

# **PROSECUTOR'S TASK FORCE ON REGIONALIZED POLICING**

SUBCOMMITTEE NO. 4

STANDARDIZATION OF OPERATING PROCEDURES

## **Subcommittee No. 4 Members**

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## **SYNOPSIS**

**Training, Standard Operating Procedures, Rules, and Regulations would improve and become conceptually sound and operationally effective for all agencies that participate in the regional police agency. Having one accredited agency would ensure that all people that live, work, or visit Somerset County would be treated uniformly, fairly, and with the dignity and respect that they have come to expect from the Police. By voluntarily meeting CALEA standards, the Somerset County Regional Police Department will show that it is willing to be held to a higher level of professionalism, building trust between the Department and the citizens it serves.**

I. Background

- A. The subcommittee has the responsibility to develop the concept of standard policies for a regional policing model in Somerset County. This concept also allows police departments to join the regional department at any time.
- B. The policy and procedures' manual is the foundation for all of the department's operations. When properly developed and implemented, a policy-procedure manual provides staff with the information to act decisively, consistently, and legally. It also promotes confidence and professional conduct among staff.
- C. The standards will ensure the level of response given typically in smaller communities, often more responsive than departments in larger communities, due to knowledge of the community and partnerships within the community, are not lost in the larger countywide model.
- D. This report will explore the general rules for the following:
  - 1. developing policy;
  - 2. forming a policy committee;
  - 3. providing sources of information;
  - 4. organizing the manual;
  - 5. writing the policy;
  - 6. implementing a new policy; and
  - 7. compliance inspections.
- E. The committee used information from the International Association of Chiefs of Police "IACP," the New Jersey State Association of Chiefs of Police "NJSACOP," the New Jersey State Sheriff's Association, and the Commission on Accreditation for Law Enforcement Agencies "CALEA". We agree with the philosophy of "not reinventing the wheel" i.e. we should use policies that are in place, well written, and proven valid. The policies will need modifications to be tailored to meet the requirements of the new agency.

## II. Development

- A. The report is in outline form to allow for easy reference to a specific area.
- B. The committee agreed that the new police agency Standard Operating Procedures “SOP” must meet the standards set forth by CALEA. While CALEA provides guidelines for 115 areas of operation, the regional police department would actually require between 400-500 Standard Operating Procedures. CALEA only ensures compliance in the most critical areas and leaves the routine tasks at the discretion of the police agency.
- C. The Committee recommends one standardized set of rules and regulations manual for all personnel with each precinct having an addendum for the specific operational tasks unique to that facility.
- D. The Somerset County Police Academy shall provide all the necessary training which should be completed at the Academy. The committee also recommends the Accreditation of the Police Academy.

## III. Definitions

At present organizations call their policy and procedures manual different names, i.e. policy and procedures, operations manual, standard operating procedures. Regardless of name, the document provides staff with the guidance necessary to perform departmental operations. Before outlining the process for developing an operations manual, it is necessary to provide a baseline of terminology. During the development of the manual several terms will be necessary for uniformity. It is therefore necessary to distinguish between each.

- A. **Standard:** Guidelines or performance requirements that establish benchmarks for agencies to use in developing the organizational structure and measuring its service delivery system.
- B. **Policy:** A course or line of action adopted and pursued by an agency that provides guidance on the department’s philosophy on identified issues.
- C. **Procedure:** A detailed description of how to accomplish a policy. It describes the steps for implementation, the frequency of the task, and the persons responsible for completing the tasks.

- D. **General Orders:** Written directives related to policy, procedures, rules, and regulations involving more than one organizational unit. General orders typically have a broad statement of policy as well as having the procedures for implementing the policy.
- E. **Appropriate Authority:** A group of people selected from each participating municipality to govern the new regional police department.
- F. **Special Orders:** Directives regulating one segment of the department or a statement of policy and procedure regarding a specific circumstance or event that is temporary in nature.
- G. **Personnel Orders:** Announcements of changes in status of personnel such as transfers or promotions.
- H. **Rules and Regulations:** Procedures that apply each time a situation occurs with specific guidelines for staff to follow. Rules and regulations usually specify the type of discipline to be used for failure to follow the guidelines.
- I. **Employee Handbook:** Manual provided by the appropriate authority that introduces employees to the organization, its benefits/compensation package, and an abbreviated listing of policies.
- J. **Standard Operating Procedures “SOP”:** a set of fixed instructions or steps for carrying out operations. The term usually refers to written directives on policy, e.g. General, Special, and Personnel Orders.

IV. Rules for Effective Manual Development and Implementation. When developing operational policy and procedures, several general principles should be standard:

- A. The operations manual should be comprehensive, providing staff with direction and guidance for all aspects of the agency’s operations;
- B. The manual should be clearly written and easy to use;

- C. The manual should be consistent with and mirror the organizational philosophy, legal requirements, and applicable standards;
- D. Staff should be involved in the development of the manual and kept informed of any changes;
- E. Staff should receive adequate training and should participate in open discussions about the policy and the reasons for its requirements;
- F. The operations manual should be a living document. Routine inspections and reviews should be done to ensure compliance by adding, deleting, or editing as required to keep the directives' manual current; and
- G. The manual should reflect and incorporate accepted State and National best practices, for example, model policies like those developed by CALEA, State Law Enforcement Associations, and other appropriate authorities.

V. Formation of the Policy Committee

- A. Developing a policy manual is a critical undertaking. One of the first tasks to complete is the selection of the Chief of Police. The selection of the proper person for this position is critical to the success of the development and implementation of the operations manual. This person will make the final approval on the development of the SOPS. The selection of this person should be at least one year prior to the starting date of the regional agency.
- B. A Deputy Chief of Police will be selected to oversee the initial setup of the manual, assist in scheduling training personnel and aid in the accreditation process. In most agencies, this appointment is not a full-time assignment. Instead, the person must complete these responsibilities in addition to his/her current duties. As the leader, the policy project coordinator must have the authority, knowledge, and motivation to make assignments, draft policies, coordinate meetings, and complete the accreditation process. In addition, the coordinator must have sufficient administrative or clerical support to expedite the development of the accreditation process. At the inception of the regional policing agency, this would be a full-time position. A logical choice would be to place a Deputy Chief in this position. This position would be eliminated through attrition as the policies and procedures become official and the agency is CALEA certified. It would then become part of the Administrative Captain's responsibilities.

- C. Notwithstanding the fact that the manual will most likely be assembled in its final form by a single person, it is important to include all affected parties in the process for the purpose of acceptance and professional responsibility.
  - 1. Involving staff in the developmental process provides a vehicle for employees' abilities and potentials to be challenged and recognized. We recommend that the Chief of Police post a memorandum or intra-office e-mail explaining the development/revision process of the operations manual. Supervisors should ask persons interested to assist with the effort. In addition to volunteers, the policy committee should involve employees who might be critical of the department's operations. Many times, these officers provide information to improve the departmental operations. Inclusion of those with vocal opposition provides an open avenue for discussion and promotes resolution. Alternatively, alienation of those critics of policy and procedures only undermines agency cohesion and morale. Finally, there may be a need to involve persons from other agencies, particularly those with special knowledge or expertise. We recommend that each department joining the regional department have one representative on the policy committee.
  
- D. The appropriate authority could hire a consulting firm to modify the provided policies. The committee felt it might be cost effective to hire an outside consulting firm to modify the policies and procedures as well as to assist in obtaining accreditation. The firm we contacted estimated it would take approximately one year to write/modify the policies and another 18-24 months to achieve accreditation. If we choose this method, a Chief of Police would still be needed to ensure that the policies are in line with his or her method of structuring and operating the department. However, the Deputy Chief's position would not be necessary one year in advance of the deployment of the new agency, thus saving that salary and justifying the estimated consultant's cost that could be in the range of one hundred thousand dollars.

## VI. Sources of Information

- A. When preparing to develop each area of the manual, a variety of sources will be reviewed to determine what information should be included in the policy. The local government's charter, or in this case the regional authority's charter, should be included to aid in outlines for the department's authority. Similarly, local, state, and federal laws and applicable court decisions prescribe standards of performance for departmental compliance. It is important that the regional authority be selected and in place from the inception.

B. Collective bargaining agreements, county government and court decrees often:

1. List requirements for the employment process;
2. Describe individual duties and responsibilities; and
3. Outline discipline and grievance procedures, compensation, and benefits programs.

Therefore, the new collective bargaining agreement must be in place from the beginning of the regional agency.

C. The Appropriate Authority's procedures are binding upon the department's operations in many areas, particularly employment procedures and compensation benefits as established for the regional department. The department's procedures cannot be in conflict with policies of the Appropriate Authority or we risk failure of the program. Intergovernmental agreements and contracts for services, such as detention of inmates or dispatch operations, may include requirements to be considered and included in the operational procedures. We recommend that the Appropriate Authority and its counsel be in place from the onset to review the new policies and to consolidate the ordinance and proper documentation for the new regional agency.

D. Standards such as the Standards for Law Enforcement Agencies (CALEA) or standards promulgated for state certification programs provide the benchmarks for professional conduct and are an excellent cornerstone for department operations. Since police operations are similar throughout Somerset County, policies from other departments are an excellent resource for expediting the development process. Existing departmental policies, procedures, and general orders within the county will provide ample direction for officers and, thus, should not be arbitrarily abandoned. With some modification to ensure consistency in structure within the new manual, these procedures can be easily included in the manual. In many cases, the informal manner in which the department is operating simply needs to be memorialized.

1. North Plainfield Police Department's General Orders and rules and regulations are attached as addendum A to this report as an example of the complexity and amount of material required to be included. This department was chosen because it has completed state accreditation. The policies of North Plainfield, Hillsborough, Bernards Township, and the sample policies provided by CALEA are on a cd labeled addendum C. They were provided in electronic format, which simplifies the editorial process. The tendency is for departments to copy manuals from other communities verbatim. This process is completely acceptable if the

manual represents the department's philosophy and procedures and is consistent with legal guidelines and has received subcommittee approval. However, oftentimes this may not be the case, and considerable editing could be required.

2. Model policies provide a basic document to use as a starting point in the development of a manual. There are a number of sources for model operating policies including the IACP National Law Enforcement Model Policy Center and the National Center for Rural Law Enforcement. In addition, some State Agencies and the New Jersey State Association of Chiefs of Police developed policies to assist agencies in certain areas. As a result of the diversity in the size of communities, state laws, and operational philosophies between agencies, it is difficult to develop a policy that is applicable in all departments. Consequently, model policies should be general guidelines and used in the development of the department's manual.

## VII. Organization of the Manual

- A. Before beginning to write the manual, several issues relating to formatting require discussion and decision regarding the scope, headers, pagination, key phrases, and index. Smaller agencies have a comprehensive manual that regulates the department's administration and operations. Larger agencies have found it necessary to have more than one manual for functional areas such as administration, patrol, investigations, and detention. The beginning of each new section of the manual should be divided with a tab that readily identifies the chapter's subject or number. Each policy must have a header that includes the Agency's Name, Chapter/Policy number, Title, Effective Date (originally implemented), Revised Date (Current Revision), Number of Pages in the section, and to whom the policy is distributed. Before the finalization of the policies, the format for the header must be designed and approved. Recognizing that manuals tend to be rather voluminous, it is necessary to develop a pagination system. This system should identify the exact policy and page. For example, 5-1.3 indicates the location is Chapter 5.1, page 3. There are several versions of this format, but the pagination must allow staff to easily identify and locate the policy and page number. To ensure consistency, identification and discussion of key phrases, such as detention facility vs. jail, investigator vs. detective, wording must be consistent throughout the entire manual. We recommend the purchase of computer software that will allow one to query the manual by phrase or by word search and to track the officer's acknowledgement, receipt, reading and understanding of the order. If any officers do not understand any part of the order, they must bring it to the attention of the immediate supervisor in writing at the time of his or her receipt of the order.

1. As the policy manual develops, broad topic areas must be identified. Reviewing model manuals or other departments' policies may provide insight into developing these categories and the specific policies to be included in each area. Each policy should be organized in the sequential order as they appear in the manual. The finalization of some policy issues may not be addressed and resolved in other policies. Therefore, it may be necessary for the coordinator to prioritize the order in which the policies must be composed. Finally, some departments found it useful to provide an index in the appendices of the manual to assist in readily locating relevant policies. The manual index cannot be completed until it becomes a final product.

#### VIII. Committee Review

After the topics in the manual are identified and finalized, the drafting of policies can begin. To ensure the proper development of the manual in a timely manner, a schedule should outline the tasks to be completed, time expected to complete the tasks, persons responsible, and deadlines for completing each task. This schedule helps the committee prioritize their work and focus their attention on the manual's development. Likewise, an agenda should be developed and distributed at every committee meeting to ensure a purposeful meeting and successful discussion of the issues.

#### IX. Policy Development Steps

There are a number of ways to compose an operations manual. The process of policy development typically includes the following steps:

- A. The policy committee meets and members reach a consensus regarding what should be included in each section. Any discussion points, questions, and concerns identified during meetings should be noted by the coordinator and provided at the next meeting.
- B. Using the information provided by the committee, the project coordinator (or the designated committee member) develops all draft policies (see "Steps for Developing an Operations Manual" below). The policy development committee should not write the manual.
- C. Copies of the draft policy should be sent to committee members for review and comment.
- D. Committee members may individually return draft copies with comments to the coordinator or meet as a group to discuss their concerns. As the manual development progresses, the committee members concerns should be with the validity of the policies. Any contradictions, gaps, or inconsistencies should be

identified and corrected. This review should ensure each policy is grammatically correct, correctly spelled, and easily understood.

- E. The coordinator or consultant reviews the comments by the committee and makes the necessary changes to the drafts.
- F. Copies of the second draft are sent to the committee members for review. In some cases, it may be necessary to repeat Steps D and E.
- G. The coordinator submits the final draft to the Appropriate Authority's legal counsel to ensure the proposed policy is in compliance with current local, state, and federal laws. There are differing opinions about the decision to have legal counsel review each policy or restricting the review to areas of high liability and where legal questions exist. This decision should be made by leaders of the Appropriate Authority.
- H. When the legal review is complete, any comments or changes may be sent to the committee for final review.
- I. Upon final review, the coordinator places the policy in final form and prepares it for distribution to department staff.

#### X. Procedure Development Steps

Before embarking upon the procedure development, the committee should take the time to identify and articulate the department's core values, mission and vision statements. The department's manual can be developed without these documents, but they can prove invaluable to developing the organization and its culture. Embedding the organizational values throughout the manual will encourage desired behaviors by officers and encourage a strong and consistent value system throughout the department. An excellent source for developing these documents in-house can be obtained from the IACP Services, Support and Technical Assistance for Smaller Agencies Project Staff at IACP. When writing the procedures, the use of scenarios can be helpful tools in the development process, clarifying each component of the procedure and the supporting agency values and mission.

#### XI. Steps for Writing Operating Procedures

- A. Start with the end in mind. Assuming an officer completes the scenario successfully, identify the desired outcome. **(Goal)**
- B. Review the literature/research material for issues in the policy being developed. Also, review the committee's notes of discussion points, questions, and concerns.

- C. Outline the actions/steps to achieve the goal or complete the function successfully. **(What)**
- D. Place the outline steps in sequential order. **(When)**
- E. Identify the person/positions to be involved in completing the tasks in Steps B and C. **(Who)**
- F. Be sure to identify and include any special equipment, supplies and material to be used with the procedure.
- G. Compose the draft directive and submit it to the policy committee for review. It should be noted that the tone of the language used in the manual subtly impacts the organizational culture. Unreasonable restrictions in operational policy have oftentimes been the source of dissension between line and supervisory staff. The purpose of the manual is to empower the staff. Therefore, it is important to recognize that every possible scenario cannot be identified and officers should be allowed the latitude they need for making decisions in unusual circumstances. The manual should emphasize the conduct expected of the officers, provide support to the officers and convey to them what conduct is to be prohibited.

## XII. Implementation and Confidentiality

- A. After the manual receives final approval and it is ready for implementation, each officer shall be given a copy. It will be in electronic format also. If an outside printer is used, organizational security may dictate a contract agreement with the printer to ensure that extra or disregarded copies are destroyed or returned to the department.
- B. The manual shall be available on the department's computer server to ensure accessibility and to allow easy search and reference at all times.
- C. Paper copies will be available in a three-ring binder at designated locations. This allows easy modification and addition to existing policy.
- D. As with most department equipment, officers shall be required to sign for the manual when it is issued to them. Many agencies inappropriately require officers to sign a form indicating they received, read, understood and agree to follow the requirements. Once the officers receive the manuals they should be given ample time to read it before the training program begins. Since most manuals are rather substantial, officers may require several weeks to thoroughly read and understand the material. This gives officers time to note legitimate questions regarding the policy requirements and expectations of their performance.

- E. After being provided sufficient opportunity to read the policy, officers should be trained on the manual and fully understand its requirements before it can be implemented. This training should cover administrative and operational topics, with particular emphasis placed on high liability issues. This process usually requires several sessions and may include both classroom as well as practical exercises. To ensure officers understand the policy and its expectations, some agencies test officers after the training.
- F. We recommend the training should be done by the Somerset County Police Academy. Dr. Richard Celeste estimated it would take 6 months for each officer to be properly trained. Scheduling the officers for training would be difficult without overtime. This is a one-time expense that would have to be paid by each agency that participates.
- G. An alternative to utilizing the Police Academy would be to hire an outside consulting firm. They could design online or computerized courses and tests to evaluate and reinforce learning. While online courses have some value, the committee felt live hands-on training with classroom testing is best. There would be savings in overtime but that would be offset by the cost of the consulting firm preparing lesson plans, tests and certifying the officers.
- H. In addition to introductory training, time should be designated during every in-service training class to review the department's operational procedures relating to the topic of instruction and the department's performance standards. When the training is complete, documentation should be maintained that officers have been issued their manuals, trained on the content and understand its requirements. This documentation may include a copy of the manual, lesson plan, sign-in attendance sheets, tests given to measure comprehension and officers' test scores.

### XIII. Inspection and Review

- A. Once the new manual has been implemented, only half of the work is completed. Department officials must ensure that the policies are being followed. If the work is not done in accordance with the policy, the manual is meaningless because the custom is the policy, e.g. if officers are continually performing tasks not in compliance with the policy then that custom becomes the unwritten policy and a liability for the department. This situation is more problematic than not having a policy. Informal customs attack the credibility of the department's operational procedures and administration. It also increases the department's exposure to potential liability.
- B. There are several ways to ensure compliance with the manual. One way is to form a check sheet that lists various inspections that are to be conducted by staff and the frequency of the inspections. It is a simple process of checking off when the inspection is complete. In some cases, policy may require

internal and external inspections. In the event officers are not in compliance with the departmental policy, a decision must be made as to the appropriate corrective action, ranging from remedial training to counseling, and ultimately to punishment. In some cases, a change in policy may be required. Another method is to purchase computer software to track the inspections. A third method is to have an officer pull random reports and perform unplanned inspections of all areas of the department to ensure compliance.

- C. Finally, a review of the manual should be done on an annual basis. This review helps ensure the manual complies with current management, operational, and legal standards. It is best to coordinate this review with key personnel over several weeks. As the review is conducted, listen to the staff who are closest to the service delivery. They know the problems and often have the best ideas for addressing them. If modifications are necessary, the same procedures outlined in this guide should be in effect for updating, distributing, and training staff of the changes.

#### XIV. Financial Considerations

The subcommittee has identified the following as specific financial considerations:

- A. First year's salary for the Chief of the Department and either a Deputy Chief or an outside consulting firm;
- B. Software to access the manuals/policies to include a testing module and audit trail;
- C. Estimated costs of facilitating the training;
- D. Accreditation fees to become accredited and yearly fees to maintain are based on size of the agency;
- E. Printing and copying the manuals; and
- F. Support personnel (clerical staff).

#### XV. Conclusion

Although developing, maintaining, and revising a police department's operations manual is a monumental undertaking, it is the collective opinion of the subcommittee that it certainly can be accomplished. If the task is completed properly, the community, its governing body, chief executive, and department's staff can be assured their operations comply with current standards. It will ensure that staff members act in a consistent, professional, and legal manner. It will also

ensure departmental staff members are prepared for unusual circumstances and the correct course of action is identified.

Addenda:

- A - CD containing North Plainfield, Hillsborough, Bernards Township, and CALEA model in editable formats.
- B - CALEA 112 standards.
- C - North Plainfield's Police General Orders
- D - North Plainfield's Rules, and Regulations