

DEPARTMENT GENERAL ORDER 08-09

OFFICE of the CHIEF OF POLICE
AMENDS: SOP 100.01.00

DATE: August 26, 2008

DEPARTMENT POLICY AND PROCEDURES: INTERPRETATION AND ADHERENCE

I. PURPOSE.

Department policy and procedures, rules, regulations, and guidelines have been crafted to provide department employees official direction in their delivery of police services to the community - yet contingent upon how such directives are interpreted and/or followed, the result may be unintended and serious consequences. To avoid such a situation, this order is intended to provide further guidance in how department directives are to be viewed.

II. GENERAL.

Department publications contain policy and procedures, rules, regulations, and guidelines. These official documents and directives are binding on department employees, who are expected to adhere to their provisions. However, while procedures for every possible contingency or situation cannot be reasonably provided for, some instances must, of necessity, be left to the sound judgment and firm ethical standing of individual employees.

In the event that an employee reasonably and honestly believes that to follow a department directive would cause an illegal, unjust, or significantly inappropriate outcome, the employee may be excused from adherence to the policy or rule in question.

Should an employee choose to deviate from the requirements of a department directive, the burden will be on the employee to prove that the circumstances he or she faced made it unreasonable to follow the existing policy or rule. If the employee can successfully establish that such was the case, the employee's deviation from policy will be excused.

III. CONSEQUENCES.

All department members and employees must remember that their actions and behavior are subject to review and flagrant or unwarranted deviation from established policy, procedures, rules, or regulations may result in disciplinary action, up to and including dismissal. In addition, contingent upon the situation, the department itself, and those involved employees (to include their chain of command) may also be subject to civil liability.

BY ORDER OF:

THOMAS J. BYRNE
Chief of Police

TJB:dld