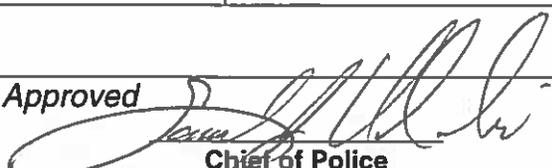


**LANCASTER POLICE DEPARTMENT  
GENERAL ORDERS MANUAL**

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|---|--|--|--|--|--|
| <b>Effective Date</b><br>August 12, 2015                              |  | <b>Amended Date</b>  |  | <b>Directive</b><br>1.08.1   |  |
| <b>Subject</b><br>Duty to Obey Lawful Orders                          |  |  |  |  |  |
| <b>Reference</b>  |  |  |  | <b>Approved</b><br><br>Chief of Police |  |
| <b>Distribution</b><br>All Personnel<br>City Manager<br>City Attorney |  | <b>TPCA Best Practices Recognition</b><br><i>Program Reference</i><br>1.08 |  | <b>Review Date</b><br>January 22, 2019   |  |
|   |  |  |  | <b>Pages</b><br>3  |  |

This Operations Directive is for internal use only and does not enhance an officer's civil or criminal liability in any way. It should not be construed as a creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this Operations Directive, if proven, may only form the basis for a complaint by this Department, and only in a non-judicial administrative setting.

**SECTION 1 PURPOSE**

The purpose of this policy is to require all personnel to obey lawful orders and inform personnel of the proper procedure when they receive conflicting or unlawful orders.

**SECTION 2 POLICY**

It is the policy of the department that all personnel shall comply with and carry out as soon as possible all lawful orders from a person of a higher rank. It is also the policy of the department that no employee is required to carry out any unlawful order.

**SECTION 3 PROCEDURES**

- A. Officers directed by supervisors or commanding officers to act in capacities above their usual rank shall, for the time period assigned, possess the authority of that rank.
- B. When a question arises regarding who shall be in command of a given situation, seniority shall be determined by rank. If all officers in question are of equal rank, seniority shall be established by date of appointment with continuous service. In the event that the officers share the same date of appointment and continuous service time, a higher ranking supervisor shall make the determination of command.
- C. The chain of command from the Chief of Police down through the ranks, and the line of authority from the patrolmen up through the ranks to the Chief of Police, shall be preserved in order to maintain the sound principles of administration. Ranks shall not be bypassed except when emergency or unusual situations demand it.
- D. Officers assigned to investigative duties bear responsibility for the cases assigned to them. Supervisors or commanders not in the chain of command above the investigator shall not directly interfere in the investigation of an assigned case, except in an emergency situation. They shall communicate the reason for said interference as soon as possible with the investigator's supervisor.
- E. Authority delegated to ranking officers is not confined to their respective commands, but shall include supervision over all employees as may be necessary for efficient administration. This authority shall be exercised with the utmost discretion, avoiding the issuance of direct orders to employees not

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assigned to the ranking officer's control except when necessary, as in periods of emergency or a serious breach of discipline. In that event, the order should be communicated by the one issuing the order to the supervisor of the officer so ordered.

- F. For the purpose of this manual, orders are defined as instructions or directives, either written or oral, issued by a supervisor to a subordinate or group of subordinates in the course of police duty. Orders shall be clear and understandable in language, civil in tone, and issued in the pursuit of department business. Employees shall strictly obey and properly execute any lawful order emanating from their supervisor. Orders given by an employee of equal or lesser rank or class shall be obeyed when said employee is merely relaying the orders of a supervisor. Employees in doubt as to the nature of an order may seek clarification from their supervisors through the chain of command.
- G. Employees shall not speak critically or derogatorily to other employees, or to any person outside the department, regarding orders or instructions issued by a supervisor. If there is justification to believe that such orders or instructions are inconsistent or unjust, it is the right of any employee receiving said order to respectfully call it to the attention of the supervisor issuing the order.
- H. Upon receipt of an order which conflicts with a previous order or instruction, the employee affected shall so advise the supervisor issuing the second order. Responsibility for countermanding the original order shall rest with the supervisor issuing the second order. Orders shall be countermanded, or conflicting orders issued, only when necessary for the good of the department.
- I. Supervisors shall not knowingly issue any order which is in violation of, or tends to nullify, any Federal, State or local law or ordinance. Employees are not required to obey any unlawful order, as obedience to an unlawful order is not a defense for any unlawful action. Employees shall immediately report the receipt of any unlawful order to the next supervisor in the chain of command.
- J. Supervisors shall not knowingly issue an order which is in violation of, or tends to nullify, any department rule or regulation, general or special order, or a command issued by the Chief of Police or Assistant Chief.
- K. Written/oral orders posted or communicated over the signature or name of the Chief of Police shall have the same weight as a general order.
- L. Orders issued by a division commander to the employees of his division shall be considered a rule or regulation of that division. A copy of such written order shall be forwarded to the Chief of Police.
- M. Violations of general orders shall include orders, special orders, policies and procedures, and shall be considered violations of department rules and regulations and shall be treated in the same fashion for disciplinary purposes.
- N. Deliberate refusal or displaying indifference to obey a lawful order given by a supervisor shall be considered insubordination.
- O. Maliciously ridiculing a supervisor or his orders, whether in his presence or during his absence, shall be considered insubordination when such ridicule occurs in the workplace in the presence of other department employees. This policy is not intended to regulate the private discourse between two individuals, but the policy restricts communication in the workplace that according to a reasonable

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person tends to undermine the good order and discipline of the department.

P. SCOPE OF RESPONSIBILITY

1. All members of the department shall know and comply with all aspects of this directive.
2. All Division Commanders and supervisory personnel are responsible for ensuring compliance with the provisions and intent of this directive.