

MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER



BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: September 12, 2023	DATE EFFECTIVE: September 15, 2023	NUMBER: SO23-025	PAGE: 1 of 3
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: <b>Manual Revision – 1-400 Rank Structure and Supervision</b> <b><del>1-403 Insubordination-Compliances with Lawful Orders</del></b> <b><u>1-404 Neglect of Duty</u></b> <b><u>1-405 1-404 Responsibilities of Persons in Positions of Command</u></b> <b><u>1-406 1-405 Responsibility of Supervisors</u></b> <b><u>1-407 1-406 Duties of Supervisors</u></b> <b><u>1-408 1-407 Command Authority – Ranking or Senior Officers</u></b> <b><u>1-409 1-408 Supervision of Special Shifts/Details</u></b>			APPROVED BY: <i>Chief O'Hara</i>

MP-8806

**Introduction:** Chapter 1-400 is being updated to include new clauses regarding insubordination (1-403), and to add the policy covering neglect of duty (1-404).

Effective with the issuance of this Special Order, Chapter 1-400 of the MPD Policy and Procedure Manual shall be amended as follows:

**1-403      Insubordination-Compliance with Lawful Orders**  
(12/28/01) (09/15/23)

~~(B-D)~~

**I. Purpose**

The purpose of this policy is to provide guidelines for employees of this agency to follow concerning acts of insubordination.

**II. Definitions**

**Insubordination:** For the purposes of this policy, insubordination is any act of defiance, disobedience, dissension, indifference or resistance to authority.

**III. Policy**

The organizational rank structure of this Department lists the Chief of Police as the leading authority within the chain of command. This authority is delegated downward to the next level of authority and continues throughout the entire chain to the lowest level. It is mandatory that employees of this department understand the rank structure and carry out their duties and

responsibilities as directed by their supervisors. Any form of insubordination, unless otherwise justified, will not be tolerated and will be subject to disciplinary action up to and including termination.

#### **IV. Procedures/Regulations**

##### **A. Obey Lawful Orders**

~~An employee~~ Employees must always obey lawful orders, directives and corrective actions, given by supervisors or their designees, upon issuance (in accordance with P&P 5-102 [III-A]), ~~but~~

1. If compliance is not feasible because of the following reasons, the employee receiving the order shall respectfully request an opportunity to discuss the situation, in private, with the supervisor issuing the order:
  - The order would jeopardize the employee's health or safety,
  - The order would violate any federal, state, county, or municipal laws or involve the breach of any of the rules, regulations, policies or procedures of this Department,
  - The employee has information that may adversely affect the intent of the order.
  - The employee has received conflicting orders.
2. The employee shall explain to the supervisor the reason for their concern regarding a violation of the law, health or safety concern, etc.
3. In the event the discussion between the supervisor and the employee fails to resolve the conflict, the employee issued the order shall be allowed to make contact with a higher-ranking supervisor (next level of authority within the chain of command) for clarification purposes.
4. These procedures do not give subordinate officers the authority to challenge all orders issued by a superior officer. Any abuse of these provisions will be considered insubordination.

~~An employee who receives conflicting lawful orders shall obey the most recent given. After complying with the order, the employee should notify the next highest ranking employee above the employee giving the conflicting orders.~~

##### **B. Acts of Insubordination**

1. Acts of insubordination may result in:
  - Being relieved of duty (as approved by a Deputy Chief or higher)
  - Immediate suspension of off-duty employment privileges (P&P 3-801)
  - Discipline, up to and including termination
2. Violations of the Professional Conduct policy (P&P 5-102) directed toward a supervisor may be considered acts of insubordination.

### **C. Delegated Authority**

All all-employees will be held accountable for their use of delegated authority.

~~Employees shall truthfully answer questions or render material(s) and relevant statements in a departmental investigation when so directed, consistent with the constitutional rights of the employees.~~

*[Covered by 5-102]*

### **1-404 Neglect of Duty** (09/15/23)

Employees shall not commit any act or omission that constitutes neglect of duty.

1. Employees shall not deliberately be indifferent, withhold, delay, deter, undermine, or otherwise usurp the timely performance of their assigned duties, actions or services rendered.
2. Employees shall not knowingly conduct themselves or participate in conduct in a way that would delay, deter, undermine, damage or compromise the proper execution of MPD processes, procedures and practices.
3. Employees shall not knowingly conduct themselves or participate in conduct in a way that would damage, undermine or compromise internal and external stakeholder relationships.

### **1-405 1-404 Responsibilities of Persons in Positions of Command** (12/28/01) (07/01/13) (09/15/23)

### **1-406 1-405 Responsibility of Supervisors** (12/28/01) (09/19/08) (09/15/23)

### **1-407 1-406 Duties of Supervisors** (12/28/01) (09/19/08) (09/15/23)

### **1-408 1-407 Command Authority – Ranking or Senior Officers** (12/28/01) (09/18/08) (09/15/23)

### **1-409 1-408 Supervision of Special Shifts/Details** (12/28/01) (09/19/08) (09/15/23)