

THURMONT POLICE DEPARTMENT

GENERAL ORDER	Date Issued: January 15, 2014	Effective Date: January 15, 2014	Order No: Chapter 16.1
Authority: Chief of Police - Gregory L. Eyster			Manual Page No:
Subject: Chief of Police Authority and Functions			Replaces Page No:
Accreditation Standard: Chapter 12	Distribution: ALL	Amends:	Number of Pages: 4
Related Documents:			Rescinds: New Policy

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

I. GENERAL POWERS AND DUTIES:

The Chief of Police shall be responsible for and shall have full and absolute charge of all police officers subject to the direction of the Mayor and Board of Commissioners. He or she shall exercise such powers and perform such duties as shall be required of him or her, from time to time by ordinance, by the Mayor, or by the orders, resolutions, and policies adopted by the Board of Commissioners.

II. AUTHORITY:

The Chief shall have the power to make any rules necessary to promote the effective and efficient performance of the duties of the Office and to ensure the good government of the Office and its employees. The authority of the Chief shall also include the power to suspend, amend, rescind, abrogate, or cancel any rule or policy adopted by him or any former Chief. To the extent that these rules are inconsistent with or in conflict with any provisions of the law, the Rules and Regulations of the Town of Thurmont, as they apply to merit system employees, the merit system Rules and Regulations shall prevail. To the extent any rules or local law conflicts with State or Federal law, the applicable State or Federal law shall control.

The Chief of Police shall have the authority to hire officers, promote officers, and terminate employees in accordance with LEOBR. He shall develop performance evaluation criteria for officers, develop policies and continuing education programs relating to same, conduct employment reviews, and make referrals for commendations and awards. The Chief shall conduct, coordinate, and/or approve all press and news agency communications.

III. ENUMERATION OF SPECIFIC POWERS AND DUTIES:

The Chief of Police shall have the authority, and shall be required, to:

- (a) Adopt such rules, regulations, restrictions, policies and provisions, as he or she shall deem proper and desirable for the efficient operation of the police department.
- (b) Conduct, or have his or her designated agent conduct, an internal investigation of any officer alleged or believed to have engaged in any act of misconduct, misfeasance, malfeasance, or violation of the police department's policies, rules, regulations and/or procedures.
- (c) Implement disciplinary proceedings against an officer, if, at the conclusion of an internal investigation, the finding and conclusions support such action. All disciplinary proceedings against officers shall be conducted in accordance with and pursuant to the Law Enforcement Officers' Bill of Rights (LEOBR), as amended from time to time.
- (d) Discipline, suspend, demote, or terminate an officer upon conclusion of a hearing conducted pursuant to the LEOBR and a finding of guilt and recommendation for punishment.
- (e) Perform any other duties in relation to the public safety of the Town as the Mayor or Board of Commissioners may require, or as may be required elsewhere in the Town of Thurmont Charter.

IV. FUNCTIONS:

The Chief of Police will:

1. plan, organize resources, direct and coordinate the activities of the Police Department;
2. prepare the Department's long range strategic plan and review goals and objectives of each organizational component and evaluate the efforts made to attain them;
3. ensure the enforcement of laws and municipal ordinances;
4. has final authority over departmental policies, procedures, rules and regulations;
5. approve assignments of departmental personnel;
6. formulate the annual departmental budget and has final authority over departmental budget expenditures;
7. direct the preparation of internal Department reports, the annual report and reports

addressed to the Mayor and Board of Commissioners;

8. direct the preparation of external reports to outside agencies in conformance with Federal, State and Municipal laws or Department policy;
9. maintain liaison with the heads of other law enforcement and criminal justice agencies;
10. promote public cooperation and goodwill through presentations to civic, fraternal and other groups and by making regular reports through the news media;
11. maintain efficiency and effectiveness within the Department; and,
12. maintain effective Department discipline.

V. ORDER OF SUCCESSION OF CHIEF OF POLICE:

1. The Chief of Police will appoint an Acting Chief of Police to serve during periods when the Chief is unavailable for duty. During this time the Acting Chief has the same powers and authority as the Chief and performs the duties of the Chief. If no specific Acting Chief is named, the following order of succession will apply:
 - A. Individual holding the rank of Sergeant, in order of seniority.
 - B. Individual(s) holding the rank of Corporal, in order of seniority.
2. During non-business hours the senior ranking on-duty supervisor represents the Chief of Police until higher command assumes control of a situation.

ATTACHMENTS :

DOCUMENT DATES :

Amended Date:

Review Date:

Review Date:

Review Date:

Rescinds:

Order Written By: Lt. P.A. Droneburg

Order Edited and Approved By: Colonel Gregory L. Eyer

Accreditation Standards Included in this Order

CHAPTER