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|  | ANDOVER POLICE DEPARTMENT GENERAL ORDER | | Number: M1105 |
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| | | | Distribution: All |
| Title: WRITTEN DIRECTIVES SYSTEM | | Section: Administration | |
| Issued: | Effective: | Revised: 12/14/2015 | |
| Rescinds: All Previous | | Amends: | |
| CALEA References: 12.1.3, 12.2.1(a)(b)(c)(d)(e)(f)(g)(h)(i), 12.2.2(a)(b)(c), 11.4.2 | | | |
| Review: Annual | Authority: Chief Michael A. Keller  | | |

I. Purpose

A written directive system (WDS) establishes procedures for communication, coordination and cooperation among all agency functions and personnel. It is the purpose of this General Order to define the structure and application of this agency's WDS and to provide officers and other employees with a better understanding of its importance, use and applicability.

II. Policy

A written directive system has been established in this agency in order to inform officers of what is expected of them in the performance of their duties, to provide guidance to them in performing such duties, and to establish the basis for employee accountability and the means to fairly evaluate officer and departmental performance. This policy formally documents the structure and component parts of the written directive system in a manner that will increase its utility and application and provide for continuity in the development of written directives. Further, the WDS will evolve from the department's core values and mission statement, and will be consistent with its legal authority.

III. Definitions

- A. General Order:** Permanent written directives containing policy, procedures and regulations affecting more than one organizational component.
- B. Instructional Material:** Training guides, bulletins and checklists.
- C. Manual:** A collection of policies, procedures, regulations and/or other written directives.
- D. Memorandum:** An informal written document that may or may not convey an order; it is generally used to clarify, inform or inquire.
- E. Order:** An instruction or directive, either written or oral, issued by a superior to a subordinate or group of subordinates in the course of police duty.
- F. Personnel Order:** A written announcement of changes in the status of personnel, such as transfers between department divisions, changes in primary responsibilities, receipt of awards or promotions.
- G. Policies:** Policies summarize the department's position on specific matters. Policies are concise position statements based on underlying organizational



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principles, goals, values and operational philosophies. They are designed for broad general direction and guidance primarily designed for use by all members of the department or by more than one division.

- H. **Procedures:** Procedures build on the foundation of policy statements to provide specific guidance on required, desired, or preferred methods of operations or conduct. Procedures are more detailed instruction on means and methods for carrying out the policy directive and generally draw the boundaries of permissible officer discretion in performing specific tasks or duties.
- I. **Regulations:** As opposed to procedure statements that often provide officer flexibility and discretion, regulations, commonly referred to as rules, are characterized by their inflexibility. Regulations define situations where no deviation or exceptions to agency authorized actions are permitted.
- J. **Special Order:** A written directive establishing policy or procedures with regard to specific circumstance which is self-canceling, short term in nature, or to establish temporary policy or procedure below departmental level which applies only to a specific segment or activity of the department.
- K. **Terms Limiting Officer Discretion:** There are three categories of terms used in written directives for this agency. Personnel responsible for the development of such directives and officers who carry them out shall be aware of the limitations on officer discretion that these terms convey. These terms are classified as judgmental, discouraging and prohibitive in nature.
 - 1. **Judgmental:** The word "may" is used to convey the utmost discretion to officers. "May" indicates that officers should employ their best judgment in addressing a situation by relying on experience, training, the stated mission and values of this agency, and the general guidance provided in statements of agency policy.
 - 2. **Discouraging:** The word "should" or "should not" is used to convey the agency's desire for officer actions in given circumstances. Directives should be followed whenever reasonably possible. However, it is recognized that exceptions to desired actions can be anticipated in these circumstances that could require alternative action. Officers are therefore authorized whenever reasonable to use limited discretion to deal effectively with the situation or problem.
 - 3. **Restrictive or Prohibitive:** The terms "shall" or "shall not" or "will" or "will not" impose absolute requirements or prohibitions on officer actions. Considering that the full set of circumstances surrounding many situations confronted by officers cannot be fully predicted, such terms must be used with care and with understanding that failure to abide by such restrictions may result in disciplinary action. Where deemed appropriate, however, these terms may appear in written directives.
- L. **Written Directives:** Written directives are position statements by or authorized through the Chief of Police that guide or direct the actions and

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activities of officers. Directives encompass all means by which this agency communicates instructions, orders and duty requirements to its members, to include policies, procedures, regulations, General Orders, Special Orders, Personnel Orders, memoranda, and instructional materials.

IV. Regulations

A. Orders

1. Employees shall obey any lawful order of a higher ranking officer, including any order relayed from a higher ranking officer by an employee of the same or lesser rank (12.1.3) [D].
2. Supervisors or employees officially acting in a supervisory capacity shall not issue orders that require a subordinate to commit an illegal act [E].
3. Employees shall not obey any order from a higher ranking officer which they know would require them to commit an illegal act. The issuance of an order to commit an illegal act shall be reported immediately to the Chief of Police (12.1.3) [D].
4. Supervisors or employees officially acting in a supervisory capacity shall not issue orders that conflict with orders issued by a higher authority [C].
5. Employees who are given an otherwise proper order which is in conflict with a previous order, rule or directive shall respectfully inform the higher ranking officer issuing the order of the conflict. If the officer issuing the order does not alter or retract the conflicting order, the last order shall stand and the employee shall obey the conflicting order. Any employee who abides by this regulation and follows the conflicting order shall not be held responsible for disobedience of the order, rule or directive previously issued (12.1.3) [B].

B. Written Directives

1. It shall be the responsibility of all personnel to ensure that they are knowledgeable and familiar with all of the written directives. Failure to do so shall be considered neglect of duty [A].
2. All internal written directives shall be consistent with this General Order [A].

V. Procedures

A. Directives Development and Approval

1. The Chief of Police retains authority to issue, approve or modify all agency written directives, including General Orders, Special Orders and Personnel Orders (12.2.1b).



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2. Supervisors may issue Special Orders that have bearing only on the specific functions or operations of their areas or responsibility. Special Orders must contain to whom the memo is addressed, the name of the individual issuing the memorandum, the date authored, and a subject title. Such written directives shall be consistent with established General Orders and Personnel Orders and copies forwarded to the Chief of Police through the chain of command (12.2.1c).
3. Instructional Material may be recommended by any officer having expertise or knowledge in a certain area, but may only be issued upon the approval of the Chief of Police or Division Commander after information within the instructional material is checked to see if the material coincides with existing policies and procedures (12.2.1c).
4. Memorandums may be issued by all personnel, however, the memorandum must contain to whom the memo is addressed, the name of the individual issuing the memorandum, the date authored, and a subject title. Memorandums carry the same weight and authority as the person who issues it. The department email system is an acceptable way to send and receive memorandums (12.2.1c).
5. It is the concurrent responsibility of all division commanders to ensure that General Orders and other directives affecting their area(s) of responsibility reflect the best practices for accomplishment of organizational and division activities, duties and responsibilities. To this end, division commanders and their designees are responsible for ensuring that:
 - a. Required development, updates, and refinements of all agency General Orders affecting their area(s) of responsibility are identified and that these requirements are forwarded in a timely manner to the department accreditation manager or designated officer, and
 - b. Written explanation and justification of proposed and currently active directives is prepared and kept current. This justification/discussion may include but is not limited to the legal basis and requirements for the General Order; reference to and adherence to professional standards or practices, compliance with agency philosophies, directives, standards and protocols; and related information that supports, explains and substantiates the policy position (12.2.1i).
6. Development and refinement of agency General Orders and agency forms shall be coordinated by the department accreditation manager or designated officer. That officer shall forward drafts of such documents for review and comment to a committee of affected agency personnel as designated by the Chief of Police (11.4.2).
7. Copies of proposed changes to agency General Orders shall be conspicuously posted for general comment by agency personnel for a period of ten days.

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8. Final drafts of General Orders and agency forms and supporting justification documents and personnel comments shall be forwarded to the Chief of Police or his or her designee for approval or other action (12.2.1e, 11.4.2).
9. Upon the approval of the Chief of Police, final drafts of General Orders will be forwarded for review to the legal counsel of the agency and to the City Council for final approval.

B. Distribution and Maintenance

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1. Maintenance of the written directive system is assigned to the department accreditation manager or an officer designated by the Chief of Police. This officer shall be responsible for organization, review, revision, update and purging of the agency General Orders Manual on a continuous basis (11.4.2).

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2. Approved new and revised General Orders shall be distributed to all personnel via PowerDMS. All Personnel are required to read and be knowledgeable of directives. It is the employees' responsibility to review and understand each directive in PowerDMS. After reviewing the directive, the employee will acknowledge that he/she has reviewed and understands the directive by electronically signing that they have received, read and understood the directive. Where deemed necessary, roll call or other training regarding the directive shall be conducted concurrently with distribution of the directive (12.2.2a, 12.2.2c).

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3. The General Orders Manual will be kept and maintained electronically on the department's computer network, as well as PowerDMS, and all employees will have "read only" access to the manual. The Chief of Police will authorize a limited number of personnel to have "write" privileges to the General Orders Manual in order to ensure it is maintained according to this General Order. A hard copy of the General Orders Manual will be maintained in the officers' workroom for reference when the computer network is unavailable. A hard copy of the General Orders Manual will also be maintained in the office of the Chief of Police and shall be considered the standard by which all other manuals shall be compared (12.2.2b).
4. In the event a General Order is amended or rescinded, the department accreditation manager or officer designated by the Chief of Police shall remove the existing order from all printed and computerized manuals and immediately insert the amended version (12.2.1e).

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5. Special Orders and Personnel Orders will be maintained in a file for reference by the department accreditation manager or officer designated by the Chief of Police, and stored on the department's computer network and PowerDMS with "read only" access for all employees (12.2.2b).
6. A copy of all orders, regardless of issue date, amendment date, or rescinding date, shall be maintained in a file for reference purposes by the



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department accreditation manager or officer designated by the Chief of Police. This file shall not be considered a manual.

7. General Orders and approved forms designated as sensitive by the department are identified in the table of contents and with red headers, are required to undergo review every six months and all other general orders will be reviewed each calendar year unless otherwise designated (11.4.2).

C. Manual Components

The department's General Orders Manual shall include the following primary components (12.2.1d):

1. **Purpose of the Policy Manual**
Describes the purpose, use and applicability of the manual.
2. **Table of Contents**
Sequential listing of topics in the manual and their location in the document.
3. **Department's Source of Legal Authority**
The statutory authority granting police powers to the department from the municipal, county, and/or state government.
4. **Agency Mission and Values Statement**
The department's overall mission statement and the values adopted by the department that form the foundation for policy, procedures and rules (12.2.1a).
5. **Police Officer's Code of Conduct.**
The Police Officer's Code of Conduct as officially adopted by the International Association of Chief of Police.
6. **General Orders**
Statements of individual agency polices and accompanying procedures with regard to duties, responsibilities, and tasks of departmental officers and civilian personnel.
7. **Glossary**
Definitions of terms used in the General Orders Manual.
8. **Topical Index**
An index of subjects, topics, and issues addressed in the manual, organized in alphabetical order by keyword(s).
9. **Authorized Forms**
An index to and samples of all forms authorized for use by this department.

D. Organization of General Orders

Each General Order will contain the following information:

1. **Name of the Department**
Policy statements will identify the issuing agency on each page of the document.

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2. Type of Directive

The directive needs to have the words "General Order" in the header.

3. Title

General Orders will be identified by the topic or issue under consideration.

4. Order Number

The decimal or other number identifying the sequential placement of the order in the manual.

5. Issue Date

The date the General Order was approved by the City Council.

6. Effective Date

Indicates the date the General Order was placed in effect.

7. Review Date

The date on which the order is required to undergo formal review, though modifications may be made at any time as required.

8. Approval

Signature or initials of the Chief of Police indicating final approval of the General Order.

9. Reference

Provides links to related departmental policies, procedures and rules that relate to or have bearing on understanding and use of the present General Order (for instance, "motor vehicle search" referenced to "obtaining search warrants").

10. Rescinds/Amends

Indicates a former General Order issued under the same or similar title that has been deleted or modified by the present General Order.

11. CALEA Standard

Reference to the relevant standard defined by the Commission of Accreditation for Law Enforcement Agencies that deals with this General Order topic or issue.

12. Number of Pages

The total number of pages contained in the General Order.

E. General Order Statement

Each General Order will conform to the following format and provide the indicated type of information:

1. Purpose

The General Order will be introduced by a succinct (generally one line) statement concerning what the General Order is about and what it is attempting to relate.



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2. Policy

The policy statement identifies a problem, need or issue and provides guiding principles for exercising judgment. Rather than providing officers with precise guidance as found in procedures, the policy statement establishes the rationale and overall approach to a problem, situation, issue or concern. As such, it often draws upon the agency's philosophy and values to provide direction (12.2.1f).

3. Definitions

New or unfamiliar terms or words will be defined. This includes new, uncommon or unusual terms, expressions, phrases, to include words or phrases used in law or not generally used in the police profession.

4. Regulation

Actions expressly required or prohibited by officers and not allowing for officer discretion will be clearly defined in any General Order where such regulation is deemed to be necessary by the Chief of Police (12.2.1g). Regulations will be assigned a disciplinary code defining punitive action to be taken for violating the regulation. The disciplinary code will be denoted in brackets [] at the end of each regulation.

5. Procedures

Procedures will be included in each policy statement to the degree necessary to provide officers with sufficient guidance to carry out the policy in accordance with agency requirements and desires. Procedures contained in the orders issued by the department cannot predict or anticipate every situation a member may encounter. Therefore, a situation may require a member to use their discretion to depart from established policy and procedures based upon the circumstances that only they can fully evaluate at the time the situation is encountered. Member's actions that depart from established policy and procedure due to unforeseen circumstances will be evaluated on a case by case basis and the Chief of Police will have the sole discretion to determine if such departure was justified. (12.2.1h).