

# MISSOULA POLICE DEPARTMENT POLICY MANUAL



<i>Subject:</i> <b>POLICY MANUAL AND WRITTEN DIRECTIVES</b>		
<i>Effective Date:</i> <b>4/20/2014</b>	<i>Original Date:</i> <b>12/01/2007</b>	<i>Next Review:</i> <b>4/20/2017</b>
<i>Chapter</i> <b>1</b>	<i>Policy #</i> <b>1.10</b>	<i>Distribution:</i>
<i>References:</i> <i>Standard Operating Procedures, Operations Bulletins, <a href="http://www.ci.missoula.mt.us/police">www.ci.missoula.mt.us/police</a></i>		

## I. Purpose

It is the desire of the Missoula Police Department to provide a framework of written policies and rules to guide the actions of its members. The Department does so to promote professionalism in law enforcement, to protect the members and the Department from allegations of wrongdoing and to build trust in law enforcement within the community.

## II. Policy

These policies of the Missoula City Police Department have been approved through the Chief of Police. These policies may be amended, deleted or changed by the Chief of Police as needed and those changes will then be provided to department personnel.

It is the responsibility of all personnel of this department to review, remain aware of and adhere to all policies with limited exception. Failure to adhere to policies may result in disciplinary action against a member, up to and including termination.

Policies are color coded to reflect the importance of the policy (either severity or risk) and the relative decision making time a member will have when confronted with a situation.

## III. Definitions

**Policy** - a guide that outlines appropriate actions and/or behavior.

**Procedure** - specified guideline for actions and/or behavior outlining how a policy will be carried out.

**Rule** - statement that specifies what will or will not be done. Rules are firm principles leaving little or no discretion and cannot be violated.

**Order** - an instruction, either oral or written, issued by a superior officer or by a member holding a supervisory position within the department.

**Policy Color Coding:**

<b>Policy covers an area of high severity or legal risk, with little decision making time and limited frequency.</b>	<b>Policy covers an area of high severity or legal risk, but with more decision making time or higher frequency.</b>
<b>Policy covers an area of moderate severity or legal risk, but limited frequency and/or decision making time.</b>	<b>Policy, while important, has lower legal risk or there is adequate time to consult policy for guidance before action.</b>

**Police Officer** - a duly appointed, sworn member of the police department.

**Rated Officer** - a police officer who holds the rank, either permanent, temporary or probationary, to include sergeant, lieutenant, captain, assistant chief and chief.

**Command Officer** - a police officer who holds the rank, either permanent, temporary or probationary, to include, lieutenant, captain, assistant chief and chief.

**Staff Officer** - a police officer who holds the rank, either permanent, temporary, or probationary, to include captain, assistant chief and chief.

**May** - means that an action or behavior is not mandatory, but implies the use of reasonable discretion.

**Shall** - means that an action or behavior is mandatory and the affirmative duty to comply.

The terms **they, he, him, his, and man are intended to be gender neutral.** This also applies to him/her, he/she, his/hers etc.

#### **IV. Procedures**

##### **A. Policy and other Written Directives**

- 1. Department Policies** - Policies consist of the rules, regulations and guidelines developed to assist in delivering professional police services to the community. Policies are established under direction of the Chief.
- 2. Standard Operating Procedures** – Each Operational Unit or Division is responsible for developing written procedures for specific routine tasks that assist members in fulfilling the duties under normal circumstances. S.O.P.'s are developed under the direction of Staff Officers.

3. Operations Bulletins – When temporary or timely, permanent changes to policies or procedures are needed to facilitate smooth operation, Operations Bulletins will be issued electronically, published on bulletin boards and read aloud in briefings. Oftentimes, they will later be integrated into new editions of policy or procedure manuals. Operations Bulletins are developed under the direction of Command Officers.
4. Incident Operational Plans – Planned operations including major events, prolonged incidents, warrant services and crackdowns or emphasis patrols should include development of a written Operations Plan and be approved through the chain of command. Operational plans should be distributed as part of pre-operational briefings.
5. Electronic Messaging – Use of email or MDC messaging is an alternate form of giving written instruction that can be preserved for posterity. Such means should not be considered confidential and may result in public access to sensitive information.

**B. Access, Use and Electronic Storage**

1. The most current edition of the Policy Manual will be accessible through the City’s Internet site, [www.ci.missoula.mt.us/police](http://www.ci.missoula.mt.us/police).
2. The manual is published as a fully searchable, read-only PDF file and requires Adobe Reader ® software to access. Members may use links on the table of contents to go directly to policies from that page.
3. It is also possible to search for individual words or combinations of words within the policy manual using the binocular icon on the Adobe® toolbar.
4. Members should not save/store copies of the PDF file on any department computer hard-drive, fileserver or city network to prevent possibility of outdated policies. Desktop icons directed to the network location of the current edition of the policy manual are acceptable on all department computers.

**C. Publishing and Distribution**

1. The policies of the department shall be updated at least one time annually. During each update, every policy will be examined according to the scheduled review dates of individual policies.
2. All members will receive notice by means of city email each time a policy is created or has been updated.
3. Changes to specific policies during annual publishing will be mentioned in the section “What’s New in this Edition...”
4. Members will also receive an electronic edition of the policy on CD-ROM during the annual update. Members of the Missoula

Police Department are prohibited from printing the policy document on City printers or resources without Staff approval.

5. Each Staff Officer shall additionally receive a printed copy of the policy manual and have it available for public viewing. Staff member will receive printed revisions and new policies when published.
6. The Field Training Sergeant will provide an electronic copy of the current policy manual to each new hire officer trainee during the department orientation period. If the new hire officer does not have the ability to use an electronic copy of the policy, a printed policy manual will be provided to the newly hired officer. The printed manual will be returned to and maintained by the FTO Sergeant after the trainee completes the FTO program.
7. Members of the public desiring CD-ROM or printed copies of past or present policies shall bear the cost of publishing. Full public access to current policies is available on the city website.

#### **D. Responsibilities**

1. All members, upon due notice, are responsible for being aware of and making themselves knowledgeable of the current policies of the department and other written directives within their operational units.
2. Publication of the policy manual is the responsibility of the Assistant Chief of Police. Only two official source files will exist in the public domain, one on the City website and the other on the server used for RMS.
3. Publication of any Standard Operating Procedures or Operations Bulletins are the responsibility of the Unit or Division Commander.
4. Previous editions of the policy manual and any written directives will be archived and maintained according the department's records retention schedule.

#### **V. CONFLICT OF LAWS**

The policies, rules and regulations promulgated herein shall be separate, distinct and severable. In the event that any individual policy, rule or regulation should conflict with State or Federal law, the Articles of Incorporation of the City of Missoula, City Ordinance, City Resolution or any collective bargaining agreement between the City of Missoula and it's Police Association, then the State law, Articles of Incorporation of the City of Missoula, City Ordinance, City Resolution or the collective bargaining agreement shall control and be applicable so far as is legally practical. If a conflict occurs, all separate, distinct and severable policies rules and regulations shall remain in full force and effect as written, and shall not be affected or invalidated by the existence of any such conflicts.