



SOPs and MOUs

By Sid Heal

Arguably, the most tedious aspect of preparing for any incident requiring a tactical response is the crafting and authoring of the plan. What is not in dispute is that plans are also the most indispensable part of any successful tactical operation. In the simplest terms, plans are intended to focus and coordinate the efforts of every individual toward a common objective and ensure that each decision and action is supportive of the next. In fact, it is hard to imagine any significant human undertaking that does not involve some sort of plan. The business community describes them as “blueprints for success,” and in law enforcement, plans are “discoverable,” meaning that they can be subpoenaed in court. When things go awry they will be examined in excruciating detail because they measure the forethought, preparation and thoroughness in crafting a response to avoid adverse outcomes.

While not all tactical responses require a written plan,¹ it is tough to justify ignoring the value of a written plan for a forthcoming event. From parades and sporting events to demonstrations and protests, any activity important enough to require extraordinary protection must expect some type of organized response. Fortunately, there are more aids to assist in planning than in any other facet of a tactical operation. Every library and bookstore is replete with hundreds of books describing planning tools. This is because so many have been developed for business and industry, but they are also useful for planning tactical operations. While it would be impossible to describe all of these aids, two are so valuable to tactical situations that they merit mention here.

The first is a *standard operating procedure* (SOP). An SOP may be defined as a set of routine procedures that prescribe an accepted practice for completing some activity or function. They most often develop when a procedure is repeated so often that a

SOP: *standard operating procedure*

- ▶ an agreement of how to do something
- ▶ a set of routine procedures that prescribe an accepted practice for completing some activity or function.
- ▶ SOPs are not always written as long as they are established in the institutional memory as a protocol.

MOU: *memorandum of understanding*

- ▶ an agreement of how to work together
- ▶ sets forth the major points of a discussion or agreement between two or more units within an agency (like SWAT and a bomb disposal team), or between two or more agencies.
- ▶ MOUs are always written and serve as formal records of agreement defining such things as authority, responsibility or allocations and control of resources.

routine develops (or needs to). Examples of SOPs include following a standard format for a briefing, the common order of team members through a door, or the customary procedures for inserting chemical agents into a structure. SOPs do not always need to be written as long as they are established in the institutional memory² as a protocol. Most military organizations, however, require written SOPs. When an SOP is written, it carries the same force as any directive and violation without good cause can be considered as insubordination.

There is a common misperception that SOPs are standardized; that is, requiring conformance at all times and under all circumstances. The original, and more accurate, term “Standing Operating Procedures” is used to identify their changing nature and that they are in effect until further

notice, at which time they may be amended or discontinued entirely. Nowadays the terms are often used interchangeably and for nearly all situations, can be considered the same. What is important, however, is to understand that the nature of an SOP is to reduce friction by ensuring that techniques and procedures requiring the efforts of more than one individual are done in a manner that contributes to a smooth and coordinated effort.

The other aid is a *memorandum of understanding*³ (MOU). MOUs set forth the major points of a discussion or agreement between two or more units within an agency (like SWAT and a bomb disposal team), or between two or more agencies. The advantages of any organization can be distilled to three irreducible functions. These are to distribute power, affix responsibility and allocate resources. Most commonly, MOUs are agreements for how to share power⁴ or allocate resources.

Unlike an SOP, MOUs are always written. They serve as a formal record of an agreement defining such things as authority, responsibility or allocation and control of resources. They precisely prescribe things such as who is going to be in charge and under what circumstances or who is responsible for providing equipment or fuel. Besides the requirement for MOUs to be written, they differ from SOPs in another manner; for while SOPs are developed and promulgated by individual teams and units, they are not needed or mandated by the entire agency. If that were the case, they should be codified into policy. MOUs, on the other hand, are always developed and agreed to by the highest levels of the organization. This is necessary because sharing power or giving up equipment requires the consent of the senior administrators.

In essence, both SOPs and MOUs are agreements. An SOP is an agreement on how to do something, while an MOU is an agreement on how to work together. They

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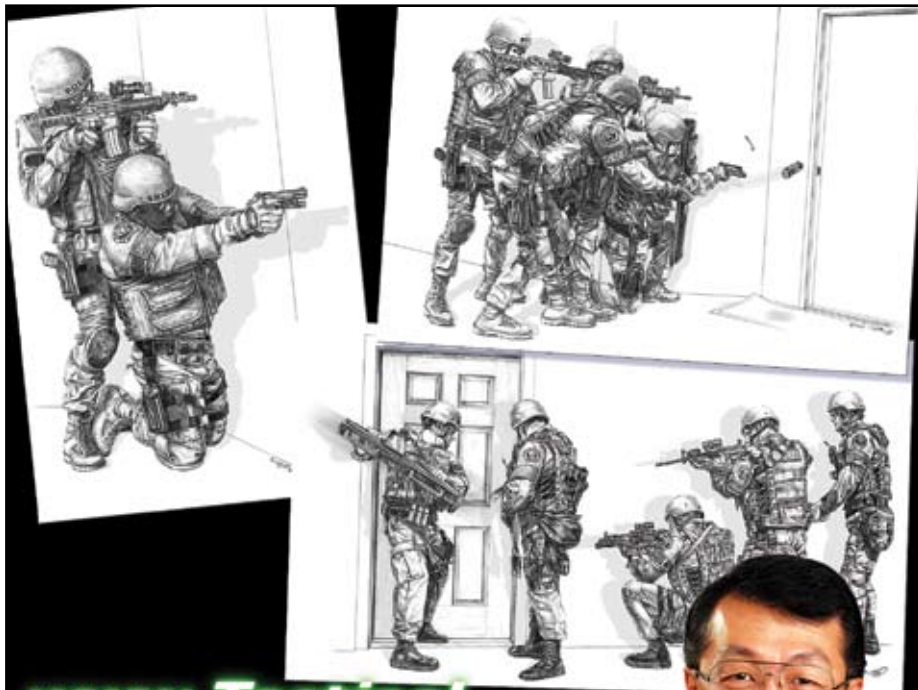


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allow plans to be comprehensive without requiring detailed instructions and therein lays their value for planning tactical operations. When crafting a tactical plan, the author need not prescribe every coordinating measure or assignment when they already exist as part of an SOP or MOU. By simply referencing the appropriate document, the requirement to adhere to them carries the same weight as if they had been individually written into the plan. This not only greatly simplifies the length and detail of the written plan but makes it more understandable.

Endnotes

1. Generally, a written plan should be considered essential whenever resources from more than one agency are used, or when the incident is prolonged and requires changes in shifts of personnel or equipment.
2. The "institutional memory" (sometimes called "corporate memory") refers to the collective recall of the members. Because it is a shared experience, it is considered an institutional asset, belonging to the group rather than any single member.
3. Sometimes called an "MOA" or Memorandum of Agreement. While there may be subtle differences between MOUs and MOAs from a legal standpoint, for all other intents and purposes, they serve the same purpose.
4. Similar to an MOU is a document called a Joint Powers Agreement or "JPA." While MOUs are far more versatile and are used for all types of agreements, JPAs are limited to issues specifically related to distributing power. While MOUs, SOPs and JPAs are all agreements, sometimes drafted by lawyers and signed by senior administrators, they generally lack the power of law. They are more formal than a handshake but less binding than a contract.



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