



POLICY & PROCEDURE

PORTAGE POLICE DEPARTMENT

SUBJECT: **STRUCTURE/COMMAND/
ACCOUNTABILITY**

SCOPE: All Department Personnel
DISTRIBUTION: Policy & Procedures Manual

REFERENCE:

NUMBER: 1.05

ISSUED: 09/08/2021

EFFECTIVE: 09/08/2021

RESCINDS

AMENDS

WILEAG 5TH EDITION

STANDARDS: 1.3.1, 1.3.2, 1.3.3,
1.3.4, 1.3.5, 1.3.6, 1.4.1, 1.4.2,
1.4.3

PURPOSE: The purpose of this Policy & Procedure is to inform employees of the organization and command structure of the Portage Police Department; to establish the chain of command in the absence of the Chief of Police; to establish internal and external command protocol; to inform employees they are accountable for the use of delegated authority; to establish procedures for obeying lawful orders; and to establish an administrative reporting program, which requires the preparation of periodic reports of the agency's activities and data summaries, based on such reports.

The department shall also have ready access to legal advice by both the Office of the City Attorney and the Columbia County District Attorney. In rare cases the Attorney General's Office of the State of Wisconsin may also be contacted.

This Policy & Procedure consists of the following numbered sections:

- I. ORGANIZATION STRUCTURE
- II. CHAIN OF COMMAND
- III. OPERATIONAL COMPONENTS
- IV. INTERNAL PROTOCOL
- V. PROTOCOL INVOLVING OUTSIDE AGENCIES

- VI. DELEGATION OF AUTHORITY
- VII. SUPERVISOR ACCOUNTABILITY
- VIII. DUTY TO OBEY LAWFUL ORDERS
- IX. ADMINISTRATIVE REPORTING PROGRAM
- X. LEGAL ADVICE

I. ORGANIZATION STRUCTURE

- A. The Portage Police Department shall maintain an updated organization chart including all positions in the department that shall be available to all personnel. The chart shall be kept on file on department server.
- B. Each position within the department shall have a written job description that shall be available to all personnel. Job descriptions shall be kept on file in the following locations: Section 2.02 Job Classifications and on the department server.

II. CHAIN OF COMMAND

- A. The chain of command is the department's formal hierarchy and the necessity of personnel following a certain order in the hierarchy when traveling up or down the organization levels. The chain of authority will specifically advise all employees who has command authority between officers of similar rank.
- B. The Portage Police Department recognizes the existence of a formal rank structure, and the necessity of personnel following the etiquette and protocol established within the formal rank structure that exists in this department. Personnel shall follow the path of protocol in both directions, up and down the structure.
- C. The Chief of Police is the head administrative member of the department and has complete control over all administrative and command responsibilities within the department, subject to the direction of the mayor. The chief shall obey all lawful written orders of the mayor.
- D. In the absence of the Chief of Police, the officer on duty with the highest rank and most time in grade shall be in command of the department.
- E. The department's organization chart illustrates the rank and command structure of the department. Each employee is immediately accountable to their direct supervisor.
- F. Exceptional circumstances: In the event of incapacitation or any exceptional situations causing the absence of the Chief of Police, the assistant chief shall assume control of the department until such time that the Police and Fire Commission names an acting or permanent replacement.

G. Day-to-day operations: Unless otherwise designated by the Chief of Police, only operational titles are granted command authority. The standard (day-to-day) command protocol is depicted on the department organizational chart.

III. OPERATIONAL COMPONENTS

A. Administration:

1. Chief of Police, Assistant Chief, Lieutenant.
 - a) Records
 - b) District Attorney/County Clerk Office Liaison
 - c) Liaison with other agencies
 - d) Budget
 - e) Discipline
 - f) Internal Investigations
 - g) Administrative activities and special projects
 - h) The Captain and Lieutenant also are patrol supervisors for the Department.
2. Administrative Assistants
 - a) Dictate / file reports
 - b) Staff front office for front window and answer phones
 - c) Liaison to other agencies / courts
 - d) Process open records request
3. Community Service Officers
 - a) Ordinance enforcement
 - b) Assist with dictation and filing of reports
 - c) Coordinate Municipal court services
 - d) Process and track citations and warnings
 - e) Assist with IT

B. Operations / Patrol

1. Sergeants and Officers

- a) Patrol duties to include but not limited to traffic, parking, calls for service, assisting citizens, report writing, ordinance enforcement, state law enforcement, etc.

2. School Resource Officer

- a) School functions, education, safety and security, dept liaison to schools, special events.

3. Detective Division

- a) Supervision of complex investigations, follow up, evidence processing retention and storage, case preparation

IV. CHAIN OF COMMAND INVOLVING MULTIPLE UNITS

- A. Coordination is one of the most difficult problems when faced with a single incident that requires the combined resources and joint functioning of two or more divisions. This section characterizes the normal protocol for such incidents when they are not specifically described.
- B. When the need arises to form a special team comprised of officers from different divisions, the highest ranking and most senior time in grade officer shall be responsible for the team unless the detail requires the specialized skill and training of an officer with less rank or time and grade.
- C. In the case of an incident requiring both patrol officers and detectives, the patrol supervisor at the scene shall assume control and shall be in command. When the incident is such that it requires the Detective Division to assume responsibility of the ongoing investigation, the ranking detective shall assume command. The patrol supervisor, after conferring with the detective, shall determine when to relinquish command of the incident to the detective. The ranking detective will remain in command until the investigation is completed or such time as they are relieved by ranking supervisory staff.

V. CHAIN OF COMMAND WITH OUTSIDE AGENCIES

- A. The protocol to be observed during functions with outside agencies is as follows:
 - 2. First and foremost, employees of the Portage Police Department operating in multi-jurisdictional capacities or situations are responsible and accountable to the Portage Police Department, its supervision and command staff.
 - 3. Officers of the Portage Police Department operating in multi-jurisdictional capacities or situations shall follow the rules and regulations, Policy & Procedures and any other directions of the Portage Police Department.

4. Officers sent to another jurisdiction under a mutual aid request may be under the general direction of the requesting agency for tactical situations. Officers must keep in mind their ultimate responsibility is to the Portage Police Department.

B. Direction / Control of outside Agencies asked to Assist in Portage

1. Employees of any outside agency acting jointly inside the City of Portage shall be under the direction of the ranking Portage supervisor or command officer in control of the incident.
2. Supervisors must understand that employees of outside agencies are responsible and accountable to their employing agency and must operate under their agency's established standards. Supervisors should, whenever feasible, give direction to employees from the outside agency through their immediate supervisors.
3. Employees of the Portage Police Department are under the direct control of the ranking Portage Police Department supervisor controlling the scene of any incident in which an outside agency may be assisting. They are not under the control of any supervisor from an outside agency that may be on the scene.
5. Anytime an outside agency's specialized unit teams, (i.e., ERT) are called in to assist the Portage Police Department, they will act only under the direction of the ranking Portage supervisor or command officer. Their specialized functions and tactical operations will be controlled by the team's supervisor, but they will act only under the direction of the ranking Portage supervisory or command personnel. Their actions may be terminated at any point if the ranking Portage supervisory or command officer deems it appropriate.

VI. DELEGATION OF AUTHORITY

- A. The Chief of Police is the head administrative member of the department and has complete authority and responsibility for the department. By law the chief may delegate portions of his authority to subordinates.
- B. All employees of the department shall be given the authority to make decisions necessary to perform the functions of their jobs. All employees shall be held accountable for the use of delegated authority as well as for the failure to use it.
- C. The authority to accomplish specific tasks as delegated from level to level within the hierarchy of the department is granted by the Chief of Police. Employees to whom tasks are delegated are empowered to take the appropriate actions to accomplish the task. By being given the responsibility to complete an assigned task, the employee is granted the authority to direct the completion of the task assigned.

- D. Employees are accountable for their actions or failure to act, however, the responsibility for the task's completion falls on the ranking officer delegating the task. The ultimate responsibility falls on the Chief of Police for their subordinate's actions.

VII. SUPERVISOR ACCOUNTABILITY

- A. Supervisors are accountable and responsible for the performance of employees under their immediate control.

VIII. DUTY TO OBEY LAWFUL ORDERS

- A. Employees shall promptly obey any lawful orders of a supervisor. This will include orders relayed from a superior officer by an employee of the same or lesser rank.
- B. Upon the order of the Chief of Police, the Chief's designee, or a superior officer, employees shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department which may be asked them.
- C. Orders from a superior to a subordinate shall be in clear understandable language, civil in tone, and in pursuit of department business. A request of a supervisor shall be considered an order.
- D. No command or supervisory officer shall knowingly or willfully issue any order which is in violation of departmental orders, rules or procedures, except in accordance with established departmental procedures.
- E. Employees shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, the employee shall request the superior officer issuing the order to clarify the order. If the legality of the order is still in question, the employee shall confer with higher authority.
- F. Employees who are given an otherwise proper order, which is in conflict with a previous order, rule, regulation, or directive, shall respectfully inform the superior officer issuing the order of the conflict. If the superior officer issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the superior officer. Employees shall obey the conflicting order and shall not be held responsible for disobedience of the order, rule, regulation, or directive previously issued.
- G. All employees shall treat superiors, subordinates and associates with respect. They shall be courteous and civil at all times in their relationships with one another. While on duty, in the presence of the public, officers shall be referred to by rank.

H. Employees shall not publicly criticize or ridicule the department, its policies, or other employees by speech, writing or other expression, where such speech, writing or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.

IX. ADMINISTRATIVE REPORTING PROGRAM:

A. The department's administrative reporting system includes the following information:

1. A listing of all administrative reports
2. A statement as to the person or positions responsible for the formulation of the report
3. A statement of the purpose of the report
4. A statement of the frequency of the report
5. A statement of the distribution of the report

B. Administrative Reports are those reports submitted on a regular basis and shall include at a minimum:

1. Daily Briefing:
 - a) CAD Log. Shift Supervisor or designated personnel will produce a log listing calls for service on a daily basis. It will used to brief all staff on the daily calls for service.
 - b) Patrol Information. Shift supervisor and or designee will maintain a list of extra attention areas such as CAD calls, extra attention matters, missing persons, apprehension requests, stolen vehicles, and other information pertinent to shift(s) operations. It is maintained on the RMS system and updated as needed.
 - c) Overtime postings. The patrol lieutenant or designee will maintain signup sheets as needed for extra patrol, grants, special events, and shift shortages. The sheets will be posted in the Sergeant's office and shift assignments will be updated on any pertinent schedules.
3. Bi-weekly Reports: Payroll Records: The Patrol Lieutenant will maintain a log of overtime. Shift supervisors will review and submit payroll records to the chief or designee for processing by the payroll clerk.

4. Monthly Reports:

- a) The administrative assistants shall prepare a Uniform Crime Report (UCR) on a monthly basis. The report will be forwarded to the Chief of Police. A copy of the reports will be transmitted to the State of Wisconsin CIBR.
- b) Statistical Summary Reports. The reports will be made available to personnel via the RMS Spillman server as necessary and or needed.
- c) The Patrol Lieutenant or designee shall prepare a monthly report on all traffic stops for the month. Copies will be given to all staff.
- d) The Assistant Chief shall prepare and submit in Badger TRACS a monthly use of force report.

5. Annual Reports:

- a) The Chief of Police will complete the department annual report. The report will be made available to personnel via the police server with copies and or access electronically given to the Mayor, Common Council, Police and Fire Commission and the community.
- c) The Assistant Chief will review annually and complete a report for the Chief of Police for the following:
 - 1. Use of Force Reports.
 - 2. Grievances.
 - 3. Internal Investigations.
 - 4. Department Vehicle Accidents.
 - 5. Pursuits.

6. Department Meetings: The following meetings will be held on a regular basis for the purpose of ensuring open lines of communications and the passing of information throughout the department.

- a) Administrative Staff meetings: meetings composed of the chief, assistant chief, and lieutenants
- b) Supervisory Staff meetings: meetings composed of the chief, assistant chief, lieutenants and sergeants.
- c) Divisional Meetings: meetings within a specific Division/Bureau attended by its supervisors and/or members as authorized by the Chief of Police.
- d) Shift meetings: meetings which encompass one specific division or shift and its supervisors and/or total members as, called for by the Division/Shift supervisor with approval of the Chief.

7. Special Reports: As needed, the Chief of Police may request various reports on selected topics. These reports will be completed in a timely fashion and distributed to the appropriate personnel.
8. Accountability: The Patrol Lieutenant or his/her designee shall:
 - a) Maintain inventory of department forms.
 - b) Replenish supplies of forms for general distribution and inventory.
 - c) Be responsible for modifications and development of forms and reports.
 - d) Submit new reports or forms to the Chief of Police for review and approval prior to use.
9. Should the department seek accreditation:

The Accreditation Manager or designee shall maintain a manual that lists all reports, reviews and other activities mandated by accreditation standards. The procedure to ensure that all documentation is completed in a timely manner is as follows:

- a) Personnel responsible for reports, reviews, inspections or other activities will be given a copy of the WILEAG mandated report/review list applicable to their unit/function.
- b) Personnel shall submit required WILEAG reports on a timely basis by the due date.
- c) If documentation is not received in a timely fashion, the Accreditation Manager shall follow up with the responsible employee.
- d) Documentation once completed and reviewed by appropriate personnel and affected units will be filed in the appropriate WILEAG file.

X. LEGAL ADVICE:

A. City Attorney.

1. The City Attorney's office is the legal counsel for the City and as such may be consulted for question or concerns regarding:
 - a) Municipal ordinances.
 - b) Adopted State statutes.
 - c) City operations and departments.

- d) City liability issues.
- 2. This office represents the City and its officers as the prosecuting attorney for ordinance and state adopted statutory violations.

B. District Attorney.

- 1. The DA's office may be consulted for questions or concerns regarding:
 - a) Requesting State Attorney General's opinions.
 - b) State statutes not adopted by ordinance.
 - c) Intake Court related matters.
 - d) Warrant (search or person) request.
- 2. The DA's office represents the City and its officers as the prosecuting attorney for statutory offenses.

C. Attorney General.

- 1. In rare cases an opinion by the Attorney General's Office may be sought with the approval of the Chief and in consultation with the District Attorney's Office.

D. Availability.

- 1. Both attorney offices are available for consultation either through normal office phones or, after hours, at their homes.

Such numbers are available through dispatch. Calls to attorney's homes must be pre-approved by the officer's supervisor prior to calling.

Keith J. Klafke
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 09/08/2021
Updated 03/12/2026