



# Policy 102

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<b>DEPARTMENTAL WRITTEN DIRECTIVES</b>	
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*By Order of the Police Commissioner*

## POLICY

1. **Standards, Values, and Expectations.** The Policies of the Baltimore Police Department (BPD) set forth the standards, values, and expectations of the BPD. Sound, clear, and fair Policies and Procedures exist to maintain high levels of professional conduct and are the embodiment of the BPD's concerns for ensuring effective, safe, and constitutional law enforcement.
2. **Provide Guidance.** BPD Policies are intended to provide specific guidance and to serve as a reference to employees of the BPD. The BPD will ensure that specialized units are provided with Policies and Standard Operating Procedures (SOPs) which govern their functions.
3. **Accountability.** It is the responsibility of each member of the BPD to comply with all BPD Policies, rules, provisions, and other written directives as established by the Police Commissioner.
4. **Issuing Authority.** The authority to establish Policy rests solely and absolutely with the Police Commissioner.
5. **Distribution.** Written directives shall be distributed to every affected employee, via PowerDMS.
6. **Internal Use and Liability.** To the extent that BPD Policy may contain provisions more restrictive than state or federal law, such provisions are not intended, nor may they be construed or applied, to create a basis for liability against the City or any of its employees.

## DEFINITIONS

**Core Operating Policies (COP) Manual** — A manual consisting of 26 BPD Policies that are key in the daily operations of sworn members.

**Police Commissioner's Memoranda** — Numbered memoranda shall be formal directives, primarily utilized to disseminate information or instructions to the BPD or a segment of the BPD to further explain or emphasize previously issued Policies.

**Policy** — A written line of action adopted and pursued by the BPD that provides guidance on the BPD's philosophy on an issue.

**PowerDMS** — A Policy management software program that provides for distribution, acceptance, tracking, maintenance, and training.

**Standard Operating Procedures (SOP)** — Written directives that supplement a Policy by providing procedural instructions or guidance that may apply to all members of the BPD or to specific elements within the BPD. Usually, SOPs do not contain Policy statements.

**Training Guideline** — Training directives published by the Education and Training Section (E&T) in consultation with other authoritative sources to provide guidance and direction on specific issues and/or topics.

## **ACCOUNTABILITY**

### **Member**

Members shall read and familiarize themselves with all Policies, Police Commissioner's Memoranda, Training Guidelines, unit SOPs, and all other BPD written directives relevant to their specific job functions.

### **First-line Supervisors**

First-line supervisors are responsible for ensuring the compliance of their subordinates with this and all other Policies.

## **POLICY CREATION**

The Best Practices Unit (BPU) shall be responsible for the creation of clear, accessible, and feasible BPD Policies that will be developed, distributed, and updated in the following manner that incorporates public and member input.

### **Draft Policy**

1. Although not an exhaustive list, Policies shall be drafted based upon:
  - 1.1. Research of national best practices on the topic in question,
  - 1.2. Peer agency Policy,
  - 1.3. Current BPD Policy, and
  - 1.4. Advice and guidance from subject matter experts.
2. Any and all new Policies will be plainly written, logically organized, and will be accessible to members and the community without formal legal training.
3. Draft Policies, whether new policies or revisions of current policies, will be created in partnership with Executive Command Staff and/or the Commanding Officer of the Division/Section/Unit for which that Policy is most applicable.
4. BPU will submit a first draft of a newly created Policy or a revised Policy to the Monitoring Team and Department of Justice for review.

5. Concurrently, draft Policies shall be promptly posted on the BPD Website for a period of 30 days to elicit community stakeholder.
  - 5.1. Draft Policies for public inspection and comment will be found at <https://baltimorepolice.org/transparency/draft-policies>.
6. BPD members will be given an opportunity to meaningfully review and provide input on draft Policies via direct feedback, department-wide member surveys, and Policy-specific focus groups, among other methods, before publication.
7. Draft Policies shall be collaboratively created and reviewed by the Department of Justice, Monitoring Team, and BPD until a proposed "Final Draft" is created.
8. The "Final Draft" shall then be reviewed/approved by all parties, and in certain cases by a federal judge, before being approved for publication.
  - 8.1. If circumstances require (e.g., significant change in the law) that a Policy or procedure requires an urgent revision, the Police Commissioner may issue an appropriate temporary memorandum or directive following notice and submission of such to the Monitor and Department of Justice.

#### **Published Policy**

1. Once the "Final Draft" is approved by all parties, including the Police Commissioner, the "Final Draft" shall become a published Policy.

#### **Policy Dissemination**

1. Within 72 hours of approval from the Police Commissioner, the BPU shall publish the new Policy to PowerDMS for distribution to every member of the BPD.
2. BPU shall also post the Policy to the BPD website for open viewing within 72 hours of approval from the Police Commissioner.

#### **Policy Receipt and Acceptance**

1. Members will have access to all BPD Policies and written directives through Power DMS.
2. All employees are required to log-on to the BPD email system each tour of duty, unless extraordinary circumstances make it impracticable.
3. When in receipt of an email notification indicating items require attention in your PowerDMS inbox, the member shall:
  - 3.1. Log-on to PowerDMS.
  - 3.2. Read all pending notifications.
  - 3.3. Read/Review/Watch all newly published Policies, Training Guidelines, training videos, tests, directives or materials in your inbox within 5 days of receipt.

- 3.4. Electronically sign-off on all notifications, indicating receipt of directives/material.
  - 3.4.1. An electronic signature for any new or revised directives/material in PowerDMS indicates acceptance and understanding of the directives/material issued.
- 3.5. Take test(s), if applicable, to verify that the directive/material was read and understood.

### **Policy Maintenance**

1. The BPU shall be responsible for proper subject classification, creation, distribution, and archiving of all Policies and written directives.
2. All Policies will continue to be made available to the public electronically on the BPD website. New or revised policies will be published promptly upon implementation.
3. Each new or revised Policy will be reviewed after it has been in effect for a year and before 18 months to ensure that it provides clear guidance to members and is consistent with current laws.
4. When notice is received of a significant Policy deficiency, BPU will collaborate with authorizing agencies to review and remedy those deficiencies.
5. BPD will revise Policies in a timely manner to reflect significant changes in the law.

### **RESCISSION**

Remove and destroy/recycle Policy 102, *Departmental Written Directives*, dated 1 August 2016.

### **COMMUNICATION OF POLICY**

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.