


TEXARKANA POLICE DEPARTMENT

GENERAL ORDERS MANUAL

SUBJECT	Departmental Direction and Obedience to Orders		
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APPROVED BY		ALEAP Standards	1.07; 1.08

I. Purpose

- A. The purpose of this policy is to define the role and authority of the Chief of Police and to define the Texarkana Police Department's command protocol in the absence of the Chief of Police during unusual occurrences as well as during normal operations.

II. Policy

- A. It is the policy of the Texarkana Police Department that the Chief of Police is the chief executive officer of the Police Department, and shall possess all the powers and duties as mandated by applicable state and local law. An orderly system of succession is established to ensure the availability of leadership in the event of the absence or incapacitation of the Chief of Police. [ALEAP 1.07](#)

III. Procedure

- A. The City of Texarkana's Board of Directors has the statutory authority to establish a police department pursuant to A.C.A. § 14-52-101. In Cities with a City Manager form of government and with Civil Service Commissions, the Civil Service Commission shall have the power to override the City Manager's appointment or removal of the Police Chief by a majority vote of the total membership of the commission pursuant to A.C.A. § 14-42-110(2)(b). [ALEAP 1.07](#)
- B. The duties and responsibilities for the Chief of Police are prescribed by A.C.A. § 14-52-202. By law, these duties include, but are not limited to (a) the suppression of all riots, disturbances, and breaches of the peace; (b) pursue and arrest any person fleeing from justice in any part of the state; and (c) shall have the power to appoint one or more deputies. [ALEAP 1.07](#)
- C. In cases of anticipated absences of an extended duration, the Chief of Police should designate a Captain as an "acting authority", who will temporarily assume the duties of the Chief of Police during his absence.
- D. The senior captain shall temporarily assume "acting authority" of the Chief of Police in the event the Chief is incapacitated resulting in his unanticipated absence. Depending on the circumstances, the City Manager shall then appoint an acting Chief of Police of his choosing.

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- E. The precedence of rank, in descending authority will be:
1. Chief of Police
 2. Captain
 3. Lieutenant
 4. Sergeant
 5. Corporal
 6. Patrolman First Class
 7. Police Officer
 8. Non-Sworn employee
- F. During any critical incident that involves utilizing the Incident Command System Model, the ranking officer will be declared as the Incident Commander. As soon as practicable, a Division Commander should respond and assume the role of the Incident Commander.
1. With the exception of the Special Weapons and Tactics (SWAT) Team, the Incident Commander—who is directly accountable to the Chief of Police—shall have full command authority of the operation. The SWAT Team Commander or his assistant shall have authority over tactics and negotiations. The SWAT Commander will keep the Incident Commander informed of all actions and the status of the tactical incident as soon as it becomes practical to do so. Once the situation has been stabilized, command of the scene is transferred to either the on-scene supervisor or the criminal investigator assigned the case.
- G. In those situations in which officers from different units or divisions are engaged in a single operation, the officer in charge shall be the senior ranking officer on the scene. If the scene in question is a “crime scene”, the officer in charge will be responsible for the crime scene until it is released to a criminal investigator assigned to investigate the crime.
- H. The operational chain of command, following the command protocol described in section E and in the Department’s official organizational structure, will be followed during normal, day-to-day operations.

IV. Lawful Orders, Unlawful Orders and Conflicting Orders ALEAP 1.08

- A. All members of the Texarkana Police Department are required to obey all lawful orders issued by a superior officer. Orders from superior to subordinate employees shall be issued in a clear, understandable language, shall be civil in tone, and issued in pursuit of departmental business. Members are also required to obey lawful orders issued to them by a superior, relayed to them by a member of equal or lesser rank. No member shall knowingly issue any order that is in violation of any law, ordinance, or departmental rule, regulation, policy, or procedure.
- B. Obedience to an unlawful order is never a defense for an unlawful action; therefore, no member of the Texarkana Police Department is required to obey any order that is contrary to federal or state law or local ordinance. Responsibility for refusal to obey rests with the member, who shall be required to justify his/her refusal.
- C. Members given an order, who believe the order to be unjust or contrary to Texarkana Police Department Policies and Procedures or Rules and Regulations, must first obey the order to the best of their ability.

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Then, at their first opportunity, they shall report in writing the facts of the incident and the action taken to the Chief of Police through their chain of command.

- D. Upon receipt of an order conflicting with any previous order or instruction, the member affected shall advise the person issuing the second order of this fact. Responsibility for countermanding the original instruction then rests with the individual issuing the second order. If so directed, the latter command shall be obeyed first. Orders will be countermanded or conflicting orders will be issued only when reasonably necessary for the good of the Department.

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