



GENERAL ORDER

DURHAM POLICE DEPARTMENT
DURHAM, NC

NUMBER:

1002 R-6

WRITTEN DIRECTIVES SYSTEM

Effective Date: 12/15/1995

Revision Dates: R-1 01/06/2003; R-2 07/25/2003; R-3 04/28/2004; R-4
02/01/2006; R-5 02/18/2015; **R-6 11/09/2015**

INTRODUCTION

In order to provide Department employees with an understanding of the functions, policies, expectations and limitations of the Durham Police Department and its members a written directive system has been established. Directives established by the Department may be published in the form of General Orders, Standard Operating Procedures, training material, or memoranda. Rules of conduct are covered in the Department's Rules and Regulations which is a section of the General Orders Manual. The Chief of Police has the authority to approve the issuance or modification of Department written directives.¹

DEFINITIONS²

Directive - any written document used to guide or affect the performance or conduct of Department personnel.

General Order (GO) - a written directive issued by the Chief of Police prescribing general policy, responsibilities, procedures, and methods related to departmental operations.

Standard Operating Procedure (SOP) - a written directive which is a guideline for performing Departmental activities in particular organizational areas and is a means of achieving uniformity in the correct performance of tasks.

Training Material - any media used to provide instruction or periodic guidance on procedural or legal issues.

Memorandum - a communication from a manager or supervisor to members under their direct area of responsibility to issue instructions, or to direct the actions of subordinates in specific situations or circumstances. A memorandum may also be used as a temporary directive issued by the Chief of Police that overrides a previously distributed written directive or establishes a previously unaddressed policy. It is a means of quickly advising members of new or revised policy or procedure and is in force until expiration or until a written directive is processed and distributed.

Power DMS - a document, training and accreditation management software system used to disseminate and archive written directives.

¹ 12.2.1a, f & g

² 12.2.1d

WRITTEN DIRECTIVE ORDER OF PRECEDENCE

Members of the Department are required to obey all of the below listed written directives and laws. In case of a conflict between two written directives, the following order of precedence shall be adhered to:

- The United States Constitution
- The North Carolina Constitution
- United States statutory and common law
- North Carolina statutory law, common law, and Administrative Code
- City and County of Durham ordinances
- City of Durham policies
- Memoranda that modifies a General Order
- General Order/Rules & Regulations
- Standard Operating Procedure
- Memoranda
- Training Material

A lower level directive cannot contradict or supersede a higher level directive. For example, an SOP cannot contradict a Department GO.

ISSUANCE AND DISTRIBUTION OF DIRECTIVES³

Any member may issue directives applicable to members under their supervision or command via memoranda. Directives applicable to more than one work unit may be issued only by the appropriate Bureau Chief.⁴ The Accreditation Manager is responsible for maintenance of the Department's General Orders and Standard Operating Procedures manuals. The Training Division is responsible for the maintenance of training materials.

Written directives, with the exception of some training materials and memoranda, will be stored in electronic format. Employees responsible for the maintenance and storage of directives may choose to maintain a paper storage system, at their discretion. The Accreditation Manager shall make an electronic copy of the GOs and SOP's available on Power DMS. Members may download documents published on Power DMS. Upon request, the Accreditation Manager shall provide a copy of these directives to any Department member.

New, full-time employees will be given a login and information for accessing Power DMS and are responsible for reviewing all assigned GOs and SOPs as part of their orientation and training. New part-time employees and newly hired academy recruits may not be given access to Power DMS. Any employee who does not have access to Power DMS will be provided with a digital copy of the policy manual and will be required to sign a General Orders Acknowledgement Signature Sheet (attachment 1), advising that they have access to the Department's policies and procedures and accept their responsibility to review, understand and abide by written directives. Newly hired police officers will review the GOs and SOPs as directed during their training, but are expected to have reviewed all GOs and the Uniform Patrol SOP manual prior to their promotion from recruit officer to police officer.

³ 12.2.2

⁴ 12.2.1c

New or revised GOs are made available to employees via Power DMS or by other electronic means. For Power DMS users, a system notification email will be sent electronically directing employees to address items in their inbox. Each member must acknowledge that they reviewed the policies published via Power DMS.

Upon notification of pending items in their Power DMS inbox employees are required to log into the system to acknowledge the review and receipt of new and revised policies by the due date posted in the system. Supervisors are responsible for periodically reviewing the inbox status of their direct reports and for ensuring that overdue items are addressed.

Changes to Department practices and functions reflected in SOP manuals will be updated in accordance with this GO and posted on Power DMS. Each member must acknowledge, by authorized electronic means, receipt of applicable SOPs and subsequent revisions.

At the discretion of the Executive Command Staff, members may only be required to acknowledge those policies and procedures that are relevant to their classification. Members are permitted to download documents from Power DMS in order to maintain their own backup system. Printed copies should be kept to a minimum. Non-department personnel requesting policies should be referred to the Accreditation Manager or the Department's public website.

Anyone may issue a directive memorandum applicable to their particular areas of responsibility within the descending chain of command. Memoranda to another organizational entity shall be routed through the Commander for that entity. Memoranda that affect all department personnel shall be issued under the signature of the Chief of Police.

GENERAL ORDER NUMBERING

Each GO will be given a concise title and a unique number containing the series designation and the specific number of the subject within that series. An example of a series/subject number is 1002, where "Written Directives System" is a subject within the series "Organization/ Administration".

Series Number	Series Title
1000	Organization/Administration
2000	Personnel Management
3000	Uniforms and Equipment
4000	Operations

Revisions to General Orders will be indexed as R-1, R-2, etc., in numerical succession.

INITIATION AND/OR REVISION OF GENERAL ORDERS

The Accreditation Manager is responsible for ensuring that the GOs address the current practices of the Department and meet necessary accreditation standards. Any member who finds that a GO is in need of modification or a new GO needs to be created, is responsible for notifying the Accreditation Manager.

GOs may be revised or created for any of the following reasons:

- **Changes Made to Accreditation Standards**

The Accreditation Manager is responsible for reviewing all new and revised accreditation standards and incorporating those changes within the time frame allowed by the accrediting body. Once the new/revised standard is released, the Accreditation Manager will review existing policies to determine the level of compliance the Department currently has and determine if any modification is needed. The

Accreditation Manager works with the appropriate personnel to bring the policy into compliance with the new/revised standards.

- **Changes Made to Laws**

The Police Attorney for the Department is responsible for notifying the Accreditation Manager of any changes made to laws/ordinance or any court decisions that may affect Department policy. The Accreditation Manager will work with the Attorney to bring the policy into compliance with current legal standards.

- **Changes Made to Operational or Administrative Practices**

As operational or administrative practices change, the members responsible for initiating the change should review the relevant policies and notify the Accreditation Manager if modifications or new policies are needed. The Accreditation Manager will work with the relevant members to ensure that the policy needs of the new or modified practices are met.

GENERAL ORDER REVIEW PROCESS

Initiation or revision of a GO shall be conducted according to the following process:

Identification and Notification

When the Accreditation Manager is informed or becomes aware that a policy initiation or revision is needed, they will be responsible for identifying all of the relevant policies impacted by the change. For existing policies, the Accreditation Manager will conduct topic specific research to include the identification of any other written directives that may apply to the topic and make preliminary changes to the policy. If a new policy is needed and a rough draft has not been forwarded, the Accreditation Manager will initiate a rough draft. If a change in language or practice affects multiple policies then all applicable policies should, whenever possible, be updated at the same time.

Content Review

The Accreditation Manager will identify the personnel who have the information and background necessary to provide accurate feedback on the draft. The draft will be forwarded to the identified personnel for review, comment and correction. The Accreditation Manager is responsible for ensuring that policy language does not contradict directives of higher precedence. Some changes to policies or changes initiated by the Executive Command Staff (ECS) may not require an initial content review. If that is the case, the draft may be forwarded to ECS for review.

Executive Command Staff Review

When a draft is ready, the Accreditation Manager will forward the draft to the Executive Command Staff and the Police Attorney for review. Depending on the extent of the changes, the ECS or Accreditation Manager may initiate a policy review meeting for discussion. The content of the policy will be reviewed and recommendations will be made, which may include additional content reviews by identified individuals or finalizing the draft.⁵ Once the Accreditation Manager has addressed the changes as directed by the ECS, a final version will be completed. The ECS may request a review of the final draft at their discretion.

Chief's Signature

The Accreditation Manager will submit the final policy draft to the Chief of Police for review and signature.

⁵ 12.2.1i
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Publication

The Accreditation Manager will upload the new or revised policy into Power DMS.

When supervisors review the policy changes, they may at their discretion, conduct a policy review as part of roll call training or unit meeting. This training does not negate the need for employees to complete the electronic acknowledgement in Power DMS.

POLICY MEMORANDA

The Chief of Police or his/her designee may issue a policy memorandum without a proposal and review process in the following cases:

- a written directive is found to be non-existent, obsolete, inaccurate or otherwise significantly deficient, and the Chief of Police determines there is an urgent need to convey a directive to the department
- a temporary override of a General Order is necessary, but a permanent revision is not.

In such cases, a draft memo will be prepared, may be reviewed by the Police Attorney if needed and presented immediately for signature. The memo will be distributed electronically to relevant members as quickly as possible. If a permanent revision or new GO or SOP is necessary on the subject, the process for initiating or revising a GO or SOP will then follow.

PERIODIC REVIEW OF THE GENERAL ORDERS

The General Orders Manual will be reviewed on an ongoing basis. Policies used for accreditation will be reviewed at least once during the accreditation cycle, as prompted by the Accreditation Manager, by members responsible for its implementation. In the event a GO becomes obsolete, it will be rescinded by the same process as a revision. At the discretion of the Chief of Police, a revision committee may be appointed to conduct a mass review of the entire General Orders manual.

DEVELOPING AND PUBLISHING SOPS

Standard Operating Procedures Manuals will contain:

- A description of the unit to include the organizational structure, the function of the unit and the duties and responsibilities of positions within the unit.
- Administrative procedures for the unit to include schedules, administrative reports and personnel management.
- Operational procedures specific to that unit
- Identification of written directives that are related to individual SOPs.

Division Commanders and Bureau Commanders will maintain a current manual for each unit under their command. Depending on the size of and function of the unit, multiple manuals may be necessary for a given division.

SOPs will be composed on approved templates which are available from the Accreditation Manager. The Accreditation Manager will be responsible for reviewing all manuals for compliance with departmental policy, format, and accreditation standards.

On an as needed basis, the Accreditation Manager may initiate a review of a manual for accuracy. This will be done in collaboration with the Division Commander and any designated members. The review should address changes in state and federal law, accreditation standards, departmental policy and assigned responsibilities. Division Commanders may also initiate a review of a manual at their discretion.

New and revised SOP's must be submitted through the chain-of-command to the Division Commander, who will initiate the same review/ publication process used for General Orders.⁶

MEMORANDA AND TRAINING MATERIAL

Prior to completing one of these directives, members shall determine if the topic affects a current General Order(s). If so, and the memo/material requires a directive change members shall follow the procedure for modifying the appropriate policy or draft a memorandum for issuance by the Chief of Police. At no time shall a memorandum be issued which alters or contradicts an existing GO or SOP unless it is sent by or at the direction of the Chief of Police.

Each person issuing a memorandum will be responsible for maintaining their own file.

PURGING AND ARCHIVING DIRECTIVES

The process of purging and archiving will be as follows:

- Outdated General Orders will be kept on file by the Accreditation Manager, and archived in PowerDMS. The original signed copies will be stored by the Accreditation Manager.
- Division Commanders are responsible for purging outdated policies from any hard copy versions they choose to maintain.
- The Accreditation Manager will maintain a master file of the current GOs for the Department and the SOPs most recently submitted by each Division. In the event of any question about which version of these directives is to be followed, the version contained within these files shall be official.

CONTINUITY OF WRITTEN DIRECTIVES

Any reference to a written directive shall be considered to refer to the current version of the written directive unless stated otherwise. (For example, if a General Order refers to GO 1002 or GO 1002 R-1, it will refer to the current version of GO 1002, regardless of the actual numerical version designation of that General Order.)

A written directive that is authorized by the Chief of Police or another authorizing person shall be in full force and effect regardless of the authorizing person's current status within the Department. For example, even if the authorizing person no longer holds the same position or leaves the Department, the written directives that he/she authorized will still be valid, unless and until they are superseded by new written directives issued by a currently authorized person.



Jose L. Lopez, Sr.
Chief of Police

⁶ 12.2.1i
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