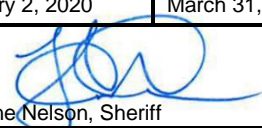




DESCHUTES COUNTY SHERIFF'S OFFICE

Policy Title: Sheriff's Office Administration	Effective Date: February 2, 2017	Policy Number: 2.02	
Accreditation Reference: 1.1.1, 1.4.4, 1.4.6, 1.5.4, 1.5.11, 1.8.1	Review Date: February 2, 2020	Supercedes: March 31, 2016	Pages: 10
Attachments:	 L. Shane Nelson, Sheriff		

PURPOSE

The purpose of this policy is to provide a broad statement of purpose for the Deschutes County Sheriff's Office's existence and fundamental principles by which this organization will be managed.

II. POLICY

Governmental organizations are created to serve as an instrument of the people to perform those functions or services that individual citizens cannot adequately do themselves. It is essential that all members of this agency be cognizant of our basic purpose and the objectives to accomplish that purpose.

Additionally, the Sheriff, managers, and supervisors can lead and manage best when everyone on the Deschutes County Sheriff's Office team contributes ideas, recommendations, cooperation, and energy. These behaviors are beneficial to members, the Sheriff's Office, and the community.

The best solutions and innovations often originate from within a healthy organization. Participatory management is not analogous to a democracy. A democracy affords equal vote and decision by majority. Participatory management encourages input from all members to influence and reach a better decision, particularly if those members have an expertise in an area or are affected by the decision to be made. The final authority and responsibility will always rest with the Sheriff.

The Sheriff is the chief executive officer and conservator of the peace of the county, and is elected by the citizens of Deschutes County. The Sheriff represents the citizens of Deschutes County, and is the spokesman for the Sheriff's Office. The Sheriff is on-duty at all times.

III. LAW ENFORCEMENT OBJECTIVES

A. Primary Objective

A large society free from crime and disorder remains an unachieved ideal; nevertheless, it is the primary purpose of the Sheriff's Office to approach that ideal as closely as possible. In so doing, the Sheriff's Office role is to enforce the law in a fair and impartial manner, recognizing both the statutory and judicial limitations of peace officer authority and the constitutional rights of all individuals. It is not the role of the Sheriff's Office to legislate, to render legal judgments, or to punish.

B. Functional Objectives

1. Prevention of Crime

Peace in a free society depends on voluntary compliance with the law. The primary responsibility for upholding the law lies not with law enforcement but with the people. Since crime is a social phenomenon,

crime prevention is the concern of every person living in society. Society employs full-time professionals to prevent crime, to deter it, and to apprehend those who violate the law.

The Sheriff's Office is responsible for interacting with the community to generate mutual understanding so that there may be public support for crime prevention.

Interaction between the community and the Sheriff's Office is essential to the identification of problem areas and to inform the public of crime statistics and trends.

The success of any agency's crime prevention efforts is directly proportional to the citizens' knowledge and acceptance of their individual responsibilities in a free society. Citizens knowledgeable of their civic duties are more involved in their neighborhoods and community and far less tolerant of crime or conditions which encourage crime.

Additionally, Sheriff's Office members' knowledge of the community is necessary so that each member may be instilled with a sense of concern for law enforcement needs in his assigned area.

2. Deterrence of Crime

While there are certain crimes that cannot be deterred, crimes committed against property and against innocent victims in public places are reduced by patrol. Street crime is curbed by the criminal's fear of immediate apprehension or by the increased likelihood of his detection.

The deterrence of crime requires the investigation of behavior which reasonably appears to be criminally directed. In deploying patrol forces to deter crime and to inspire public confidence in its ability to ensure a peaceful environment, the agency must strike a balance between the desirable deterrent effect of visible patrol and any undesirable appearance of oppression. In the long run, however, it must be the people, not the agency, who determine the limitations on their freedom.

3. Apprehension of Offenders

The administration of criminal justice consists of the identification, arrest, prosecution, punishment, and rehabilitation of a law violator; and it has as its objective the voluntary compliance with the law as an alternative to punishment. Once a crime has been committed, it is the duty of the Sheriff's Office to initiate the criminal justice process by identifying and arresting the perpetrator, to obtain necessary evidence, and to cooperate in the prosecution of the case.

Swift and sure punishment serves as an effective deterrent to crime. The Sheriff's Office must diligently strive to solve all crimes and to bring the perpetrators to justice.

4. Recovery and Return of Property

The actual costs of crime are difficult to measure; there cannot be a dollar value assigned to the broken bodies, ruined lives, and human misery which are its by-products. To minimize the losses due to crime, the agency makes every reasonable effort to recover lost or stolen property, to identify the owners and to ensure its prompt return.

5. Movement of Traffic

To facilitate the safe and expeditious movement of traffic the agency must enforce traffic laws; investigate traffic crashes and direct traffic.

To enforce compliance with traffic laws and to develop driver awareness of the causes of traffic crashes, the Sheriff's Office appropriately warns, cites, or arrests traffic law violators.

Traffic crashes are investigated to protect the rights of the involved parties, to care for the injured, to determine the causes of crashes so that methods of prevention may be developed and, when a traffic law violation is discovered, to gather necessary evidence to prosecute the violator.

The agency maintains intersection control where necessary to direct vehicular and pedestrian traffic.

6. Public Service

Saving lives and aiding the injured, locating lost persons, keeping the peace, and providing for many other miscellaneous needs are basic services of the Sheriff's Office. To satisfy these requests, the agency responds to calls for service and renders such aid or advice as is necessary or indicated by the situation.

IV. GENERAL PROVISIONS

Sheriff's Office administration involves the efficient and economic management of a complex organization which performs its functions through the acts of its members.

Agency functions involve the interaction of people, not only within its ranks but in all personal contacts between its members and members of the public.

The agency's administration is, therefore, occupied to a large extent with improving the ability of its members to properly perform the peace officer tasks and with strengthening the relationship which exists between all members and the public they serve. Thus, recognition of the human factor is an administrative challenge in the agency's effort to provide a consistent and professional response to the community's law enforcement needs.

Sheriff's Office members are required to make decisions involving the public and other members in response to both administrative and operational problems.

The decision process involves more than loyalty; it requires an insight into the objectives and purposes of the Sheriff's Office, its duty under the law and to the people, and the manner and means by which tasks are performed and objectives achieved.

The decision must be a balance of involved interests, considering what is best for the public, the agency and any individual involved. That decision must then result in effective action directed toward the accomplishment of the agency's objectives.

V. CHAIN OF COMMAND

The Sheriff must necessarily limit the number of persons who report to him. To ensure unity of command, clearly defined lines of authority must be drawn so that a structural relationship exists between each member and the Sheriff.

Each member must be aware of his relative position in the organization, to whom he is immediately responsible and of those persons who are accountable to him.

Members shall strive at all times to operate within the chain of command and to keep their supervisors informed as to their activities.

The Sheriff is available to any member of the organization who wishes to have a discussion or meeting. Members who request official action by the Sheriff shall notify the chain of command, then seek out a meeting to ensure successive levels of review of any issue affecting agency operations.

VI. COMMAND RESPONSIBILITY

A commander has responsibility and accountability for every aspect of his command. Within policy guidelines and legal constraints, he has the authority to coordinate and direct assigned members and other allocated resources in achieving the organizational objectives. He must perform the full range of administrative functions, relying upon policy, direction, training and personal initiative to guide him and his command in achieving the highest level of performance possible.

A. Transfer of Command

Upon assuming a new assignment and continually thereafter, a commander should critically evaluate all aspects of his command. He should review existing policies, procedures and programs to determine if the

need for which they were enacted remains unchanged. Existing budget requests shall be reviewed to ensure that any changes made or contemplated have not rendered the requests obsolete.

Upon a change of command, the commander being replaced has a duty to lend his full assistance in making the command transition as smooth and orderly as possible. Orientation of a new commander should include information concerning unique problems of the command and assistance in continuing community and professional contacts relative to the command.

B. Command Concern for Member Welfare

The nature of command is such that there must be a coexisting loyalty to the management of the agency and to subordinates. The resolution of those loyalties in a manner which benefits both the agency and the individual and which avoids conflicts between the two interests requires the exercise of leadership.

An interest in members and their welfare is a responsibility of command, which may extend beyond morale problems and their effect upon an individual's performance. It includes a concern for the personal problems, desires and interests of members and positive assistance in resolving those problems or in achieving their goals. However, commanders should be cautious to avoid interfering where assistance is not required or desired.

C. Community Liaison by Commanders

Commanders have a responsibility to maintain professional and community contacts as they relate to their command. As a representative of the Sheriff's Office, commanders must take an active role in the community and participate in identifying and providing for its law enforcement needs.

VII. UNITY OF COMMAND

The principles of "unity of command" ensure efficient supervision and control within the Sheriff's Office.

A. Structure

1. Each member shall be accountable to one supervisor at any time for a given assignment or responsibility. However, any supervisor may direct any subordinate, regardless of who the subordinate's regular supervisor is, given an operational necessity.
2. Each organizational component shall be under the direct command of only one supervisor at any given time.

B. On Scene Command

1. When patrol and detective members are at the same scene simultaneously, the patrol unit shall remain in charge as long as there is any existing threat to deputies or the public. Once the scene is stable, detective members may assume control by advising the patrol person in charge that they are doing so.
2. Non-sworn supervisors present at a field operation may not assume command even in the absence of other supervisors.

VIII. AUTHORITY AND RESPONSIBILITY

Consistent with the principles of sound supervisory practices, all supervisory members will be held accountable for the performance of their subordinates.

Irrespective of rank, each member within the organization has clearly articulated duties and responsibilities. Each member is hereby delegated the authority necessary to effectively execute those responsibilities. Each member will also be held accountable for the appropriate application of that delegated authority.

A. "At Will" Employment

Sheriff's Office supervisors are "at will" employees. Employment may be terminated with or without cause and with or without notice at any time by the Sheriff. The Sheriff may alter a supervisor's position, duties,

title or compensation at any time, with or without notice and with or without cause. Nothing in this policy manual or any other document or statement shall limit or modify the employment of "at will" Sheriff's Office supervisors. Non-represented employees shall also be considered "at will."

IX. PLANNING RESPONSIBILITY

Planning is essential in law enforcement service, from the Sheriff, who must devise long-range plans involving all resources in the agency, to the patrol deputy who must develop an operational plan while enroute to a call. The requirement that a member plan his action is commensurate with the degree of his responsibility and accountability for the results of the action.

A. Strategic Planning

The strategic planning function within this Sheriff's Office is the responsibility of the Sheriff and Command Staff. Within that section, the Sheriff may delegate that responsibility to a subordinate. The principal duties will include the formation of annual and multi-year agency wide and broader Public Safety Strategic Plans, Goals and Objectives; projected workload, population, and demographic trends; projected personnel levels; and projected capital improvements and equipment needs.

B. Framework for Enforcement Action

In the performance of their duties, deputies are confronted with an infinite variety of circumstances which require enforcement action. In an attempt to utilize collective experience and research in assisting deputies to deal with such diverse situations, the agency formulates procedures to direct action in certain generalized situations.

Since it is impossible to provide standing procedures for deputies to follow in each individual situation, deputies must be provided with policy guidelines to assist them in the necessary exercise of discretion. The combination of policy and procedures, reinforced by training, acts to provide deputies with a structurally sound framework in which to function.

In addition to developing standing procedures, the agency must also devise plans to accommodate specific needs. These plans may involve an agency-wide response to a major event or a tactical answer to an isolated law enforcement incident. Once executed, such plans should be evaluated for the development of standing procedures or for future reference in analogous situations.

C. Scope of Planning

While each plan differs according to the need for which it is developed, each plan should define its need, objective, scope and purpose, the method for its implementation, and a means of evaluating its effectiveness.

D. Use of Task Force for Planning

When it is necessary to develop a major project within a limited time, it may be appropriate to assemble a task force. When a task force is assembled, it must be structured with clearly defined objectives, organization, responsibility, and authority. It should be placed under the control of an existing organizational section, whose supervisor has responsibility and accountability for its performance.

E. Completed Staff Work

The result of an effort to research a problem and develop a solution, leaving nothing for the final authority to do except approve or disapprove, is traditionally known as completed staff work. In such projects, it is essential that original instructions include identification of the problem, direction, the desired scope of endeavor, and the time limit for completion.

The project should include adequate research to accurately define the problem and to examine all reasonable solutions. The assigned member should include in his report a recommendation and a summary of the findings supporting his conclusion. In completed staff work, a final step to obtaining concurrence is to notify involved organizational components of the findings and recommendations of the project.

F. Distribution

Reports, findings and conclusions of research and planning projects will be distributed to any or all members affected by or who could benefit from the information. One copy will be filed by the assigned captain for future research purposes by any agency member.

X. SHERIFF'S OFFICE DIRECTIVES

It is essential that directives communicate information to concerned members as accurately as possible. Directives should be well researched, properly drafted and subjected to staff review for concurrence. A commander may issue a directive as long as it affects his command only and does not conflict with agency directives regarding policies and procedures. Ordinarily, where there is more than one section affected, directives will be issued by the Sheriff.

XI. ADMINISTRATION OF DISCIPLINE

One of the primary tasks of a supervisor is the administration of discipline. Discipline can be positive or negative; it may involve encouragement, counseling, training, or imposition of negative sanctions, including suspension from duty. Its immediate purpose is to channel individual effort into effective and productive action.

The exercise of positive discipline requires foresight and planning rather than merely reaction. It involves an evaluation of the human factor which, when combined with proper training, motivation and recognition of individual and group effort, results in self-discipline.

Discipline may range from an oral reprimand, where the immediate effect is on the individual, to termination, where the positive result derived is in the reassurance of other members as to unacceptable limits of misconduct. In each case, care must be exercised to make the proper choice in obtaining a desired and just result.

The supervisor shall be and shall remain thoroughly familiar with applicable labor agreements, member rights, organizational requirements and the elements of due process and just cause as it pertains to labor relation issues.

In the administration of discipline, a supervisor must consider the totality of the circumstances surrounding the allegation of misconduct and make a determination whether the original action or conduct which prompted the complaint was not only legal but whether, under the circumstances, it was necessary and proper.

To be effective, discipline must be fair in its application and must follow within a reasonable time the act which it is intended to correct. Therefore, there must be a prompt resolution of disciplinary cases.

XII. FLEXIBILITY OF ORGANIZATION

The ability of the Sheriff's Office to make organizational adjustments to meet changing needs is essential in obtaining the maximum benefit from the expenditure of assigned resources. To ensure stability, the basic office structure shall not be changed without a demonstrated need or to satisfy temporary requirements. There shall be continuing staff inspections to ensure that the Sheriff's Office organizational needs are being met. In addition, each commander has the responsibility to maintain the organizational viability of his command through constant evaluation.

The Sheriff's Office organizational chart and service statements shall be reviewed and updated annually as part of the goals and objectives and budget development process. As part of this process, all positions and tasks shall be reviewed by Command Staff. Positions not requiring sworn status shall be identified and duty assignments evaluated.

The annual review shall also examine each specialized assignment position in the agency to determine if the purpose or justification for which it was created is still valid and whether it should be continued. The review shall include a listing of the agency's specialized assignments, as well as a statement of purpose for each listed assignment.

The results of the organization review shall be made available to all members.

XIII. INSPECTION AND CONTROL

Management inspection and control is necessary to ascertain if command policies, procedures, and rules are adequate and are being adhered to, whether agency resources are adequate and are being properly utilized, and to evaluate the overall performance, attitude, and appearance of the agency.

It is the responsibility of each supervisor to continually conduct inspections within his area of responsibility to ensure the proper performance of assigned members and the most efficient use of assigned equipment, materials and facilities. Merely finding fault is not inspecting. A supervisor's responsibility does not end with discovering a deficiency or inadequacy; it includes taking positive measures to correct the problem.

XIV. PERSONNEL

A. Recruitment

To obtain the highest caliber of candidates possible, it is essential that the Sheriff's Office participate in the recruitment process. The Sheriff's Office will assist in the recruitment program by involving its members in the creation and implementation of the selection process, including oral examination and background investigation review panels whose decisions on qualified candidates will be reported directly to the Sheriff.

Additionally, deputies in their daily contact with the public become the agency's best recruiters. By their demeanor and enthusiasm, they favorably impress and attract the type of individual which the Sheriff's Office needs. Because of their experience and knowledge, they are able to counsel persons who show an interest in law enforcement careers and to encourage applications by those who appear qualified.

B. Oath of Office

All members and reserves of the Sheriff's Office who are empowered with the authority to take enforcement action that may deprive a citizen of their freedom have the authority to arrest and are required to take an Oath of Office immediately upon appointment to that position.

The Oath of Office will obligate the individual to support the Constitution of the United States of America, the Constitution and laws of the State of Oregon and the Rules and Regulations of the Sheriff's Office.

C. Duty Assignments

Allocation of members to specific assignments is made with the aim of establishing optimum effectiveness within the agency while recognizing the needs, ability and preference of individual members.

It is the immediate supervisor's responsibility to review, research and make decisions or recommendations concerning all transfer and scheduling requests from his subordinates.

D. Advancement

The vitality of the agency is maintained through the selection and promotion of the most qualified members to positions of increased responsibility, rather than promoting those with the longest tenure.

The Sheriff's Office, through its supervisors, must help in the selection process by accurately rating and evaluating members for promotion, developing, reviewing and actively participating in the promotion process, and by advancing the most qualified.

XV. CONTRACTED SERVICES

A member, when assigned under a contract for law enforcement services to another organization, shall not be penalized relative to promotional opportunities, training opportunities, seniority, salary or fringe benefits.

XVI. TRAINING

The agency and its supervisors have an obligation to provide a professional standard of law enforcement service to the community. In fulfilling that responsibility, it is essential that members, both full-time, part-time, and volunteers, be properly trained. This is true not only at the entry level where members must receive basic training prior to their assumption of law enforcement responsibilities, but throughout their careers.

The agency provides training to prepare new or potential supervisors and commanders for their added responsibilities. Dependent upon the level of supervision or management involved, an attempt is made to familiarize individuals with problems which they may face and to assist them in developing suitable responses to those problems.

Training is provided to accommodate the agency's needs for the self-improvement and personal development of its members.

A. Recruit Training

The training provided to recruit deputies is a continuation of the selection process whereby efforts are made to screen out those who are lacking peace officer aptitude. In all recruit training, emphasis is placed on developing the reasoning ability and judgment of each deputy. All recruit deputies are required to complete the Police Training Officer (PTO) program prior to obtaining solo status.

B. Pre-service Training

The Sheriff's Office will provide pre-service training to newly hired members as necessary. This training may include in-house or external training and shall include an orientation to the position. The duration, intensity, and content of the training will vary for each member contingent on the position being filled.

C. On-The-Job Training

It is the responsibility of all members to teach those with whom they work the skills and knowledge necessary to perform the job at hand. Supervisors have the responsibility not only to train subordinates to perform assigned tasks but also to familiarize all subordinates with their supervisor's job as well, so that members are prepared to assume additional responsibilities should the need arise.

D. In-Service/Briefing Training

New laws are constantly being created and existing laws and agency operating procedures are updated periodically. Refresher training is provided to members to keep them updated and to evaluate the effectiveness of their prior recruit and in-service/briefing training.

All sworn members are required to attend annual in-service training to review changes and updates. Annual training will include use of force, medical re-training and pursuit policies.

Non-sworn members and civilian members are required to attend training that may be required to perform their assigned tasks.

E. Remedial Training

Sheriff's Office supervisors continually assess and evaluate members under their supervision. Deficiencies and problems can be addressed through counseling and remedial training. If any area on an employee's annual evaluation requires remedial training it will be provided and completed within thirty days. Time extensions may be granted with supervisor approval. Specialized areas of remedial training such as firearms will be addressed in the specific policy for that area. Failure or non-participation in remedial training may be grounds for disciplinary action.

F. Specialized Training

To prepare members for new assignments, the agency provides specialized training in those areas where a need has developed. Such courses have as their goal the development of specialized skills and knowledge within the framework of a law enforcement generalist.

G. Supervisors as Teachers

The ongoing training of working employees is the responsibility of their supervisors. Supervisors are expected to be familiar with the mechanics of the learning process and to routinely apply them in their supervisory tasks.

H. Participation of Command and Supervisors in Formal Training

To assure that policy is disseminated as accurately as possible and to allow the agency and its members to benefit from the experience, knowledge and attitudes of commanders and supervisors on a policy making level, it is desirable that such deputies participate in the formal training process to the greatest extent possible.

I. Detached Duty for Advanced Education or Training

The agency engages in programs whereby selected deputies are granted leave with full salary to participate in advanced education or training programs.

The selection process for such courses relies heavily on the immediate supervisor's recommendation and is designed to choose the most qualified while, at the same time, assuring that the agency receives the value of the individual's acquired knowledge.

J. Encouragement to Further Education

In fulfilling its commitment to provide professional law enforcement service, the agency encourages all members to further their education to the highest level possible. Therefore, consistent with its basic responsibilities, the agency cooperates with members in arranging duty schedules and assignments to facilitate and encourage such individual effort. Though not always feasible, all efforts will be made to allow vacation time for school attendance.

XVII. CIVILIAN MEMBERS

Law enforcement professionalism is enhanced when deputies perform only those tasks where there is an identified need for deputy knowledge and skills. To this end, the Sheriff's Office employs civilians in those positions where there is no such demonstrated need. In addition to releasing deputies for more traditional tasks, the use of non-sworn members makes it possible to hire employees for their specialized skills, thus resulting in greater efficiency.

XVIII. BUDGETING

The budgetary process is an essential planning tool which enables the agency to organize its financial resources in an objective-directed effort to derive the maximum return for the tax dollars expended.

The Sheriff's Office budget represents an evaluation of relative needs within the agency based upon quantitative and qualitative data. It involves decisions regarding objective priorities with consideration given to the volume and type of work required and the costs involved.

Budgeting is a continuous process which is the responsibility of each commander. It involves the identification of objectives and the determination of organizational needs based upon a reasonable evaluation of future requirements.

Supervisors communicate their organizational needs by means of budget requests. Such requests shall be limited to those items which are necessary to continue the present standard of service, materially improve the standard of service, or reduce the cost of service.

It is the responsibility of commanders to weigh their needs carefully and to present budget estimates which incorporate reasonable and economically sound requests.

If an item is requested on the basis that it will improve the standard of service, the justification should show conclusively that this objective will be reached and that the cost of the item will be returned in some concrete manner, such as the rendering of decidedly superior service to the public or by an actual cost savings over a period of time.

XIX. COLLECTIVE BARGAINING

Collective bargaining is a codified process of reaching solutions for labor represented persons in this agency. The purpose of a collective bargaining agreement is to set forth those matters pertaining to rates of pay, hours of work, fringe benefits and other conditions of employment and the establishment of an equitable and peaceful procedure for the resolution of disputes.

While the Deschutes County Sheriff Employees Association regularly appoints its bargaining members, the Sheriff's Office will be represented by the Sheriff to negotiate the labor agreement.

The collective bargaining process is of immense benefit to both management and the members of the agency who are represented by the collective bargaining agreement. It reduces the potential for abusive employment practices by the employer and clarifies management rights, topics subject to bargaining, and a formalized mechanism for employees to redress grievances.

Even though attempts to remove ambiguities and subjectiveness have been made, the process is still conditional on both management's and labor's willingness to work harmoniously in the resolution of those issues for the larger good.

It is management's commitment to work with all employees to amicably resolve issues, including bargaining in good faith, to abide by the ground rules in bargaining, to comply with the lawful decisions of arbiters, and to comply in both spirit and intent with the provisions of the collective bargaining agreement.

Whenever a new collective bargaining agreement is signed or an existing one amended, it will be the responsibility of this agency's management to modify, if necessary, all written directives to ensure consistency with that collective bargaining agreement.

Information relevant to that new or amended collective bargaining agreement and all changes in agency directives will then be disseminated for implementation by administrative and supervisory members of this agency or the County, as is appropriate.