


<p>RABUN COUNTY SHERIFF'S OFFICE</p>  <p>General Order Number: 1.11</p>	<p>Date of Issue</p> <p>2/23/2016</p>	<p>Effective Date</p> <p>2/23/2016</p>	<p>Revision Date</p>
<p>Subject: AUTHORITY AND RESPONSIBILITY</p>	<p>Amends:</p>	<p>Rescinds:</p>	
<p>Index as: Authority and Responsibility</p>	<p>State Certification Standards: 2.6</p>		
<p>Special Instructions:</p>			

PURPOSE

The purpose of this General Order is to prescribe the policies and procedures of the Rabun County Sheriff's Office regarding Authority and Responsibility.

STATEMENT OF POLICY

It shall be the policy of the Rabun County Sheriff's Office that all employees be familiar with the appropriate state statutes and procedures concerning the authority and responsibilities of members of the Sheriff's Office.

DISCUSSION

Supervisory personnel have been given the necessary authority to accomplish their official duties as prescribed by the Georgia Constitution, the Official Code of Georgia Annotated, and the Sheriff.

DEFINITIONS

AUTHORITY — The power to enforce laws, exact obedience, command, determine, or judge.

O.C.G.A. — The Official Code of Georgia Annotated

RESPONSIBILITY — The state, quality, or fact of being responsible.

SUPERVISION — The act, process, or function of supervising.

I. SHERIFF

- A. Article 9, Section I, Paragraph III to the Georgia Constitution prescribes that the Sheriff is an elected county officer, serves in the office for a term of four years, and has such qualifications, powers, and duties as provided by general law.
- B. O.C.G.A. Title 15, Chapter 16, Section 10 prescribes the duties of the Sheriff. These include:
 - 1. All common law duties and powers, except as modified by statute;
 - 2. To keep custody of criminal defendants, pending their trial;
 - 3. To enforce criminal laws;
 - 4. To enforce traffic regulations;
 - 5. To ensure for the safety of the court; and
 - 6. To execute the processes and orders of the courts.
- C. O.C.G.A. Title 15, Chapter 16, Section 23 authorizes the Sheriff to appoint individuals to the position of deputy sheriff, to prescribe their duties, and to establish their conditions of employment.

II. COMMAND PROTOCOL

- A. In the absence of the Sheriff or in the event of his incapacitation to otherwise perform his duties, the powers and authority vested in this position are delegated to the Chief Deputy. Prior to his absence for extended periods, the Sheriff will, at his discretion, issue a Special Order directing the Chief Deputy to serve as the "Acting Sheriff" and authorizing him to assume full authority and responsibility over the Sheriff's Office.
- B. Should both the Sheriff and Chief Deputy be absent or unable to perform their duties, the line of succession to execute the duties for the position of sheriff are delegated to the Uniform Patrol Division Commander, Criminal Investigations Division; Commander, Court Services Division; or Commander, Jail Division, in that order.
- C. During the absence of a Commander or in the event of his/her incapacitation to otherwise perform his/her duties, the next ranking deputy in the chain of command shall assume the authority of the incumbent deputy. Prior to a Commander's absence out of the county or for an extended period, the incumbent shall designate the next ranking officer to assume his/her duties and the incumbent shall so inform his/her immediate supervisor before his/her departure.

III. SUPERVISION

- A. In order to accomplish his statutory duties, the Sheriff has overall responsibility for the supervision of all subordinate employees and affiliated personnel, for the assignment of their duties, and for prescribing their areas of responsibility. Accordingly, the Sheriff has established a clearly defined hierarchy of authority that has been delegated to certain individuals in a descending order of supervision. Known as the chain-of-command, the line of authority extends from the Sheriff, through the Chief Deputy then through the Division Commanders and subordinate supervisors, to each individual within the Sheriff's Office.
- B. Each supervisor, regardless of position of assignment, must effectively lead, direct, coordinate, and control the performance of their assigned employees in order to achieve the goals and established objectives of the Rabun County Sheriff's Office. Decisions shall be made and issued in a professional and impartial manner, based upon the facts and circumstances of a given situation, without regard to personal feelings or emotion.

IV. DEPARTMENTAL RANKS OF AUTHORITY

- A. The following ranks of authority have been established in order to provide effective supervision within the department:
 - 1. Sheriff;
 - 2. Chief Deputy
 - 3. Major (Detention Center)
 - 4. Captain or Division Commander
 - 5. Lieutenant
 - 6. Senior Sergeant;
 - 7. Sergeant or civilian supervisor; and
 - 8. Corporal.
 - 9. Deputy
- B. All supervisors, regardless of rank or assignment, are duty bound to take immediate action to stop an unsafe act, correct a potentially hazardous situation, or prevent an employee from engaging in unlawful conduct.

V. NORMAL DAY-TO-DAY AGENCY OPERATIONS

- A. Supervisors should normally exercise their authority within their respective Divisions or units of assignment. Ranking personnel should avoid giving direct instructions or commands to individuals not within their assigned area of responsibility, except when required by the exigencies of the situation.
- B. This does not mean, however, that supervisors should limit their activities strictly to their normal assigned duties. In many instances, it is necessary to coordinate and integrate day-to-day operations with other organizational elements. When required, such intra-departmental coordination should be performed with a spirit of mutual cooperation and respect.
- C. On occasion, personnel from different Sheriff's Office functions may engage in a single operation that requires centralized leadership and control. When this occurs, a supervisor shall be designated for the duration of the event and given the necessary authority to provide appropriate supervision. Examples of such preplanned operations that necessitate the involvement of various departmental personnel are executive protection activities, holiday traffic enforcement operations, the handling of a special event, or support to a public service program.

VI. EMERGENCY SITUATIONS

- A. An unexpected emergency situation or an unusual occurrence may arise that requires immediate supervision. Whenever possible, the normal chain of command shall be followed. However, when the assigned supervisor is incapacitated, is not immediately available, or is otherwise unable to take appropriate action, another supervisor, outside the normal chain of command, has the authority to assume command and provide necessary direction and control of the situation in accordance with the procedures outlined in Sheriff's Office directives until she/he can be properly relieved by, or the authority for the situation is transferred to, the proper official. Additionally, a senior ranking supervisor has the authority to assume command of an emergency situation when she/he feels such intervention is appropriate. Under such circumstances the senior official must specifically inform the subordinate supervisor that she/he has been relieved of command. The mere presence of a senior deputy at the scene of an emergency occurrence, or a senior deputy's radio inquiries about the situation, does not automatically signal his/her intent to assume command. The following situations are examples when a supervisor is required to take immediate action, regardless of his/her area of responsibility:
 - 1. Any high-risk activity such as a hostage or barricaded suspect situation, vehicle pursuit, bomb threat, civil disturbance, jail uprising or other unusual occurrence that may threaten the lives and safety of others; or
 - 2. A natural disaster involving possible casualties and/or extensive property damage.
- B. There may be occasions when personnel from more than one Division respond to the scene of an incident. The highest-ranking deputy at the scene will be in charge of the incident, until properly relieved or until she/he is assured that the matter is being properly handled and she/he can depart the area. The ranking official may defer authority to a representative from another Division that normally has primary responsibility for managing the incident and direct that she/he take command at the scene. However, the highest ranking deputy, even if deferring authority to a lower ranking employee, shall always be ultimately responsible and accountable for the supervision of the incident until she/he is reasonably assured that the matter is being handled properly, that all required notifications have been made, and

that the ranking officers' presence is no longer required. The following situations are examples of occasions that may require a response by individuals from more than one division:

1. A bank alarm involving Uniform Patrol Division personnel under the supervision of a Watch Commander in the grade of Sergeant and Criminal Investigation Division personnel under the supervision of a Lieutenant;
 2. A serious motor vehicle accident investigated by a Patrol Deputy and assistance provided by Warrants Section personnel under the supervision of a Sergeant;
 3. A homicide investigation involving the on-call Investigator and additional Uniform Patrol officers under the supervision of a Sergeant; or
 4. A prisoner disturbance being handled by Rabun County Jail personnel under the supervision of a Sergeant and Uniform Patrol Division personnel under the supervision of a Captain.
- C. In the event two or more Sheriff's Office members of the same rank, but from different Divisions or units, are present at the incident, the member having primary responsibility for the scene will be in charge of the incident.

VII. AUTHORITY TO ISSUE ORDERS

- A. All supervisors have the authority to issue instructions and to provide direction to employees as outlined above. When necessary, supervisors also have the authority to issue orders to compel obedience.
- B. To be valid, an order must be legal, work related, and professionally ethical. No employee is required to obey any order that they reasonably believe to be illegal. If in doubt as to the legality of the order, the employee shall request the issuing superior clarify the order or confer with higher authority.
- C. An employee also has the obligation to request clarification of an order that she/he believes to be in conflict with a previous order, regulation, or directive. If the issuing authority does not alter or retract the conflicting order, the last order shall stand and be followed.
- D. An employee's conscious or deliberate refusal to obey a lawful and correct order constitutes insubordination, is a violation of the departmental Code of Conduct and will be handled appropriately.

VIII. AUTHORITY TO TAKE ACTION

Taking action is an inherent obligation of all employees who hold a rank of authority. Specifically, supervisors will:

- A. Insure assigned employees comply with Sheriff's Office rules, orders, directives, and policies;
- B. Initiate complaint procedures and notify superiors when required or when appropriate; and
- C. Take other appropriate action necessitated by the situation, by agency directives, or that is otherwise required by duty.

IX. AGENCY COMMUNICATIONS, COORDINATION, & COOPERATION

- A. The timely and accurate exchange of information within the organization is a critical aspect of a supervisor's ability to provide effective direction and control of assigned employees and is an essential ingredient to the ability of all employees to more efficiently accomplish their duties. Because the Sheriff's Office is structured into various specialized and support functions, is geographical dispersed throughout the county, and operates on a continuous 24 hour a day basis, the ability to properly supervise and coordinate the activities of our employees is made difficult. Consequently, it is imperative that all employees take the initiative to keep each other informed and see to it that information is relayed accurately and expeditiously.
- B. The exchange of information is accomplished in a variety of ways. These include:
 - 1. On a weekly basis, or when otherwise needed, the Sheriff and members of the Command Staff assemble to exchange information of general interest, to formulate policy and procedures, to resolve issues of Sheriff's Office concern, and to plan for future operations;
 - 2. Prior to the start of each shift of duty, the supervisor should assemble all assigned employees in order to relay information and to keep individuals informed of new Sheriff's Office and/or division requirements. Individuals from other Sheriff's Office units of assignment should attend so that an open exchange of information can be encouraged, problems identified, and appropriate remedial action initiated. For example, investigators and traffic officers should attend Uniform Patrol Division roll-calls in order to provide "BOLO" information, Watch Commanders and Supervisors should attend Criminal Investigations Division meetings in order to address follow-up crime scene processing issues, and Patrol Supervisors should attend Rabun County Jail roll-calls to resolve any book-in or victim assistance related problems.
- C. Subordinate commanders will conduct periodic staff meetings in order to exchange information and solicit input from all levels of employment within the Sheriff's Office.
- D. A more formalized manner of communicating is by issuing a written directive in accordance with the procedures prescribed by General Order 1.06 "Written Directive System." A directive is any written document used to provide information that guides, directs, or affects the performance or conduct of agency employees, such as General Orders, Special Orders, memorandums, and bulletins.
- E. Another method of communicating involves the transfer of information between computer terminals. This method of sending messages should be used for matters that are not sensitive, classified, or otherwise require limited access.
- F. All personnel are strictly charged with establishing and maintaining a high spirit of cooperation with all employees, regardless of assignment, position, or rank.



By Order of the Sheriff: **Chad K. Nichols**
Sheriff, Rabun County