



Police Commissioner's Special Order

Number: SO 23-58

Date: 12/28/23

Post/Mention: Indefinite

SUBJECT: RULE 112 – DEFINING DEPARTMENTAL WRITTEN DIRECTIVES AMENDED

Effective immediately, Rule 112, Defining Departmental Written Directives, is hereby revised and reissued superseding all previous rules, special orders, memos and directives on this subject.

Rule 112 is being revised to codify current practices and to address relevant standards of the Commission on Accreditation for Law Enforcement Agencies (CALEA) and the Massachusetts Police Accreditation Commission (MPAC).

Specifically, the following sections have been revised:

- Sec. 1 General Considerations – first two paragraphs are new
- Sec. 2 Definitions – revisions to Special Order, Commissioner's Memorandum and Training Bulletin
- Sec. 3 Rule and Special Order Submission and Approval Process
- Sec. 4 Emergency Situations
- Sec. 5 Police Commissioner's Approval
- Sec. 6 Distribution and Records Keeping of Written Directives – new section
- Sec. 7 Review – new section

Commanding Officers shall ensure that this order and the attached Rule are posted on Department bulletin boards.

Michael A. Cox
Police Commissioner

Rule 112, Defining Departmental Written Directives

The purpose of this Rule is to standardize the usage and issuance of the various types of written orders, rules, memorandums and other official forms of written communication within the Department.

Sec. 1 General Considerations:

In accordance with the Boston Police Commissioner's Statute (St. 1906, c. 291, as appearing in St. 1962, c. 322), the Police Commissioner of the Boston Police Department reserves the authority to issue, modify, or approve written directives to maintain the efficiency of the Department in its mission of Community Policing, within the confines of the Law, Constitution and Collective Bargaining Agreements.

"The Boston Police Department is dedicated to working in partnership with the community to fight crime, reduce fear and improve the quality of life in our neighborhoods. Our mission is community policing."

Currently within the Boston Police Department there are a number of different types of documents that are used to apprise employees about topics such as new policies and procedures, new programs, law changes, job postings or training opportunities. In order to eliminate confusion over which document is the appropriate medium for a particular subject, the following documents shall only be used in accordance with their definitions, as defined below.

Sec. 2 Definitions:

Rule and Procedure – a document that details duties, responsibilities, Department policies and procedures for an individual or a Unit that must be followed in all or in certain specified conditions. A Department Rule and Procedure does not have an expiration date and continues in full force and effect unless superseded or rescinded.

Special Order – A Special Order announces and puts into effect a new Department program or policy which changes previously existing duties and responsibilities or previously existing policies and procedures for an individual or a Unit. It may also announce the formation of new Offices or Units and detail their responsibilities. Special Orders continue in effect until such time as they are superseded or rescinded. A Special Order is required to issue a revised/amended, rescinded, or new Rule and Procedure.

Commissioner's Memorandum – A Commissioner's Memorandum shall be used to make announcements or to convey information about a specific event or activity. Examples of proper subjects of a Commissioner's Memorandum are: employment or training opportunities, open positions within the Department, commendations, and descriptions of a City of Boston or community partner's new program. In addition, all Promotional Examination Registration Announcements are issued via Commissioner's Memorandum, and include a description of the promotion process in as much detail as possible to indicate clearly to candidates what they can expect. Since this is an informational document, it has no specific expiration date beyond those that might be mentioned within the document.

Training Bulletin – Police Officers are responsible for being aware of changes in the law as they occur. To assist Officers in keeping abreast of such changes, the Boston Police Academy issues Training Bulletins that summarize the laws or explain currently acceptable and recommended police procedures and/or best practices. Although they are designed to be informational in nature, to the extent that such bulletins state that a particular procedure is either mandated by law or is the proper way an act should be performed, that bulletin constitutes official Department policy and shall be followed.

Prior to their issuance and distribution, Training Bulletins shall be referred to the Office of the Legal Advisor for review and approval as to law, and then referred to the Office of the Police Commissioner. The Office of the Police Commissioner shall determine whether the proposed Training Bulletin is consistent with other Department policies and procedures and shall also make a determination as to whether the subject matter should be issued as a Special Order or Department Rule and Procedure instead of, or in addition to, a Training Bulletin.

Training Bulletins have no expiration date, but may be superseded or rescinded by newer bulletins or other Department written directives when laws and/or policies change.

Sec. 3 Rule and Special Order Submission and Approval Procedures: All proposals requiring a change or addition to the Rules and Procedures, or the issuance of a Special Order, shall be submitted through the chain of command to the Office of the Police Commissioner. Many rule changes, new rules or special orders originate in the Office of the Police Commissioner.

The Police Commissioner or his/her designee will determine the appropriate review and approval process (for example an Executive Rules Committee or rule specific subcommittee structure), in consultation with the Office of the Legal Advisor and the Office of Labor Relations. Depending on the topic or content of the Rule or Special Order, subject matter experts may be included in the drafting, review and approval process.

Sec. 4 Emergency Situations: Emergencies or special situations requiring immediate action should be brought to the attention of the Police Commissioner for resolution, utilizing the appropriate chain of command.

Sec. 5 Police Commissioner's Approval: Before any Department Rule and Procedure, Special Order, Commissioner's Memorandum or Training Bulletin may be issued, it must be approved by the Police Commissioner.

Sec. 6 Distribution and Records Keeping of Written Directives: All Special Orders, Commissioner's Memorandums, and Training Bulletins are distributed through the Department's email system to all employees. It is the expectation of the Department that while on duty employees regularly access their Departmental email accounts and read work related emails, especially those from the Commissioner's Office regarding written directives.

In addition, all Special Orders and Commissioner's Memorandums are copied and distributed to districts and specialized units to post on their Department bulletin boards.

Current versions of Rules and Procedures are posted on the BPD's intranet – BPDNet, and the public facing website – police.boston.gov

Electronic versions of Commissioner's Memorandum going back to 2015, Special Orders going back to 2004, and Training Bulletins going back to 2003 are available on BPDNet. In addition, there is an index of Special Orders from 1973 to 2005 on BPDNet, with paper versions of those orders available in the Office of Research and Development. Paper versions of Commissioner's Memorandums are available in the Office of Research and Development going back to 1974. Older documents may be available at the Boston Police Department Records Center and Archives.

Sec. 7 Review: Written directives, particularly Rules and Procedures, should be reviewed annually or as frequently thereafter as is practicable by the Police Commissioner or his/her designee to determine if changes should be made because of changed circumstances. This includes revising or rescinding previous written directives as well as determining if new written directives are needed.

Michael A. Cox
Police Commissioner