

PORT HURON POLICE DEPARTMENT POLICY AND PROCEDURAL ORDER

		ORDER NO: 12-04
SUBJECT: Obeying Lawful Orders		
EFFECTIVE DATE: Sept. 1, 1994	DISTRIBUTION: A	REVIEWED: 12/16/19 REVISED:
REQUIREMENTS: NONE		
ISSUED BY: Chief Joseph A. Platzer		FORMS: NONE

I. PURPOSE

The purpose of this order is to establish the protocol for obeying a lawful order of a superior, obeying an order relayed from a superior by an employee of the same or lesser rank, and the procedures to be followed by an employee who receives a conflicting or unlawful order.

II. POLICY

It is the policy of the Port Huron Police Department that employees must obey and follow a lawful order given to them by a superior or relayed to them from a superior by someone of the same or lesser rank.

III. DEFINITION OF A SUPERIOR

For the purposes of this order, a superior is:

- A. Anyone of higher rank than the employee receiving the order.
- B. Anyone of the same rank, who because of the circumstances, has the authority, responsibility, and/or seniority to command a particular scene or incident.

IV. PROCEDURES

A. Lawful Order of a Superior

In order to permit effective supervision, direction, and control, employees shall promptly obey any and all lawful orders given by a superior.

B. Lawful Order of a Superior Relayed by Another

Employees will obey any and all lawful orders given by a superior when that order

is relayed to the employee by another employee of the same or lesser rank.

C. Conflicting Orders/Directives

1. In those situations in which an employee receives conflicting orders, the employee will do the following:
 - a. Inform the supervisor, or person issuing the conflicting order, that they have in fact received conflicting orders, and ask for specific clarification.
 - b. If the order is relayed to the employee by an employee of the same or lesser rank, the employee is to obey the most recent order.
2. In the event that a conflicting order is not clarified or retracted, the employee should not be held responsible for disobedience of the order or directive previously issued.

D. Unlawful Orders

An employee of the Port Huron Police Department is not required to follow an order that they believe is unlawful or immoral. Remember, all police department employees must recognize and act upon their “duty to intervene” to prevent or stop any employee from conducting any act that is unethical, or that violates law or policy (e.g., excessive force, theft, fraud, inappropriate language and behavior, sexual misconduct, harassment, falsifying documents, etc.). Intervention may be verbal and/or physical. Failure to intervene may subject an employee to disciplinary action.

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