



MAINE STATE POLICE GENERAL ORDER

E-12

SUBJECT: MAINE STATE POLICE POLICY REGARDING THE MAINE STATE POLICE CHAIN-OF-COMMAND

EFFECTIVE DATE: 07.30.2021

EXPIRATION DATE: 07.30.2028

RECENT HISTORY: AMENDED (07.30.2021); AMENDED (08.01.2020); AMENDED (08.04.2017); REVISES MSP GO E-12 (FORMERLY G.O. 11N)(05.05.2010); MSP GO E-12 (FORMERLY G.O. 11N) NEW (09.01.2005)

DISTRIBUTION CODE: 2 (MAY BE PUBLICLY DISCLOSED)

APPLICABILITY CODE: S, Z

MLEAP: 1.01

SIGNATURE OF COLONEL:

I. PURPOSE

1. The purpose of this General Order is to establish the Maine State Police Chain-of-Command notification process to be used with respect to specified types of incidents in which the Maine State Police becomes involved.

II. POLICY

1. The policy of the Maine State Police is to:
 - A. Ensure that notification and information regarding specific types of incidents in which the Maine State Police becomes involved is

communicated effectively through the Maine State Police Chain-of-Command so that appropriate supervisory links in the chain are kept informed and are able to make operational decisions when necessary;

- B. Ensure that each link in the Maine State Police Chain-of-Command is vested with appropriate authority and discretion to ensure that the agency is able to effectively and efficiently respond to specific types of incidents; and
- C. Maintain an organizational chart depicting the components of the Maine State Police, which chart shall be accessible by all personnel, updated as needed, and be reviewed annually. **MLEAP 1.01**

III. DEFINITIONS

- 1. For the purposes of this General Order, the terms included in this section are defined as follows, unless otherwise indicated in the order.
 - A. Incident. "Incident" means an event or an operation.
 - B. MCU. "MCU" is an acronym of Major Crimes Unit.
 - C. Officer of the Day ("OD"). "Officer of the Day" ("OD") means an officer responsible for a Troop, Division, Unit, or Section during an assigned, specified period of time.
 - D. Section. "Section" means a designated group within a Troop, Division, or Unit.
 - E. Specialized Team. "Specialized Team" means a special response team involved in emergency or hazardous response such as the Tactical Team, Crisis Negotiation Team, Underwater Recovery Team, Incident Management Assistance Team, or Bomb Team, but does not include a Canine Team comprised of a Canine and Handler.
 - F. Standard workweek. "Standard workweek" means the period beginning at 0400 hours on Monday and extending to 1700 hours on Friday, excluding paid holidays and State temporary layoff days.
 - G. State Officer of the Day. "State Officer of the Day" ("State OD") means the officer having overall supervisory responsibility of the Maine State Police during an assigned, specified period of time.
 - H. Unit. "Unit" means a component of the Maine State Police other than a Troop or a Division.
 - I. Weekend. "Weekend" means the period beginning from 1700 hours on Friday through 0400 hours on Monday.

- 1. When a paid holiday or a temporary layoff day falls within a standard week, the weekend also includes such types of days.

IV. PROCEDURE

- 1. GENERAL DISCUSSION

- A. To ensure that notification and information regarding specific types of incidents in which the Maine State Police becomes involved is communicated effectively within the agency, a formal Maine State Police Chain-of-Command structure and communication process is established.
- B. A key link in the Chain-of-Command structure and communication process is each of the designated respective Troop, Division, and Unit Section "Officers of the Day" ("ODs").
- C. Another key link in the Chain-of-Command structure and communication process is the State "Officer of the Day" ("State OD").

2. STATE OD

- A. The Maine State Police must have a designated State OD on a daily basis.
- B. The State OD shall be available by cell phone and through the RCC of jurisdiction during the standard workweek.
- C. The State OD is:
 - 1. The Colonel during the standard workweek.
 - a. If the Colonel is unavailable to serve as State OD, he or she shall designate another officer as State OD.
 - b. If the Colonel designates a State OD during the standard workweek, that designee shall notify the Augusta Regional Communications Center ("ARCC") of the designation, and request that the ARCC notify the other State Regional Communications Centers.
 - 2. A specifically assigned Lieutenant during the weekend.
 - a. The Maine State Police Lieutenants shall share the responsibility of serving as State OD on a rotating basis, per a schedule that is to be established semi-annually by the Lieutenant Colonel.
 - b. With the appropriate Division Major's prior approval, a Lieutenant who is unavailable to serve as the State OD as scheduled shall arrange for another Lieutenant to swap hour-for-hour as the State OD in the unavailable Lieutenant's stead.
 - (1) The Lieutenant may not transfer his or her OD Weekend shift to another Lieutenant, but must swap the time with that other Lieutenant.

(2) Once he or she has done so, the unavailable Lieutenant shall inform the ARCC and the Colonel's Administrative Assistant of the Lieutenant who will be taking the State OD responsibility on behalf of the unavailable Lieutenant.

D. Each Troop, Division, or Unit with officers who are scheduled to work or who are on-call must have a designated OD.

1. The Troop, Division or Unit OD is:

a. The Commanding Officer of the Troop, Division, or Unit during the standard workweek, unless the Commanding Officer of the Troop, Division, or Unit is unavailable.

(1) A Commanding Officer who is unavailable to serve as an OD shall designate the OD for his or her respective Troop, Division, or Unit.

b. The Sergeant who is on-duty or on-call for a Troop or Unit during the weekend, unless:

(1) The Commanding Officer of the Troop or Unit designates a different person as OD;

(2) There is more than one Sergeant who is on-duty or on-call during a Section shift in the Troop or Unit, in which case the Commanding Officer of the Troop or Unit shall designate the OD for the Troop or Unit.

(3) The Sergeant is unavailable to serve as the Troop OD or Unit OD.

(A) A Sergeant who is unavailable to serve as Troop OD or Unit OD shall designate a Corporal or other officer in the Troop or Unit to serve as the Troop or Unit's OD.

c. One Sergeant in each Major Crimes Unit during the weekend.

(1) The MCU Sergeants shall share the responsibility of being the OD for their respective units on a rotating basis, per a schedule that is to be established semi-annually by the respective Commanding Officers of the three MCUs.

- E. Each Section of a Troop, Division, or Unit must have a designated OD.
1. In most cases, the Sergeant supervising a given Section shall be the Section OD for his or her Troop, Division, or Unit; however, if the Sergeant of a Section is unavailable to serve as OD for her or his given Section, he or she shall designate a Corporal as OD.
 2. If the Sergeant or Corporal is unavailable to serve as OD, he or she shall designate a Trooper as OD.
 3. If the designated OD is a Trooper, the Trooper shall consult with an on-duty Sergeant from another Troop, Division, or Unit, whenever the Trooper needs advice or guidance in performing her or his OD duties.
 - a. As soon as reasonably possible, a Trooper serving as a Section OD shall notify an on-duty Sergeant or Corporal of another Troop, Division, or Unit of critical calls and emergencies, and shall consult with that Sergeant if a decision in a particular matter must be made by a Sergeant according to agency policy.
 - b. The Trooper also shall notify the Commanding Officer of the Troop, Division, or Unit as soon as practicable, if the Commanding Officer has previously requested such type of notification.

3. MAINE STATE POLICE CHAIN-OF-COMMAND STRUCTURE

- A. During a standard workweek, when Chain-of-Command notification is necessary due to the occurrence of an incident specified in this policy:
1. Troopers, Corporals, and Detectives shall notify their respective Section OD;
 2. Respective Section ODs shall notify the OD of their respective Troops, Divisions, or Units;
 3. Respective Troop, Division, and Unit ODs shall notify the appropriate Division Major within their Chain-of-Command;
 - a. If that Major is unavailable, Troop, Division, and Unit ODs are to notify the other Division Major or the Lieutenant Colonel, who shall then notify the Colonel; if the Majors and Lieutenant Colonel are unavailable, then Troop, Division, and Unit ODs are to notify the Colonel.

B. During the weekend, when Chain-of-Command notification is necessary due to the occurrence of an incident specified in this policy:

1. Troopers, Corporals, and Detectives shall notify their respective Section OD;
 - a. If there is no Section OD to notify, Troopers, Corporals, and Detectives shall notify the OD of their respective Troops, Divisions, and Units;
2. Respective Section ODs shall notify the OD of their respective Troops, Divisions, or Units;
3. Respective Troop, Division, and Unit ODs shall notify the State OD;
4. The State OD shall notify the appropriate Division Major;
5. The appropriate Division Major shall notify the Colonel, or the Colonel's designee.

4. MANDATORY NOTIFICATIONS WITHIN THE MAINE STATE POLICE CHAIN-OF-COMMAND

A. Troopers, Corporals, and Detectives shall notify their respective Section OD of the following incidents:

1. If the Trooper, Corporal, or Detective:
 - a. Responds to any incident (other than an incident of a routine nature) including, but not limited to, any incident that can reasonably be expected to present, or in fact presents, a dangerous situation to the officer, as well as any incident that may require a significant commitment of other Maine State Police officers and/or resources;
 - b. Assists another law enforcement agency in the agency's response to such an incident.

(1) Such notification must occur regardless of whether the assisting officer is on- or off-duty.

B. Section ODs shall notify their respective Troop, Division, or Unit OD of the following incidents:

1. If an officer who falls within their supervision:

- a. Responds to a fatal crash whose investigation is the responsibility of the responding officer's Troop, Division, or Unit;
 - b. Is injured in any way;
 - c. Is threatened with a dangerous weapon;
 - d. Is involved in a motor vehicle crash and injury results to any person;
 - e. Is involved in a major incident that results in significant deployment or commitment of agency personnel and/or resources;
 - f. Is involved in a vehicular pursuit;
 - g. Is involved in an incident resulting in serious bodily injury to or the death of any person;
 - h. Is involved in a major event or incident that necessitates a response by a Maine State Police Specialty Team within the Troop or geographical responsibility of the OD;
 - i. Is involved in an incident to which the Troop, Division, or Unit Commanding Officer has assigned the officer;
 2. When otherwise required to make such notification pursuant to any other Maine State Police policy.
- C. Troop, Division, and Unit ODs shall notify the appropriate Division Major (or, if that Major is unavailable, then the other Division Major or the Lieutenant Colonel, who shall then notify the Colonel) of the following incidents:
1. If any member of the Maine State Police is seriously injured or dies;
 2. If there is motor vehicle crash involving multiple fatalities;
 3. If there is homicide;
 4. If an elected State of Maine Federal or State official or constitutional officer is injured or dies;
 5. If a member of the Maine State Police uses deadly force;
 6. If a member of the Maine State Police seriously injures or causes the death of another person;
 7. If a major incident occurs that results in the deployment or commitment of agency personnel and/or resources;
 8. If an incident involving the Maine State Police or Maine State Police personnel occurs that will likely result in extensive media coverage or that is of a highly controversial nature;
 9. When otherwise required to make such notification pursuant to any other Maine State Police policy.

- D. A Division Major notified in accordance with Part IV(4)(C), above, shall notify the Colonel, or the Colonel's designee if appropriate, if any of the incidents listed in Part IV(4)(C), occurs.
 - E. The leader or commander of a Specialty Team, as soon as possible after deciding to commit resources to a response, shall notify the Commanding Officer of Training & Special Services, or her or his designee, of a team response to a request for service.
 - 1. Once notified, the Commanding Officer of Training & Special Services, or her or his designee, shall notify the Major of Support Services or Operations, as applicable. If that Major is unavailable, then he or she shall notify the other Division Major or the Lieutenant Colonel, who shall then notify the Colonel of the response.
 - 2. Throughout an incident or team response, the Specialty Team commander or leader shall, to the extent practical, continue to provide updates to the Commanding Officer of Training & Special Services, or her or his designee, regarding significant events or issues.
5. GENERAL RESPONSIBILITY OF ODs IN EACH LINK OF THE CHAIN-OF-COMMAND, ONCE NOTIFIED

A. Once notified of a given incident, the responsibility of the respective ODs in each link in the Chain-of-Command is:

- 1. **To ensure that the next highest link in the Chain is or has been notified as required by this policy;**
 - a. **An OD may keep the next higher link in his or her Chain-of-Command aware of other information as well;**
 - b. **Notification may be in person, by telephone, by text messaging, or by any other technology that allows for timely notification to be made. In every case the person making notification shall ensure that the notification given, has been received.**
- 2. **To determine what agency response is warranted.**
 - a. **An OD may take what action he or she deems appropriate, ranging from noting the information to responding personally to an incident.**

6. MANDATORY RESPONSE OF SECTION ODs TO CERTAIN INCIDENTS

A. A Section OD shall respond to and take command and control over the following types of incidents:

1. An incident to which the Troop, Division, or Unit OD, or any other superior officer, commands the Section OD to respond;
2. An incident resulting in injury to or the death of a member of the Section OD's section;
3. A fatal or serious motor vehicle crash involving a member of the Section OD's section;
4. An incident in which a member of the Section OD's section seriously injures or causes the death of any person;
5. An incident to which the Section OD has assigned three or more officers to respond;
6. An incident involving members of two or more Maine State Police field Troops;
 - a. The Section OD may discuss the incident with other responding Troops' Section ODs to decide if one or more Section ODs will respond;
7. Any major incident in which another agency has requested the assistance of the Maine State Police, e.g., a search for an alleged felon;
 - a. The Section OD may contact the agency by telephone to learn the circumstances surrounding the request. If the circumstances warrant, or if three or more Troopers are assigned to respond to the incident, the Section OD also shall personally respond to the incident and provide supervision;
8. A fatal motor vehicle crash occurring within the jurisdiction of the section for which the investigation the Maine State Police will be responsible;
9. An incident involving any unattended death that requires further investigation to determine if the death is suspicious in nature;
10. An incident to which the Section OD is required to respond pursuant to any other Maine State Police policy.

NOTICE

THIS GENERAL ORDER IS FOR USE OF THE MAINE STATE POLICE AND NOT FOR ANY OTHER AGENCY. THE GENERAL ORDER IS NOT INTENDED TO BE RELIED UPON BY ANY OTHER INDIVIDUAL OR PRIVATE OR PUBLIC AGENCY. THE GENERAL ORDER EXPRESSLY DOES

NOT CREATE, AND IS NOT INTENDED TO CREATE, A HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIARY SENSE WITH RESPECT TO THIRD-PARTY CLAIMS. VIOLATIONS OF THIS ORDER ONLY MAY FORM THE BASIS FOR ADMINISTRATIVE SANCTIONS BY THE MAINE STATE POLICE.