

1.4.3 Obeying Any Lawful Order by a Superior

I. POLICY

It is the policy of the Johnstown Police Department to implement and maintain a written directives system, which is thorough, consistent, reality based and establishes reasonable standards and guideline for the appropriate performance of officer's duties and responsibilities. It is the policy of the Johnstown Police Department to follow the guidelines of this general order.

II. PURPOSE

An indication of why the directive is being issued and the important factors leading to the issuance of the written directive. All published materials should be cited here along with appropriate bibliography.

The intent of words such as "will," "must" and "shall" used in a written directive mandates the required action. Words such as "may," "can't" and "should" indicated a degree of choice.

III. PROCEDURES

An accepted step-by-step description of the task to be accomplished with regards to a stated policy. This should be in outline form with easily understandable progressions. All appropriate detail should be included in this phase of the formant.

A. Mission Statement



City of Johnstown, Pennsylvania
Police Department

MISSION STATEMENT

It is the mission of the Johnstown Police Department to Serve and Protect the community by preserving peace and order within the framework of the constitutions of the United States and the Commonwealth of Pennsylvania.

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- Providing rapid response to emergency situations.
- Deterring crime through prevention, education, enforcement and apprehension of law violators and through community policing efforts.
- Returning stolen and lost property.
- Responding to all called for services and information requests.
- All in an efficient, professional and ethical manner.

ALL IN AN EFFICIENT, PROFESSIONAL AND ETHICAL MANNER.

B. Chief of Police – Executive Issuing Authority

1. The Chief of Police is the Chief Executive Officer of the Johnstown Police Department. The Chief of Police serves in accordance with the provisions of the Third Class City Code, the Home Rule Charter, Police Tenure Act and the Civil Service Commission. The Chief of Police functions in accordance with general policy established by the Mayor, City Council and City Manager, with considerable latitude in the exercise of independent judgment and discretion in the management of the Johnstown Police Department. The Chief of Police shall solely issue, modify and approve the following directive types:
 - a. General Orders
 - b. Plans

C. Additional Issuing Authorities

1. The following directive types may be issued at the described level or higher:
 - a. Special Orders
 - i. Command Staff – Captain of Police or higher.
 - b. Memoranda
 - i. An officer having authority/control over the topic within the Memoranda

D. Written Directive Types Established

1. General Orders

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- a. Issued to establish policy, rules and procedures affecting more than one organizational component for the indefinite future.
- b. Subjects for General Orders may include, but not be limited to:
 - i. Institution of permanent procedures, policies and rules.
 - ii. Permanent changes in the organization.
 - iii. Installation of permanent programs which affect more than one unit subordinate to the issuing authority.
 - iv. Permanent personnel policies and procedures including recruiting, hiring, training and promotion processes, but not including changes of status such as transfers, promotion of officers, etc.
 - v. Relationships with other agencies and individuals.
 - vi. As required by the PALEAP [Pennsylvania Law Enforcement Accreditation Program], a written directive including the agency mission and values statement.
- c. Numbering
 - i. General Orders will be numbered in accordance with the PALEAP Standard Manual's in heading classification when the order involves directives required by the individual PALEAP chapter standards.
- d. Format
 - i. The City of Johnstown seal will be in the top left side of the page.
 - ii. The Johnstown Police Department seal will be in the top right side of the page.
 - iii. "The City of Johnstown Department of Police" will be between both seals.
 - iv. General Order number will be five lines below the cities seal on the left side of the page in bold print in 12 fonts.
 - v. The page number will be at the bottom right hand side
- e. The policy shall be typed in paragraph form two lines below the heading and will be in 12 fonts. The word "Policy" shall be in bold capitol letters.
 - i. The policy shall delineate the general objectives sought, in narrative form, and positively state the expectations which the directive is written to accomplish.
- f. The purpose shall be typed in paragraph form two lines below the policy paragraph in 12 fonts. The word "Purpose" shall be in bold capitol letters.

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- i. The purpose shall generally explain, in narrative form, the reasons why the general order has been drafted and the goals, which it intends to accomplish.
 - g. The procedure is the accepted step-by-step description of the task to be accomplished with regards to the stated policy. All appropriate detail should be included in this phase of the format.
 - h. Section numbers and description phrases shall follow in numerical sequence; all in bold print.
 - i. Section numbers from page two on shall have “continued” beside it in bold print.
 - i. Directive language shall be organized in paragraph form or outline form under each section. The style will depend on the nature of the content and which one will allow for a smooth flow of information to the reader.
 - j. Effective Date/Authorized signature shall be at the end of the general order. “Effective:” shall be two lines below the last sentence. The corresponding date then shall follow one line after and in two tabs. “By Order of:” then shall follow two lines after. The Chief’s typed name then shall follow five lines after and the next line is the Chief’s typed title.
- 2. Special Orders
 - a. A directive affecting only a specific segment or statement of a policy regarding a specific circumstance or event that is of a temporary nature. i.e.: Thunder in the Valley, VIP protection, parades, school events, city special events
 - b. Subjects for special orders may include, but not limited to:
 - i. Specific instructions to accomplish a particular objective. Once accomplished, there will be no need for continued instructions.
 - ii. Temporary procedures designed to cover a special occurrence or event, which is of a temporary or short-term nature.
 - 1. Instructions for the use and deployment of manpower to a particular gathering such as a parade route, including the assignment of individual duties.
 - 2. Assignment of and special instructions for personnel in training programs, firearms qualifications, etc.
 - 3. Instructions for extra patrol of: ex: schools, city hall
 - c. Directives to a specific unit of units, which do not influence the operations of others and for which no organizational change is needed. ex: Dare Unit

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- d. Plans are issued to provide procedures for the accomplishment of one or more objectives related to an anticipated or potential event so that personnel, equipment and other resources may be deployed and utilized economically in a systematic and orderly manner, to achieve the desired plan outcome[s].
 - i. Plans shall derive their authority from an originating general order. No plan shall contradict any general order.
 - e. Procedures should include, but not limited to:
 - i. Officers assigned, reporting times and estimated finishing times.
 - ii. Post assignments and communication call signs
 - iii. Naming of the event leaders
 - iv. Listing of any outside agencies assisting in the event/plan
 - v. Listing of various supervisory duties
 - vi. Any changes to normal operations of the dispatch/communications center.
 - vii. Listing of important phone numbers applicable to the event.
 - viii. Any disaster procedures that may be directly related to the event/plan
 - ix. Any maps that would provide additional information to officers
 - f. Notice of Special Orders
 - i. Captain of Police notifies officers by the interoffice e-mail system, roll call notification and/or personal notification.
 - ii. All records of the Special Order are kept by the Captain of Police.
3. Memorandum
- a. An informal statement exchanging everyday information within the department, informing or instructing personnel on specific matters such as:
 - i. Emergency situations requiring immediate action.
 - ii. Date, time and place of special event.
 - iii. Requests for leave, etc.
 - iv. Explanatory information on any matter, including requests for overtime and compensation time.

E. Indexing, Purging and Modifying Procedures

1. Indexing

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- a. General orders shall be indexed chronologically in a html format in conjunction with the capabilities of the department's computer

software program. All hard copy general orders shall be indexed chronologically with a table of contents.

2. Purging
 - a. All orders shall be purged in accordance with the replacement of the order by a subsequent order, which amends or rescinds a preceding one.
 - b. Following the amendment or rescinding copies of the order shall be removed and/or replaced from any designated codification location within the department. The original amended or replaced order shall then be filed in a historical file maintained by the Accreditation Manager at the direction of the Chief of Police. The Accreditation Manager shall maintain a documented list of all purged orders.
3. Modifying
 - a. All written orders shall be modified under the same authorities provided for their original issuance as indicated in this general order.
 - b. Updated original and codified copies of modified copies shall be filed and placed in hard copy manuals. The replaced order shall be filed in a historical file maintained by the Accreditation Manager at the direction of the Chief of Police. The Accreditation Manager shall maintain a documented list of all modified orders.
 - i. Modifications to policies shall have the text readily identifiable as an amendment to the original text. This may be done by underling, highlighting or by an attachment. Deletions shall be struck from the text. As above, deletions shall be readily identifiable by an attachment.

F. Statements of Department Policy

1. All statements of policy of the Johnstown Police Department shall be contained in the General Orders formulated and issued as written directives under the authorities delineated by this general order.
2. Officers of the Johnstown Police Department shall also be responsible for compliance with any federal law, state law, local ordinance; federal, state or local court ruling; federal, state or local administrative

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law or regulation; and lawful orders of employers or orders by command staff consistent with established policy.

G. Carrying out Department Activities

1. Directives are formulated and issued as policy and procedural guidelines to carry out department objectives and activities.
2. Officers are required to comply with all orders issued under proper authority provided for in this general order.

H. Review of proposed policies

1. All proposed general order drafts, whether new or amended will distributed to the Chief of Police and/or officers to write comments and recommendations of the draft document and return it to the Accreditation Manager.
2. Upon the return of the critiques, the draft will be revised if needed, then formatted for final approval and issuance by the Chief of Police.
3. Review exceptions are amendment to orders which involve format changes, statutory, case law requirements imposed upon the department as legally binding, or minor language changes which do not change officer responsibilities under the authority of the order, need not be submitted to a review process as otherwise required by this general order.
4. Following draft review and any revisions in accordance with the provisions required by this general order, the policy shall be forwarded to the Chief of Police for final approval, signature and issuance.
5. Notice of the promulgation of any policy shall be provided to all officers as provided in this general order.
 - a. Officers shall have the right to discuss the provisions of any such policy.
 - b. The policy shall be implemented pending such discussion and thereafter amended if required in accordance with this general order.
6. The general orders shall be reviewed each year and updated as needed. The Accreditation Manager shall maintain documentation of such review.

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Effective Date:

Date: June 13, 2006

By Order Of:

Craig Foust
Chief Of Police