

GENERAL RULES FOR COMMANDING AND SUPERIOR OFFICERS	Document Number	GO 301
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1. PURPOSE

The purpose of this policy is to establish the role of the commanding and superior officers within the organization of the Hawai'i Police Department.

2. PERSONS AFFECTED

All supervisory personnel and any member temporarily assigned to a supervisory position.

3. POLICY

It shall be the policy of the Hawai'i Police Department to define and establish the authority and responsibility of commanding officers and superior officers.

4. DEFINITIONS

4.1. **Commanding Officer** – Officer regularly assigned by the Police Chief to command any bureau, division, district, or any other unit of the department. The same designation shall apply to any police officer, regardless of grade, who may be temporarily in command of such units.

4.2. **Superior Officer** – Officer regularly assigned by a commanding officer to command any section of a bureau, division, district, or any other unit of the department. The same designation shall apply to any police officer, regardless of grade, who may be temporarily in command of such unit.

5. LEADERSHIP

Leadership of personnel is the primary function of a commanding or superior officer. Endless laws and regulations may be issued, but unless those responsible for command obtain their execution they are futile. Superior officers must realize that command imposes grave responsibilities, principal among which is the necessity for initiative and absolute self-reliance in meeting and accepting responsibility in all matters not covered by hard and fast rules of procedure. Promotion must not be permitted to bring ease, but should inspire increased activity, alertness, diligence and devotion to the interests of the department and the public. Only results count. Attempts to shift, evade, or dodge responsibility will not be tolerated.

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5.1. Subordinates Reflect Strength of Commander – Commanding and superior officers should have before them always the fact that their capabilities and character are accurately reflected in the efficiency, discipline and morale of their subordinates. The strength or incompetence of the superior is readily detected in the quality of work performed by his subordinates. General laxity, indifference, incompetence and ineffectiveness on the part of subordinates may be deemed evidence of incompetence and neglect of duty on the part of their superior officer.

5.2. Ability to Command – Defects and weaknesses are generally due to failure of commanding and superior officers to properly impress their subordinates with the all-important fact that discipline is only the orderly conduct of business and that orders must be obeyed and adherence given to the rules of the department. Commanding officers must command. They should never do what should be properly done by the officers under them, but must see that their subordinates perform their duties, each in his place, and must promptly make definite charges against those who fail to do so.

6. GENERAL RULES FOR COMMANDING OFFICERS

6.1. Authority and Responsibilities

6.1.1. The commanding officer has direct control and supervision, subject to orders of the Police Chief, over all officers and employees assigned to his command. He is responsible for the efficiency and effectiveness of his subordinates, and shall coordinate the functions and activities of the various units of his command. He shall at all times require his command to cooperate with other divisions of the department, and suppress any friction which may arise between divisions or between officers in his division. He shall act in cases not regularly assigned to his own command when the delay necessary to inform the proper organic unit might result in a failure of the department to perform a police duty.

6.1.2. He is charged with, and shall be responsible for, the investigation of internal and external complaints relative to the conduct of subordinates under his command and shall report the results to the Police Chief.

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6.1.3. He shall investigate all sick reports and report any case of malingering within his command.

6.1.4. The commanding officer shall so regulate his command that, at all times when he is absent, it shall be under the command of a competent officer, not lower in grade than a sergeant, if at all practicable.

6.1.5. The commanding officer shall, without specific instructions, establish the required details and assignments necessary to carry out the functions of the department and of his command in particular. He shall be guided in his assignment of personnel by the number of officers available to him for assignment and the necessity for assigning his men where they will be most useful and efficient.

6.1.6. He shall not countermand an order issued by a superior officer without sufficient and good reason.

6.2. Operations

6.2.1. The commanding officer shall immediately report any emergency, serious crime, or unusual occurrence to his immediate superior.

6.2.2. He shall personally respond to any emergency or occurrence of a serious or unusual nature which arises within his jurisdiction, unless his presence at his station would be of more value under the circumstances, in which case he shall assign a competent officer to take command at the scene of the emergency. He shall also, whenever possible, respond to calls where members of his command are involved in controversy or accident.

6.2.3. He shall be responsible for the prompt service of all official notices, summons or subpoenas which may be sent him by proper authority.

6.3. Property and Equipment

6.3.1. The commanding officer shall be held strictly accountable for the condition of personnel assigned to him and for the condition and appearance of their uniforms and personal equipment. He has the

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authority to condemn old uniforms found unfit for service and to order the issuance of new uniforms.

6.3.2. He shall inspect, or cause to be inspected, all members of his command at the beginning of their tour of duty, and he shall at least once each month conduct a general inspection of the entire personnel assigned to his command, together with all automotive and other department equipment assigned to their use. He shall submit a written report through channels setting forth the result of the general inspection and such recommendations for the betterment of the service as he may deem proper.

6.3.3. The commanding officer is responsible for the good order and sanitary condition of departmental buildings, or portions thereof, within his command, and for the furnishings and equipment assigned thereto. He is responsible for the proper care, economical use and efficiency and serviceability of departmental property issued for or assigned to the use of members of his command.

6.3.4. In the event of the death, resignation, suspension or dismissal of any member of the department, the commanding officer to whose command the member was last assigned shall take possession and forward same to the Fiscal Services Division.

6.4. Personnel

6.4.1. The commanding officer shall be responsible for the punctual attendance of all personnel within his command and shall keep, or cause to be kept, a record of each member's attendance, overtime, court time, relief days, vacations, sick leaves, leaves of absence and suspensions.

6.4.2. The commanding officer shall prepare efficiency ratings for each of the officers of his command at such intervals and upon such forms as may be required.

6.4.3. He shall observe the probationary police officers assigned to his command, and prior to the expiration of their probationary period, he shall submit through channels a detailed written report describing their appearance, intelligence, discipline, efficiency, initiative, general adaptability to police work, and their overall

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ability to obtain desirable results. He shall, in his report, include a statement as to whether or not, in his opinion, each individual officer should receive permanent appointment.

6.5. Discipline

6.5.1. The commanding officer is responsible for the efficiency, discipline and morale of all members of his command. He shall investigate or cause to be investigated all complaints by citizens and reports by members of the department of any violations of the rules and regulations or policies of the department on the part of anyone under his command. He shall report any incompetent member of his command.

6.5.2. The commanding officer who initiates any disciplinary action against a subordinate has the responsibility of forwarding a complete written memorandum of the case to the Personnel Officer. His report shall include his recommendations as to the action to be taken.

7. GENERAL RULES FOR SUPERIOR OFFICERS

7.1. Orders

7.1.1. A superior officer shall promptly obey all orders of his commanding officers and of the Police Chief. He shall communicate and explain all orders and provide all necessary information to his subordinates.

7.1.2. A superior officer shall issue clear, concise and definite orders to his subordinates. Vague, ambiguous and ill-defined orders and commands that cannot be executed are confusing to subordinates and prejudicial to the efficiency, good order and morale of the department.

7.1.3. A superior officer shall be held responsible for issuing improper orders. He shall not issue unlawful orders or orders in violation of department rules and regulations or duty manuals.

7.1.4. He is responsible for the proper execution of orders by his subordinates. The fact that an order has been given is not

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acceptable as an excuse when the order is not carried out by a subordinate.

7.1.5. Communications, orders and directives emanating from the Police Chief or a commanding officer, and all requests for assistance from one division, bureau or district to another, shall follow the chain of command, except in emergencies where the element of time renders this procedure impractical and ineffective in the proper and expeditious performance of police duties.

7.1.6. A superior officer shall exercise direct command, supervision or direction over lesser officers outside his usual command in all situations where the police purpose or the reputation of the department is jeopardized. A superior officer, however, shall not unnecessarily give orders to subordinates who are not assigned to his command. When he gives such orders, he shall exercise care that they do not unnecessarily conflict with the orders of the commanding officer of the unit to which such subordinates are assigned. Whenever orders so given are important or require the subordinate receiving them to leave his regular post or assignment, the superior officer giving the orders shall, as soon as practicable, inform the subordinate's commanding officer of the action taken. Under these circumstances, subordinates must obey the orders of a superior officer. Any alleged misuse of authority may be dealt with later.

7.2. Performance of Duties

7.2.1. A superior officer shall constantly direct his best efforts toward the intelligent and efficient performance of the functions of the department. He shall in turn require the same of his subordinates.

7.2.2. He shall see that his subordinates make all required reports promptly, accurately and completely, and on the proper forms. He shall refuse approval of subordinates' reports which are not in conformity with approved reporting procedures.

7.2.3. A superior officer shall forward through channels all written communications received from his subordinates.

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7.2.4. Superior officers, unless specifically authorized by the Police Chief, shall maintain a telephone at their residence so that they may be reached whenever necessary. They shall notify their commanding officers of any change in telephone numbers within 24 hours after such change has been made.

7.3. Morale

7.3.1. A superior officer shall sustain subordinates when they are acting within their rights. He shall not censure or reprimand a subordinate in the presence of others. He shall exercise his authority with firmness, justice and reason.

7.3.2. A superior officer shall not injure or discredit those under his authority by unreasonable, unjust, arbitrary, capricious or tyrannical conduct, or by abusive language.

7.4. Discipline

7.4.1. A superior officer is responsible for the good order, conduct and discipline of his subordinates.

7.4.2. A superior officer shall be responsible for enforcement of the rules, regulations, policies and procedures, and for the maintenance of good discipline.

7.4.3. He shall not fail to take suitable action on the discovery of any failure, error, violation, misconduct, or neglect of duty by a subordinate, and he shall act as promptly as circumstances will allow.

7.4.4. A superior officer shall study his officers carefully, observing their strengths and weaknesses; he shall endeavor to use the strong points of his men to advantage and to shield them from their weak ones; he shall correct the faults of his subordinates and endeavor to assist them in becoming better officers in every way.

7.4.5. A superior officer shall make an impartial written report to his commanding officer in every case of misconduct, incompetence, neglect of duty, or violation of the rules and regulations on the part of a subordinate, or of a citizen-complaint lodged against a

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subordinate, and his failure to do so shall be deemed neglect of duty. In addition, he shall bring before his commanding officer at once any subordinate guilty of a serious or flagrant violation of the rules and regulations or of any willful neglect of duty.

- 7.4.6. A superior officer shall not ridicule rules, regulations or orders, nor shall he permit subordinates to do so.
- 7.4.7. A superior officer shall exercise his authority without bias or prejudice, and shall not under any circumstances or in any manner obligate himself to an officer of lesser rank.