

*"Keep Orlando a safe city by reducing crime and maintaining livable neighborhoods."*

## ORLANDO POLICE DEPARTMENT POLICY AND PROCEDURE

### 1627.17, WRITTEN COMMUNICATIONS CONTROL AND DISTRIBUTION SYSTEM

EFFECTIVE DATE:	8/23/2023
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CHIEF OF POLICE:	ERIC D. SMITH

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#### 1. PURPOSE

This policy provides information for employees on the various written directives and establishes guidelines to properly amend and distribute the information department-wide.

#### 2. POLICY

It is the policy of the Orlando Police Department that all Departmental written directives governing employees are issued to such employees. To ensure that our directives are current, they will be reviewed as described within the policy sections below. Amendments and rescissions will be completed as necessary.

### 3. DEFINITIONS

Confidential Records: The information is not subject to inspection by the public and may be released only to those persons and entities designated in the statute.<sup>1</sup>

Directive: A directive is any communication that is of a directing nature and that requires compliance by affected employees.

Employee: An employee is any person, sworn or non-sworn, employed by the Orlando Police Department to include Reserve Officers and Temporary employees (except Traffic Control Specialists).

Exempt Records: The information is not subject to mandatory disclosure to the public and may be released by the custodian of records if they determine if there is a statutory or substantial policy need for the disclosure and whether the disclosure is consistent with the exemption's purpose.<sup>2</sup>

Interim Policies (IPs): Used when information on a P&P, RM, or TB needs to be addressed immediately and the contents of the changes cannot be transferred to the respective written directive in a timely manner.

Legal Bulletins (LBs): LBs provide guidance, clarification, and instruction regarding legal issues.

Member: A member is any sworn employee (regardless of rank) of the Orlando Police Department.

Memoranda: Memoranda provide information of a strictly informational nature.

Policy and Procedures (P&Ps): P&Ps are applicable to employees' job tasks. P&Ps provide all employees with procedures, instructions, and/or information that they must know and understand in the performance of their duties.

Policy Review Request (PRR): Form used to recommend changes to P&Ps or RMs.

PowerDMS: The web-based software utilized to electronically publish and sign P&Ps, RMs, Written Directives and Training Bulletins, which is located at PowerDMS.com.

Redact: To conceal from a copy of an original public record, or to conceal from an electronic image that is available for public viewing, that portion of the record containing exempt or confidential information.<sup>3</sup>

Regulations (RMs): Regulations are applicable to all employees as stated. They are the Agency's standards of conduct.

Special Notices (SNs): SNs provide information, procedures, or instructions not suitable for publication as, or incorporation with, RMs or P&Ps (e.g., limited term), but that require dissemination throughout the Department due to all or a large class of employees being accountable and/or affected.

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<sup>1</sup> See *State v. Wooten*, 260 So. 3d 1060, 1069-1070 (Fla. 4th DCA 2018)

<sup>2</sup> See *Williams v. City of Minneola*, 575 So. 2d 683, 687 (Fla. 5th DCA 1991)

<sup>3</sup> § 119.011(13), Fla. Stat.

Special Purpose Manuals: Manuals developed for the reference and use of employees when involved in the activities covered by the respective manuals.

Standard Operating Procedures (SOPs): SOPs provide policy, procedures, and instructions for employees assigned to a particular unit, section, or division.

## 4. PROCEDURES

### 4.1 REGULATION MANUALS (RMs)

#### 4.1.1 AUTHORITY

Regulations may be issued, amended, or rescinded only by the Chief of Police or his or her designee.

All regulations in effect at the time of the appointment of a new Chief of Police shall remain in effect until they are amended or rescinded by the Chief of Police or a designee.

#### 4.1.2 ACCOUNTABILITY

All employees shall be accountable for compliance with all applicable regulations.

#### 4.1.3 DISSEMINATION

Changes to Regulation Manuals and new Regulation Manuals will be distributed to all employees via PowerDMS.

The Police Service Coordinator will notify all employees, via email, when a new or revised Regulation Manual has been posted. Employees shall read and sign each new Regulation Manual, via PowerDMS, within 30 days after receiving the notification.

#### 4.1.4 MAINTENANCE

All Regulations shall be retained in electronic format. The Professional Standards Division shall also retain copies of all rescinded Regulations for historical purposes in accordance with the Florida Records Retention Schedules published by the Department of State, Division of Archives and Records Management.

#### 4.1.5 FORMAT

Regulations shall be issued as part of the Regulations Manual. The manual is divided into 11 chapters, with each chapter numbered as a hundred series – i.e., 000, 100, 200, etc. Each Regulation within a chapter shall have a title and be numbered. The number shall be formed by adding a hyphen and numerals to the chapter number (e.g., 100-1, 100-2, etc.). Regulations shall be issued on the form designated as Attachment A.

#### 4.1.6 IDENTIFICATION

Each Regulation Manual will bear an identification number assigned by the Police Service Coordinator

#### 4.1.7 REVIEW RESPONSIBILITY

The Professional Standards Division Commander shall review the Regulation Manual and initiate changes as necessary, including recommending the rescission of outdated Regulation Manuals.

### 4.2 POLICY AND PROCEDURES (P&Ps)

#### 4.2.1 AUTHORITY

P&Ps may be issued, amended, or rescinded only by the Chief of Police or a designee. All policies and procedures in effect at the time of the appointment of a new Chief of Police shall remain in effect until they are amended or rescinded by the Chief of Police or a designee.

#### **4.2.2 ACCOUNTABILITY**

Sworn members are accountable for compliance with policy and procedures. Non-sworn employees are accountable for compliance with policy and procedures that relate to their job tasks.

#### **4.2.3 DISSEMINATION**

Changes to P&Ps and new P&Ps are distributed to all employees via PowerDMS.

The Police Service Coordinator will notify all employees, via email, when a new P&P has been posted in PowerDMS. All applicable employees shall read and sign each new P&P, via PowerDMS, within 30 days after receiving notification.

#### **4.2.4 MAINTENANCE**

All P&Ps shall be retained in electronic format. The Police Service Coordinator shall also retain copies of all rescinded P&Ps for historical purposes, in accordance with the Florida Records Retention Schedules published by the Department of State, Division of Archives and Records Management.

#### **4.2.5 FORMAT**

P&Ps shall begin with a statement of purpose and/or policy, followed by a description of procedures for carrying out the prescribed activities. The sections and subsections in the P&Ps shall be numbered by a decimal numbering system, and the sections shall be listed at the beginning of the P&P before the text. P&Ps shall be issued on the form designated in Attachment B.

#### **4.2.6 REVIEW RESPONSIBILITY**

Each P&P shall have a specific manager's position designated as responsible for the review of the P&P. The Police Planning Administrator will schedule an annual review and the initiation of any changes as necessary including recommending the rescission of outdated P&Ps.

#### **4.2.7 POLICY REVIEW REQUEST (PRR)**

Recommended changes to Regulations or Policy and Procedures shall be made by initiating a PRR. Prior to revising a current policy or regulation, an employee shall contact the Police Service Coordinator to ascertain whether a PRR has already been initiated for that policy. In the event of multiple submissions for a single policy within a short timeframe, the reviewing authority will coordinate efforts to prevent duplication of work and, when possible, will have the PRRs reduced to a single submission.

The employee originating the PRR shall submit the PRR electronically to their division commander, via chain of command. The PRR shall include a copy of the policy with changes in legislative format and the PRR form (Attachment F).

In the event that information on a P&P or RM needs to be addressed immediately, and a PRR cannot be approved in a timely manner, an Interim Policy (Attachment C) will be submitted to the Chief of Police, through the originator's chain of command. Once approved by the Chief of Police, the Police Service Coordinator will publish the Written Directive in PowerDMS and send out a department-wide email notifying employees of the new Written Directive.

The originator's chain of command is responsible for the contents of the policy or RM change and any revised/proposed directive.

#### **4.2.8 CHAIN OF COMMAND**

When a PRR reaches the division commander, it may be handled in one of two ways: the division commander may determine that the requested change does not merit further consideration and return it to the originator with additional comments and/or instructions, or the division commander may determine that the requested change

should be presented at a Captain's Operation Committee meeting. The division commander will provide an electronic copy of the PRR to the Police Service Coordinator who will present the PRR at a Captain's Operation Committee meeting. The Police Service Coordinator will email electronic copies of the PRR to the appropriate reviewing authority and all members of the Captain's Operation Committee and the Union in advance of the meeting for review.

Once the Captain's Operation Committee reviews and approves the changes, the Police Service Coordinator will provide the electronic version of the PRR to each of the deputy chiefs for any additional comment. If the chair of the Captain's Operation Committee requests additional changes be made, the corrected PRR must follow the above process again and go back to the Captain's Operation Committee for approval. The Chair of the Captain's Operation Committee will present the PRRs to the Chief of Police before or during Chief Staff for final approval.

The Police Service Coordinator will be responsible for tracking each PRR throughout the entire PRR process.

#### **4.2.9 MINOR CHANGES TO POLICIES**

Oftentimes, minor changes are required that do not change the context of the policy (one-word or one-sentence changes or additions, e.g., updating business hours, changing a phone number, or clarifying a statement). In this case, the division commander or PSD commander will forward the email directly to the Police Service Coordinator, who will make the change. No formal PRR is necessary.

### **4.3 INTERIM POLICIES (IPs)**

#### **4.3.1 AUTHORITY**

Interim Policies may be issued, amended, or rescinded by or with the signed approval of the Chief of Police, a bureau commander, or the Police Legal Advisor. All IPs in effect at the time of the appointment of a new Chief of Police shall remain in effect until they are amended or rescinded by the Chief of Police or a designee or have expired.

All IPs shall be routed to the Police Service Coordinator for publication and retention.

#### **4.3.2 ACCOUNTABILITY**

Interim Policies shall be addressed to the group(s) who will be held accountable for and/or are affected by the contents of the IP (e.g., all employees, members, supervisors and managers; or all bargaining unit members). Only those persons affected or addressed will be held accountable for the contents of the IP.

#### **4.3.3 DISSEMINATION**

All IPs will be distributed to all employees via PowerDMS. Employees shall read and sign each new IP within 30 days after receiving notification that it has been posted on the website.

#### **4.3.4 MAINTENANCE**

All IPs shall be retained in PowerDMS and in the electronic policy folder located on N:\OPD\POLICY. The Police Service Coordinator shall also retain copies of all expired IPs for historical purposes in accordance with the Florida Records Retention Schedules published by the Department of State, Division of Archives, and Records Management.

#### **4.3.5 FORMAT**

Interim Policies shall be issued on the form designated as Attachment C. Initials of the author and typist of an Interim Policy must be indicated two lines below the text on the left side.

#### **4.3.6 REVIEW RESPONSIBILITY**

The Professional Standards Division Commander shall review all IPs annually and initiate changes as necessary. Including the rescission of outdated IPs.

#### **4.4 SPECIAL NOTICES (SNs)**

##### **4.4.1 AUTHORITY**

Special Notices (SNs) may be issued, amended, or rescinded by or with the signed approval of the Chief of Police, a bureau commander, or the Police Legal Advisor.

SNs should ordinarily deal with trial programs and special situations. Some usage would include firearm qualification schedules, personnel orders, contract clarifications, special event assignments, etc.

##### **4.4.2 ACCOUNTABILITY**

SNs shall be addressed to the group(s) who will be held accountable for and/or are affected by the contents of the SN (e.g., all employees, members, supervisors and managers, all bargaining unit members). Only those persons affected or addressed will be held accountable for the contents of the SN.

##### **4.4.3 DISSEMINATION**

SNs are posted on OPD Online for review by all employees. Notification of new postings will be made via email for redundancy.

##### **4.4.4 MAINTENANCE**

All SNS posted after January 7, 2015, will remain active within OPD indefinitely.

SNs posted prior to January 7, 2015, shall be retained in an electronic archive file by the Senior Administrative Assistant and Executive Assistant assigned to the Chief's Office.

##### **4.4.5 FORMAT**

SNs shall be initiated via email. The content of the email shall include to whom the SN is addressed (see Section 5.2 above), the name of the issuing authority (see Section 5.1 above), the subject, and a line indicating a contact person. The email shall be sent from the originator to the next person in their chain of command who, upon approval, shall forward the email to the next in the chain until it reaches the bureau commander or Chief of Police. The approved email shall then be forwarded to the associated bureau's Senior Administrative Assistant or the Executive Assistant (for the Chief of Police's Office Staff) for posting to OPD Online.

#### **4.5 STANDARD OPERATING PROCEDURES (SOPs)**

##### **4.5.1 AUTHORITY**

Division commanders shall ensure that all SOPs issued within their divisions are not in conflict with any laws, City policy, or other OPD directives. All SOPs issued within a division shall have the division commander's review and signed approval. (Section commanders who report directly to a bureau commander shall have a division commander's authority and responsibility regarding SOPs.)

##### **4.5.2 ACCOUNTABILITY**

SOPs shall be addressed to the employees of the unit, section, or division to which the SOP applies. Only those persons addressed shall be held accountable for the contents of the SOP. Supervisors shall ensure that affected employees are trained in all applicable SOPs and shall maintain documentation of the training.

##### **4.5.3 DISSEMINATION**

Any employee whose job tasks are related to the content of the SOP shall access and read the SOP via OPD Online. Updates shall be communicated as soon as possible after publication.

#### **4.5.4 MAINTENANCE**

Each division commander shall maintain the SOPs issued within his or her division and provide an electronic copy any time updates are made to the Police Service Coordinator for posting to OPD Online.

#### **4.5.5 FORMAT**

SOP manuals shall include a cover page indicating the division commander's signed approval and the date of the approval.

#### **4.5.6 REVIEW RESPONSIBILITY**

Each division commander will conduct an annual review of his or her division's SOPs in July, and institute changes as necessary, including the rescission of outdated SOPs. At that time the Police Planning Administrator will be provided with an updated list of the division's SOPs.

### **4.6 LEGAL BULLETINS (LBs)**

#### **4.6.1 AUTHORITY**

Legal Bulletins (LBs) may be issued, amended, or rescinded only by the Police Legal Advisor with approval of the Chief of Police.

#### **4.6.2 ACCOUNTABILITY**

The contents of LBs should guide members' actions regarding investigation, arrest, charging, and other legal matters. Members are required by Department regulations to be knowledgeable of current laws and ordinances in force in the City.

#### **4.6.3 DISSEMINATION**

Legal Bulletins will be distributed to all employees via PowerDMS. All sworn members, civilian managers and civilian supervisors are required to be familiar with the contents of all LBs. Professional staff who are not managers or supervisors are encouraged to be familiar with the contents of LBs that are related to their duties. Employees shall read and sign each issued Legal Bulletin, via PowerDMS, within 30 days after receiving notification.

#### **4.6.4 MAINTENANCE**

All LBs will be retained electronically on the network drive N:\OPD\POLICY\Training Bulletins as well as in PowerDMS. Copies of all rescinded LBs will also be retained for historical purposes.

#### **4.6.5 FORMAT**

LBs shall be issued in the electronic format designated by the Police Legal Advisor and approved by the Chief of Police.

#### **4.6.6 REVIEW RESPONSIBILITY**

The Police Legal Advisor shall review all LBs periodically and initiate changes as necessary, including the rescission of outdated LBs.

#### **4.6.7 REVISING LBs**

Recommended changes to LBs shall be addressed, by memorandum, to the issuing authority. Department staffing is not required.

### **4.7 SPECIAL PURPOSE MANUALS**

#### **4.7.1 AUTHORITY**

Special Purpose Manuals and any changes to them shall be approved by the Chief of Police or the deputy chief in the chain of command of the reviewing authority.

**4.7.2 ACCOUNTABILITY**

Employees are responsible for the contents of Special Purpose Manuals that are applicable to their duties or in which they have been trained. (In the latter case, supervisors are required to maintain documentation of the training.)

**4.7.3 DISSEMINATION**

All Special Purpose Manuals are available on OPD Online in an electronic format.

**4.7.4 MAINTENANCE**

The designated review responsibility manager must retain the master/signed copy of the Special Purpose Manual. Any changes to a Special Purpose Manual must be approved by the appropriate authority. An electronic copy shall be emailed to the Police Service Coordinator for posting to OPD Online any time updates are made.

**4.7.5 FORMAT**

Special Purpose Manuals shall be formatted in a manner best suited for the information provided, but shall at least indicate the approving authority by signature, and the date issued.

**4.7.6 IDENTIFICATION**

Special Purpose Manuals shall not be numbered. Instead, each manual shall be labeled with a title indicating the topic of the manual.

**4.7.7 REVIEW RESPONSIBILITY**

Each Special Purpose Manual shall have a manager's position designated as responsible for conducting a review of the manual and initiating changes as necessary, including recommending the rescission of outdated Special Purpose Manuals.

The following is a list of Special Purpose Manuals and the positions designated for review responsibility:

- Field Training Administrative Manual - Professional Standards Section Commander
- Report Writing Guide - Criminal Investigations Division Commander
- Traffic Operations Manual - Traffic Enforcement Section Commander
- Emergency Operations Plan - High-Risk Incident Commander
- Call Handling Guide - Communications Division Commander

**4.8 MEMORANDA**

Memoranda provide information of a strictly informational nature. Routine memoranda include person-to-person, interoffice, intra-Departmental, and inter-Departmental correspondence. Memoranda shall be issued on the form designated as Attachment D. Memoranda distributed via the chain of command shall be issued on the form designated as Attachment E. Both forms are available in PowerDMS and the FORMS folder on the N drive.

Memoranda shall be used for all official written communications within the Department and City government and shall not in themselves be considered written directives. They shall not be used to communicate with entities external to the Department or City. Memoranda shall also be used to transmit other correspondence or documents as an attachment to ensure control. Communication with entities external to the Department or City shall be written in letter format using Department letterhead.

Employees of the Department shall continue to utilize memoranda and letterhead for routine correspondence. Routine correspondence shall include such matters as routine communications, requests, and direction from any employee of



the Department or orders from a superior or supervisor to his or her subordinates provided they are not in conflict with, an addition to, or an alteration of prevailing written Departmental directives.

#### **4.9 OFFICIAL BULLETIN BOARDS**

Each bureau commander shall establish the location of official bulletin boards for his or her bureau and designate persons responsible for the maintenance of such bulletin boards (e.g., posting and/or removal of information).

#### **4.10 GENERAL PROVISIONS**

This order in no way precludes supervisors and managers from issuing routine written requests, general communications, commands and/or orders directly to their subordinates, provided they do not require posting on bulletin boards and are not in conflict with, in addition to, or an alteration of prevailing written directives.

#### **4.11 ACKNOWLEDGMENT OF RECEIPT AND REVIEW**

The FTO Unit shall issue a computer to each new sworn member during orientation. During recruit orientation, new sworn members will be trained on the procedures of accessing and signing off on directives in PowerDMS. New sworn members are required to sign off on all Departmental directives in PowerDMS by the end of their field training.

Supervisors will train each new professional staff employee on accessing PowerDMS and will ensure that the employee signs each directive in the system.

Compliance of receipt of electronic policies, RMs, and LB is monitored by the Professional Standards Division. An audit of electronic receipts of delinquent members is completed monthly by the Police Service Coordinator.

#### **4.12 ORGANIZATIONAL CHARTS**

Organizational charts are maintained to depict the current structure of the agency. Maintaining organization chart changes provides historical documentation of why any structural changes were made

At the beginning of each fiscal year, the Police Service Coordinator will request that each Bureau Commander review their current organization chart and document any changes on an Archives Report (Attachment G) A new organization chart will be published annually (each October), via PowerDMS. Per accreditation standards, one organizational chart per year will require electronic signatures of all personnel. If a major organizational restructuring occurs outside of the annual publication, an updated organizational chart can be published at any time throughout the year, upon approval by the Chief of Police.

#### **4.13 EXEMPT OR EXEMPT AND CONFIDENTIAL RECORDS**

Certain records retained by the Department will contain information that is exempt or exempt and confidential which must be redacted prior to being made available for public viewing. All Written Communications that are known to contain information that is either exempt or exempt and confidential shall, at the bottom of each page, identify that the document contains information that is either Exempt or Exempt and Confidential ("Exempt or Confidential"). The standard marking shall read "EXEMPT OR CONFIDENTIAL" in all capital letters. Such markings are designed to make all Departmental personnel aware of the sensitive nature of Written Communication.

## **5. FORMS AND APPENDICES**

**ATTACHMENT A-Regulation Manual Template**

**ATTACHMENT B-Policy and Procedure Template**

**ATTACHMENT C-Interim Policy Template**

**ATTACHMENT D-Memo Template**

**ATTACHMENT E-Memo Via Chain of Command Template**

**ATTACHMENT F-Policy Review Request Cover Sheet**

**ATTACHMENT G-Archives Report Template**