



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATIVE REGULATIONS AND OPERATING PROCEDURES

Subject: Written Directive System

Number: 200

Effective Date: December 7, 2023

Revised Date:

Rescinds:

Dated:

Approved By:

I. PURPOSE

To establish a formal written directive system for the Myrtle Beach Police Department.

II. POLICY

It is the policy of the Myrtle Beach Police Department to utilize a formal written directive system that provides employees with a clear understanding of the constraints and expectations relating to the performance of their duties. The Chief of Police retains sole authority to issue, modify, or approve any written directive.

III. PROCEDURE

A. AUTHORITY AND APPLICABILITY OF WRITTEN DIRECTIVES

- 1) Written directives are to be considered as guidelines for carrying out agency activities. Directives are generally mandatory when the terms "shall," "will" and "must" are used in the directive. Procedures are generally advisory when the terms "may," "can" or "should" are used in the directive. Latitude for deviation from procedure by an employee is permitted only if any of the following apply:
 - a. Circumstances in a particular incident are such that common sense dictates a deviation from the directive. Whenever this deviation occurs, an employee must be prepared to offer reasons which would lead a majority of supervisory officers in

the department to believe that adherence to procedure in this instance would have been detrimental to effective police work.

- b. When specifically ordered by a supervisor to handle a situation differently. If an employee has any question as to the wisdom of a supervisor's order to violate procedure, they should follow the order and then document in writing the deviation through their chain of command to the Assistant Chief of Police as soon as possible.
 - c. If a procedure conflicts with Federal, state or municipal law, the applicable law will supersede department policy.
- 2) A draft copy of new General Orders and Operating Procedures will be circulated for review and comment by all members of the department at least 7 days prior to their effective date.
- a. Exception: The Chief of Police may issue Written Directives without any departmental review period whenever necessary for the efficient operation of the Department.
- 3) Violations of written directives will only form the basis for departmental administrative sanctions. The written directives are for departmental use only and do not apply in any criminal or civil proceeding. These written directives should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.
- 4) All General Orders are issued only under the authority of the Chief of Police, and no General Order shall be issued until authorized by the Chief of Police. The Chief may cancel, delete, revise, amend or make additions to any written directive of the department, or initiate and issue any new or additional directive whenever the Chief deems such action necessary.
- 5) Each employee of the police department shall become thoroughly familiar with all written directives.

B. TYPES OF WRITTEN DIRECTIVES

- 1) Written Directives are any written documents generated within the Department and used to guide or affect the performance or conduct of police department employees. The Department's written directives system includes:
 - a. General Orders
 - b. Special Orders
 - c. Memorandums
- 2) General Orders -- General Orders are the core of the written directives system, and document all long-term "general orders" of the

Department, outlining rules and regulations for which the entire department as a whole is responsible, such as organization, operations, fiscal management, data management, personnel, training, etc. The Chief of Police is the only person authorized to issue a General Order.

- 3) Special Orders – These orders will not become part of the procedures manual and will apply only to the specific incidents, events, or personnel referred to in the order.
 - a. Special Orders will only be effective until the conclusion of the event or for no longer than ninety (90) days, whichever occurs first. Special Orders that need to be effective for more than ninety (90) days must be submitted for reissuance as a General Order.
 - b. Only Captains or above may issue Special Orders. Special Orders concerning particular events or subjects under the command of subordinate supervisory personnel should be prepared by that level of management and submitted to a Captain or above for approval.
 - c. Special Orders require an acknowledgment from the person(s) to whom the order affects.
 - d. A copy of all Special Orders must be maintained in the designated Recordings folder and purged in accordance with the records retention schedule.
- 4) Memorandums – These documents will not become part of the procedures manual. They are advisory in nature and may include work schedules, informative correspondence, or training bulletins.
 - a. Any officer of the Department may issue memorandums.
 - b. Memorandums shall not deviate from or conflict with established policies and procedures.
 - c. Memorandums should be disseminated in e-mail form so there is record of the communication.

C. FORMAT OF GENERAL ORDERS

- 1) General Orders will be issued in an outline form with an assigned index number and the date of issuance or revision at the top of the first page of the order.
- 2) General Orders may contain statements of purpose, statements of policy, definitions, general and specific guidelines, or rules and regulations as component parts.
 - a. POLICY STATEMENTS -- are broad statements of Department principles. Policy statements usually do not establish fixed rules or set procedures for conduct of a particular activity, but rather provide a framework for development of General Orders. Policy statements in the Department's written directives system are contained within General Orders.

- b. STATEMENTS OF PURPOSE -- outline the major reasons for the issuance of the General Order.
 - c. DEFINITIONS -- clarify terms, define meanings, assist with interpretation, and otherwise serve to promote understanding of the General Order.
 - d. GENERAL OR SPECIFIC GUIDELINES -- are outlined under the "Procedures" section of a General Order. They provide guidelines for carrying out the activities of the agency.
- 3) Access -- Employees may access the Department's Administrative Regulations and Operating Procedures manual by logging on to any computer (department or personal). A hard copy of the Manual is located in the Briefing Room.
 - 4) Issuance -- Each officer will be notified via e-mail that the new or revised General Order is available on line. This e-mail will direct all personnel to a website to complete required training. Completion of the training will serve as acknowledgement and familiarization with the new or revised General Order. A paper copy of each new or revised General Order will be placed in all hard copies of the Administrative Regulations and Operating Procedures Manuals.
 - 5) Indexing -- General Orders are issued and maintained in a computerized documentation system as well as the hard copy form described above. Each order will contain a title, an assigned index number, and the date of issuance or revision at the top of the first page. General Orders will periodically be referenced in and added to the "Table of Contents" section of the manual. General Orders will be grouped into titles by functions.
 - 6) Purging -- General Orders will remain in effect until replaced or rescinded by the Chief of Police. Rescinded general orders will remain indexed in the table of contents for at least three (3) years from the date rescinded. The administrative staff in the office of the Chief of Police will maintain a master file of all General Orders, including amended and rescinded General Orders.
 - 7) Updating -- The Accreditation Manager is responsible for updating the hard copies of General Order manuals to ensure that revised or rescinded General Orders have been removed and the current General Orders are in place.
 - 8) Revision -- Any employee of the Department may initiate a review for possible revision of a particular General Order through their chain of command, stating the General Order title and index number, the reason for the requested revision, and any suggestions for modification. Such input from employees is encouraged and appreciated.