.
- B. There are circumstances in which supervisors shall assume command over subordinates outside their organizational component:
  - 1. In situations involving unsuitable or improper action on the part of an employee of lesser rank.
  - 2. In emergency situations, such as at the scene of a crime, major event, or catastrophe, where the superior may demand, and should receive, assistance in performing essential tasks from any lesser employee regardless of the organizational component to which s/he is regularly assigned. These situations demand immediate action in order not to jeopardize the police purpose and the reputation of the Department.
  - 3. During special event operations.
  - 4. During special deployments or assignments.

### **11.2.7 AUTHORITY AND RESPONSIBILITY**

The following establishes procedures pertaining to the authority and responsibility of each employee:

- A. Responsibility shall be accompanied by commensurate authority. At every level within the Department, personnel shall be given the authority to make decisions necessary for the effective execution of their responsibilities.
- B. Each employee shall be accountable for the use of delegated authority. Any gross improper use of authority or failure to accept authority shall be reported through the chain of command as soon as possible.
- C. Employees who have questions concerning delegated authority should consult supervisory personnel through the chain of command for prompt resolution.

### **11.2.8 SUPERVISORY ACCOUNTABILITY**

The following establishes guidelines for supervisory accountability of those under a supervisor's immediate control:

- A. To achieve effective direction, coordination, and control, supervisory personnel shall be accountable for the performance of employees under their immediate control.
- B. Supervisors are responsible for providing guidance, leadership, mentoring, and assistance to their subordinates. Supervisors should also aid employees in establishing both short-term and long-term goals.