



# Apex Police Department General Order



<b>Title</b> Written Directive System		<b>Order Number</b> 101-20
<b>Effective Date:</b> July 15, 2020	<b>Amends:</b> General Order 101-19	
<b>CALEA Standard:</b> 11.4.2,12.2.1,12.2.2	<b>Rescinds:</b>	
<b>Reference:</b>	<b>Pages:</b> 11	
<b>Forms:</b> F101 – Directive Acknowledgement of Receipt		

## Written Directives System

### Purpose

The purpose of this directive is to establish a method for drafting, issuing, cataloging and maintaining written directives and forms for the Apex Police Department.

### Policy

It is the policy of the Apex Police Department to establish and maintain a written directive system, setting forth all policies and procedures, General Orders, Special Orders, Personnel Orders, Standard Operating Procedures (SOP), Bulletins, rules and regulations, similar orders, and processes for the Apex Police Department. Written directives are binding on agency personnel. They will be provided and disseminated to all affected personnel. A system will also be established and maintained for the creation and modification of all agency forms. Written directives will not cover every situation that may arise and; therefore, personnel must act with good judgment and common sense; refer to appropriate manuals, regulations, orders, and training guidelines; and seek supervisory assistance when necessary as they carry out their duties.

### Definitions

*Bulletin* – A written directive issued to disseminate information or instructions, which do not warrant a formal order or to direct the actions of subordinates in specific situations or circumstances under a level of command not authorized to issue general or special orders. Such

## Written Directive Systems

direction will not deviate from or conflict with established directives issued by a higher authority. Additionally, bulletins explain or emphasize portions of previously issued orders or inform members of actions or policies of other agencies.

*Form* – Internal and external documents, whether paper or electronic-based, used on a recurring basis in the course of agency business.

*General Order* – A term used to describe permanent directives concerned with policy, rules, regulations, and procedures. General Orders may be issued to provide guidance relating to methods of operation in specified areas of policing that affect more than one organizational component.

*Memorandum* – An informal, written document that may or may not convey a directive. A memorandum may be used to transmit information between individuals, teams, and departments in order to clarify, inform, or inquire.

*Personnel Order* – An order issued to provide guidance in matters relating to administration and personnel management, or announcing changes in the status of selected personnel.

*Policy* – A broad, general statement of agency doctrine. Policy statements may provide a framework for development of procedures and rules and regulations.

*Rules of Conduct* – A specified directive from which no deviation or exceptions will be permitted. Rules neither provide guidance for decision-making nor discretion beyond the determination of whether the rule applies to a particular situation. (12.2.1 (g))

*Special Order* – A written directive issued to announce policies or specify procedures concerning a specific circumstance, event, policy, or procedure that is of a temporary or self-canceling nature, or involving only specific segments of activities. Once accomplished, there will be no need for continuing instructions.

*Standard Operating Procedure (SOP)* – A set of fixed instructions or steps for carrying out usually routine operations. Established procedure to be followed in carrying out a given operation or in a given situation. (**SOURCE:** Dictionary.com)

*Written Directive* – Policies and procedures, General Orders, Special Orders, Personnel Orders, Bulletins, Standard Operating Procedures (SOP), rules and regulations, instructional materials, manuals, memorandums, and similar orders of the Apex Police Department issued from competent authority as governed by the Written Directives Manual; Town of Apex Personnel Policies issued from competent authority as defined by the Town Administration; and laws, statutes, regulations and ordinances established by legislative action of any federal, state or local government that apply in the geographical jurisdiction of the Apex Police Department. Written directives are binding on agency personnel.

## Written Directive Systems

*Terms Limiting Discretion* – There are three categories of terms used in written directives by this agency. Personnel responsible for the development of such directives and personnel who carry them out will be aware of the limitations of discretion that those terms convey. These terms are classified as judgmental, discouraging, and prohibitive in nature.

- *Judgmental*: The word “may” is used to convey discretion to personnel. “May” indicates that personnel 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 the statements of the agency’s policies.
- *Discouraging*: The word “should” or “should not” is used to convey the agency’s desire for personnel 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. Therefore, personnel are authorized, whenever reasonable, to use limited discretion to deal effectively with the situation or problem.
- *Restrictive or Prohibitive*: The terms “shall”, “shall not”, “will”, or “will not” impose absolute requirements or prohibitions on personnel actions. Considering that the full set of such circumstances surrounding many situations confronted by personnel cannot be fully predicted, such terms must be used with care and with the understanding that failure to abide by such restrictions may result in disciplinary action. However, where deemed appropriate, these terms may appear in policies, procedures, and rules.

## Procedures

### Application

1. The provisions of written directives issued by the Chief of Police under authority granted by the Apex Code of Ordinances are binding upon all employees, volunteers, and those regularly associated with the Apex Police Department. Each employee is provided access to written directives for the purposes of familiarization and for use in conducting the official business in the spirit of efficient, effective, and professional service to the citizens of Apex. Volunteers, interns, and others are trained in written directives pertinent to their involvement with the department.

### Written Directive Development and Approval

1. The Chief of Police has the ultimate authority to issue, modify, or approve department written directives. (12.2.1 (b))
2. Maintenance of the written directive system is the responsibility of the Deputy Chief of Police. In coordination with divisions, units, sections, or functions, the Deputy Chief of Police is responsible for the organization, review, recommendation for revision, update, and purging

## Written Directive Systems

of the agency General Order Manual and other written directives on a continual basis. (12.2.1 (c) (e))

- Division Commanders are responsible for review of division written directives (i.e. SOPs) and for coordinating the review process with the Deputy Chief of Police.
3. Any employee discovering material that is no longer current, or finding a discrepancy or contradiction in any directive, will report such information to the Deputy Chief of Police and may make recommendations for changes or revisions.
  4. The process for reviewing, revising, purging, and adding new directives is as follows: (12.2.1 (e))
    - All written directives which are not temporary in nature will be reviewed periodically as directed by the Chief of Police by the issuing authority or the most appropriate supervisor, Division Commander, unit coordinator or other appropriate personnel. The review is to determine if any underlying laws, statutes, ordinances, regulations, or other circumstances changed since the directive was enacted and if the written directive is in need of cancellation, revision, continuation, or incorporation into another written directive or manual. At a minimum, each General Order, SOP, and Bulletin should be reviewed every four years, but should only be revised and reissued as needed.
    - Once reviewed, any recommendations for revision will be forwarded to the Deputy Chief of Police.
    - Written directives that no longer are pertinent will be purged; however, a copy will be maintained in agency's administrative files in accordance with the North Carolina Records Retention Schedule.
    - Cancellation or incorporation into other directives or manuals will be effected by Special Order, Bulletin, or another written method as approved by the Chief of Police.
  5. All new or modified written directives and forms enacted by the department will be approved by the Chief of Police prior to issue.
    - In general, and at the discretion of the Chief of Police, working and final drafts of departmental General Orders, SOPs, and forms may be disseminated for review to those holding the rank of Corporal and above, the Communications Manager, Communications Shift Supervisor, Records/IT Manager, Accreditation Manager, and supervisors/coordinators of affected units.
      - Final drafts may be reviewed by other Town personnel at the direction of the Chief of Police.
      - If appropriate, the Chief of Police may also seek input from the community, generally through Citizens Assisting Police in Apex (CAPA), community forums, or another method.

## Written Directive Systems

- The purpose of this review is for others to provide input, ideas, or suggestions, or to ask questions, and to ensure the draft written directive does not contradict other existing directives or applicable laws. (12.2.1 (i))
  - New directives and forms will be distributed after consideration of the information contained in draft responses.
6. When applicable, written directives will carry notations indicating reference to other related, published documents. A written directive, which rescinds or supersedes another, will carry the identifying notations (order number, rule number, etc.) necessary for proper reference.
  7. Approved policies, procedures, rules, and regulations will be distributed to personnel and other appropriate members who are required to document that they have read and understand the directive. Where necessary, roll call and other training regarding the policy will be conducted concurrently with the policy distribution. (12.2.2 (c))
  8. It is the concurrent responsibility of all Division Commanders to ensure that policies, procedures, and other directives affecting their areas of responsibility reflect the best practices for accomplishment of organizational and divisional activities, duties, and responsibilities. Division Commanders and their designees are responsible for ensuring that required development, updates, and refinements of all agency policies and procedures affecting their areas of responsibility are identified and that these requirements are forwarded in a timely manner to the Deputy Chief of Police.
  9. Members of the department are encouraged to note any written directive, or part thereof, that they feel needs to be reviewed or changed because of some revision in the law is found to be no longer applicable, may have a negative impact upon the ability of the department to provide police service in a contemporary environment, or some other justifiable reason. These corrections or suggestions should be documented and routed through the chain of command to the Deputy Chief of Police.

### **Written Directive Indexing, Format and Organization (12.2.1 (d))**

1. *General Orders* – Are issued by the Chief of Police and are issued to all affected personnel. (12.2.2 (a))
  - The General Order heading will be used on the initial page of each General Order. The heading includes the “Apex Police Department,” the agency patch, CALEA logo, title of the General Order, General Order number, effective date, amend date, CALEA standard reference, rescind date, references, number of pages and forms. General Orders will follow a standard outline form and will be identified by the number of the order, a hyphen, and the last two digits of the year the order was issued (i.e. GO 101-16).

## Written Directive Systems

- If the same directive is revised more than once in the same year, an alpha designation will follow the year in the suffix (i.e. GO 101-16A).
  - General Orders will be indexed into the following chapters: (12.2.1 (e))
    - 100 – Administration
    - 200 – Organization
    - 300 – Personnel Management
    - 400 – Records
    - 500 – Training
    - 600 – Equipment
    - 700 – Operations
    - 800 – Evidence
    - 900 – Patrol
    - 1000 – Traffic Safety and Enforcement
    - 1100 – Investigations
    - 1200 – Communications
    - 1300 – Support Services
    - 1400 – Emergency and Special Situations
    - 1500 – Special Response Team (SRT)
    - 1600 – Crisis Negotiations Team (CNT)
    - 1700 – Canine Unit
    - 1800 – School Resource Unit (SRU)
  - General Orders will be written in a narrative format generally including the following information, as applicable:
    - Purpose – The General Order will be introduced by a brief (generally one-sentence) statement concerning what the policy is about and what it is attempting to relate.
    - Policy - The department's position and philosophy on the specific topic, written as a brief policy statement at the beginning of each General Order (12.2.1 (f))
    - Definition(s) and/or Scope - Terminology and/or limiting criteria that may be special to the General Order.
    - Procedures - Steps to be followed or aspects of the General Order intended to guide personnel in the application of a particular directive. Procedures may involve several sections and may have various descriptive headings. (12.2.1 (h))
2. *Special Orders* - May be issued by the Chief of Police, Deputy Chief of Police or a Division Commander for his/her assigned division. Special Orders will be distributed to affected personnel, the Deputy Chief of Police, and the Chief of Police. (12.2.1 (c)) (12.2.2 (a))
- Special Orders will be prepared according to a format designed by the Chief of Police. The effective date of the order will be included in the body of the directive. An ending

## Written Directive Systems

date also will be included, unless the order is self-canceling or the nature of the order is such that no ending date is necessary. Unless self-cancelling, Special Orders will remain in effect until amended or rescinded by the issuing or a higher authority.

- Special Orders will be identified and indexed by the designation “S” followed by the number of the order, a hyphen, and the last two-digits of the year the order was issued (i.e. S001-16). (12.2.1 (e))
3. *Personnel Orders* - May be issued by the Deputy Chief of Police or the Chief of Police. Personnel Orders will be distributed to affected personnel, Command Staff, the Deputy Chief of Police, the Chief of Police and Town of Apex Human Resources. (12.2.1 (c)) (12.2.2 (a))
    - Personnel Orders will remain in effect until amended or rescinded by the issuing or a higher authority. Personnel Orders will be presented in a narrative format.
    - Personnel Orders will be identified and indexed by the designation “P” followed by the number of the order, a hyphen, and the last two-digits of the year the order was issued (i.e. P001-16). (12.2.1 (e))
  4. *Bulletins* - May be issued by a Division Commander for his/her assigned division, the Deputy Chief of Police, or Chief of Police. Bulletins will be distributed to affected personnel, Command Staff, the Deputy Chief of Police, and the Chief of Police. (12.2.1 (c)) (12.2.2 (a))
    - Bulletins will be prepared according to a format designed by the Chief of Police. The effective date of the bulletin will be included in the body of the directive. An ending date also will be included, unless the order is self-canceling or the nature of the order is such that no ending date is necessary. If the Bulletin amends or rescinds another written directive, that information will be specified. Bulletins will remain in effect until amended or rescinded by the issuing or a higher authority. If rescinded by another written directive, the new written directive will indicate that the bulletin was rescinded in the appropriate section.
    - Bulletins will be identified and indexed by the designation “B” followed by the number of the order, a hyphen, and the last two digits of the year the order was issued (i.e. B001-16). (12.2.1 (e))
  5. *Manuals* – May be issued by a Division Commander for his/her assigned division, the Deputy Chief of Police or the Chief of Police. Manuals will be distributed to all affected personnel. The format for a manual will be dependent on its purpose. (12.2.1 (c)) (12.2.2 (a))
  6. *Memorandum* - Any employee having the need to convey or seek information may issue a memorandum. Memorandum will be prepared in a standard format used throughout the department normally issued using the “To – From” format. All memoranda will be printed on the appropriate template provided by the department. Memorandum may be temporary in nature and generally require no review; however, if the memorandum functions as a written directive it will be approved by the Chief of Police, through the chain of command, consistent

## Written Directive Systems

with the intent of this General Order. Memorandums that function as a written directive should be incorporated into the most appropriate General Order or SOP during the next revision of that written directive. (12.2.1 (c)) (12.2.2 (a))

7. *Standard Operating Procedures (SOPs) – May be issued by a Division Commander for his/her assigned division, the Deputy Chief of Police, or the Chief of Police. SOPs will be distributed to affected personnel, the affected Division Commander, Deputy Chief of Police and the Chief of Police.* (12.2.1 (c)) (12.2.2 (a))
  - SOPs will have the same heading and format as departmental General Orders.
  - SOPs will be identified and indexed by the division designation followed by the number of the order, a hyphen, and the last two digits of the year the order was issued. All SOPs will be division-based, except those specific to the Communications Center (i.e. Administrative Division – A101-16; Communications Center - C101-16; Criminal Investigation Division – I101-16; Patrol Division – P101-16). (12.2.1 (e))

### **Accountability, Review, Development, Modification and Approval of Forms (11.4.2)**

1. All new or modified forms, with the exception of forms required by the State of North Carolina, the Town of Apex or other competent authority outside the department, will first be approved for department use by the Chief of Police.
2. Unit command/supervisory staff and Division Commanders will ensure that previous versions of forms are removed from distribution and an adequate supply of forms are maintained as appropriate.
  - Employees will use and/or download the most current version of a form from the department's document management system; previous or rescinded versions will not be accepted by supervisors.
3. Forms will be disseminated or placed in an approved document management system (i.e. PowerDMS) for efficient access.
4. *The Deputy Chief of Police is responsible for the development, modification, approval, review, and ordering of forms.*
  - The Professional Standards Unit is responsible for the day-to-day management of forms and will make recommendations for development and/or modification of forms when the need arises.
  - As each written directive is reviewed, any forms related to that directive or process will also be reviewed.

## Written Directive Systems

- Employees wishing to design and implement new forms, or revise an existing form, will submit a copy of the proposed form through the chain of command to the Deputy Chief of Police for review.
  - Upon approval of a new form, the form will be assigned a departmental form number pursuant to this General Order.
  - Forms that are no longer needed will be rescinded by indicating so on the governing written directive when it is revised.
5. Employees WILL NOT generate their own forms for use in the carrying out of their duties or any official business of the department.
6. Department forms will be assigned a numeric designation prior to dissemination and/or use.
- All forms instituted as a result of a department written directive will carry the same number as the written directive.
    - Forms enacted by General Order will be numbered consecutively with the letter “F” as the prefix, the three-digit number of the General Order, and a suffix consisting of the last two digits of the year issued (i.e. F101-16). In the instance the same form is revised more than once in the same calendar year, an alpha designation will follow the year in the suffix (i.e. F101-16a).
      - When multiple forms are enacted by a General Order, the above format will be followed; however, a consecutive alpha designation will follow the three-digit number of the General Order (i.e. F101a-16) for each form associated with that General Order. In the instance the same form is revised more than once in the same calendar year, an alpha designation will follow the year in the suffix (i.e. F101a-16a).
    - Forms enacted by SOP will be numbered consecutively with the letter “F” as the prefix, the alphabetical letter of the division, followed by the three-digit number of the SOP, and a suffix consisting of the last two digits of the year issued (i.e. FC101-16). In the instance, the same form is revised more than once in the same calendar year, an alpha designation will follow the year in the suffix (i.e. FC101-16A).
      - When multiple forms are enacted by a SOP, the above format will be followed; however, a consecutive alpha designation will follow the three-digit number of the SOP (i.e. FC101a-16) for each form associated with that SOP. In the instance the same form is revised more than once in the same calendar year, an alpha designation will follow the year in the suffix (i.e. FC101a-16a).

### **Storage and Dissemination of Written Directives**

1. The **Deputy Chief of Police, through the Professional Standards Unit**, is responsible for the distribution of written directives. Employees will acknowledge receipt and review most written directives through electronic acknowledgment using the department's document management system (i.e. PowerDMS). For directives not stored within the department's document management system, employees will acknowledge receipt in written form using Form F101 – *Directive Acknowledgement of Receipt*. Dissemination of new or newly revised written directives are to be made in hard-copy form as outlined in this General Order and through the department's document management system (i.e. PowerDMS). (12.2.2 (a) (c))
2. The Apex Police Department General Order Manual (hard copies) will be made available in each division office area. (12.2.2 (b))
  - Original, signed written directives will be maintained in the files of the Office of the Chief of Police.
  - Electronic directives will be maintained in the department's document management system.
  - When revised, the new original will be put in the master file and the revised document will be maintained for historical reference.
3. Unit and squad commanders/supervisors and Division Commanders will ensure each written directive is read to/by his/her subordinates and, if questions arise, will clarify so that the subordinate fully understands the directive. (12.2.2 (c))
4. It is the responsibility of each employee to become knowledgeable of the written directives and to seek further clarification, if needed. If personnel have any questions regarding written directives, they will notify their immediate supervisor. (12.2.2 (c))
5. Supervisors will thoroughly acquaint themselves with each written directive and will discuss and explain these procedures, if necessary, to employees assigned to their division, unit, section, or function to ensure full understanding and compliance. (12.2.2 (c))
6. The Professional Standards Unit will ensure all affected employees electronically sign each written directive through the document management system and will follow up through the chain of command if any employee has not acknowledged receipt, in a reasonable period of time, normally no longer than 28 days, after a written directive was issued/reissued.

### **Dissemination Outside the Department**

1. **All requests for agency written directives from outside the department will be referred to the public-facing web portal established to meet public records requests.**

## Written Directive Systems

2. All outside requests for agency written directives that cannot be addressed through the department's public-facing web portal will be referred to the Chief of Police.
3. Personnel will not provide any business, agency, organization, or individual with any written directive that is not already on the department's web portal without approval of the Chief of Police.

## Civil and Criminal Liability

1. All directives issued within the department are for internal use only and do not enlarge an officer's civil or criminal liability in any way. Departmental directives should not be construed as the creation of a higher legal standard of safety or care in an evidential sense, with respect to third party claims. Violations of such directives, if proven, can only form the basis of a complaint by this department and only in a non-judicial, administrative setting.

Text in "Green" denotes a significant change in policy

**BY ORDER OF:**



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John W. Letteney  
Chief of Police