

DIRECTION & SUPERVISION

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REFER TO: W. Timothy Luce

I. OBJECTIVE:

To recognize the lawful authority of the Chief Executive Officer of the Seneca County Sheriff's Office (SCSO); to designate those who are authorized to act in the Sheriff's absence; to define the accountability of supervisors for the performance of their subordinates; and, to establish the Law Enforcement Manual of Instructions (LEMOI) and Corrections Manual of Instructions (CMOI) as the principal authorized publications for the dissemination of written directives.

II. POLICY:

It will be the policy of the SCSO to provide all employees with direction in order that they may have a clear understanding of what is expected of them in meeting their various responsibilities. It is intended that, with few exceptions, the Manual of Instructions will be the primary reference containing policies, procedures, rules and regulations, knowledge of which is necessary in order to accomplish the mission of the SCSO in the community.

III. DETAILS:

- A. **Chief Executive Officer** - Pursuant to Article 650 of the New York State County Law, authority and responsibility for the management, direction and control of the operation and administration of the Office of Sheriff will be vested in the Sheriff of Seneca County, elected by the voters for a term of four years.
- B. **Chain of Command** - As noted in "Code of Conduct", Section A, "Orders and discipline", paragraph 6, Chain of Command, this Manual, no member will fail to follow the chain of command. If an immediate superior officer is absent or unavailable, the next higher ranking officer will be consulted. In the event of the

Sheriff's absence or unavailability, the order of precedence for command authority will be as noted in the above citation.

- C. **Supervisory accountability** - In order to insure that the chain of command stands as an effective tool for supervision, it is expected that each supervisor, regardless of level, will bear accountability for the performance of employees under their immediate control. Except in a clear emergency, a supervisor will refrain from making assignments to or granting requests made by an employee who does not report directly to that supervisor. In the rare case where a personality conflict prevents clear communication between an employee and their immediate supervisor, the employee will attempt to communicate to their immediate supervisor first; however, the employee may appeal to the next level if the matter remains unresolved. In all cases, the immediate supervisor will be included in any discussion prior to any action taken.
- D. **Lawful orders** - As noted in "Code of Conduct", Section A, "Orders and discipline", paragraphs 3 and 4, each member or employee will promptly and obediently comply with any lawful order of a superior. An order relayed from a superior by an employee of the same or lesser rank is to be similarly obeyed.
- E. **Conflicting orders** - As noted in "Code of Conduct", Section A, "Orders and discipline", paragraph 5, a member or employee who is given an instruction or order which conflicts with any previous instruction or order will, in a civil manner, call this fact to the attention of the person issuing the second order. In the event the second order is not altered or retracted, the latter order will be obeyed and the employee will not be responsible for disobedience of the order or directive previously issued. Countermanding an existing directive or prior order is not to be done unless absolutely necessary and in all cases where a supervisor takes such action, that supervisor will bear the responsibility for justifying the action.
- F. **Written directives** - The Manual of Instructions (MOI) is a comprehensive system of written directives inclusive of all the instructional materials previously contained in the Rules and Regulations, the computerized procedure file and various memoranda issued from time to time. The two MOI's for the SCSO are the Law Enforcement Manual of Instructions (LEMOI) and Corrections Manual of Instructions (CMOI). Chapters One, Two and Ten of both MOI's are identical in nature and substance and apply equally to both the Law Enforcement and Corrections divisions. The remaining chapters of each MOI are specific to the operational aspects of the particular division indicated in the title of the MOI being referenced and/or used.
 - 1. The LEMOI and CMOI, will enunciate agency objectives and policies and will describe procedures for their implementation. It is anticipated that with knowledge of its contents, each employee, regardless of assignment, can avail oneself of the unambiguous direction necessary to assist in the performance of all duties.

2. The format for the preparation of written directives will consist of a header block identifying the subject matter, the applicable standard numbers, the member responsible for keeping that topic current, and the most recent effective date for that directive. Thereafter, in the common method for an outline, the material will cover the objective, policy and details pertinent to that directive.
3. The LEMOI will be organized into eleven sections entitled: Conduct & Authority, Organization & Management, Law Enforcement, Legal Functions, Investigations, Training, Traffic Operations, Special Operations; Equipment & Vehicles, Court Security Operations and Special Orders & Policies.
4. The CMOI will be organized into ten sections entitled: Conduct & Authority, Organization & Management, Administration (Corrections Division), Post Orders, Staff Operations, Medical Operations, Food Service Operations, Staff Security, Inmate Operations and Special Orders & Policies.
5. DELETED.
6. DELETED
7. Pagination of the MOI's will be shown using a three part number referring to section, subject and page, thus allowing for the accurate insertion of changed or new material. Indexing will be under the cognizance of the Undersheriff, Chief Deputy and Jail Administrator and will be as complete as possible. As material is revised, added or deleted, specific directions will be given to employees for the updating of their MOI.
8. By its inclusion in the LEMOI and CMOI, each directive will have received the specific approval of the Sheriff of Seneca County, and no directive or part thereof will be included without such approval.
9. Although final approval for inclusion rests with the Sheriff, any employee may propose changes to the MOI. Such action will be accomplished by use of the form entitled "Proposed Change Affecting the Manual of Instructions (MOI)."
10. This form is directed to the Undersheriff as the officer responsible for keeping the LEMOI and CMOI valid and current. The form is designed to identify the proposed change (addition, deletion or modification), set out the present applicable text (if any, with reference and date), furnish the proposed text, and the reason(s) for the proposed change. The form will also provide for comments by the Chief Deputy (LEMOI) or Jail Administrator (CMOI) as to the impact the change will have on existing standards, the budget, and the results of any staff conference discussion, with recommendations.
11. If approved in principle, the matter will be assigned for preparation and submitted for final approval. Thereafter, the form will record the fact and

location of its inclusion in the MOI(s) and that copies were distributed appropriately.

12. Each change order will certify that all policy and/or procedural changes brought about by memoranda, computer messages, or otherwise have, in fact, been approved by the Sheriff or designee and incorporated into the MOI(s).

G. Distribution - Beginning in January, 2009, written directives and other explanatory material contained in the LEMOI and CMOI, are available to all employees having access to the Sheriff's Intranet computer network. Notification of change orders is given by e-mail to employees, the receiving of which signifies cognizance and responsibility for complying with the changed material. In addition, as each change order is published there will be a few hard copies made as required by command staff. The LEMOI and CMOI whether in electronic or hard copy format, are to be considered SCSO property and are not to be further distributed without proper authorization. A record of LEMOI and CMOI distribution is kept by the Undersheriff.

H. Staff conferences - The Sheriff, Undersheriff, Chief Deputy or Jail Administrator will have the authority to call a staff conference. Such meetings are usually held monthly, but may be called whenever necessary. Their purpose is aimed towards improving the overall operation of the SCSO by encouraging discussion of issues relevant to the SCSO and/or reviewing administrative decisions, policies and procedures.

1. Participation in staff conferences may include, but is not limited to, the Jail Administrator, Division Lieutenants and Sergeants. Conferences may also be attended by invited members of their staffs or members of other agencies.

I. Emergency staffing - In the event it becomes necessary to close county offices due to severe weather conditions, the Sheriff, in consultation with the Chairman of the Board of Supervisors and/or the County Manager, may suspend certain non-emergency functions of the SCSO. Non-emergency functions shall include clerical, fiscal management and civil process activities. Emergency or essential functions are law enforcement and corrections.

1. The Sheriff, or designee, will notify or cause to be notified employees that offices and/or roads are to be closed for the day or part of a day. Notification will be accomplished through the chain of command by command staff and division supervisors until all affected employees are notified. It will be the responsibility of command and supervisory staff to excuse, retain or recall employees based upon emergency, essential or non-essential factors.
2. Prior to the workday - Whenever possible, the Sheriff will be contacted before 7:30 AM if any county buildings are to be closed. It is expected that radio and television stations will make periodic announcements identifying

any closed facilities. These announcements will serve as notification to employees in non-emergency functions that they need not report to work for the duration of the emergency.

3. During the workday - Employees will be excused from closed offices at the designated time by the supervisory staff acting with the authority of the Sheriff and will be given any special instructions that may be necessary.
4. Personnel will refer to the Table of Organization (see "**Organization**," in the CMOI, LEMOI) as the emergency notification chart. This will provide a smooth and systematic method for timely notifications to affected personnel.