
GENERAL ORDER

FAIRFAX COUNTY POLICE DEPARTMENT



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| SUBJECT: REGULATIONS | NUMBER: 205 |
| CANCELS ORDER DATED: 4-1-00 | DATE: 7-1-10 |

205 ORDERS

205.1 INSUBORDINATION

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

205.2 UNLAWFUL ORDERS

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

205.3 MANNER OF ISSUING ORDERS

Employees shall obey any lawful order of a superior, including any order relayed from a superior 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 interest of departmental business.

205.4 DISOBEDIENCE TO UNLAWFUL ORDERS

No employee is expected to or shall obey any order which he knows to be contrary to federal or state law, or County ordinance. At the time the unlawful order is issued, the employee shall advise the issuing authority of its illegality. Should that authority persist in demanding compliance, an employee of superior rank or status to all parties involved should be summoned to decide the controversy. Responsibility for refusal to obey rests with the employee, and each employee shall be required to justify their actions.

205.5 OBEDIENCE TO IMPROPER ORDERS

Employees who receive orders which they feel are unjust or contrary to departmental rules and regulations, are required to obey the order, but may then proceed to appeal that order at the earliest opportunity.

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205.6 CONFLICTING ORDERS

Upon receipt of an order that is in conflict with any previous order or instruction, the affected employee will respectfully advise the person issuing the superseding order of the conflict. Responsibility for countering the original instruction then rests with the individual issuing the superseding order. If the superseding command is held in force, it shall be obeyed, thereby rendering all previous orders ineffective. Orders will be countermanded only when in the best interests of the Department.

205.7 REPORTS AND APPEALS - UNLAWFUL OR IMPROPER ORDERS

An employee receiving an unlawful, unjust or improper order shall, at the first opportunity and prior to the conclusion of the tour of duty in which the order was given, report the fact in writing to the Chief of Police through official channels. This report shall contain the facts of the incident and the action taken. Appeals for the release from such orders may be made at the same time.

205.8 COMMAND PROTOCOL

In the absence of the Chief of Police or in the event of exceptional circumstances, the available senior ranking Deputy Chief (by time in grade) will assume command of the Department. This will happen only until designation of an Acting Chief of Police by the County Executive or his designee.

In the event no Deputy Chief is available to assume command of the Department, command will pass to the Department's senior ranking Major (by time in grade).