



# CLEVELAND DIVISION OF POLICE GENERAL POLICE ORDER



EFFECTIVE DATE: NOVEMBER 9, 2020	CHAPTER: 1 - Administrative	PAGE: 1 of 6	NUMBER: 1.01.04
SUBJECT: WRITTEN DIRECTIVES SYSTEM			
CHIEF: <i>Calvin D. Williams, Chief</i>			

*Substantive changes are in italics*

**PURPOSE:** To establish a formal Written Directive system to provide members of the City of Cleveland, Division of Police with a clear understanding of the standards and expectations related to their employment and assigned job performance.

**POLICY:** *It is the policy of the Cleveland Division of Police* that it shall establish a system of Written Directives to provide clear and timely direction to its members so that they may support the mission, vision and goals of the Division. The system shall encompass methods for proposal, review, input, modification, revision, amendment, approval and maintenance of all formal Written Directives.

**DEFINITIONS:**

**Divisional Notice (DN)** - *short-term directives, incident directed or interpretive of other Written Directives. Written in 12 point Times New Roman font and numbered by year of notice – sequential notice number (e.g., #20-123).*

**General Police Order (GPO)** - *long-term directives, procedural in content, foundational policies of the Division. Written in 12 point Times New Roman font and numbered by: chapter, section, and order number (e.g., 1.01.04 Written Directive System).*

**Memorandum** - *an un-numbered directive with limited distribution between command and superior officers on City of Cleveland “Memorandum” letterhead. Memoranda do not create or alter established Division policy, DNs or GPOs.*

**Unit Procedural Manual** - *manuals, as approved by the Chief of Police and authorized by GPO, that are specific to individual Division Units and that provide more detailed and required procedures and policies for personnel assigned.*

**Written Directive** - *broad term used to refer to any written document which guides or affects member performance. Written Directives may be in the form of General Police Order, Divisional Notice, Memorandum, or Unit Procedural Manual.*

**PROCEDURES:**

- I. *Authority*
  - A. *The Chief of Police, or in his absence, the designated Acting Chief of Police, has the authority to issue, modify, and approve Written Directives.*

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## II. *Limitations of Liability*

- A. *The Written Directives of the Division were created and adopted for the sole use of the Division and for the exclusive purpose of their application to the members and staff in the administration of law enforcement services, there being no intended third-party beneficiaries hereof, express or implied.*
- B. *The Division makes no warranty, either express or implied, for the benefit of any person or entity with regard to any aspect of these Written Directives. Written Directives do not apply in any civil or criminal proceeding; they are not intended to create higher legal standards of care with respect to any third party claim.*

## III. *Responsibilities*

### A. *Division*

- 1. *The Division shall index and maintain a current master copy of all issued GPOs and DNs and make them available to all members.*
- 2. *Newly issued GPOs and DNs will be distributed to all members electronically and through posting on accessible servers.*
- 3. *The Division shall also maintain all historical, superseded, or expired GPOs and DNs for use as necessary. The Division shall maintain one hard copy of all GPOs and DNs as a back-up redundancy in the Policy Unit.*
- 4. *In certain circumstances, the Division will provide training on the content in Written Directives to ensure complete understanding of the policy as it is implemented, via the Division Learning Management System (LMS). This will generally only occur for GPOs that have a high level of importance in the carrying out of duties in direct contact with the public (i.e., Use of Force).*

### B. *Members*

- 1. *All members are responsible to abide by all Written Directives of the Division in addition to the rules and regulations of the City of Cleveland and all applicable local, state and federal laws.*
- 2. *Members will familiarize themselves with all GPOs and DNs issued by the Division to the extent that they maintain a level of knowledge sufficient for them to appropriately perform their assigned duties. A member's opening of the email electronic dissemination will serve as acknowledgement of receipt and understanding.*
- 3. *Members will familiarize themselves with all other Written Directives as applicable to their assignment so that they know, understand and can comply.*

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4. *Members will ensure that they have current and rapid access to GPOs electronically, otherwise they shall individually maintain a hard paper or electronic copy as a resource.*

C. *Policy Unit*

1. *The Policy Unit will be responsible for all activities regarding creation, vetting, obtaining approval and maintaining of GPOs and DNs. This includes distribution, indexing, storage as well as revising, updating and purging as authorized.*
2. *The Policy Unit, will upon request, provide an interpretation of the content, meaning, or intent of any provision in a GPO or DN.*
3. *The Policy Unit will proactively work on continuous updating of GPOs to meet industry best practices and changes in law or other circumstance.*

IV. *Format*

*Written Directives shall be prepared in outline style, with sections and subsections clearly indicated for rapid reference. When the length of a section or directive is brief and simple, paragraph form may be used.*

A. *GPOs shall be drafted utilizing, at minimum the following format:*

1. *Purpose: a simple statement of what the order is set to accomplish.*
2. *Policy: a statement that reflects the philosophy of the order as set forth by the Division.*
3. *Definitions: identified, specific terms of importance in the order that require definition.*
4. *Procedures: detailed description in outline form that explain what actions are to be taken, what responsibilities are involved and who is affected.*

C. *GPOs and DNs shall be drafted utilizing a consistent header as follows:*

1. *GPO first page header shall indicate: effective date, chapter, page (of), order number, subject, and authorizing official signature.*
2. *GPO following pages header shall indicate: page (of), subject and order number.*
3. *DN first page header shall indicate: date, DN number, subject, authorizing official signature and page (of).*
4. *DN following pages header shall indicate: page (of), subject and DN number.*

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5. *Reference initials (writer/typist), attachment, and specific forwarding information is to be included at the bottom of each type of document.*

*D. Attachments and Addendums*

1. *Attachments and Addendums provide supplementary information such as forms, maps, charts, lists, etc.*
2. *Forms, maps, lists, etc., will be identified using the same numbering system as above with the addition of a capital letter of the alphabet, sequentially, for each attachment or addendum to an individual Written Directive.*

*V. Access to Written Directives*

- A. *All current GPOs and DN's are indexed and available on the Division's current web server (SharePoint).*
- B. *Copies can also be obtained from the Policy Unit by request.*

*VI. Updating Written Directives*

*A. Rescinding Written Directives*

1. *GPOs may only be rescinded through the action of a subsequent GPO as approved by the Chief of Police.*
2. *DN's may be rescinded through the action of a subsequent GPO or DN as authorized. The contents of a DN may be incorporated into a subsequent GPO.*
3. *Rescinded GPOs and DN's will be archived in a manner that indicates the authority used to rescind.*

*B. Consultation on Written Directives*

1. *Individual members, Units, Sections or other staff may be called upon to provide commentary, input or subject matter expertise to Written Directives during the drafting process. Similarly, they may be directly assigned to review, update, or head a committee to review or update Written Directives. Such person(s) shall return requested input or draft by the date requested or otherwise notify why the due date cannot be met.*

*C. Requests to Update Written Directives*

1. *While it is the primary responsibility of the Policy Unit to update and maintain Written Directives (Sec. III (C) above), any member can make a request to the Commander of the Bureau of Compliance to update or amend Written Directives by filing a Form-1 through their chain of command which includes the requested change or consideration along with all supporting information.*

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2. *Command and Superior Officers shall have the ongoing responsibility to monitor Written Directives relative to their function or assignment and to initiate updates through the Bureau of Compliance as needed. Changes may be required based on new laws, case law, equipment changes, certification changes, Division needs, etc.*

*D. Updating Written Directives*

1. *The Policy Unit will follow the Policy Unit Manual for specific directions regarding drafting, obtaining approval, indexing and disseminating updates to Written Directives.*
2. *Draft Written Directives should be reviewed by, at minimum, the Chief of Staff, the Commander of the Bureau of Compliance, the Police Inspector General (IG), and any member assigned to assist in the consultation or creation of the draft in question, prior to presentation to the Chief for approval.*

*VII. Periodic Review*

*A. Members of the Policy Unit will review Written Directives as follows:*

1. *Identified high liability GPOs will be reviewed on an annual basis (e.g., Use of Force; Pursuit)*
2. *All other GPOs will be reviewed at least once every two years.*
3. *All DNs will be reviewed annually to determine whether they are still applicable / active and/or whether they should be absorbed into a formal GPO.*
4. *Written Directives that upon review require substantive updating or change shall be put through the updating process in section 6 above.*

*VIII. Legal Review*

- A. Appropriate, high liability policies, procedures and practices will be submitted to the City's legal counsel for review prior to adoption.*
- B. During the pendency of the Settlement Agreement between the United States Department of Justice and the Division, certain identified policies and procedures will require review and approval by the court appointed Monitoring Team with possible additional review by the DOJ and/or official filing with the federal court.*

*IX. Unit Procedural Manuals*

- A. Requirements pertaining to specialized units or procedures are addressed at an operational level. Unit Procedural Manuals shall therefore become part of the Written Directives system upon approval of the Chief of Police as acknowledged with specific GPO designation:*
  1. *General Detective Manual*

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2. *Internal Affairs Manual*
3. *Manual of Duties and Authorities of the Inspector General*
4. *Homicide Unit Manual*
5. *Sex Crimes Unit Manual*
6. *Field Training Program Manual*
7. *Performance Management Manual*
8. *Policy Unit Manual*

X. *Precedence of Written Directives*

- A. *A General Police Order will supersede any other Written Directive regardless of the date of the GPO.*
- B. *If multiple Written Directives address the circumstances of a particular situation or issue, the Directive which is most specific to the situation or issue in question will take precedence unless specified otherwise.*
- C. *Command and Superior Officers may issue Written Directives to subordinates in their command to effectively operate their unit assigned job tasks. Where a conflict exists between these Directives and GPOs or DNs, the GPOs or DNs shall take precedence.*
- D. *Members who become aware of a conflict are obligated to notify the Commander of the Bureau of Compliance of the conflict via Form-1 through the chain of command for resolution.*
- E. *Any section, sub-section, item, clause, or phrase in a Written Directive which is found to be in contravention of state or federal law or precedential court decisions therein shall be null and void. All other unaffected or unrelated contents of Written Directives will remain in full force and effect.*

**THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.**

CDW/cpv  
Inspector General