

TITLE: RESPONSIBILITY OF DEPARTMENT MEMBERS

CODIFIED: 25.1
EFFECTIVE: 10/22/2023
RESCINDS/AMENDS: *Discussion*
PAGES: 8

PURPOSE

The purpose of this directive is to establish and maintain a system that designates command responsibilities for the purpose of maintaining an effective and efficient chain of communication throughout the ranks and the civilian staff of the Santa Fe Police Department.

DISCUSSION

A commanding officer is an officer holding the rank of Lieutenant or above who has been designated the authority and responsibility by the Chief of Police to direct all activities of a unit, team, section, division, or bureau of the department, and shall promptly obey and support all directives and policies established by the Chief of Police.

Within the Special Operations Teams and other areas of the department, the title of "team commander" is not synonymous with or equivalent to the aforementioned definitions of "commander". These unique individual teams each have a respective "team commander" that is responsible for commanding that team. Due to the unique specialized training and experience needed, the team commander eligibility requirements are defined by team's specific policy and not by this section.

This includes, but is not limited to:

- SWAT Commander: (61.1)
- TEMS Commander: (61.1)
- CNT Commander: (61.1)
- EOD Commander: (39.1)
- ERT Commander: (61.2)

Sergeant(s) will be considered first line supervisors and will coordinate activities as directed by the lieutenant and/or captain.

There are several positions within our department that are considered supervisors or managers. These civilian supervisors and managers share the responsibility for promptly obeying and supporting all directives and policies established by the Chief of Police.

POLICY

Commanders and supervisors shall be responsible for the efficiency and the effectiveness of various units under their command and for the coordination of component functions and activities. They shall promote good working relationships among the personnel under their command and are responsible for the coordination and cooperation of their command with all other units of the department. To achieve effective direction, coordination, and control supervisory personnel shall be accountable for the

performance of employees under their immediate supervision. This applies to each level of supervision within the department.

PROCEDURE

RESPONSIBILITIES OF THE COMMANDING OFFICERS

25.1.01 Commanders/supervisors shall assure the prompt service of all official notices, summons or subpoenas which may be sent to them by proper authority.

25.1.02 Commanders/supervisors shall assure the punctual attendance in court and assure the Punctual attendance in court and assure the proper preparation and presentation of cases in court by personnel under their command. They shall assist subordinates in the preparation of their cases.

25.1.03 Commanders/Supervisors shall properly prepare, transmit, and preserve all official records, reports, evidence, forms and correspondence originating within or forwarded to their command.

25.1.04 Commanders/supervisors shall assign particular duties to individuals within their command, prescribe standard operating procedures for their command with the approval of the Chief of Police and keep the Chief of Police informed of all pertinent information and/or matters of special interest.

25.1.05 Citizen's complaints shall be investigated by the appropriate commander/supervisor and the information regarding the complaint will be forwarded to Internal Affairs within 24 hours of receipt. Internal Affairs shall assign a control number and maintain all records.

25.1.06 Commanders/supervisors may temporarily relieve subordinate personnel from his/her regular duties, pending notification and approval by a Division Director pursuant to the procedures described in this policy.

A. Commanders authorized to temporarily relieve departmental personnel from duty are:

1. Captains
2. Lieutenants with appropriate notification(Chief of Police/Deputy Chief/Captain)
3. Sergeants with appropriate notification (Chief of Police/Deputy Chief/Captain)

25.1.07 In the event that any officer of the department is wounded or killed in the line of duty, or dies under any circumstances, it shall be the responsibility of the ranking commander on duty at the time to notify the Chief of Police, who will assure that notification of the injury or death is made to the immediate family.

25.1.08 Commanders/supervisors are responsible for good order, conduct, and discipline of their subordinate(s); for their compliance with department policies and procedures; and for enforcement of all rules, regulations and orders of the department.

25.1.09 Commanders/supervisors who observe or are informed of neglect of duty or misconduct shall immediately take whatever action is necessary and bring the matter to the attention of the supervisor of personnel concerned. He/she shall prepare and submit an impartial written report to their commanding officer in every case of serious misconduct, incompetence, neglect of duty or violation of rules, regulations or department orders on the part of a subordinate.

A. In the event that the involved employee is responsible to another supervisor, the written report will be forwarded to the employee's supervisor for action.

B. Action can/may include conference; corrective action to include recommendation for remedial training; preparation of disciplinary action form (must be reviewed and approved in accordance with

Departmental policy and Personnel Rules and Regulations); further investigation and/or referral to Internal Affairs, as per policy.

C. The report prepared by the observing supervisor will in all cases be maintained as a part of the files regarding the incident in question.

25.1.10 Commanders/supervisors shall supervise and direct the activities of personnel assigned to them and inspect the work of subordinates for effectiveness, efficiency, and adherence to established policies and procedures. A commanding officer and supervisor also instructs and advises subordinates in the performance of their duties, and shall promptly obey and support all directives and policies established by the Chief of Police.

25.1.11 Commanding Officers/supervisors shall act as the liaison In the transmittal of information in a lateral and/or vertical manner as may be appropriate to that information being dismissed.

25.1.12 Commanding officers/supervisors shall develop long and short range objectives for their assignment.

25.1.13 Commanding officers/supervisors shall review and forward all reports and other documents prepared by subordinates.

25.1.14 Commanding officers/supervisors shall evaluate the performance of immediate subordinates and review evaluation of other subordinates. Initiate commendations or disciplinary action for subordinates, subject to review by higher authority.

25.1.15 Commanding officers/supervisors shall administer and control expenditures of manpower, materials, and other cost elements that could fiscally affect the operation of this department.

25.1.16 Commanding officers/supervisors shall be responsible for the early detection of substance abuse on the part of personnel under their command/unit and prompt referral for rehabilitation. Correspondence will also be routed to the office of the Chief of Police.

25.1.17 A conviction for violation of Federal, State or City statute or ordinance will be grounds for disciplinary action. The disciplinary action will be on a case by case basis, based on the severity of the violation.

25.1.18 A valid New Mexico Driver's license (class D or above) is a condition of employment/continued employment. Revocation or suspension of license will be grounds for termination or suspension.

25.1.19 Officers holding command or supervisory rank will be charged with the task of setting proper and positive examples to their immediate subordinates and all subordinate personnel by his/her appearance (uniform and plainclothes) and projection of professional, competent self standards.

25.1.20 In the event that personnel from this Department are placed under arrest for any reason, the on-duty commander shall personally contact the officer's immediate supervisor and give notice of the arrest and the related charges.

25.1.21 Commanding officers/supervisors may delegate sufficient authority to fulfill the department's mission, goals, and objectives. At all times, the commanding officer/supervisor shall remain responsible for his/her assigned duties.

25.1.22 Command officer(s) will also be responsible to be at scene(s) of such a magnitude where his/her authority is needed to make a decision or make arrangements that a patrol officer cannot make. He/she will assume command of such scene(s) until relieved by a higher ranking commander or at the conclusion of the incident.

A. Such scenes include, but are not limited to: All major felonies; incidents of a volatile nature that may escalate into large scale disturbances; any incident involving suspects believed to possess diplomatic immunity; all scenes involving government officials which may cause attention to be directed at the Police Department; all scenes in which officers are accused of excessive force; all scenes in which the use of force has injured an officer; all scenes in which an officer has injured a citizen.

POLICIES FOR OPERATIONAL SCENE FUNCTIONS

25.1.23 It is the policy of the Santa Fe Police Department to designate command responsibilities for those situations where personnel from different commands are engaged in the same operation with the same goal.

A. Commander in charge

1. When the needs of an operation require personnel from different commands to function as a single unit with a common goal, the person in command of that combined force will be the on-scene ranking officer of the command with overall responsibility for the outcome of the operation. This person will be referred to as the on-scene commander.
2. When an incident occurs on patrol where a patrol commander is in charge, and the need arises for a specific unit to be called out, i.e. detective, etc., the ranking patrol commander remains in charge until such time as he/she releases that command responsibility to the specific unit commander. If a detective responds and no detective will be under the command of the patrol commander in charge of the scene.

B. Delegation of Authority

1. The ranking field commander may in turn designate a subordinate officer and vest him/her the authority to act in the capacity of scene commander. If such designation is made, the person relinquishing authority shall so notify the supervisors of the various units present in order to eliminate doubts about who has the authority to direct operations.

C. Utilization of Specific Units

1. When utilizing specific units, the scene commander should strive, to the greatest extent possible, to support the specific unit with manpower and resources sufficient to attain the specific unit's objective.

DUTIES OF ALL SWORN PERSONNEL

25.1.24 Sworn personnel who are acting in an official capacity or are performing official duties shall fulfill the duties of their assignment, and obey the orders of their supervisors.

- A. They shall, to the best of their abilities, protect the rights of those persons with whom they have contact as provided in the Constitution of the United States, the Constitution of the State of New Mexico, the statutes of the State of New Mexico and the Ordinances of the city of Santa Fe.

25.1.25 Carrying of Firearm, Badge, and Identification Card.

A. Officers shall carry and use weapons in a careful prudent manner in accordance with the laws of the State of New Mexico and departmental procedures.

1. On Duty Officers shall carry their firearm, badge, and identification card on their person except when impractical in an investigation, or dangerous to their safety.
2. Off Duty officers shall, if armed, carry on their person their badge and official identification card. Refer to directive entitled, "Firearms, Ammunition, and Range Qualifications."

25.1.26 Enforcement of Laws, Ordinances, and Police Regulations.

A. Officers shall familiarize themselves with and have working knowledge of all laws of the State of New Mexico and the ordinances of the City of Santa Fe, which they are required to enforce. They shall also familiarize themselves with a basic operational knowledge of Federal and State Constitutional requirements regarding police practices.

B. Officers shall take appropriate action and render assistance in any instance coming to their attention whether on or off duty.

1. Should an officer be placed in a position of making an arrest while off-duty, that officer must immediately obtain assistance from on-duty personnel and by the following working day, a detailed report shall be submitted to the Office of the Chief of Police detailing the facts surrounding the arrest.

C. Officers shall be equally responsible for the enforcement of laws, ordinances and police regulations. All uniformed officers share the responsibility for the enforcement of traffic laws and regulations. Officers enforcement responsibilities include the following;

1. Felony offenses
2. Misdemeanor offenses
3. Traffic violations
4. Parking violations
5. Animal law violations (enforced by Animal Services officers)
6. Warrant service, including arrest warrants, search warrants, etc.
7. Children's code violations
8. Orders of Protection
9. Officers will not serve civil process except in the area of Domestic Violence.

D. Officers of the Santa Fe Police Department shall enforce those laws that are violated within the City of Santa Fe. This includes state statutes, city ordinances, and, where applicable, federal laws.

E. Santa Fe Police Officers will refer any violations belonging to other agencies to those respective agencies, i.e, Bureau of Indian Affairs, Federal Bureau of Investigation, Alcohol, Tobacco and Firearms, Drug Enforcement Administration, etc. If an officer is in doubt as to whom is responsible for certain incidents, a commander shall be contacted to clarify the situation.

25.1.27 Use of Discretion

A. When sworn employees of this department are faced with a situation where discretion may be exercised, they must evaluate the circumstances, consider the available resources, and rely on their training, departmental policies, statutory law, and supervision in making the appropriate decision.

B. In addition, within each situation, the appropriate decision should be the least restrictive that still accomplishes the intent of the law, is in accordance with department policy, and does not compromise the officer's safety.

C. Those areas in which an officer may use discretion include, but are not limited to, the following:

1. Arrest versus issuing a citation
2. Juvenile arrest versus counsel and release

3. Written citation versus warning (written or verbal)

D. The limits of discretion for sworn personnel are defined by:

1. Various federal and state laws, city ordinances, case law; and policy.
2. Departmental procedures on the use of discretion located in the directive entitled "Personnel Code of Conduct."

25.1.28 Pretrial Release/Incarceration of Arrested Persons

A. Under ordinary circumstances, officers should utilize the option of citing persons suspected of petty misdemeanors, citable misdemeanors, and traffic violations (other than D.U.I. or Driving on a Revoked Driver's License with a directive to arrest within New Mexico). Effort should be made to cite and release the suspected person or, if possible, to take them before the Municipal Court Judge for bonding (during regular court hours).

B. Exceptions to this include, but are not limited to the following:

1. Persons who cannot be cited to appear in court as they are not from the jurisdictional area of the court; those persons who do not possess any valid form of identification;
2. Those persons to be arrested in connection with charges of Domestic Violence;
3. Those persons who present a threat to themselves or another unless an arrest is made;
4. Those persons being served with an outstanding warrant(s) from any appropriate court.

C. Incarceration/release of juveniles shall be in accordance with departmental directives, and action with regard to detention will only occur upon approval by the Juvenile Probation Authority.

D. Under normal circumstances, incarceration of suspects shall occur when the arrestee is charged with an offense that constitutes a felony. Exceptions to this may occur upon approval by the District Attorney's office. Additionally, persons will be incarcerated when served with an outstanding warrant from a foreign jurisdiction, after verification of the warrant has been made.

25.1.29 Incarceration of Detainees

A. Prior to incarceration of any suspected felon, the arresting officer shall follow the statutorily required procedures as outlined in the directive regarding completion of Criminal Complaints and Probable Cause Statements.

B. On all misdemeanor/petty misdemeanor cases in which incarceration will occur, the arresting officer shall be set in accordance with the Municipal Misdemeanor Bond list and/or the Magistrate Bond list.

25.1.30 Furnishing Name and Employee Number to the Public

A. Officers shall cordially furnish their name and employee number to any person requesting such information when they are on duty or while acting in an official capacity except:

1. When the withholding of such information is necessary for the performance of police duties (Department sanctioned under-cover operations).
2. When the withholding of such information is authorized by a commanding officer.

B. Officers shall furnish SFPD business cards to victims and/or witnesses of crimes, unless the officer's assignment dictates that their identity should not be revealed.

25.1.31 Personal Injury Involving Department Personnel

A. Employee Responsibility

1. All commissioned and civilian employees will report immediately to their immediate supervisor any injury or accident occurring on duty, regardless of the extent or seriousness of the injury.

B. Supervisor's Responsibility

1. The supervisor, upon receiving a report of injury will conduct an investigation into the circumstances and submit their findings on the form entitled "Supervisor's First Report Accident/Injury".

2. This report shall be routed to the office of the Chief of Police by the end of his/her tour of duty.

3. If, after the investigation, the supervisor feels a physician should check the injured employee, he/she will immediately make the necessary arrangements.

C. Review of Reports

1. Upon receipt of the Accident/Injury report, The Chief will review the report. A copy shall be retained on file in the Chiefs office.

2. After review in the Chiefs office, the report shall be submitted to the Safety Administrator's office within five (5) working days.

3. Incident/Accidents involving City of Santa Fe employees may be subject to review as outlined in the City of Santa Fe Safety manual, and/or Department policy.

25.1.32 Emergency Aid and Contact With Communicable Diseases

A. Officers shall be acquainted with first aid procedures so that they are prepared to render necessary care based upon each Officer's training and abilities.

B. Officers shall notify their supervisor at once when exposed to a contagious disease in the line of duty.

C. Officers shall seek medical attention/care when necessary in the event that they are exposed to a contagious disease in the line of duty.

D. Department personnel who have been contaminated by a substance or body fluid of a questionable nature shall remove affected clothing articles as soon as possible. Affected clothing articles shall be packaged in compliance with exposure control standards.

E. Reporting of the incident shall be accomplished by following the prescribed manner for personal injury.

F. The City of Santa Fe Safety Department shall initiate medical testing of the individual or any scientific testing of clothing articles or equipment. Should a need for medical care or observation be identified, such needs should be attended to immediately, through the city's contract medical provider.

25.1.33 Familiarization with the City and Areas of Interest

A. Officers shall be familiar with but not limit themselves to the locations of the following:

1. The location of streets, highways, and boundaries of the City.

2. Public Buildings

3. Hospitals and Medical Facilities
4. Courts
5. Transportation Offices and Depots
6. City, County, State and Federal Agencies and Departments.
7. Any other pertinent location that would enable the officer to render a useful and helpful

response.

25.1.34 Inter-Agency Cooperation

A. Officers shall cooperate with all agencies involved in the administration of criminal justice, public agencies, and other departments within the City of Santa Fe structure, and shall give to each all the aid and information that it is entitled to receive, including those agencies with have an existing mutual aid agreement with this department.

25.1.35 Neglect of Duty

A. Officers shall be responsible for reporting to their immediate supervisor the neglect of duty or disobedience of orders of other department personnel, which may come to their attention.

Drafted (NW) 10/23



Chief of Police Paul Joye

Date 10/23/2023