

 Lexington Police Department	<u>Subject:</u> The Written Directive System				<u>Policy Number:</u> 12B	
	<u>Accreditation Standards:</u> Reference: 11.4.3; 12.1.1; 12.2.2; 21.2.2; 24.1.2				<u>Effective Date:</u> 3/11/13	
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<u>By Order of:</u> Mark J. Corr, Chief of Police						

The Municipal Police Institute, Inc. (MPI) is a private, nonprofit charitable affiliate of the Massachusetts Chiefs of Police Association. MPI provides training and model policies and procedures for police agencies. This policy is an edited version of MPI Policy 4.20 "Written Directive System."

GENERAL CONSIDERATIONS AND GUIDELINES

A written directive system has been established by the Lexington Police Department to inform officers of what is expected in the performance of their duties, to provide guidance in performing such duties, and to establish the basis for employee accountability and performance evaluation. It is the purpose of this policy to define the structure and application of the written directive system (WDS)

Manuals will be published and maintained electronically, manuals will be available on the Police Department's G: Drive, PMAM and on the Police Department's web site.

The contents of the written directive system will include the rules and regulations, job descriptions and policies and procedures. Changes authorized by the Chief of Police shall be made by means of General Order or by issuance of an amended guideline. Each officer will be expected to read and review new guidelines as they are created.

From time to time, unusual or emergency situations will arise which cannot be foreseen or addressed by the written directive system. In these situations, officers will be expected to use their own intelligence, practical experience, prudent discretion and common sense in carrying out their responsibilities. When time restrictions are not critical, an officer should also consult with a superior officer.

Upon the issuance of a written directive, all previous directives shall be revoked, in whole or part, as outlined in the new directive. If any part of the written directive system is rendered inoperable or declared illegal, by any court or governmental agency of competent jurisdiction, the remainder of the directive system shall remain in full force and effect.

DEFINITIONS

- A. **Manual**: An online folder containing the rules and regulations, job descriptions, policies and procedures of the Lexington Police Department. There will be an electronic version of the manual located on the Department's website, the G: Drive and PMAM
- B. **Directive**: As used generally in this policy, "directive" shall refer to written directives, policies, procedures, rules, regulations and other documents of guidance issued under the authority of the Chief of Police or designee.
- C. **General Orders**: General Orders are permanent written directives outlining policy matters, which affect the entire Department. A General Order is the most authoritative written order the Department issues, and may be used to amend, supersede or cancel any previous order. General Orders remain in full force and effect until amended, superseded or rescinded by the Chief of Police. General Orders may be issued by the Chief of Police or his designee.
- D. **Memoranda**: (Generally entitled "Memorandum" or "Memo") An announcement of a happening, event, or information of use to another Department member. Memos are typically addressed to one or several individuals and do not require special authorization. However, memos distributed throughout the Department shall be properly authorized before distribution. Memoranda may be issued by the Chief of Police or designee.
- E. **Personnel Orders**: Personnel orders are those pertaining to such matters as assignments, change of duty, administrative matters relating to conditions of employment, and employee rights and benefits. Personnel Orders are usually issued by the Chief of Police, a Captain or a designee.
- F. **Policies**: Policies summarize the Department's position on specific matters. Policies are concise position statements based on underlying organizational 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 operational division. Policies are issued by the Chief of Police.
- G. **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 instructions; the means and methods for carrying out the policy directive and generally draw the boundaries of officer discretion in performing specific tasks or duties. Procedures are issued by the Chief of Police. In practice, the Department usually issues a policy with the applicable procedures as a combined document.
- H. **Rules and Regulations**: As opposed to procedure statements that often provide officer flexibility and discretion, rules are characterized by their inflexibility. Rules define situations where no deviations from or exceptions to agency-authorized actions are permitted. Rules may be issued by Chief of Police or designee.

- I. **Special Orders**: Special Orders are temporary written orders, carrying the weight of General Orders, outlining instructions covering particular situations. Special Orders are automatically canceled when their objective is achieved. Special Orders may be issued by the Chief of Police or designee.
- J. **Written Directives**: Written directives are position statements by or authorized through the Chief that guide or direct the actions and activities of officers. Directives encompass all means by which this agency communicates, including; instructions, orders, and duty requirements to its members, to include policies, procedures, rules, regulations, general orders, special orders, memoranda, and training memos. Written directives may be issued by the Chief of Police or designee.
- K. **Training Memos**: Any material used for training or informational purposes authorized for distribution by the Chief of Police, Captains of Administration and Operations, or their designee.

PROCEDURES

A. Authority to Issue Directives [12.1.1] [12.2.1(c)]

- 1. In 1921 the Town of Lexington adopted M.G.L. Chapter 41, section 97 designating the Chief of Police as being in "immediate control" of the management, direction and supervision of the Police Department. The Chief of Police derives his/her authority to issue, modify, or approve agency written directives from **M.G.L. c. 41 § 97**. [12.2.1(b)]
- 2. **[M.G.L. c. 41 §97]**: By law, the Chief of Police derives his authority under the so called "weak chief statute" to issue, revise or rescind policy under the authority of the Town Manager. That authority may be delegated as stated in this policy.
- 3. Chapter 753 of the Acts of 1968 established the Town Manager form of government, which was adopted by the Town of Lexington, and makes the Town Manager the authority to issue, modify or approve agency written directives. This authority in practice is delegated to the Chief of Police.
- 4. Written directives that do not have an expiration date of less than one year from the time of issue shall be reviewed annually. [12.2.1] [21.2.2]

B. Dissemination of Written Directives [12.2.2(a) (c)]

- 1. Written directives (general orders, memoranda, personnel orders, policies and procedures, rules and regulations, job descriptions, special orders, training memos) will be issued to employees by electronic mail (email). Once the mail is opened, it will be understood that the employee has been notified of a directive. If a directive is issued to an employee they will then log on to PMAM via the email link. All employees have been issued an account for PMAM/HCM, all

written directives have been placed on-line and PMAM's online tracking system will serve as documentation that the employee has read and understood the directive. [21.2.2]

2. Written directives will be issued to each employee without email access by paper copy in hand or in the employee's mailbox, for which employees will be requested to sign a receipt. Such signed receipt(s) should be kept with a copy of the written directive in the accreditation file of the Central Filing System. [12.2.2(c)]
3. Written directives may also be distributed for reading at roll call. When this occurs, the directive should be identified with, "READ AT ROLL CALL," and will be read the next four days. The Commanding Officer or Patrol Supervisor reading the order shall date and initial the order each shift.
 - a. Officers not attending roll call during this four-day period will be responsible for reading material read at past roll calls.
 - b. Commanding Officers should be asked for any materials read at roll call for the past four days that an officer may have missed.
4. Written directives may also be posted on the bulletin board, located in the main hall near the front desk (commonly referred to as the "Chief's Board") and in the Dispatch Center.
5. Employees must read a newly received written directive prior to the end of the tour of duty when received. [12.2.2(c)]

C. Types of Written Directives [12.2.1(d)]

1. General Orders
 - a. General Orders may be issued, revised or rescinded by the Chief of Police through authority delegated by the Town Manager, and shall be reviewed annually. General Orders shall be a separate document from other directives and formatted as follows:
 - b. Format
 - i. **General Orders** will be required to have a Number. Each order will be issued in a numerical sequence. The numbering system will reflect the year of issue followed by the sequential number. For example, General Order 10-2 would be the second General Order issued in the year 2010.
 - ii. This number shall be placed in the upper right hand corner under the words General Order (Arial font in 72 font size).
 - iii. When appropriate, the term "Expiration Date" will replace the words "Review Date." The expiration date shall indicate when a temporary order will cease to be effective. General Orders may only be rescinded by the Chief of Police and typically when a Policy has been issued that supersedes the order.

- iv. No other restrictions shall apply to the context or organization of these written directives.
- c. A master copy of General Orders shall be maintained in the Accreditation file of the Central Filing System. Obsolete versions shall be placed in an archive file and permanently maintained.ⁱ

2. Memoranda (Memos)

- a. Memoranda may be issued, revised or rescinded only under the authority of the Chief of Police or designee.
- b. Format
 - i. **Formal Memoranda** will be required to have a Number if issued to a broad agency population. Each order will be issued in a numerical sequence. The numbering system will reflect the year of issue followed by the sequential number. For example, Memorandum10-2 would be the second Memorandum issued in the year 2010.
 - ii. This number shall be placed in the upper right hand corner under the word Memorandum.
 - iii. When appropriate, the term “Expiration Date” will replace the words “Review Date.” The expiration date shall indicate when a temporary order will cease to be effective.
 - iv. No other restrictions shall apply to the context or organization of these written directives.
- c. A master copy of Memoranda shall be maintained in the Accreditation File of the Central Filing System. Obsolete versions shall be placed in an archive file and permanently maintained.ⁱⁱ

3. Personnel Orders

- a. Personnel Orders may be issued, revised, or rescinded only under the authority of the Chief of Police or designee.
- b. Format
 - i. **Personnel Orders** will be required to have a Number. Each order will be issued in a numerical sequence. The numbering system will reflect the year of issue followed by the sequential number. For example, General Order 10-2 would be the second General Order issued in the year 2010.
 - ii. This number shall be placed in the upper right hand corner under the words Personnel Order. The number shall be typed in Arial font, in 72 font size).
 - iii. When appropriate, the term “Expiration Date” will replace the words “Review Date.” The expiration date shall indicate when a temporary order will cease to be effective.

- iv. No other restrictions shall apply to the context or
 - v. Organization of these written directives.
- c. A master copy of all Personnel Orders shall be maintained in the Accreditation File of the central Filing System. Obsolete versions shall be placed in an archive file and permanently retained.ⁱⁱⁱ
4. Policies and Procedures: [\[12.2.1\(d\)\]](#)
- a. Policies and Procedures are maintained as a single manual, separate from other directives. They may be in a printed and/or electronic format. These directives may be issued, revised or rescinded only under the authority of the Chief and shall be reviewed annually.
 - b. Policies and Procedures shall be indexed as follows:
 - 01-09 Police Role & Responsibilities**
 - 10-19 Organization & Management**
 - 20-29 Benefits & Discipline**
 - 30-39 Personnel Administration**
 - 40-49 Operations**
 - 50-59 Support Services**
 - 60-69 Traffic Operations**
 - 70-79 Prisoners and Court**
 - 80-89 Records and Communications**
 - c. Manual Components: The Department's Policy and Procedure Manual shall include the following primary components:
 - d. Manual Components: The Department's Policy and Procedure Manual shall include the following primary components:
 - i. Purpose of the Policy Manual:
 - (a) The policy manual exists as a guide for agency personnel. In this document the agency provides direction for officers in order for them to perform their duties. Policies are developed using law enforcement community wide "best practices" and procedures. These "best practices" have been developed via input from members of the law enforcement community who must work by the same policies they endorse. While policies may restrict options available to employees in some cases, the Department spells out acceptable or desired procedure which, when followed by employees, holds the Department accountable for the employees' actions. Employees who follow policies and procedures may rely

on the Department to answer questions, which arise from those actions.

- (b) Employees should refer to this manual when questions arise as to the Department's position on a topic addressed in the manual, or on how to proceed in a given situation. While the manual cannot address every set of circumstances, it will often lead the employee to a satisfactory conclusion.
- ii. Organization of the Manual [12.2.1(d)]: An organizational description identifies the primary component parts of the manual, such as department organization, administration, field services, support services, investigations, and the manner in which individual and complementary series of policy statements are grouped and numbered.
- iii. Table of Contents: Topics covered in the manual and their locations in the document are listed sequentially.
Department's Source of Legal Authority: This is the statutory authority granting police powers to the Department from municipal and/or state government.
- v. Agency Mission and Values Statement: This department's overall mission statement and the values adopted by the Department form the foundation for policy, procedures, rules and other written directives. See Department policy **12A - Command Authority, Succession and Protocol**
- vi. Policy and Procedure Statements [12.2.1(f)]: These are individual statements of Department policy and accompanying procedures with regard to duties, responsibilities, and tasks of department officers and civilian personnel. Each policy and procedure statement will contain the following information:
 - (a) General Considerations and Guidelines: General Considerations and Guidelines provide a statement of the issues likely to confront officers and the reasons for the adoption of the policy and procedure. The policy will be introduced by a succinct statement concerning what the policy is about and what it is attempting to relate.
 - (b) Definitions: New or unfamiliar terms or words will be defined. This includes new, uncommon, or unusual terms, expressions, and phrases, including words or phrases used in law or not generally used in the police profession
 - (c) 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 reflects the agency's philosophy and values in providing direction.

- (d) 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 provide a method for performing an operation or direction for proceeding on a specific course of action.
- (e) Name of the Department: Policy statements will identify the Lexington Police Department on the cover page of each document.
- (f) Type of Directive: Directives will be designated as policies, procedures, rules, or special orders.
- (g) Subject: Policies, procedures, and rules will be identified by the topic or issue under consideration.
- (h) Policy Number: The policy number is the number identifying the sequential placement of the policy in the manual
- (i) Effective Date: The effective date indicates the date the policy will be placed in force.
- (j) Review Date: The review date is the date on which the policy is scheduled to undergo formal review, though modifications may be made at any time as required. Policies designated as sensitive by the department are required to undergo review every six months and all others on a yearly basis unless otherwise designated.
- (k) Approval: The signature or initials of the Chief of Police is indicative of policy approval.
- (l) Reference: Links are provided to related Department policies, procedures and rules that relate to or have bearing on the understanding and use of the present policy (e.g., "motor vehicle search" referenced to "obtaining search warrants").
- (m) Rescinds/Replaces: These terms indicate a former policy issued under the same or similar title that has been deleted or modified by the present policy.
- (n) Accreditation Standard: Reference is given to the relevant standard defined by the Massachusetts Police Accreditation Commission that deals with this policy topic or issue.
- (o) Number of Pages: The page number and total number of pages contained in the policy shall be indicated on the footer on the right side of the page.

- vii. Topical Index [12.2.1(e)]: The topical index shows the subjects, topics, and issues addressed in the manual, organized in alphabetical order by key-word(s).
 - viii. Authorized Forms: An index to and samples of all forms authorized for use by this department are provided.
- e. A master copy of Policies and Procedures shall be maintained in the Accreditation File of the Central Filing System. Obsolete versions shall be placed in an archive file and permanently retained.^{iv}
- f. Policy/Procedure Development and Revision [12.2.1(i)]
- i. Department members who identify a need for a new policy or policy revision shall advise the Chief of Police in writing identifying the topic and briefly explaining the need for development or revision. The need for new policies will be determined by the Chief of Police.
 - ii. The Chief may assign the task of preparing or modifying the policy and/or procedure to an individual employee, a committee of employees, the Lexington Police Policy Manual Committee, an outside vendor; or obtain a prepared policy from an outside source.
 - (a) The Police Policy Manual Committee (the Committee) consists of five members appointed by the Board of Selectmen. It is the intention of the Board of Selectmen to appoint to the Committee the Chief of Police and four other residents of the town, at least one of whom shall be an attorney, for a term of one year. One Selectman will be the liaison to the Committee.
 - (b) The Committee's charge is to review the Police Department Policy Manual and to make recommendations as to revisions, amendments, and additions as needed.
 - (c) The Committee should, in December of each year, report to the Board of Selectmen on what the Committee has accomplished this year.
 - (d) Notice for future meeting(s) shall be posted through the Town Clerk's Office. The notice shall include the agenda, time and date of the next meeting.
 - iii. The Chief may use, as a tool other committees to review numerous policies that are being updated / reviewed. When tasked with review, a committee should consider at a minimum:

- (a) The legality of the policy/procedure as presented;
- (b) Any potential conflict with existing written directives or collective bargaining agreements;
- (c) The applicability of the policy/procedure to the agency mission; and
- (d) The practicality of the policy/procedure for agency personnel.

- iv. If reviewed by a committee, that committee shall make its recommendations to the Chief, who shall make a final determination as to the content of the policy.

5. Rules and Regulations

- a. Rules may be issued, revised or rescinded only under the authority of the Chief of Police and shall be reviewed annually. Department rules shall be a separate document from other directives and indexed as follows:

- Authority
- Introduction
- 02.0 Definitions
- 03.0 Organization
- 04.0 Personnel Changes
- 05.0 Grades and Ranks
- 06.0 Professional Responsibilities
- 07.0 Conflict of Interest
- 08.0 Orders
- 09.0 Required Conduct
- 10.0 Prohibited Conduct
- 11.0 Uniforms and Appearance
- 12.0 Property and Equipment
- 13.0 Disciplinary Actions
- 14.0 Recognition of Police Officers
- 15.0 Physical Fitness
- 16.0 Firearms Qualification

- b. Rules and regulations shall be issued to each employee.
- c. Employees must read a newly received rule or regulation prior to the end of the tour of duty when received.
- d. A master copy of Rules and Regulations shall be maintained by in the Accreditation folder of the Central records. Obsolete versions shall be placed in an archive file and permanently maintained.^v

6. Special Orders [\[12.2.1\(d\)\]](#)

- a. Special Orders may be issued, revised or rescinded only under the authority of the Chief of Police or his designee. They shall be formatted as follows:
- b. Format
 - i. Special Orders will be required to have a Number. Each order will be issued in a numerical sequence. The numbering system will reflect the year of issue followed by the sequential number. For example, Special Order 10-2 would be the second Special Order issued in the year 2010.
 - ii. This number shall be placed in the upper right hand corner under the words Special Order and the footer will have the words Special Order in the bottom left hand corner.
 - iii. When appropriate, the term "Expiration Date" will replace the words "Review Date." The expiration date shall indicate when a temporary order will cease to be effective.
 - iv. No other restrictions shall apply to the context or organization of these written directives.
- c. Special Orders shall be issued to all affected employees.
- d. A master copy of Special Orders shall be maintained in the Accreditation file of the Central Filing System. Obsolete versions shall be placed in an archive file and permanently maintained.^{vi}

D. The Written Directive System

1. Directive Development: The Chief of Police shall have the responsibility for providing the Department with a well-organized, informative, and comprehensive written directive system. When developing a directive, the Chief shall have the discretion to:
 - a. Personally formulate the policy and procedure;
 - b. Adopt and amend policy from other law enforcement agencies or professional organizations; and/or
 - c. Delegate to any member of the Lexington Police Department the duty of researching and drafting a written directive. [\[12.2.1\(c\)\]](#)
2. Staff Review of Proposed Directives: Prior to the promulgation of any new (or substantially modified) policy, procedure, rule or regulation, the following staff review procedures should be adhered to:
 - a. The Accreditation Manager shall review a rough draft of the directive to insure compliance with the accreditation standards and consistency with other policies.
 - b. The directive shall then be distributed to each command staff officer (this will be done by leaving a copy on the Commanding Officer's

desk along with staff review forms to be filled out). Command Staff officers will be expected to submit written comments and, in some instances, be prepared to discuss the directive in a staff meeting.

- c. The Accreditation Manager will gather all comments made by the Command Staff (usually after a two week period) and make necessary changes to the directive. This revised version will be forwarded to the Captain of Administration.
- d. The Captain of Administration will review the directive, make any suggestions and or corrections and return it to the Accreditation Manager (or person whom originally drafted the directive).
- e. At this point if the directive is a policy, it may be sent to the Police Policy Manual Committee for their review and suggestions. All other directives will be forwarded to the Chief for final review.
- f. A final draft shall be submitted to the Chief for approval. The directive shall then be distributed to the members of the Department consistent with procedural guidelines.

Storage of Written Directives [12.2.2 (b)]

- a. Computer File Storage: All written directives shall be posted in the Department's network server on the Police on Freedom G: Drive under Written Directives while policies will also be kept on the Police Department's web site.
3. Hard copy (printed): A printed version
 - a. Hard copies posted: Hard copies of written directives will be posted on the Chiefs Board in the first floor hallway. The Chief of Police or designee will remove expired directives.
 - b. Archive hard copy storage: Original copies of all written directives shall be maintained in the Accreditation file.
 4. Maintenance of an up-to-date version of the Policy and Procedure Manual is the responsibility of Captain of Administration and the Accreditation Manager.

E. Familiarization with Written Directive

1. Notwithstanding the above, employees are responsible for checking the Department's computer storage, bulletin boards or other areas where directives are posted to familiarize themselves with all written directives.
2. Employees are responsible for complying with each directive that has been issued, whether or not it was read at roll call. This includes directives that may have been issued during their absence from duty.

F. Updating and Purging

1. The Chief of Police will be responsible for maintaining (including updating and purging) the hard copies of the up-to-date Department Manual and the hard copies of written directives posted at designated locations. [S]he will be responsible for purging written directives after a period of thirty-days (30) or upon the expiration date, whichever is longer. [12.2.1(e)]
2. When a negotiated labor agreement is ratified by all parties, the Chief shall cause:
 - a. A written, signed copy of the labor agreement to be obtained. [24.1.2(a)]
 - b. A review and amendment of any written directives and procedures that may be in conflict with the terms of the labor agreement. [24.1.2(b)]
3. The Chief of Police will be responsible for dissemination of information relative to a new labor agreement, including modifications to existing agreements, to managers and supervisors of bargaining unit employees. [24.1.2(c)]
4. It is the intent of the Lexington Police Department to take a portion of the Policy and Procedure manual each month to identify changes in law, identify local practices and incorporate written directives into policy. These duties shall be the primary responsibility of the Accreditation Manager.

G. Accreditation/Certification

1. An accreditation manager shall be designated by the Chief of Police and under the supervision of the Captain of Administration. This is a very specialized position and requires familiarization with the accreditation process, department policies and practices. For further information see Department policy **4A – Accreditation**.
2. The accreditation manager will review new directives or changes to existing directives for compliance with accreditation standards and practices. The accreditation manager shall ensure that proposed or revised directives do not contradict other existing agency directives or applicable law.
3. The accreditation manager shall establish a system to identify reports, reviews, and other activities mandated by accreditation standards and to ensure that they are accomplished. [11.4.3]

ⁱ Secretary of the Commonwealth, Public Records Division, Police Department Records Disposal Schedule, DS-14-81, Rev. 2-96, Procedural Rules Series 14.43.

ⁱⁱ Secretary of the Commonwealth, Public Records Division, Police Department Records Disposal Schedule, DS-14-81, Rev. 2-96, Procedural Rules Series 14.43.

ⁱⁱⁱ Secretary of the Commonwealth, Public Records Division, Police Department Records Disposal Schedule, DS-14-81, Rev. 2-96, Procedural Rules Series 14.43.

^{iv} Secretary of the Commonwealth, Public Records Division, Police Department Records Disposal Schedule, DS-14-81, Rev. 2-96, Procedural Rules Series 14.43.

^v Secretary of the Commonwealth, Public Records Division, Police Department Records Disposal Schedule, DS-14-81, Rev. 2-96, Procedural Rules Series 14.43.

^{vi} Secretary of the Commonwealth, Public Records Division, Police Department Records Disposal Schedule, DS-14-81, Rev. 2-96, Procedural Rules Series 14.43.