




WINCHESTER POLICE DEPARTMENT OPERATION ORDER

NOTE: This policy is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or case in an evidentiary sense, with respect to third party claims. Violation of this policy, if proven, can only form the basis of a complaint by this Department, and then only in a non-judicial administrative setting.

Number 1-1		Effective Date March 20, 2023	Review Date May 10, 2018	Reviewing Division Administration
Subject ORGANIZATION OF MANUAL		<input type="checkbox"/> New Policy <input type="checkbox"/> Amends <input type="checkbox"/> Replaces <input type="checkbox"/> Revised: III.C.D., IV.A.1.2.B.2a.		This policy shall apply to personnel assigned to the following divisions:
References VLEPSC: ADM.09.01 - .02 CALEA				<input checked="" type="checkbox"/> All Personnel <input type="checkbox"/> Patrol Division <input type="checkbox"/> Administration Division <input type="checkbox"/> Investigation Division <input type="checkbox"/> ECC Personnel
 _____ Chief of Police or Designee		_____ March 20, 2023 Date		

I. PURPOSE

This policy outlines the organization of this manual, its authority, and defines three kinds of statements that appear in rules and regulations and general orders of the Winchester Police Department. The words policy, rule, and procedure are defined in this policy.

II. POLICY

Law enforcement agencies are obligated to provide essential services to citizens to foster safe communities through crime reduction and deterrence. Law enforcement administrators are obligated to train, supervise, and guide personnel in performing a variety of tasks which help create safe communities. Administrators seek to bolster employees' confidence and competence in performing tasks while reducing vulnerability to liability. To meet these obligations, agencies must manage themselves according to written orders. A manual of policies, rules, and procedures guides the day to day legal and ethical functioning of a law enforcement agency. To that end, this manual furnishes a blueprint for the performance of department activities to established standards of Commonwealth of Virginia accreditation.

III. DEFINITIONS

A. Policy

A policy is a statement of the department's philosophy on a given issue. Policy consists of principles, which guide the performance of department personnel. Furthermore, policy is based upon ethics, experience, law, and the needs of the

community. Each rule and regulation and general order will begin with a department purpose and policy statement.

B. Rule

A rule is a specific prohibition or requirement governing the behavior of employees. Rules permit little if any deviation. Violations of rules normally result in administrative action. Rules appear in both rules and regulations and general orders.

C. Procedure

A procedure defines a method of performing an operation or a manner of proceeding on a course of action. It differs from policy in that it directs employees' actions in performing specific tasks within the guidelines of policy. Unlike rules, a failure to follow a procedure may result in administrative action. Procedures constitute the department approved guide to performing tasks. Employees may depart from procedures only when, in their professional judgment, the situation warrants. Employees must be prepared to justify their actions. Procedures are located in rules and regulations, general orders, standard operating procedures, expectations and field training manual.

D. Memorandum

A memorandum provides useful, specific information to personnel which can supplement an existing policy in Rules and Regulations or General Orders. Memoranda are not part of this manual but are considered policy. A memorandum may be issued by either the Chief of Police or by other personnel at the direction of the Chief of Police or his/her designee.

E. Manual

A manual is a collection of Rules and Regulations and General Orders of the department.

IV. ORGANIZATION OF THE MANUAL

A. General

1. Either the Chief of Police or his/her designee determines policy. No rules and regulations or general orders are valid unless signed by a prior or current Chief of Police.
2. Within the context of any policy, use of the word "shall" denotes an action or behavior that is mandatory and unequivocal. The word "will" or "should" denotes an action or behavior that has a tendency to be mandatory unless procedures or circumstances make it unnecessary. The words "may" or "can" denote an action or behavior that is discretionary.
3. Any department personnel may suggest or recommend changes to the Chief of Police concerning rules and regulations and general orders.

4. The process for developing policies is outlined in RR 1-2, Policy Development.

B. Components

This manual is divided into two components: Rules and Regulations, and General Orders.

1. A Rule and Regulation, which primarily contains rules, as defined in this policy, is an administrative order governing organizational matters such as leave policy, off-duty employment, and promotions. Rules and Regulations are abbreviated "RR."
 - a. Because they contain many rule statements, Rules and Regulations permit little if any deviation. Violations of Rules and Regulations normally result in administrative action.
2. A General Order, which contains procedures, is primarily an administrative order governing operational matters such as use of force, transportation of prisoners, or searches and seizures. General Orders are abbreviated "GO."
 - a. Because they contain many procedural statements, General Orders may permit a window of discretion. While violations of General Orders may result in administrative action, the department recognizes that personnel may depart from procedures only if the circumstances warrant. Personnel must justify their actions accordingly.

C. Numbering

Rules and Regulations are numbered consecutively, preceded by "1-()." General Orders are numbered consecutively "2-()." Individual pages are numbered consecutively within a given rule and regulation or general order. Example: 1-5.3 (1 signifies rule or regulation; 5 signifies regulation number 5, and 3 signifies page 3).