

Memorandum

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata
Chief of Police

**SUBJECT: DUTY MANUAL REVISIONS:
ORDERS FROM SUPERVISORS**

DATE: October 1, 2022

APPROVED

Memo #2022-051

BACKGROUND

A review of the Duty Manual regarding orders from supervisors discovered revisions were necessary to bring it into alignment with best practices.

ANALYSIS

The Duty Manual has been revised to reflect changes described below. Additions are shown in *italics and underlined*. Deletions are shown in ~~strike through~~ form.

C 1406 MEMBERS TO ACCEPT ASSIGNMENTS:

Revised 10-01-22

Notwithstanding the assignment of specific duties and responsibilities, ~~Department~~ members will perform all other duties required of them by higher authority. *For additional information, see Duty Manual section C 1422 regarding conflicting duties and responsibilities and C 1424 regarding improper or questionable duties and responsibilities.*

C 1421 DUTY TO OBEY LAWFUL ORDERS:

Revised 10-01-22

Department members will obey lawful orders from a superior officer. *Department members are not expected to obey an unlawful order. See Duty Manual section C 1424 regarding improper or questionable orders.*

C 1421.1 SUPERVISOR ORDERS:

Added 10-01-22

For the purpose of this section, the term "supervisor" applies to all Department members of a superior rank, position, or assignment to the Department member receiving the order or directive. This includes sworn and professional staff.

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of:

- Any federal, state, or local law
- Orders of the Department
- Provisions of the Duty Manual
- Provisions of the City Policy Manual

Supervisors should not issue orders that conflict with any previous order without making a reasonable effort to clarify that the new order is intended to countermand the earlier order.

C 1422 CONFLICTING ORDERS:

No Change – Included for Continuity

If a subordinate receives instructions from a senior member conflicting with the instructions received from proper or higher authority, the subordinate will inform the senior member of the conflict. If the senior member still desires that the order be carried out, the subordinate will do so, and the senior member will review the order with the subordinate's supervisor.

C 1424 IMPROPER OR QUESTIONABLE ORDERS:

No Change – Included for Continuity

A Department member receiving orders which they believe to be improper or in violation of this manual will express their concern to the senior member directly issuing the order. When the senior member directly issuing the order indicates that the order is to be complied with, the subordinate will adhere to one of the following appropriate procedures.

- ORDERS REQUIRING IMMEDIATE COMPLIANCE:

Orders pertaining to situations which require immediate compliance will be carried out as directed. Once such orders are complied with, the member receiving the order may then appeal in writing through the chain of command to the Chief of Police.

Department members are not expected to carry out orders which violate the law. In the event that such an order is received, the Department member will immediately appeal the order to a higher authority.

- ORDERS REQUIRING FUTURE COMPLIANCE:

Orders which pertain to situations that do not require immediate compliance may be appealed prior to execution as long as such appeal does not frustrate or impede the operation that the order was intended to implement. The appeal will be in person or in writing through the chain of command to the Chief of Police.

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ORDER

Effective immediately, all Department personnel shall adhere to the above Duty Manual sections.

A handwritten signature in black ink, appearing to read 'A. Mata', is positioned above the printed name and title.

Anthony Mata
Chief of Police

AM:SD:MZ:JJ