

CHAPTER 2 ORGANIZATION

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I. ORGANIZATIONAL STRUCTURE

A. Office of the Sheriff

The Wicomico County Sheriff's Office (WCSO) is commanded by a Sheriff, and in his absence by the Chief Deputy Sheriff, and has the authority to establish appointments and may assign and reassign employees of this Agency to the duties as determined necessary to serve the needs of the Agency and the public.

The Sheriff may designate without examination, to serve at the Sheriff's pleasure, one police employee to be Chief Deputy Sheriff (Chief Deputy). The police employee shall remain in the rank of Chief Deputy until promoted, demoted, retired, or terminated. The Chief Deputy shall have such authority, responsibility, and duties as may be assigned by the Sheriff. In the absence of and as directed by the Sheriff, the Chief Deputy will administer the affairs and operations of this Agency and will take managerial action to promote the effective and efficient performance of its responsibilities.

In the absence of the Sheriff and the Chief Deputy, the Captain of the Special Operations Bureau will serve as Acting Sheriff, and will administer the affairs and operations of this Agency and will take managerial action to promote the effective and efficient performance of its responsibilities.

The Commanders of the Bureau that report directly to, and perform functions as designated by the Sheriff are as follows:

1. Special Operations Bureau

This Bureau is commanded by a Captain and assisted by a Lieutenant

- a. Budget and Finance Division
 - (1) Special Assignment Overtime
- b. Internal Affairs Division (IA)
- c. Administrative Hearings Section (AHS)

- d. Human Resources Division
 - (1) Pre-employment Processing
- e. Sheriff's Emergency Response Team (SERT)
- f. Polygraph/VSA Section
- g. Administrative Services Division
 - (1) Police Communications Section
 - (2) Civil Section
 - (i) Warrants
 - (ii) Central Records
 - (iii) Sex Offender Registry
 - (iv) Domestic Violence
 - (v) Taxi Cab Permitting
 - (3) Promotional Testing
 - (4) Training Section
 - (5) Fleet Supervisor-Quartermaster Section
 - (6) Policy & Procedures
 - (7) Forms Control
 - (8) Crime Analysis
 - (9) Crisis Intervention Team (CIT)
- h. Special Investigations Division
 - (1) Criminal Investigation Division (CID)
 - (2) Community Action Team (CAT)
 - (3) Wicomico Narcotics Task Force (WNTF)
 - (4) MD State Apprehension Team (MSAT)
 - (5) Property and Evidence

(6) Child Advocacy Center (CAC)

2. Field Operations Bureau

The Bureau is commanded by a Captain and assisted by a Lieutenant

a. Road Patrol Division

(1) Squad A

(2) Squad B

(3) Squad C

(4) Squad D

(5) Squad E

(6) K-9 Unit

(7) Crash Reconstruction Unit (CRU)

(9) Motorcycle Patrol Unit (MPU)

b. Judicial Protection Division

c. School Resource Division

B. Chain of Command

Each WCSO sworn position has a rank designation. Unless otherwise stated, all WCSO communications will follow the chain of command. The WCSO ranks in descending order are as follows:

1. Sheriff

2. Chief Deputy

3. Captain

4. Lieutenant

5. First Sergeant

6. Sergeant

7. Corporal

8. Deputy First Class

9. Deputy

II. CONSTITUTIONAL AND LEGAL PROVISIONS OF THE SHERIFF'S OFFICE

The Office of Sheriff is a constitutional office in Maryland. The State Constitution provides for the election of Sheriffs to a four year term of office in each county of the State and in Baltimore City. Though the election of a Sheriff is not state-wide and confined to the county in which he serves, the Sheriff is still considered a state official and not a county official.

III. DUTIES

The general duties of Sheriff include the enforcement of laws, the arrest of criminal offenders, the service of process, and the return of impartial juries. In some counties and municipalities, the law enforcement duties of Sheriff have been modified by the existence of other police agencies. In these instances the Sheriff may refrain from exercising his own law enforcement functions.

IV. TENURE AND VACANCIES

There are not tenure restrictions on the Sheriff. He may serve as many terms as the voters permit. When vacancies occur, the Governor appoints a person to be Sheriff for the remainder of an official term.

V. BOND

The Sheriff in Baltimore City and in Allegheny, Charles, Frederick, Prince George's and Washington counties is required to give a bond of \$25,000. Sheriffs in the remaining counties must give a bond of \$10,000. Bonds are required to have a surety and the surety must be approved by the judge of the Circuit Court.

VI. OATH OF OFFICE

The Sheriff must take the following oath before a court of record or before the Governor:

I,....., do swear (or affirm) that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland and support the Constitution and Laws thereof; and that I will, to the best of my skills and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Sheriff, according to the Constitution and Laws of the State.

VII. EXPENSES, RECORDS, AND PLACE OF OFFICE

- A. It is the responsibility of the county to furnish an office for the Sheriff and to pay the necessary expenses for telephones, stationary, and other items. The county must also provide the Sheriff's traveling expenses, unless otherwise provided by law.
- B. The Sheriff is required to keep an official record of the fees and charges he collects. The record must remain in the Sheriff's Office after a Sheriff's term has expired.

VIII. THE DUTIES OF SHERIFF AT LAW

- A. The duties of Sheriff are not specified in the Maryland Constitution. Rather, the Sheriff is deemed to have those powers and duties granted under common law, except when the common law has been modified by statute.
- B. Under common law, the general duties of Sheriff include the enforcement of laws within a county, arresting criminal offenders, the service of process, and the return of impartial juries. None of these functions have been removed by statute and though many of them have been codified, the General Assembly has not expanded the Sheriff's authority from what it was under common law.
- C. In Wicomico County, the Sheriff's role is a traditional one, as peace officer-responsible to perform law enforcement activities in all of Wicomico County not otherwise policed by a municipal agency. Whereas state forces share responsibility with the Sheriff in maintaining peace and enforcing law, the Sheriff will also complement and back-up that agency.

IX. POSSES

In extraordinary circumstances the Sheriff has authority to summon ordinary citizens to assist him in his duties. In these instances, those summoned are known as a posse comitatus, or the force of the county, which may be raised when a Sheriff confronts or anticipates resistance to the performances of official duties. Citizens asked to form a posse are required to participate; however they are not considered to be actual Deputies of the Sheriff.

X. SHERIFF'S TERM OF OFFICE

The term of office of the Sheriff, elected under the Constitution of the State of Maryland is four years and continues until his successor is elected and qualified.

XI. DEPUTIES

The appointment and removal of Deputies falls under the Sheriff's discretion, unless otherwise provided by statute. Many counties do, however, have specific statutes providing for the amount of Deputies a Sheriff may hire and the circumstances under which they may be dismissed. Qualifications for Deputies are established and controlled by the Maryland Police Training and Standards Commission (MPTSC). Qualifications vary according to the type of function a Deputy serves. The duties of Deputy are those the Sheriff chooses to delegate.

XII. BOND

Unlike Sheriffs, there are no bond requirements applicable to Deputies.

XIII. OATH

Every Deputy Sheriff must take the following oath before the Clerk of the Circuit Court or the Clerk of the Superior Court of Baltimore City:

I,.....do swear (or affirm) that I will not for lucre or malice delay any person applying to me for any business belonging to the office I officiate in, and that I will not directly or indirectly ask, take, exact demand, or receive from or charge to any such person to my own use any fee or reward whatsoever for any service I may do as deputy of the said office, and that in making out the office fees I will not wittingly or willingly charge other or higher fees than are allowed by law.

XIV. POSITION RESPONSIBILITIES:

A. Sheriff

1. The Sheriff will administer the activities and operations of the WCSO and will make rules necessary to promote the effective and efficient performance of responsibilities.
2. The Sheriff's authority includes, but is not limited to, the powers conferred by Maryland Public Safety Code.

B. Bureau and Division Commanders

1. Bureau and Division commanders are responsible for the overall operation of their assignment to include:
 - a. Compliance with WCSO policy and procedures.
 - b. Proper supervision.
 - c. Employee performance and morale.
 - d. Public safety.
 - e. Public relations.
 - f. Analyzes manpower utilization
 - g. All other matters which affect the effective and efficient daily operation of their command.

C. Supervisors

1. Police supervisors will actively oversee the performance of subordinates to insure compliance with all WCSO policies and procedures. When assigned temporary command of a patrol, a police supervisor will actively manage its operation.

2. A supervisor's function is to direct the work of others. Effectiveness is based on the performance of the persons he supervises.
3. A supervisor will:
 - a. Be a leader.
 - b. Be aware of the morale of those supervised.
 - c. Influence and motivate those supervised relative to the quantity and quality of their work.

D. Investigators

Members assigned to plainclothes investigative duties will be responsible for the prompt and proper conduct of investigations assigned to them and the implementation of proper police action relative to all matters within the WCSO jurisdiction.

E. Patrol Deputies

Patrol deputies will be responsible for prompt and proper action in all police matters and the rendering of prompt and courteous service in the manner prescribed by the rules, policies, and procedures of the WCSO. In the absence of written directives covering specific situations, a deputy is expected to exercise proper and reasonable judgment in the performance of his duties.

F. Police Communications Operators (PCO) Communications Supervisors (CS)

1. PCO and CS will be proficient in the operation of all communications equipment, and will be able to perform other assigned duties related to their classification.
2. CS is responsible for the supervision of PCO and the communications control section at the WCSO.

G. Civilian Personnel

1. Civilian employees are subject to compliance with WCSO policies, rules and procedures as well as Wicomico County policies, rules and procedures. They will perform their assigned duties in such a fashion, and at such times, as may be specified by direction and by their superiors.

XV. HISTORY OF OFFICE OF SHERIFF

The office of Sheriff is one of antiquity. It is the oldest law enforcement office known within the common law system and has always been accorded great dignity and high trust. For the most part, the office of Sheriff evolved of necessity. Were it not for laws which require enforcing,

there would have been no necessity for the Sheriff. There would have been no need for the development of police administration, criminology, criminalists, etc. This is not the case, however. Man learned quite early that all is not orderly in the universe. All times and all places have generated those who covet the property by any means. As such, man's quest for equity and order gave birth to the office of Sheriff, the history of which begins in the Old Testament and continues through the annals of Judeo-Christian tradition. Indeed, there is not honorable law enforcement authority in Anglo-American law as ancient as that of the County Sheriff. Today, as in the past, the County Sheriff is a peace officer entrusted with the maintenance of law and order and the preservation of domestic tranquility.

Sheriffs have served and protected the English-speaking peoples for a thousand years. The office of Sheriff and the law enforcement, judicial and correctional functions he performs are more than 1000 years old. The office of Sheriff dates back at least to the reign of Alfred the Great of England, and some scholars even argue that the office of Sheriff was first created during the Roman occupation of England.

Around 500 A.D., Germanic tribes from Europe (called the Anglo-Saxons) began an invasion of Celtic England which eventually led over the centuries to the consolidation of Anglo-Saxon England as a unified kingdom under Alfred the Great late in the 9th Century. Alfred divided England into geographic units called "shires" (or counties).

In 1066, William the Conqueror defeated the Anglo-Saxons and instituted his own Norman government in England. Both under the Anglo-Saxons and under the Normans, the King of England appointed a representative called a "reeve" to act on behalf of the king in each shire or county. The "shire-reeve" or King's representative in each county became the "Sheriff" as the English language changed over the years. The shire-reeve or Sheriff was the chief law enforcement officer of each county in the year 1000 A.D. He still will have the same function in Maryland in the year 2050 A.D.

****Flow Chart****



Wicomico County Sheriff's Office Organizational Flow Chart

