

## **CHAPTER 2**

### **POSITION OF APPOINTMENT OR RANK**

#### **200 RANKS**

The Police Department, excluding the position of the Mayor, is organized with the following ranks, in descending ranking order as listed.

1. Chief of Police
2. Deputy Chief
3. Captain
4. Lieutenant
5. Sergeant
6. Patrolman and Policewoman

#### **201 MAYOR**

The Mayor shall be the executive head and general directing authority in control and management of the Police Department (Title 1, Sec. 1. 114 City Code of New Bedford, revised 1963).

##### **201.1 Authority**

The Mayor shall have general supervision over all Departments of the City under the plan B Method of Government (G.L. C.43, S.56).

##### **201.2 Duties and Responsibilities**

###### **201.2.1 Appointments**

The Mayor shall appoint the Chief of Police and all other officers to the Police Department. Such appointments shall conform to the provisions of Civil Service.

###### **201.2.2 Dismissals or Disciplinary Action**

The Mayor may cause charges to be preferred against any officer of the Police Department if a violation or neglect of duty as stated in Section 515, is reported by the Chief of Police. A hearing of such charges shall be before a Mayor and City Council who may cause the officer to be discharged, removed, suspended, laid off, transferred, lowered in rank, lowered in compensation, or to serve punishment duty, for cause deemed by them sufficiently warranted. All disciplinary actions are subject to the provisions of Civil Service, these rules and Regulations and City or State Laws.

### 201.2.3 Inspection of Records

The Mayor, City Council or anyone authorized by them may inspect all business records of the department.

### 201.2.4 New Rules and Regulations

The Mayor and City Council may make such further rules and regulations for the government and management of the Police Department as they may deem expedient so long as they conform to all Federal and State Laws pertaining to the governing of the city under the Plan B Charter.

## **202 CHIEF OF POLICE**

The Chief of Police shall be the executive officer in command of all operations of the Police Department.

### 202.1 Authority

Subject to pertinent laws, these rules and regulations and orders of the Mayor, the Chief of Police shall have the authority over all sections, divisions, bureaus, units, members, and employees of the New Bedford Police Department. The Chief may promulgate to the Department such general or special orders or instructions, written, or oral, which are not inconsistent with law, these rules and regulations, or any lawful and legal orders or instructions of the Mayor, that will serve in the best interest and assist with the achievement of the goals of the Police Department.

### 202.2 Duties and Responsibilities

202.2.1 The Chief of Police shall investigate all charges against any member or employee and if determined sufficiently warranted, promptly report all violations of duty, instances of willful disobedience, or neglect of duty to the Mayor. He may suspend from duty any member or employee of the Department as provided for in G.L. C. 31, S43 (e) and these rules and regulations.

202.2.2 The Chief of Police shall cause to be kept records alphabetically arranged, in which shall be entered the name, age, birthplace, date of appointment, occasions of censure or punishment, and other pertinent information regarding every member and employee of the Department.

202.2.3 The Chief of Police shall cause to be entered in proper books and files and to be audited, all accounts and expenses of the Department which are kept in a safe and convenient place for inspection by the Mayor and City Council

202.2.4 The Chief of Police shall visit all police facilities as often as practical to ensure that such facilities are properly operated and maintained.

202.2.5 The Chief of Police shall cause to be kept a record of all violations of the laws and ordinances, all arrests, reports of all known felonies and misdemeanors, lost articles, and other relevant information pertinent to the proper record maintenance of the department.

202.2.6 The Chief of Police shall be directly responsible for the discipline, training, efficiency, and morale of the department.

202.2.7 The Chief of Police shall ascertain that all sections, divisions, bureaus, units, members and employees mutually support one another in all matters requiring support and that a high degree of lateral cooperation and exchange of information is maintained.

202.2.8 The Chief shall cause a general inspection to be made of all members of the Department periodically and shall establish such other systems of control and inspection as may be necessary to ensure the efficient administration of the Department.

202.2.9 The Chief of Police shall sign and cause to be recorded all licenses required to be issued by the Chief and may revoke or suspend such licenses for any satisfactory reason.

202.2.10 The Chief of Police may assign, detail or transfer any member or employee to or from any assignment or unit whenever he deems such action is necessary for the efficiency, discipline or morale of the department.

202.2.11 The Chief of Police may send any officer of the Department out of the city or state in pursuit of any fugitive from justice, or to recover stolen property, or on any other departmental business providing the action conforms to state and federal laws, and does not conflict with the authority of the District Attorney.

202.2.12 The Chief of Police, from time to time, shall create a police training school.

202.2.13 The Chief of Police shall cause a bimonthly written evaluation of each new member to occur for the first six months of employment or for the duration of the probationary period, whichever may be longer.

202.2.14 The Chief of Police in the efficient management of the Department shall utilize and adhere to the chain of command in delegating authority to the proper officers and in issuing or receiving any communications within the Department

202.2.15 The Chief of Police shall at the end of each fiscal year submit a written report to the Mayor indicating all financial and police activity that occurred during the year and in addition submit all operational requests for the forthcoming year.

202.2.16 The Chief of Police, may issue commendations to officers who perform police duties in a particularly outstanding fashion.

202.2.17 The Chief of Police shall ensure that all property and facilities of the Department are properly utilized and maintained.

202.2.18 The Chief of Police, shall review the operation of the rules, regulations, policy, and procedures within the Department periodically and shall cause revision, deletions, and additions to occur when warranted.

202.2.19 The Chief of Police shall ensure that a weekly report containing pertinent information gathered from each division and bureau is prepared and distributed to members during roll call or through other means.

202.2.20 The Chief of Police shall report to the City Solicitor and appropriate city department any damage to city property and all injuries to persons and property alleged to be caused by defects, obstructions or want of repair on any city street or property.

202.2.21 The Chief of Police shall meet periodically with his commanding officers to acquaint them with new decisions or policy and provide for an interchange of ideas and comments for the improvement of the department.

202.2.22 The Chief shall have the authority to set or change the time for roll calls, the hours assigned to each shift, or the hours any member or employee shall work for the safety of the public and protection of property except as limited or modified by the Mayor and City Council.

202.2.23 The Chief of Police may grant leaves of absence without pay for up to two weeks as long as the Mayor is notified of such action.

202.2.24 The Chief of Police may cause any person who is injured on duty to be examined by the city physician or any impartial physician so designated by the Chief. The report of the physician shall indicate a period of time that the person may be expected to be absent from duty and at the end of such time the Chief may cause another examination to occur should that person not have returned to duty.

### **203 DEPUTY CHIEF**

A Deputy Chief, even though he may have specific assignments within the Department, shall assist the Chief of Police in the performance of his duties and responsibilities by performing certain administrative and executive functions as designated by the Chief.

#### **203.1 Authority**

A Deputy Chief by rank or in the case of more than one Deputy Chief, by ranking seniority shall be the second in command of the Police Department and in the absence of the Chief, unless otherwise designated, shall assume the duties and responsibilities of the Chief.

## 203.2 Duties and Responsibilities

203.2.1 Subject to approval of the Chief, a Deputy Chief may issue such orders as may be deemed necessary for the effective operations of all activities within his command

203.2.2 A Deputy Chief shall report directly to the Chief daily regarding all activities under his command and shall submit such written reports as required by the Chief.

## **204 CAPTAIN**

A Captain, according to the ranking order of the Department, shall be immediately subordinate to a Deputy Chief.

### 204.1 Authority

A Captain shall have authority over all officers of a lesser rank. All orders issued by him, written or oral, shall conform to these rules and regulations.

### 204.2 Duties and Responsibilities

A Captain shall have the duties and responsibilities associated with the position to which he is assigned.

## **205 LIEUTENANT**

A Lieutenant, according to the ranking order of the Department, shall be immediately subordinate to a Captain.

### 205.1 Authority

A Lieutenant shall have the authority over all officers of a lesser rank. All orders, issued by him, written or oral, shall conform to these rules and regulations.

### 205.2 Duties and Responsibilities

A Lieutenant shall have the duties and responsibilities associated with the position to which he is assigned.

## **206 SERGEANT**

A Sergeant, according to the ranking order of the Department, shall be immediately subordinate to a Lieutenant.

### 206.1 Authority

A Sergeant shall have the authority over all policemen and policewomen. All orders, written or oral, shall conform to these rules and regulations.

#### 206.2 Duties and Responsibilities

A Sergeant shall have the duties and responsibilities associated with the position to which he is assigned.

### **207 PATROLMAN AND POLICEWOMAN**

A patrolman or policewoman, according to the ranking order of the Department, shall be immediately subordinate to a sergeant.

#### 207.1 Authority

A patrolman or policewoman will have no command authority unless so delegated by a commanding officer under special situations. This in no way negates the police authority all officers receive as sworn members of the department.

#### 207.2 Duties and Responsibilities

A patrolman or policewoman shall have the duties and responsibilities associated with the position to which he or she is assigned.