1. PURPOSE

To provide coordination and oversight of requests for legal and ethical opinions originating within Atlanta Police Department (APD).

2. POLICY

Unless otherwise authorized by the Chief of Police, all requests to the Law Department for legal opinions or any requests to the City’s Board of Ethics made on behalf of the Atlanta Police Department will be in writing, approved by the Chief of Police, and coordinated through the office of the Chief.

3. RESPONSIBILITIES

3.1 The Chief of Staff is the designated liaison with the Law Department and the City’s Board of Ethics for all legal and ethical opinions as described in Section 2.

3.2 Unit Commanders and supervisors shall ensure the implementation of this directive in their respective commands. This shall include ensuring that all legal and ethical opinions sent through the chain of command are ONLY on behalf of the Atlanta Police Department as described in section 2; and that unless otherwise authorized by the Chief of Police, no employee requests an opinion from the Law Department without following the procedures set forth in section 2.

3.3 The Planning and Research/Accreditation Unit will maintain copies of all legal and ethical opinions affecting the Department.

4. ACTION

4.1 The original of all requests to the Law Department or to the City’s Board of Ethics as described in Section 2 will be forwarded, through the chain of command to the Chief of Police for approval.

4.2 Each commander will notify the Chief of Police of subsequent developments relative to any request submitted.

4.3 If there is a need for an immediate response to the request for a legal or ethical opinion requested on behalf of the Atlanta Police Department, notify the Chief of Staff who coordinates with the Law Department or Board of Ethics.

4.4 After a legal or ethical opinion is received from the Law Department or the Board of Ethics, the Chief of Staff will be responsible for its distribution. The original copy of the opinion will be filed...
in the Chief's office and copies will be forwarded to the requesting command and the Planning and Research/Accreditation Unit.

4.5 The requesting commander will promptly advise the Chief of Police, the Chief of Staff and the Planning and Research/Accreditation Unit of the need for changes to existing rules, policies, procedures or training resulting from a legal or ethical opinion.

5. DEFINITIONS

5.1 Legal Opinion: A written opinion issued by the City Attorney or the City Attorney's designee expressing the position of the Law Department on a matter of law.

5.2 Ethical Opinion: A written advisory opinion issued by the City's Board of Ethics expressing the position of the Board.

6. CANCELLATIONS

APD.SOP.1100 “Requests for Legal Opinions”, September 15, 2012

7. REFERENCES

Atlanta Code of Ordinance, Section 2-399 "Powers and duties of the City Attorney."
Atlanta Code of Ordinance, Section 2-804 “Board of ethics.”