

		Policy & Procedures			No. 4.08	
		Subject:				
		Written Directives				
		Issuing Authority:		Effective Date:	Review Date:	
		Chief of Police		09/01/2013	11/10/23	
				Review Date:		
Review						
Revision	11/20/16					
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CALEA STANDARDS: 11.1.0 11.4.2 12.1.3 12.2.1 12.2.2
ACTION ITEMS: 08 DIR-01

Purpose The Chief of Police has established written directives that include policies and procedures and rules/regulations for the government, discipline, and supervision of the Police Department. The above may also include specific personnel or special orders, as well as, various memorandum and electronic mail. These may be altered, amended, added to or revoked by the Chief of Police.

These policies will be updated as required by POST and will be used to help obtain and maintain the department’s certification through POST. **DIR-01; Action Item 8**

Mission It is the primary mission of the Canton Police Department to deliver professional police services to the residents and business owners of Canton, as well as those that visit our community regardless of race, religion, ethnic origin or sexual orientation. The mission statement can be located on every desk-top in the Police Department. **11.1.0; 12.2.1**

Organizational Values

The values of the Canton Police Department are: **11.1.0; 12.2.1**

- Maintenance of the highest standards of integrity and ethics;
- Excellence and teamwork in the performance of duty;
- The protection of Constitutional Rights;
- Continuous improvement and problem solving;
- Performing public service and law enforcement tasks so as to provide;

- Leadership to the police profession

Discussion

Guidelines are a necessity in any organization. To this end, the Chief of Police is designated in accordance with the Town of Canton Charter and the Town Manager as having the authority and responsibility for the management, direction, and control of the operation and administration of the Police Department.

12.2.1 (1)

This is particularly true in a police department where the reputation of the organization is fundamentally dependent upon the personal conduct of its individual officers.

The functional policies and procedures and rules/regulations are especially directed to the officers of the Canton Police Department. It is expected that all sworn members will adhere to, and be guided by, all of the aforementioned established directives, which are consistent with the positions they hold and their duties and functions within the Department.

It is not expected that the contents of the manual will cover all situations or emergencies that may arise. By the very nature of police work, police officers in the field must perform their duties independently and with a minimum of direct supervision. Their own intelligence, practical experience, prudent discretion, and common sense will often be their only available guidelines in carrying out their responsibilities.

All previous directives, policies, procedures, rules/regulations, and orders inconsistent herewith, are hereby revoked. If any part of these are rendered inoperable or declared illegal by any court or governmental agency of competent jurisdiction, the balance of the entire manual will remain in full force and effect.

Policy

The Chief of Police is designated to provide administrative direction and control to all members of the Department. He/she will have the final authority to issue, modify, or approve agency written directives. **12.2.1 (3A)**

As addressed in MPI's Rules and Regulations, Section 8.0 Orders, a written directive requires all department employees are to obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank. An employee who receives a conflicting or unlawful order is to follow the order of the highest-ranking officer. If the conflict needs to be further addressed, the employee can submit a letter to the Deputy Chief requesting clarification. **12.1.3 (1,2)**

One of the Department's responsibilities is to ensure these written directives are carefully organized in an easily accessible manner that will provide guidance to

its members. This is achieved through a system of internal directives. This system is comprised of five (5) primary types of notices: The Department Manual, General Orders, Special Orders, Personnel Orders, and Memoranda. **12.2.1 (4)**

Definitions The following terms and definitions are to be used as part of the Department's internal directive system. For consistency purposes, the numbering system for those designated below will be followed: **12.2.1 (6,8)**

Department Manual: A loose leaf book that contains the official policies and procedures and rules/regulations of the Canton Police Department. The manual is updated regularly throughout the year, with hard copies of all new and revised general orders issued during that period. **12.2.1**

Policy: A written directive that is a broad statement of agency principles. Policy statements do not establish fixed rules or set procedures for conduct of a particular activity, but rather provide a framework for development of procedures, rules and regulations.

Procedure: A written directive that is a guideline for carrying out agency policies. Procedures may allow some latitude and discretion in carrying out an activity.

Rules & Regulations: A specific guideline to which all members must adhere. It is a stand-alone document but placed in the same manual as the directives. **12.2.1 (5)**

General Order: A notice of a new or amended policy, rule or procedure that will eventually become a part of the Department Manual, signed by the Chief of Police. It remains in effect until further notice or until an insert in the manual is issued for that subject. General Orders will be numbered sequentially, preceded by a two-digit number indicating year of issue (i.e., G.O.12-1)

Memoranda: Information of use to members. The subject matter of these bulletins reflects the originating unit, such as Inter-Departmental, Intra-Departmental, Training Bulletin, Detective Bulletin, Commendation Bulletin, and Safety Bulletin. Bulletins will be numbered sequentially, preceded by a two-digit number-indicating year of issue (i.e.; M12-1).

Special Orders: Short-term directive signed by the Chief of Police, or designee, outlining instructions covering particular situations. Special Orders are cancelled when their objective is achieved, or the event is self-canceling in nature. Special Orders will be numbered sequentially, preceded by a two-digit number indicating year of issue, (i.e. S.O.12-13).

Personnel Orders: Directive pertaining to shifts in assignments or duties, signed by the Chief of Police or his/her designee. Personnel Orders will be numbered sequentially preceded by a two-digit number indicating year of issue, (i.e. P.O.12-13).

Procedures The following procedural guidelines will be adhered to by all members of the Canton Police Department.

Distribution 12.2.1; 12.2.2

All current members of the department will be required to review and acknowledge familiarization with all directives listed in the Department Manual, either through the use of a hard copy or the IMC system. New members/hires of the department will be required to review and acknowledge familiarization with all departmental directives before completion of their suggested three (3) month field training assessment.

New policies, rules, procedures, and directives will be authorized by the Chief of Police, issued, distributed and uploaded into the IMC system with the approval of the Accreditation Manager's office. **12.2.1 (9)**

Any new or revised General Order, Directive or Policy will be uploaded into the Electronic-folder, 'Bulletin Board', located on each desk top. It is to be read at roll calls for (3) three consecutive days.

Members will initial the applicable distribution sheet as acknowledgement of receipt of these manual changes or orders. The distribution sheet shall be filed in the Office of the Accreditation Manager. **12.2.1 (10)**

Any General Orders or Directives issued by the Chief of Police are to be considered in full force and effect.

General Orders will normally be incorporated into the Department Manual by hardcopy and uploaded into the IMC system within 180 days after issuance.

General Orders will be cross-referenced to the section of the manual, which is affected by the notice.

Orders and Directives shall be posted on the electronic roll call clip-board and Policies or orders that have been amended shall follow the same procedure as if they were a new policy or order (see page 7 of this policy).

Department Manuals will be disseminated and placed in several specified accessible locations for reference by all personnel affected.

Distribution

Overview

The table below depicts the hierarchy for all Policy and Procedure, Rules and Regulations, Personnel Orders, Special Orders, Memorandums and corresponding authorization for release: **12.2.1 (3B); 12.2.2**

Directive	Issued By	Reason/Purpose	Distribution
Policies and Procedures And Rules and Regulations	Chief, Deputy Chief, Lieutenant	Promulgate • Policies, Procedures • Rules and Regulations	• All Police Personnel • Accreditation Manager • Roll Call Review Book • Department Manual • PM AM System
Personnel Order	Chief, Deputy Chief, Lieutenant	• Assignments • Transfers • Appointments • Discharges	• Department Administrative Assistant • Personnel involved • Roll Call Review Book • Accreditation Manager • PM AM System
Special Order	Chief, Deputy Chief, Lieutenant	• Commendations • Uniform/Equipment	• Personnel involved • Roll Call Review Book • Department Manual • Accreditation Manager • PM AM System
Memorandum AND / OR Electronic Mail	Chief, Deputy Chief, Lieutenant, Sergeant	• Inter-Departmental Communications • Intra-Departmental Communications	• Personnel Involved • Department Involved

The above directives will be scanned into their named folders, Policy and Procedure Folder, Orders or Rules and Regulations), located on the Network's I-Drive using the formatted entry requirements. These will be backed-up with at least one hard copy printed. **12.2.2**

Indexing,

Numbering

and Storage **12.2.1 (12)**

General Orders, Special Orders, and Personnel Orders will be numbered in the following manner:

- The title indicating type of order written clearly before the order number;
 1. Personnel Order (PO)
 - 2.General Order (GO)
 - 3.Special Order followed by; (SO)
 - 4.Memorandum (MO)

- A two-digit number indicating the year of issue (i.e.; 05-123).
- The last digits indicate the order number.

The Accreditation Manager shall assign the code on the orders, which will indicate the section of the Manual in which the order shall be placed.

- The first digits will indicate the Manual Section Number.
- The last series indicates the policy number within a given assigned chapter.

All written directives shall be forwarded to the Office of the Chief of Police for approval once numbering has been completed by the Accreditation Manager.

The Accreditation Manager will maintain an index for all written directives known as policies and procedures. **12.2.1**

The Department Manual will contain all Policies and Procedures, Rules/Regulations, and Temporary Orders issued by the Department along with a complete index. In addition, the Department Manual and all policies will be available through the IMC system online. All online information shall be backed up to the Town's I Drive. All employees have access to the I-Drive. **12.2.1 (5); 12.2.2**

The Accreditation Manager will be responsible to maintain hard copies of the Department Manual in the following areas:

- Chief's Office;
- Accreditation Managers Office;
- Dispatch area;

Accountability

Members are responsible for checking all bulletin boards to familiarize themselves with all directives. They are responsible for complying with each directive which has been issued whether or not it is read at roll call. This includes directives which may have been issued during their absence.

When necessary, members are required to attend training sessions concerning the various General Orders prior to their implementation. Failure to attend required training sessions will require a written report to the Office of the Chief of Police explaining the absence.

It shall be the Shift Supervisor's responsibility to deliver, as directed, all information contained in the above directives and to adhere to all instructions contained therein.

***Staff Review
Procedure*** **12.2.1 (26)**

At supervisory staff meetings, proposed or revised policies, rules - regulations and procedures shall be reviewed for member input. **12.2.1 (24)**

Suggested changes to written directives, or the need to add new ones, are encouraged at any time, by any officer. Such suggestions shall be in writing/signed (not email) and should be forwarded to the Chief of Police.

Any such requests will then be forwarded to the Accreditation Office for review and preliminary formulation, unless otherwise directed by the Chief of Police. Once received, receipt of this request and subsequent review of same will be documented by the Accreditation Office. A file folder will be kept documenting the above, including dates and drafts. **11.4.2; 12.2.1 (24,25)**

Drafts of such policies will be first reviewed by the Chief of Police and then disseminated to the Union member review committee and to the Superior Officers, as directed by the Chief of Police. **12.2.1 (24)**

Review team members are encouraged to seek input on policy and procedure development from peers and subordinates, especially those units affected by the changes.

Review team members, peers, and subordinates will review proposed or revised policies, rules, and regulations and forward any comments to the Accreditation Manager. The Accreditation Manager will ensure they do not contradict with other existing agency directives or applicable law prior to their promulgation. **12.2.1 (25)**

Completed, reviewed, and approved orders will then be issued at the direction of the Chief of Police through the Accreditation Office.

All written directives shall be reviewed at least biennially by the Accreditation Manager and amended to coincide with the terms of current collective bargaining agreements, changes in the law, Accreditation Standards, or any other legal requirements. All written directives will be reviewed at the same frequency, but will be staggered to lighten the workload. High liability policies such as Use of Force will be reviewed more frequently. **12.2.1 (15,16)**

All Policies and Procedures shall have a documented review date incorporated into it that is no longer than two (2) years from effective date. **12.2.1 (17)**

The Accreditation Manager is responsible for ensuring these documented reviews are completed and implementations of updates are made. The review date will be noted on each written directive (documentation). **11.4.2; 12.2.1 (17,22)**

When a written directive is updated or rescinded the Accreditation Manager shall purge the old version from the record and archive it, as required. All copies of any rescinded policy or written directive (both hard copy and electronic) will be pulled from circulation and destroyed. A notation will be made on the file folder containing the rescinded policy with the signature of who authorized it. One copy of the rescinded policy will be scanned and stored on the I-Drive in a folder labeled “Rescinded Policies” **11.4.2; 12.2.1 (14)**

The Accreditation Manager (AM) will be responsible for all agency forms. All forms will be stored on the I-drive and on each desk top in the folder ‘Completed Master Forms’ in alphabetical order. The Administrative Sergeant, with the approval of the AM will manage the creation and dissemination of all agency forms. **11.4.2**

The design of new agency forms should be approved by the Chief of Police after consultation with the AM. New or updated agency forms should include the accreditation standard, if applicable, and the revision date in the lower left-hand corner of the form.

The AM will conduct an Annual Review of all agency forms to include existing forms to confirm that the date and standard number are reflected. The annual review will also reaffirm that the form is still needed for agency practice and whether or not any forms need to be revised or purged. Should a form no longer be needed, it will be removed from the ‘Completed Master Form’ folder. The AM will keep a copy of all purged forms. **11.4.2**

ORDERS

An order is defined as a command or instruction, oral or written, given by one member of the department to another member of lesser rank. **12.1.3**

As addressed in MPI’s Rules and Regulations, Section 8.0 Orders, a written directive requires all sworn employees to obey any lawful order of a superior, including any order relayed from a superior by an employee of the same or lesser rank.

All employees are expected to be familiar with and comply with all lawful orders, rules and regulations, and policies and procedures issued by the Department.

***CONFLICTING
ORDERS***

In the event any order is given by a Superior Officer that is in conflict with any previous departmental order, rule, regulation, policy or procedure, the employee to whom such order is given will respectfully notify the Superior (Officer) of the conflict. If the employee responsible for issuing said order does not change the order to avoid such conflict, the order will be obeyed, but the employee obeying such order shall not be held responsible for disobedience of the previous order, rule, regulation, policy or procedure. Responsibility for the conflict shall be upon the Superior (Officer) that issued such conflicting order. The conflict should be reported (in writing) to the Chief, through the Chain of Command, for clarification. The involved employee will submit a letter describing the conflict to a Superior (Officer) not involved in the original conflict. **12.1.3 (3)**

***UNLAWFUL
ORDERS***

Obedience to an unlawful order is never a defense for an unlawful action; therefore, no officer is required to obey any order which is contrary to any Federal or State law. Responsibility for refusal to obey an unlawful order rests with the officer to whom such order was given. The officer shall be strictly required to justify such action. Officers issued what they believe to be an illegal order shall respectfully request the issuing officer to clarify the order or to confer with a higher-ranking officer. **12.1.3**

***ISSUING
UNLAWFUL
ORDERS***

No Superior Officer shall knowingly issue any order which is a violation of any law.

***UNJUST OR
IMPROPER
ORDERS***

When lawful orders which appear to be unjust or improper are given, the officer to whom the order is given shall respectfully notify the Superior Officer issuing such order of its impropriety. If the order is not corrected, then it is to be carried out. After carrying out the order, the officer to whom the order was given may file a written report to the Chief of Police through the Chain of Command, indicating the circumstances and the reasons for questioning the order, along with a request for clarification of departmental policy. After complying with this Section, an officer who carries out an order found to be unjust or improper by the Chief of Police or court or tribunal of competent jurisdiction, will not be held responsible for carrying out such order. **12.1.3**

