



<b>RESPONSIBILITY AND AUTHORITY</b>		
<b>new:</b> ✓ rescinds: 2.7 ✓ amends: All previous		<b>cross-reference:</b> <b>accreditation standards:</b> NYSLEAP Standard(s): 2.7 & 40.3 NYSSA Standard: 91
<b>effective date:</b> January, 2011	<b>amend date:</b> August, 2023	

**I. PURPOSE**

The purpose of this Order is to establish and describe the organization of the Tompkins County Sheriff's Office and to provide information and guidance on the supervision and direction of the office.

**II. DEFINITIONS**

Words and phrases used in this General Order and other office documents will have their normal plain meaning and definition unless otherwise defined. The following words and phrases will be defined as follows.

*Acting:* Serving temporarily in a rank, position, or assignment to which the employee is not normally assigned. While serving in an acting capacity, the employee has all the authority, responsibilities, and duties of the rank, position, or assignment.

*Assignment:* An order or directive to perform certain duties.

*Authority:* The right and power, as defined by statute in the State of New York to command, enforce laws and take enforcement action to preserve order and protect life and property.

*Chain of Command:* The line of authority extending from the Sheriff, through a single subordinate at each level of command down to the level of execution.

*Civilian Employees:* Employees of the office who do not have police powers, but who are governed by the same rules and regulations as sworn personnel.

*Collateral Duty:* A duty or assignment performed by an employee in addition to his or her regular assignment.

*Command:* An instruction or directive given by a supervisor to a subordinate either orally or in writing. Directions or instructions given by a supervisor in the form of a "request" will constitute a command.

*Commanding Officer:* The highest-ranking officer assigned to and in command of a particular shift, unit, assignment, operation or function.

*Competent Authority:* A supervisory or command officer having the requisite authority or jurisdiction to issue a particular command, order, or directive.

*Detail:* An assignment, usually temporary in duration, for the purpose of accomplishing a specific mission or objective.

*Directive:* An instruction or command given by a supervisor to a subordinate either orally or in writing. Directions or instructions given by a supervisor in the form of a “request” will constitute a directive.

*Employee:* All personnel employed by the office, including both sworn and non-sworn.

*General Order:* A written order for the purpose of announcing the adoption or revision of policy and procedure applicable generally through the office. General Orders will be issued only under the authorization of the Sheriff.

*Members:* All officers and civilian employees of the Tompkins County Sheriff’s Office.

*Office:* The Tompkins County Sheriff’s Office.

*Officer(s):* All sworn deputies of the Tompkins County Sheriff’s Office, including investigators and supervisor unless otherwise specifically stated.

*Officer-in-Charge:* The highest-ranking officer currently on duty and in command of a particular unit, assignment, operation, or function, or other officer given such command by competent authority.

*Order:* An instruction or command given by a supervisor to a subordinate either orally or in writing. Directions or instructions given by a supervisor in the form of a “request” will constitute an order.

*Personnel:* All persons employed by the Tompkins County Sheriff’s Office, both sworn and civilian.

*Police Officer:* Members of the department who have police powers.

*Policy:* A written directive that is a broad statement of department principles.

*Post:* A location or area to which a police officer is assigned for duty.

*Procedure:* The official and authorized method of dealing with a given situation prescribed by a General Order or other directive.

*Pronouns:* All masculine pronouns used in this General Order and other office documents shall apply with equal force to either gender unless specifically stated otherwise.

*Rank:* Designated position of personnel in the chain of command.

*Ranking Officer:* The officer having the highest rank or grade. The on-duty officer having the highest rank or grade shall be in command of a particular function or operation and shall be held responsible for that function or operation unless another officer is designated as officer-in-charge by competent authority.

*Rescind:* To void.

*Revoke:* To withdraw or cancel.

*Rules and Regulations:* Directives issued by the Sheriff to define police purpose and set standards of conduct and discipline for all members of the Tompkins County Sheriff's Office.

*Special Duty:* An assigned duty of a specific nature, not regularly performed.

*Specialized Assignment:* An assignment often characterized by increased levels of responsibility and/or specialized training, but within a given position classification.

*Subordinate:* A member of the office who is under the supervision or command of another.

*Supervisor:* An employee having command or supervisory authority over subordinate employees. This includes officers designated as "acting" supervisors by competent authority.

*Temporary Assignment:* An assignment effective only for a specified period of time as directed by a competent authority.

*Through Official Channels:* Processed through designated supervisory officers in the chain of command.

*Unit:* A subdivision of a competent of the department that performs a specialized task, function, or responsibility.

### III. **POLICY/PROCEDURE**

- A. The organization of the Sheriff's Office shall consist of the Office of the Sheriff and subordinate divisions, units, and assignments.
- B. Current directives shall govern command of an operation or function involving personnel of different subdivisions/units.
- C. Supervisory personnel are accountable for the activities of employees under their control and shall conduct or initiate informal corrective action aimed at correcting violations of Office policy.
- D. Members of the office will obey all lawful orders issued to them by a competent authority.
- E. Conflicting Orders
  - 1. To permit effective supervision, direction, and control, each employee shall be accountable to only one supervisor at any given time. All employees will promptly obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank.
  - 2. In the event an employee is given apparently lawful, but conflicting orders by different superior officers, the last order given should be complied with, unless the order is retracted or modified.
  - 3. In the event an employee receives conflicting orders, the employee will inform the person giving the last order of the conflict of orders. That person giving the

conflicting order should resolve the conflict by either retracting, modifying or directing the employee to comply with the latest order.

4. In the event the conflicting order is not retracted or modified, the employee will not be held responsible for disobedience of the order or directive previously issued.
  5. Special cases where responsibilities are assigned to employees beyond their regular duties, necessary authority shall be delegated by a supervisor to such subordinates by written directive or verbal order. Each employee is accountable to his or her immediate supervisor for the use of, failure to use, delegated authority.
- E. Employees are delegated authority to make decisions necessary for the effective execution of their responsibilities. Employees must act within the limits of this authority, as defined by Federal, State and local law, Office General Orders, other written or verbal orders, their job description(s), procedural manuals or other documents specific to their assignment. Each member is accountable to his/her immediate supervisor for the use or failure to use delegated authority.
- F. The existence of specialized units or assignments does not relieve any employee from the responsibility for the enforcement of laws and the investigation of incidents brought to their attention. Employees shall coordinate their activities with any specialized unit or assignment when necessary or appropriate and in accordance with office policies and procedures.
- G. All employees of the Sheriff's Office will coordinate their efforts with other employees of the office so that teamwork may ensure maximum achievement and continuity of purpose in attaining the objectives of the office and accomplishing its mission. All employees are charged with the responsibility of fostering and maintaining a high degree of communication, coordination, and cooperation within the office. To ensure communication, interaction and cooperation between the patrol division, corrections division, administrative division and other components of the office, the Sheriff shall conduct weekly Administrative Staff meetings and Sergeant Staff meetings periodically. The Lieutenant of the Criminal Investigations Divisions shall provide case updates and regular exchanges of investigative reports. The Jail Administrator shall provide regular operational updates.

#### **IV. GENERAL ORGANIZATION**

- A. The Sheriff's Office is organized into three (4) primary areas of responsibility as follows:
1. Office of the Sheriff; and
  2. Patrol Operations; and
    - Uniformed Patrol Division
    - Criminal Investigation Division
  3. Administrative Support; and
    - Records/Civil Division
  4. Corrections Operations
    - Uniformed Corrections Division

- Civilian Support Staff

## V. SWORN RANK STRUCTURE AND CHAIN OF COMMAND

A. The sworn rank structure of the Sheriff's Office will be as follows:

1. Sheriff
2. Undersheriff
3. Lieutenant Deputy Sheriff/ Jail Administrator
4. Sergeant Deputy Sheriff/ Investigator/ Corrections Sergeant
5. Deputy Sheriff/ Corrections Officer/ Special Patrol Officer
6. Probationary Deputy Sheriff/ Probationary Corrections Officer
7. Recruit Deputy Sheriff/ Recruit Corrections Officer

B. Categories of Sworn Deputies/Corrections Officers/ Special Patrol Officers

- a. The office employs full-time and part-time deputy sheriffs.
- b. Full-time and part-time deputy sheriffs shall have full arrest authority as granted by appropriate Federal, State, and local laws.
- c. The office employs full-time and part-time special patrol officers.
- d. Full-time and part-time special patrol officers shall have peace officer authority as granted by General Municipal Law 209-v.
- e. The office employs full-time corrections officers.
- f. Full-time corrections officers shall have peace officer authority as granted by appropriate Federal, State, and local laws.

C. Authority/ Command Protocol

- a. In normal day-to-day operations, command protocol shall parallel the chain of command unless otherwise specified within the General Orders Manual.
- b. When two members of the same rank are at the scene of any incident and no supervisor is present, the senior member will assume command unless directed otherwise by a higher-ranking authority.
- c. Unless specified differently elsewhere, the officer-in-charge of a situation involving employees of different units engaged in a single operation shall be the officer -in-charge whose assignment is most closely related to the situation.

D. Incapacity of Command or Supervisory Personnel

- a. In the event the on-duty supervisor(s) is rendered incapable of functioning during a tour of duty, command will immediately be assumed by the senior officer until the arrival of another supervisor. In such case, the Lieutenant/Jail Administrator will be notified as soon as possible.
- b. If the Lieutenant/Jail Administrator is the supervisor rendered incapable of functioning during a tour of duty, command will immediately be assumed by the senior supervisor until the arrival of another Lieutenant or high-ranking authority. In such cases, the Undersheriff will be notified as soon as possible.
- c. For anticipated absences for extended periods. The Lieutenant/Jail Administrator of their respective division will designate and disperse a notification, in writing, an “acting” authority.
- d. For anticipated absences for extended periods. The Undersheriff and/or Sheriff will designate and disperse a notification, in writing, an “acting” authority.

By Order Of



Derek Osborne  
*Sheriff*