

To: All Chiefs

From: Chief A. Wayne Sampson (Ret.)  
Executive Director

RE: Detail Contract Language

Date: August 15, 2008

Chiefs,

I am attaching a copy of proposed contract language prepared by Attorney Collins regarding police details in the event your community decides to negotiate the issue. This language supports the chiefs authority to manage the department. (Be careful of the language that is being put forward by labor organizations) If you have any questions, give the office a call.

**Pursuant to state law, the determination of the level of services, as well as the assignment of public safety employees, are what the courts refer to as non-delegable exclusive managerial prerogatives. The City/Town and the Union acknowledge that the Chief of Police possesses the discretion to determine the appropriate level of police service as well as the qualifications of persons to perform traffic direction in the City/Town to ensure public safety. Therefore, notwithstanding any regulation to the contrary, the Chief of Police has the discretion to require the presence of a sworn police officer, including but not limited to one employed on a paid detail basis, in all instances where there is a street opening or any work to be done on a public way or at a public function in Town. The parties also acknowledge that the Chief of Police has the further discretion to determine the number and ranks of officers assigned in any such instance necessary to maintain public safety or other legitimate interest of the community or department.**