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| <b>FAIRFAX COUNTY<br/>POLICE DEPARTMENT</b><br><br><b>REGULATION</b> | SUBJECT:<br><b>ORDERS</b>             |                            | NUMBER:<br><b>205</b>  |
|   | EFFECTIVE DATE:<br><b>May 9, 2025</b> | REVIEW:<br><b>May 2029</b> |  |
| RESPONSIBLE ENTITY: PLANNING AND RESEARCH BUREAU  |                                       |                            | <input type="checkbox"/> New Directive<br><input type="checkbox"/> Replaces:<br><input checked="" type="checkbox"/> Revised 05-09-25 |
| ACCREDITATION STANDARDS:  | CALEA<br>N/A<br><hr/> VLEPSC<br>N/A   |                            |  |

**205.1 INSUBORDINATION**

Except as otherwise stated herein, defiance of lawful authority or disobedience to orders shall constitute insubordination.

**205.2 UNLAWFUL ORDERS**

No employee shall knowingly issue any order which is in violation of any law, statute, ordinance, or Department rules and regulations.

**205.3 MANNER OF ISSUING ORDERS**

Employees shall obey all lawful orders issued by competent authority, to include any order relayed from competent authority by an employee of the same or lesser rank. Orders shall be issued in a clear and civil tone, in an understandable manner, and in the interests of Department business.

**205.4 DISOBEDIENCE TO UNLAWFUL ORDERS**

No employee shall obey, or be expected to obey, any order that they know to be contrary to Federal or State law, or Fairfax County ordinance. At the time an unlawful order is issued, the employee shall advise the issuing authority of its known or perceived illegality. Should the authority persist in demanding compliance, an employee of superior rank or status to the parties involved should be summoned to mediate the dispute. Responsibility for refusal to obey shall rest with the employee, and each employee shall be required to explain their actions and decisions.

**205.5 OBEDIENCE TO IMPROPER ORDERS**

Employees who receive orders that they believe are unjust or contrary to Department rules and regulations shall be required to obey the order, but may proceed to appeal the order at the earliest opportunity.

## **205.6 CONFLICTING ORDERS**

Upon receipt of any order that is in conflict with a previous order or instruction, the affected employee shall respectfully advise the individual issuing the superseding order of the conflict. Responsibility for countermanding the original directive then rests with the individual issuing the superseding order. Where the superseding order remains in place, it shall be obeyed, thereby rendering all previously issued orders null and void. Orders shall only be countermanded when it is believed to be in the best interests of the Department.

## **205.7 REPORTS AND APPEALS-UNLAWFUL OR IMPROPER ORDERS**

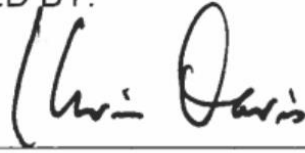
Employees who receive unlawful, unjust, or improper orders shall, at the first opportunity and prior to the conclusion of the tour of duty in which the order was given, report the facts of issuance in a written memorandum to the attention of the Chief of Police via their commander. The report shall contain the facts of the incident and any action(s) taken. Appeals for the release from such order may be made in the memorandum.

## **205.8 COMMAND PROTOCOL**

Where the Chief of Police is unavailable, and unless otherwise specifically designated by the Chief of Police or where exceptional circumstances exist, the Executive Assistant Chief of Police shall assume command of the Department. Where the Executive Assistant Chief of Police is unavailable, the available senior ranking Assistant Chief (by time in grade) shall assume command of the Department. This command transition shall only occur upon the designation of an Acting Chief of Police by the County Executive or their designee. Where no Assistant Chief is available to assume command of the Department, command shall pass to the Department's senior ranking Deputy Chief (by time in grade).

Regulation 205 becomes effective on the above date and rescinds all previous rules and regulations pertaining to this subject.

ISSUED BY:

A handwritten signature in black ink, appearing to read "Chris Davis". The signature is written in a cursive style with a large initial "C".

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Chief of Police