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19-179
08/30/19

Department General Order 3.01
“Written Communication System”
Update Packet #61


The purpose of this bulletin is to announce the REVISION of Department General Order 3.01, *Written Communication System*, adopted by the Police Commission on August 7, 2019.

Department General Order 3.01, *Written Communication System*, was updated to include the following key changes:

- Classification system to change from A, B and C to BULLETINS or NOTICES
- NOTICES will not expire
- BULLETINS shall expire (2) two years after their date of issuance or be incorporated into an existing or new General Order. They will not be renewed.
- DGO's will be audited every 5 years.

Members shall review DGO 3.01 and maintain a working knowledge of the policy.

Department General Order update packet #61 is attached to this bulletin along with the revised *General Order Change Request Form (SFPD 581)*. DGO 3.01 is available to members on the SFPD Network Intranet site and SFPD 581 is available in the SFPD Forms folder. Further training to supplement DGO 3.01 will be forthcoming.


WILLIAM SCOTT
Chief of Police

Per DB 19-156, both sworn and non-sworn members are required to electronically acknowledge receipt and review of this Department Bulletin in HRMS. Any questions or clarification regarding this policy should be made to sfpd.writtendirectives@sfgov.org who will provide additional guidance about the directive.

WRITTEN COMMUNICATION SYSTEM

This General Order describes the different types of written directives outlined below:

WRITTEN DIRECTIVE	DESCRIPTION
A. DEPARTMENT GENERAL ORDERS	<ul style="list-style-type: none"> • The Department’s most authoritative and permanent directives, established, revised, and adopted by the Police Commission after a public hearing for the overall administration and management of the Department and the general conduct of all members • Establishes policies for uniform enforcement of laws and outlines the procedures to be followed in the delivery of service to the community
B. DEPARTMENT MANUALS	<ul style="list-style-type: none"> • Contains internal policies, procedures and directives on a specific topic requiring approval of the Police Commission • Pertains only to the personnel assigned to the affected bureau, division or unit • Designed to provide a method of issuing permanent written orders and instructions and for implementing verbal instructions from supervisors
C. BUREAU ORDERS	<ul style="list-style-type: none"> • Directives that apply to specific operations within their bureaus issued by the Deputy Chief of the bureau affected
D. UNIT ORDER	<ul style="list-style-type: none"> • Directives that apply to specific unit operations issued by the Commanding Officer or Officer-in-Charge of the unit
E. DEPARTMENT BULLETINS	<ul style="list-style-type: none"> • Contain directives and legal updates and are issued Department wide
F. DEPARTMENT NOTICES	<ul style="list-style-type: none"> • May include information on procedural changes, training, special events, deployments, general information, and messages from the Chief of Police

**3.01.01
 DEPARTMENT GENERAL ORDERS**

General Orders remain in effect until amended, superseded or rescinded by the Police Commission. The Police Commission shall determine which General Order(s) will be required to undergo a public and/or stakeholder input process, and will outline the nature and scope of this process.

General Orders are initiated by the Police Commission or the Police Department.

A. POLICE COMMISSION INITIATED

Police Commission initiated General Orders, pursuant to San Francisco City Charter Section 4.109, may be adopted after a public hearing. Prior to adoption, the following will be provided with an opportunity to review the proposed General Order and may provide comment to the Police Commission:

- 1) Chief of Police or designee
- 2) Assistant Chiefs and Deputy Chiefs
- 3) Police Department Directors and Deputy Directors
- 4) The Commanding Officer of any unit directly affected by the proposal
- 5) Department's legal staff and/or City Attorney
- 6) Department of Police Accountability
- 7) Any member of the Department
- 8) Members of the public and/or stakeholders

B. DEPARTMENT INITIATED

Department-initiated General Orders require review from the Chief of Police, each Assistant Chief and Deputy Chief and, as needed, department legal staff and/or the City Attorney prior to submission to the Police Commission for adoption.

C. INDEXING

General Orders are indexed by general subject category and numbered sequentially, e.g., 3.01. Each subsection of a General Order shall follow this numbering system. e.g., 3.01.01, 3.01.02, etc.

D. INITIATION OF A NEW GENERAL ORDER

The Written Directives Unit shall manage the initiation and concurrence process of new General Orders. A new General Order may be initiated under the following circumstances:

- 1) When the subject of a Department Bulletin creates the need for a new General Order.
- 2) When required based on changes in training, law, community expectation or law enforcement best practices.
- 3) When a member requests a new General Order and submits the recommendation on a memorandum to their Commanding Officer.
- 4) At the direction of the Police Commission.
- 5) At the direction of the Police Commission, based on a recommendation(s) of the Department of Police Accountability.
- 6) At the direction of the Chief of Police.

E. AMENDING A CURRENT GENERAL ORDER

The Written Directives Unit shall manage the preparation and amendment of current General Orders. Current General Orders may be amended under the following circumstances:

- 1) When incorporating the subject of a Department Bulletin into the relevant General Order as outlined in 3.01.06 (D).
- 2) Consistent with the review schedule (listed below) to ensure compliance with current laws, community expectations and law enforcement industry best practices.
- 3) When a member recognizes a directive requires amending based on changes in training, law, community expectation or law enforcement best practices. The member may request amendment of the General Order by submitting a memorandum to their Commanding Officer.
- 4) At the direction of the Police Commission.
- 5) At the direction of the Police Commission, based on a recommendation(s) of the Department of Police Accountability.
- 6) At the direction of the Chief of Police.

F. GENERAL ORDER DEVELOPMENT PROCESS

When a General Order requires initiation or amendment, the Written Directives Unit shall notify the Deputy Chief or Director of the bureau, division or unit most affected by the directive. The Deputy Chief or Director shall assign a member to review and amend the General Order. The assigned member shall, as appropriate:

- 1) Coordinate and provide the Written Directives Unit with the status update on proposed modifications to the General Order within 60 days of assignment and every 60 days thereafter until the review process is completed.
- 2) Solicit review by Commanding Officers, who shall seek input from their respective members, in units most affected by the proposed policy.
- 3) Integrate any relevant Bulletins into the General Order, if applicable.
- 4) Review stakeholder(s) recommendation(s) (e.g., Community, Police Commission, Firearm Discharge Review Board, Risk Management Office, City Attorney, Department of Police Accountability) on training, law, community expectation or law enforcement best practices.
- 5) Meet with a representative of the Department of Police Accountability to exchange views on the proposed order and attempt to resolve any differences, as outlined in Police Commission Resolution 27-06.
- 6) Submit the proposed General Order to the Written Directives Unit.

Upon receiving the proposed General Order revision, the Written Directives Unit shall submit the amended order through the concurrence process as outlined in 3.01.10.

G. GENERAL ORDER REVIEW

The Written Directives Unit shall be responsible for the ongoing review of all General Orders and maintain a General Order review matrix which may be updated or amended based on litigation, legislation or contemporary issues. The Written Directives Unit will provide an updated General Order review matrix to the President of the Police Commission, or designee, for approval as needed, but no less than once a year. A General Order assigned for review/amendment shall be submitted to the Police Commission for adoption no later than five years from the date listed on the General Order and every five years thereafter.

No proposed directive outlined in this order shall conflict with established approved policy unless the proposed directive is superseding or amending a directive and has been subjected to the approval process outlined in this General Order.

3.01.02

DEPARTMENT MANUALS

Manuals are publications containing policies, procedures and directives on a specific topic requiring approval of the Police Commission.

A. CONCURRENCE

The Written Directives Unit shall manage the concurrence process for Department Manuals, which shall be reviewed and approved by the Assistant Chief and the Deputy Chief of the bureau or unit affected.

B. RESPONSIBILITIES

The Written Directives Unit shall be responsible for publishing Manuals on the Intranet. The Deputy Chief of each bureau shall ensure members of his/her bureau comply with the directives contained in Manuals related to their bureau.

Manuals shall be subject to a mandatory (5) five year review from the date of issuance. The Written Directives Unit will manage a review matrix of all Manuals, assigning Manual reviews to the Deputy Chief of the appropriate bureau prior to the (5) five year review date.

3.01.03

DEPARTMENT OF POLICE ACCOUNTABILITY REVIEW

Upon approval by the Chief of Police, draft General Orders and Manuals will be forwarded to the Department of Police Accountability (DPA) for review. Prior to adoption by the Police Commission, the Department of Police Accountability will have (30) thirty calendar days to review a proposed General Order or Manual and submit recommendations to the Department. The Department will review any Department of Police Accountability recommendation to determine if they should be incorporated into the General Order or Manual. If no recommendations are received within (30) thirty days, the draft General Order or Manual will be submitted to the Police Commission for adoption.

When necessary, a meeting between the Police Department and the Department of Police Accountability will be held to exchange views on the proposed order and attempt to resolve any differences, as outlined in Police Commission Resolution 27-06.

In the event of an impasse between the Department and the Department of Police Accountability, the draft General Order or Manual along with Department of Police Accountability recommendations, will be submitted to the Police Commission for resolution.

3.01.04

BUREAU ORDERS

Bureau Orders contain directives issued by the Deputy Chief of the bureau affected. Bureau Orders are directives that apply to specific operations within their bureaus.

A. CONCURRENCE

The Written Directives Unit shall manage the concurrence process for Bureau Orders, which shall be reviewed and approved by the Assistant Chief and the Deputy Chief of the bureau affected.

B. RESPONSIBILITIES

The Written Directives Unit shall be responsible for publishing Bureau Orders on the department Intranet. The Deputy Chief of each bureau shall ensure members of their bureau comply with the provisions of all Bureau Orders.

Bureau Orders shall be reviewed annually by Written Directives. The Written Directives Unit will manage a review matrix of all Bureau Orders, assigning Bureau Order reviews to the Deputy Chief of the bureau prior to the review date.

3.01.05
UNIT ORDERS

Unit Orders contain directives issued by the Commanding Officer or Officer-in-Charge of the unit. Unit Orders are directives that apply to specific unit operations.

A. CONCURRENCE

The Written Directives Unit shall manage the concurrence process for Unit Orders, which shall be reviewed and approved by the Assistant Chief and the Deputy Chief of the unit affected.

B. RESPONSIBILITIES

The Written Directives Unit shall be responsible for publishing Unit Orders on the department Intranet. The Commanding Officer or Officer-in-Charge of each unit shall ensure members within the unit comply with the provision of the Unit Orders.

Unit Orders shall be reviewed annually by Written Directives. The Written Directives Unit will manage a review matrix of all Unit Orders, assigning Unit Order reviews to the Commanding Officer or Officer-in-Charge of the unit prior to the review date.

3.01.06
DEPARTMENT BULLETINS & NOTICES

Bulletins and Notices are issued by the Chief of Police. Bulletins and Notices shall be consistent with General Orders.

A. DEPARTMENT BULLETINS

Bulletins contain directives and legal updates and are issued Department wide. Bulletins may be submitted through the concurrence process as outlined in 3.01.10. Additional review may include the City Attorney or other stakeholders, at the direction of the Chief of Police. Bulletins must be approved by the Chief of Police.

B. DEPARTMENT NOTICES

Notices may include information on procedural changes, training, special events, deployments, general information, and messages from the Chief of Police. Notices must be approved by the Chief of Police.

C. INITIATING A NEW BULLETIN OR NOTICE

Any member may request the initiation of a Bulletin or Notice by submitting a memorandum through the chain of command to the member's Assistant Chief. Upon approval, the Assistant Chief shall submit the notice to Written Directives Unit for concurrence.

D. BULLETINS THAT AMEND A GENERAL ORDER

When a Bulletin modifies a General Order, the Written Directives Unit will identify the specific section of the General Order that requires amendment. Within (15) fifteen calendar days, the Department will submit the amendment to the Police Commission through a General Order Change form (SFPD 581) for concurrence, as outlined in 3.01.10, and final adoption. The General Order Change form will identify the specific section of the General Order the proposed Department Bulletin will amend. Before the Department calendars the amendment with the Police Commission, the Written Directives Unit will notify and provide the General Order Change form to the Department of Police Accountability. Draft bulletin(s) developed pursuant to this section shall not be issued by the Department until adopted by the Police Commission.

E. REVIEW/EXPIRATION SCHEDULE

The Written Directives Unit shall be responsible for the ongoing review of all bulletins and notices. Bulletins shall either expire after (2) two years or be incorporated into an existing or new General Order as outlined in 3.01.06(D).

- 1) Bulletins shall expire (2) two years after their date of issuance and will not be renewed.
- 2) Notices will be updated as needed.

F. INDEXING

Bulletins and Notices are indexed by the year of issuance and are sequentially numbered, e.g., DB 17-101, DN 17-201.

3.01.07

PERSONNEL ORDERS

Personnel Orders are issued by the Chief of Police to announce personnel changes (e.g., transfers, assignments, separations) in the Department.

3.01.08

DEPARTMENT MEMORANDA

A. NATURE OF MEMORANDA AND DISCLOSURE

- 1) Memoranda are internal written communication used to inform, inquire or direct.
- 2) The Legal Division is the Department's custodian of records and agent for the disclosure of the documents pursuant to criminal or civil discovery law and for the disclosure of documents under the California Public Records Act (Cal. Govt. Code § 6254, et seq.) and/or the City's Sunshine Ordinance (San Francisco Administrative Code, Chapter 67, Section III). All requests for such documents shall be routed through the Legal Division.
- 3) Members shall not disclose Department Memoranda or notes, drafts or other source materials used to prepare Department Memoranda to members outside of their chain of command or to any person or organization outside of the Department unless authorized to do so.
- 4) Unauthorized disclosure of official Department information or information purported to be official Department information will subject any member involved in the disclosure to disciplinary action under this order and Department General Order 2.01.

B. MEMORANDUM ORDERS

Memoranda to subordinates written in directive terms have the effect of an order and shall be complied with as such.

C. FORMAT, APPROVAL AND ROUTING

Memoranda shall be submitted on form SFPD 68 and routed through the chain of command. Memoranda, except memorandum orders, shall be routed upward through the author's chain of command and shall be addressed to the Commanding Officer or Officer-in-Charge of the unit. Copies of Memoranda shall not be sent directly to members outside of the author's chain of command. The routing and forwarding of Memoranda is a matter of command discretion. This section does not apply to Memoranda described in General Order 11.07.

3.01.09

DEPARTMENT LETTERHEAD STATIONARY

Department letterhead stationery is used for external communication. Only members authorized by the Chief of Police or their Assistant Chief shall correspond on Department letterhead stationery.

3.01.10 CONCURRENCE OF GENERAL ORDERS AND BULLETINS

The Written Directives Unit, upon receipt of a proposed General Order or Bulletin, shall process the draft and submit these for concurrence to the following:

- 1) Chief of Police
- 2) Assistant Chiefs and Deputy Chiefs
- 3) Affected Director(s)/Deputy Director(s)

The concurrence process is managed by the Written Directives Unit, using an electronic system that accounts for all edits and recommended changes. Members involved in the concurrence process shall utilize the designated electronic system for tracking and auditing purposes thereby maintaining accountability and integrity of the concurrence process.

Any proposed edits or recommended changes will be subject to final approval by the Chief of Police or by the Chief of Police designee.

Members in the concurrence process have (30) thirty calendar days to review a proposed General Order. After (30) thirty calendar days, the draft will advance in the concurrence process.

Bulletins will advance in the concurrence process after (5) five calendar days.

During the concurrence process, if a substantive addition or amendment to the draft directive is recommended, the Commanding Officer of the Strategic Management Bureau shall be notified. The Commanding Officer of the Strategic Management Bureau, shall review the proposed amendment, reconcile any changes with the initiating member and inform the Department of Police Accountability of any substantive addition or amendment. The Commanding Officer shall meet with the Department of Police Accountability to exchange views, as outlined in the Police Commission Resolution 27-06. Once discussions have occurred, the Commanding Officer shall advance the draft directive accordingly.

If consensus is not obtained, parties shall have an opportunity to discuss their recommendations with the Chief of Police and/or designee. Final approval for any changes shall be determined by the Chief of Police and/or designee.

3.01.11 PUBLISHING DIRECTIVES

The Written Directives Unit is responsible for electronically publishing and distributing directives on the Department network. The Department will provide members with electronic access to directives in a searchable database.

With exception of Law Enforcement sensitive materials, General Orders and Bulletins shall also be posted on the Department's website for public view upon adoption.

The Written Directives Unit will also notify the Department of Police Accountability of all published directives.

3.01.12

ACCOUNTABILITY

Members are expected to have a working knowledge of all directives as applicable through their respective assignment and comply with their provisions. Retention of paper copies of General Orders or any other directives (Manuals, Bureau Orders, Unit Orders, Bulletins, Notices) are no longer mandated.

- 1) Members shall utilize the Department's electronic system to acknowledge receipt and review of and electronically sign-off all directives within (30) thirty days of issuance.
- 2) The Commanding Officer or Officer-in-Charge (OIC) or designee of each unit shall conduct periodic audits to confirm that members of their unit reviews and acknowledges all directives by electronically signing for all directives within 30 days of the date of the directive.
- 3) No proposed policy (such as General Order, Bulletin, Unit Order, Bureau Order, Manual) or other directive outlined in this order shall conflict with approved established policy unless the proposed directive is superseding or amending an existing directive and the proposed policy will be subject to the approval process outlined in this General Order.
- 4) Commanding Officers of each unit shall ensure that new and amended General Orders and Bulletins that substantively amend a General Order are supplemented with appropriate training and supervision to ensure compliance with the new directive.

3.01.13

MEMORANDA OF UNDERSTANDING (MOU) AND OTHER AGENCY AGREEMENTS

Memoranda of Understanding are formal operational agreements between two or more parties that outline purpose for the agreement as well as the terms, details, and responsibilities of each party.

A. REVIEW AND CONCURRENCE

Memoranda of Understanding (MOUs) that have been finalized for signature by the Chief of Police shall be routed to the affected unit's Assistant Chief through the chain of command for review and concurrence. Once approved by the Assistant Chief, the MOU shall be submitted to the City Attorney for review and approval. Any edits made by the City Attorney will be provided back to the Assistant Chief for review. Once concurrence has been reached, the MOU shall be submitted to the Chief of Police for final approval and signature.

An MOU which impacts a General Order or is governed by a statute outlined in the City Charter shall be submitted to the Police Commission for approval. After review by the Chief of Police and at the request of a member of the Police Commission, an MOU not covered by a General Order or City Charter shall be submitted to the Commission President to be placed on the agenda pursuant to Commission policy.

At no time will the Department enter into an MOU or agreement that dedicates personnel or uses City funds or resources for immigration purposes in conflict with the California Values Act (Government Code secs. 7284.2 and 7284.6) and/or San Francisco Administrative Code Chapters 12H and 12I.

B. DISCLOSURE

The executed MOUs and agreements shall be forwarded to the Legal Division for filing as the official custodian of records and agent for the disclosure of documents pursuant to criminal or civil discovery law, the California Public Records Act (Cal. Government Code § 6254, et seq.) and/or the City's Sunshine Ordinance (San Francisco Administrative Code, Chapter 67, Section III).

3.01.14
ELECTRONIC COMMUNICATIONS

Members shall adhere to the guidelines set forth in General Order 10.08 regarding the use of email and other electronic communications.

References

SFPD Record Destruction Schedule
DGO 2.01, General Rules of Conduct California Government Code
DGO 10.08, Use of Computers and Peripheral Equipment
San Francisco Administrative Code



SAN FRANCISCO POLICE DEPARTMENT GENERAL ORDER CHANGE REQUEST

COMMISSION HEARING DATE:

AUGUST 7, 2019

POLICE COMMISSION ACTION ITEM:

General Order Number: 3.01

Type of Order: - Change

Proposed Effective Date of Order: Immediate

REMOVE FROM GENERAL ORDER

SECTION I. DEPARTMENT GENERAL ORDERS

No department initiated General Order shall be placed before the Police Commission for action:

- without having received written concurrence from the Chief of Police, each Assistant Chief, each Deputy Chief and approval by Department legal staff; and
- without the Department and the Office of Citizen Complaints meeting, exchanging views and attempting to resolve any differences as required by Police Commission Resolution No. 27-06.

REPLACE GENERAL ORDER

Section 3.01.01 (B)

Department-initiated General Orders require review from the Chief of Police, each Assistant Chief and Deputy Chief and, as needed, department legal staff and/or the City Attorney prior to submission to the Police Commission for adoption.

RESCIND

SECTION E. EXPIRATION. Department Bulletins and their provisions shall expire two (2) years after their date of issuance.



DEPARTMENT BULLETINS:

Department Bulletin 19-179 will need to be issued to modify this change pending Commission Approval.

NOTES:

REVIEWED BY:

- Approved by SFPD Command Staff 12/18/17
- Reviewed by Department of Police Accountability 12/19/17

APPROVED BY:

DATE:

DATE:

William Scott, Chief of Police

Bob Hirsch, President Police Commission