

- i. The Medical Unit is responsible for the effective and efficient provision of medical services to incident personnel. The Medical Unit Leader will develop a medical plan, which will, in turn, form part of the IAP. The medical plan should provide specific information on medical assistance capabilities at incident locations, potential hazardous areas or conditions, and off-incident medical assistance facilities and procedures for handling complex medical emergencies.
- j. The Medical Unit will also assist the Finance/Administration Section with the administrative requirements related to injury compensation, including obtaining written authorizations, billing forms, witness statements, administrative medical documents, and reimbursement as required. The Medical Unit will ensure patient privacy to the fullest extent possible.
- k. Activate the Monmouth county and NJ EMS Task Force if needed. This can be done through Monmouth county OEM

D. Supplies.

- 1. The Supply Unit orders, receives, stores, and processes all incident-related resources, personnel, and supplies. Once established, the Supply Unit also has the basic responsibility for all off-incident ordering, including
 - a. All tactical and support resources (including personnel).
 - b. All expendable and nonexpendable supplies required for incident support.
- 2. Supply Unit provides the support required to receive, process, store, and distribute all supply orders. The unit also handles tool operations, which include storing, disbursing, and servicing of all tools and portable, nonexpendable equipment.

E. Specialized Team and Equipment Needs.

- 1. The logistic section shall be responsible for acquiring any specialized team and/or equipment necessary to achieve incident objectives such as (but not limited to):
 - a. Hazardous Material Team.
 - b. Bomb Squad.
 - c. Search Dog.
 - d. Search Team.
 - e. Vehicles.

VI. Responding to Critical Incidents – Finance and Administration Function.

A. Recording personnel time.

- 1. The Time Unit is primarily responsible for ensuring proper daily recording of personnel time, in accordance with the policies of the relevant agencies. The Time

Unit also ensures that the Logistics Section records or captures equipment usage time, through the Transportation Unit.

- a. If applicable (depending on the agencies involved), personnel time records will be collected and processed for each operational period.
- b. The unit leader may require the assistance of personnel familiar with the relevant policies of any affected agencies.
- c. These records must be verified, checked for accuracy, and posted according to existing policies.
- d. Excess hours worked must also be determined, for which separate logs must be maintained.

B. Procuring additional resources.

1. The Procurement Unit administers all financial matters pertaining to vendor contracts. This unit coordinates with local jurisdictions to identify sources for equipment, prepares and signs equipment rental agreements, and processes all administrative requirements associated with equipment rental and supply contracts.
 - a. Personnel working in this area will coordinate with the township Finance Director.

C. Recording expenses.

1. The Cost Unit provides cost analysis data for the incident. This unit must ensure that equipment and personnel for which payment is required are properly identified, obtain and record all cost data, and analyze and prepare estimates of incident costs. The Cost Unit also provides input on cost estimates for resource use to the Planning Section. The Cost Unit must maintain accurate information on the actual costs of all assigned resources.

D. Documenting injuries and liability issues will be completed by the township Personnel Director.

1. Under ICS, a single unit handles injury compensation and claims. The specific activities are, of course, varied and may not always be accomplished by the same person.
 - a. The individual handling injury compensation ensures that all forms required by workers' compensation programs and local agencies are completed.
 - b. This individual also maintains files on injuries and illnesses associated with the incident and ensure that all witness statements are obtained in writing.
 - c. Since the Medical Unit may also perform certain of these tasks, close coordination between the Medical and Compensation and Claims Units is essential.
 - d. The claims function handles investigations of all civil tort claims involving property associated with or involved in the incident. The Compensation and

Claims Unit maintains logs on the claims, obtains witness statements, and documents investigations and agency follow-up requirements.

VII. Hazardous Materials Training.

- A. Personnel who may come into contact with hazardous materials will be provided with awareness level training for events involving hazardous materials as follows.
 - 1. New personnel will receive the instruction during their initial employment training.
 - 2. Veteran personnel will receive the instruction annually during in-service training.
- B. The purpose of this training is to provide responding law enforcement personnel with the basic knowledge to recognize a hazardous situation and immediately implement basic procedures to have authorities with the technical ability to assess the situation. Also, responding law enforcement personnel need to understand basic self-protection measures for themselves and others, while being able to protect the incident scene and controlling the area to prevent unauthorized or unknowing persons from entering into a possible contamination zone.

WALL TOWNSHIP POLICE DEPARTMENT				
<i>Standard Operating Procedure</i>				
CHAPTER: 14	SECTION: 1	# OF PAGES: 5		
SUBJECT: RESPONSE GUIDELINES				
EFFECTIVE DATE: May 1, 2009		ACCREDITATION STANDARDS: 3.5.1	REVISION DATE	PAGE #
			04/01/14	4
BY THE ORDER OF: Police Chief Robert Brice				
SUPERSEDES ORDER #: GO 1994-43				

PURPOSE The purpose of this SOP is to present guidelines for the safe and expeditious response to requests for police assistance.

POLICY It is the policy of the Wall Township Police Department to evaluate the urgency requiring a response to any given situation and to respond accordingly in an effective, efficient, and expeditious manner. As a general rule, no matter how urgent the response, personnel are required to operate department vehicles in a safe and controlled manner at all times, while taking into consideration the characteristics of the roadway, weather conditions, and the potential actions of other citizens. The first priority of call response is to arrive safely at the scene with minimal disruption to the public.

These guidelines shall apply to all departmental vehicles, marked and unmarked and where the SOP applies the use of personal vehicles while in an off duty capacity.

PROCEDURES

I. General

- A. A safe and effective response requires an assessment of the call by public safety dispatchers and then providing dispatch instructions to officers who will respond to the call for assistance. Prior to the dispatch instruction, public safety dispatchers must evaluate every call for service by obtaining as much information as possible from a caller. Ultimately, the decision as to the priority of response will be made by a police officer.
- B. Response to calls for service should be based on the nature of the call for assistance and the totality of circumstances existing in each situation.
 - 1. Nature of the call describes the type of call that is received and its potential for immediate threat to life or property.
 - 2. Totality of circumstances are those factors surrounding the request, such as the distance to the scene of the incident, the volume of traffic, weather conditions, the presence at the scene of injuries or suspects, and officer experience with handling similar types of requests for assistance.
- C. The considerations enumerated below must be evaluated quickly but with a deliberate approach that provides for safety and caution. In every police response, officers shall make their safe arrival the initial objective in all efforts to respond to citizen calls.

II. Definitions

- A. **Emergency vehicle** is a police vehicle equipped with emergency lights and an audible sounding device.
- B. **Nature of call** is the type of call that is received and its potential for immediate threat to life or property that includes, but is not limited to:
 - 1. The type of offense or request;
 - 2. The presence and seriousness of injury;
 - 3. The threat of injury to life, safety, or property;
 - 4. The presence of suspect on the scene;
 - 5. The potential for a false report.
- C. **Police officer** is any person sworn to uphold the laws of the State of New Jersey, who is certified by the Police Training Commission, and who is currently employed by a public safety agency.
- D. **Police unit** is any police vehicle that responds to a request for police assistance.
- E. **Public safety dispatcher** includes civilian public safety telecommunicators and law enforcement officers assigned to or working in communications.

- F. **Supervisor** is any law enforcement officer who, by virtue of rank or assignment, is responsible for the direction or supervision of other police officers. Unless otherwise specified, it shall be the immediate supervisor of the officer who has been assigned to respond to a call for service. At those times when the officer's supervisor is not available, the supervising officer on duty shall assume command of the police response.
- G. **Totality of circumstances** includes factors surrounding the request including, but not limited to:
1. The distance to the scene of the incident;
 2. The volume of traffic;
 3. Road conditions (e.g., road construction areas, school and hospital zones);
 4. Time of day;
 5. Weather conditions; and
 6. Officer experience with handling similar types of requests for assistance

III. **Call Priority**

- A. All calls should be evaluated and assigned a priority according to the following criteria:
1. **Priority 1:** are emergency calls for assistance that include an immediate threat to life. Examples include, but are not limited to:
 - a. Robberies in progress;
 - b. Domestic violence incidents;
 - c. Other serious crimes where life is threatened;
 - d. Vehicle crashes or medical calls with indications of seriously injured or ill persons.
 2. **Priority 2:** are calls requiring a prompt response where no immediate threat to life exists. Examples include, but are not limited to:
 - a. Burglary, theft, and other crimes, domestic violence reports where there is no immediate threat to life;
 - b. Incidents in which the suspect has left the scene.
 3. **Priority 3:** are calls requiring police response where there is no immediate threat to life and the time of the response is not critical to the protection of the public or the apprehension of the suspect. Examples include, but are not limited to:
 - a. Criminal mischief;

- b. Fraud;
- c. Public service calls;
- d. Minor vehicle crashes where there are no injuries;
- e. All other calls for general police assistance.
- f. Alarms (unless reported crime in progress)
- g. First aid calls (unless serious injury/illness)

IV. Communications Procedures

- A. The public safety dispatcher shall obtain as much information as possible about the call for police assistance, focusing on those elements that will directly impact the priority of the response.
- B. The public safety dispatcher shall assign the call for assistance to the appropriate police unit or units.
- C. After receiving all available information from the public safety dispatcher, the assigned police officer shall assign a priority level to the call. This decision is subject to review and modification by a supervisor.
- D. In addition to routine call information, the public safety dispatcher shall transmit
 - 1. The nature of the call for assistance;
 - 2. Any and all available evidence to assist in assigning a priority level; and
 - 3. Any circumstances that the police unit should recognize regarding the call for assistance.
- E. If additional information is received that could affect the response level, the responding unit, and, if applicable, the supervisor, shall be notified immediately.

V. Police Response Procedures

- A. All police officers engaged in responding to calls for assistance shall respond based upon consideration of the nature of the call and totality of circumstances.
- B. Levels of response
 - 1. Priority 1: officers shall activate emergency overhead lights, headlights, and siren, and proceed as quickly (expeditiously) as possible but with all due caution and consideration for the public and him/herself. The officer should be cautious and approach each intersection with regard for all traffic control devices and proceed with due caution. Mirrors subsection VI (D) from pursuit SOP.
 - 2. Priority 2: officers should proceed promptly, but should not routinely use emergency overhead lights, headlights, or siren. The officer should observe all traffic control devices, and use emergency overhead lights and

siren as necessary to proceed through a traffic control device or other obstruction.

3. Priority 3: officers should respond at normal speeds without using any emergency overhead lights, headlights or siren. The officer shall comply with all traffic control devices.
 - a. Any officers responding to a call in a non-emergency vehicle, i.e. a vehicle, which is not equipped with emergency lights or siren, shall to limit their response to a Priority 3 level.
- C. In all cases, responding officers shall use all due caution for the safety and wellbeing of others.
- D. Only those unit(s) responding as primary or backup units to the call shall assume the priority of the call. Any other unit who responds to the call in question shall respond at the Priority 3 response level.
- E. In cases where the supervisor or a responding officer changes the priority response level, all responding units shall immediately adjust their response level accordingly. The public safety dispatcher has a continuing obligation to provide all new information as soon as possible.
- F. Supervisors shall monitor the assignment of calls for service to units under their supervision as well as the progress of responding units.
- G. Supervisors are authorized to assign a higher or lower level priority response level to the call for assistance. If the supervisor changes a priority response level, the supervisor shall ensure that all responding units and the public safety dispatcher are notified of the change.

VI. Training

- A. All affected department personnel will review this response SOP annually. These affected personnel include:
 1. All sworn personnel;
 2. All public safety telecommunicators

WAIVER OF LIABILITY AND CONFIDENTIALITY AGREEMENT FOR THE WALL TOWNSHIP POLICE DEPARTMENT'S RIDE-ALONG OR INTERSHIP PROGRAM

Definitions

For purposes of this document, the following terms are defined:

Civilian means any individual who is not a sworn member of the Wall Township Police Department and who is not in approved training to become a sworn member of the Wall Township Police Department.

Confidential Information and Communication means any information or communication disclosed to a participant in a Ride-Along Program, by the Wall Township Police Department of any other source during the preparation for or participation in a Ride-Along Program.

Internship is a system of on-the-job training for certain tasks, similar to an apprenticeship. Student internships provide opportunities for students to gain experience in their field, determine if they have an interest in a particular career, create a network of contacts, or gain school credit.

On-Duty Vehicle means any vehicle owned and/or operated by the Wall Township Police Department, which is used to patrol, respond to a call for service, or engage in any other activity in furtherance of the duties of the Wall Township Police Department.

Ride-Along Program includes any situation wherein a civilian is a passenger in an on-duty vehicle owned and operated by the Wall Township Police Department for the purpose of observing or interning for the employees, agents, and/or servants of the Wall Township Police Department.

Waiver and Agreement

I recognize that this waiver and agreement includes and incorporates the terms defined above. In consideration of the privilege being granted to me by the Chief of Police of the Wall Township Police Department as a participant in a Ride-Along Program, I willingly agree to the following terms and conditions:

I hereby assume all risk of personal injury or death and property damage or loss from any causes arising while I am being about, in, or on, approaching, entering, boarding, riding, disembarking from, or leaving, any vehicle or property of the Wall Township Police Department, while I am participating, intending to participate, or have participated in a Ride-Along Program.

I hereby release the Township of Wall Township, Chief of Police, the officers, employees, agents and servants from any liability therefore or for contribution as a joint tort-feasor therefore and will indemnify save harmless the Township of Wall Township, the Chief of Police, the officers, employees, agents and servants from any such liability or contribution to such liability, while participating in a Ride-Along Program.

I agree that all information and communication disclosed to me during my participation in a Ride-Along Program is confidential. I agree to keep all information and communication disclosed to me during my preparation for and participation in a Ride-Along Program confidential. I understand that it is improper and unlawful to share this confidential information and communication with anyone other than the members of the Wall Township Police Department and those authorized to have access to such information and communication.

**WAIVER OF LIABILITY AND CONFIDENTIALITY AGREEMENT FOR
THE WALL TOWNSHIP POLICE DEPARTMENT'S
RIDE-ALONG OR INTERSHIP PROGRAM**

I understand that if I disclose any confidential information and communication to any unauthorized person, I am subject to penalty of law, including but not limited to fines and imprisonment.

I further understand and agree that the privilege to participate in a Ride-Along Program may be revoked at any time by the Chief of Police of the Wall Township Police Department or their authorized representative.

I understand and agree to the terms and conditions of this waiver and agreement. I further agree to abide by the terms and conditions of this waiver and agreement at all times during my preparation for and participation in a Ride-Along Program with the Wall Township Police Department.

Dated this _____ day of _____ 20 _____.

Signature

Notary

Print Name

Address

Telephone Number

Social Security Number

WALL TOWNSHIP POLICE DEPARTMENT			
CHAPTER: 1	SECTION: 2	# OF PAGES: 36	
SUBJECT: RULES AND REGULATIONS			
EFFECTIVE DATE: May 1, 2009	ACCREDITATION STANDARDS: 1.1.1d, 1.4.1, 1.4.3, 1.5.2a	REVISION DATE October 5, 2011	PAGE # 19, 20, 24
BY THE ORDER OF: Police Chief Robert Brice		January 2014 July 23, 2014	All p. 21
Appropriate Authority: Jeff Bertrand, Twp. Administrator			
SUPERSEDES ORDER #: GO 2003-10, GO 2003-02, GO 1993-40			

*Please note that several individual policies have been drafted since the October 5, 2011 draft of the Rules and Regulations which resulted in the July 23, 2014 draft to be significantly less pages. The policies that were drafted to shorten the rules and regulations are as follows:

- Secondary Employment
- Organization and Administration
- Written Directive System

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CHAPTER 1

INTRODUCTION

1:1. ESTABLISHMENT OF THE WALL TOWNSHIP POLICE DEPARTMENT

1:1.1 Legal Authorization

The Police Department of the Township of Wall is established pursuant to N.J.S.A. 40A:14-118 and shall after this be called the "Wall Township Police Department."

1:1.2 Township Ordinance

The Police Department is established by authority of Wall Township Municipal Ordinance §36-1.

1:1.3 Rules and Regulations Established

The Township Administrator, as the appropriate authority of the Wall Township Police Department hereby adopts and promulgates the department's Rules and Regulations, known as the Wall Township Police Department Rules and Regulations and after this called the "rules."

1:1.4 Right to Amend or Revoke

In accordance with N.J.S.A. 40A:14-118, the right is reserved by the Township Administrator to amend or to revoke any of the rules contained herein.

1:1.5 Previous Rules, Policies and Procedures

All rules previously issued, and policies and procedures that are contrary to the rules contained herein, are hereby revoked to the extent of any inconsistency. All other policies and procedures shall remain in force.

1:1.6 Validity of Rules and Regulations

Should any provision contained herein be determined to be invalid by any competent authority, all remaining provisions shall remain in full force and effect.

1:2 THE NUMBERING SYSTEM

1:2.1 Chapter and Section Designation

Each chapter, section and subsection shall be designated by title and number. All numbering breakdowns shall be arranged according to a decimal sequence.

1:2.2 Chapter and Section Sequence

The number preceding the colon shall enumerate the chapter, while the number placed immediately to the right of the colon shall indicate the section.

1:2.3 Subsection Sequence

The number placed to the right of the decimal point shall designate the subsection.

1:2.4 Series Lettering

Letters listed in series under sections and subsections shall be enclosed within parentheses.

1:2.5 Flexibility of System

This system shall provide a simple and quick method of referral to material contained herein. This format has been designed to make specific reference to particular sections or subsections possible and to facilitate expansion and revision of the contents.

1:3 RULES AND REGULATIONS MANUAL

1:3.1 Application

These rules and regulations are applicable to all sworn employees and to all civilian employees of the department, where appropriate.

1:3.2 Distribution

One copy of these rules and regulations shall be electronically distributed to each employee of the department through the PowerDMS software and/or hard copy.

1:3.3 Responsibility for Maintenance

Employees shall be responsible for maintaining a current copy of the rules and regulations, including all additions, revisions, and amendments as issued.

1:3.4 Familiarization

Employees shall thoroughly familiarize themselves with the provisions of the rules. Ignorance of any provision of these rules will not be a defense to a charge of a violation of these rules. It is the continuing responsibility of each employee to seek clarification through the chain of command for any rule, which is not fully understood.

1:3.5 Severability

If for any reason any section of these Rules and Regulations shall be questioned in any court and shall be held unconstitutional or invalid, the same shall not be held to affect any other sections or provisions of this document.

1:4 DEFINITION OF TERMS

1:4.1 Administrative Leave

Paid leave from regular duty that is authorized by the Chief of Police.

1:4.2 Appropriate Authority

The Administrator of the Township of Wall as defined and designated by authority of Municipal Ordinance §36-6 of the Township of Wall pursuant to N.J.S.A. 40A:14-118.

1:4.3 Authority

Authority is the statutory or written directive vested right to give commands, enforce obedience, initiate action and make necessary decisions. Authority may be delegated by those so designated. Acts performed without proper authority or authorization shall be considered in violation of the rules and regulations, and those persons in violation shall be subject to disciplinary action.

1:4.4 Chain of Command

The unbroken line of authority extending from the Chief of Police through one or more subordinates at each level of command down to the level of execution and vice versa.

1:4.5 Chief of Police

The Chief of Police of the Wall Township Police Department and shall be the highest-ranking sworn officer of the department.

1:4.6 Days Off

Those days determined by the Chief of Police on which a given employee is excused from duty or is not required to report to duty.

1:4.7 Employee

All employees of the department, whether sworn regular officers, special law enforcement officers or civilian employees.

1:4.8 Gender

The use of the masculine gender in any written directive or rules and regulations includes the female gender, when applicable.

1:4.9 Incompetence

Incapable of satisfactory performance of police duties.

1:4.10 Insubordination

Failure or deliberate refusal of any employee to obey a lawful order given by a superior officer. Ridiculing a superior officer or his order, whether in or out of his presence, is also insubordination. Disrespectful, mutinous, insolent, or abusive language towards a superior officer is insubordination.

1:4.11 Lawful Order

Any written or verbal directive issued by a superior officer to any subordinate or group of subordinates in the course of police duty which is not in violation of any law, ordinance, or any department rule or regulation.

1:4.12 May/Should

As used herein, the words "may" and "should" mean that the action indicated is permitted.

1:4.13 Member

Any duly sworn police officer of the department.

1:4.14 Military Leave

The period of time during which an employee is excused from duty for service with the active or reserve armed forces of the United States or of the State of New Jersey, as provided by law, ordinance or collective negotiations agreement.

1:4.15 Neglect of Duty

Neglect of duty is the failure to give suitable attention to the performance of duty. Examples include, but are not limited to, failure to take appropriate action on the occasion of a crime, disorder, or other act or condition deserving police attention; absence without leave; failure to report for duty at the time and place designated; unnecessary absence from the zone/post during the tour of duty; failure to perform duties or comply with provisions prescribed in the rules and regulations and written directives, and failure to conform to the department operating procedures.

1:4.16 Off-Duty

The status of an employee during the period he is free from the performance of specified duties. Members are subject to recall at all times.

1:4.17 On-Duty

The status of an employee during the period of day when he is actively engaged in the performance of his duties.

1:4.18 Order

Any written or oral directive issued by a supervisor to any subordinate or group of subordinates in the course of police duty.

1:4.19 Plurality of Words

The singular includes the plural and the plural includes the singular.

1:4.20 Probationary Police Officer

Any member of the department serving probationary period prior to permanent appointment to police officer, as pursuant to N.J.S.A. 52:17B-66 et seq.

1:4.21 Probationary Period

The probationary period is one year from the date of completion of the police training course, or if already holding a valid New Jersey Police Training Commission Certification, one year from date of appointment, as pursuant to N.J.S.A. 52:17B-66 et seq.

1:4.22 Shall/Will

As used herein, the words "shall" and "will," mean the action required is mandatory.

1:4.23 Staff Supervision

Staff supervision is an advisory relationship, outside the regular hierarchy of command and responsibility in which a supervisor may review the work of another employee who is responsible to another superior officer.

1:4.24 Subordinate

A member lower in rank than his superior officer.

1:4.25 Superior Officer

A person holding a higher supervisory or command rank or position.

1:4.26 Supervisor

An employee, usually holding the appropriate rank, assigned to a position requiring the exercise of immediate supervision over the activities of other employees.

1:4.27 Tense of Words

The words used in the present tense include the future.

1:4.28 Unpaid Leave of Absence

The period of time during which an employee is excused from duty and during which time no pay is received.

Definitions that have been omitted to other policies:

- Bureau
- Commanding Officer (Now Superior Officer)
- Directive
- Good Moral and Ethical Character
- Official Channels
- Procedures
- Rules and Regulations
- Secondary Employment
- Section
- Seniority
- Shift
- Should
- Sick Leave
- Special Duty
- Substation

1:5 CODE OF ETHICS

1:5.1 All employees shall read and abide by the Law Enforcement Code of Ethics.

1:5.2 **AS A LAW ENFORCEMENT EMPLOYEE**, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession...**LAW ENFORCEMENT**.

1:6 MISSION AND VISION STATEMENTS

1:6.1 Mission Statement

The Wall Township Police Department is committed to serving our community as a team of highly motivated proactive professionals distinguished by unwavering ethical and moral values.

We are devoted to building trust and confidence in progressive partnership with our community by equally, fairly, and proactively enforcing the laws.

We are dedicated to improving the quality of life in our community by protecting rights and freedoms, reducing crime and traffic crashes, promoting an atmosphere of safety and security, and addressing resident's concerns.

1:6.2 Vision Statement

Our Vision is:

A cohesive team of well trained and prepared professionals with initiative, a strong proactive work ethic, exceptional interpersonal skills, and a deep sense of pride, working together in an atmosphere of integrity and accountability.

A positive relationship with the community, fostering open communication, understanding, and problem solving; which promote progressive community-based programs, public education and safety initiatives.

Equally, fairly, and proactively enforcing the law, maintaining high visibility to detect and deter crime, and working with other governmental agencies to jointly address community concerns in a safe community where violations are addressed.

CHAPTER 2

ORGANIZATION

2:1 GENERAL DUTIES AND RESPONSIBILITIES

2:1.1 Chief of Police

- a. Pursuant to N.J.S.A. 40A:14-118, the Chief of Police shall be the head of the Police Department, and he shall be directly responsible to the Appropriate Authority for the efficiency and routine day-to-day operation of the Police Department in accordance with Municipal Ordinance §36-6 of the Township of Wall.

2:1.2 Supervisors

Supervisors shall be able to perform all of the general duties of a police officer. Supervisors shall:

- a. Enforce department rules and insure compliance with department policies and procedures.
- b. Exercise proper use of their command, within the limits of their authority, to assure efficient performance by their subordinates.
- c. Exercise necessary control over their subordinates to accomplish the objectives for the department.
- d. Guide and train subordinates to gain effectiveness in performing their duties.
- e. Use department disciplinary procedures when necessary.
- f. When using discipline, comply strictly with the provisions of the department disciplinary process.
- g. Conduct themselves in accordance with high ethical standards, on and off-duty.

2:1.3 Police Officers

Police officers shall:

- a. Exercise authority consistent with the obligations imposed by the oath of office and in conformance with the policies of the department.
- b. Abide by all rules, regulations and department procedures and directives governing police officer employees.
- c. Be accountable and responsible to their supervisor for obeying all lawful orders.
- d. Coordinate their efforts with other employees of the department to achieve department objectives.
- e. Conduct themselves in accordance with high ethical standards, on and off-duty.

- f. Strive to improve their skills and techniques through study and training.
- g. Familiarize themselves with the area of authority and responsibility for their current assignment.
- h. Perform their duties promptly, faithfully and diligently.
- i. Perform all related work as required in a timely fashion.
- j. Take appropriate action to:
 - 1) Protect life and property;
 - 2) Preserve the peace;
 - 3) Detect and arrest violators of the law;
 - 4) Enforce all federal, state, and local laws and ordinances coming within department jurisdiction;
 - 5) Safeguard the rights of individuals as provided by the United States Constitution and Constitution of the State of New Jersey;
 - 6) Regulate traffic safely and expeditiously;
 - 7) Aid citizens in matters within police jurisdiction;
 - 8) Take appropriate police action in aiding fellow officers as needed;
 - 9) Provide miscellaneous services.

2:1.4 Civilian Employees

Civilian employees shall:

- a. Take appropriate action to perform the duties of their positions promptly, faithfully and diligently.
- b. Exercise authority consistent with the obligations imposed by their position and in conformance with the policies of the department.
- c. Be accountable and responsible to their supervisors for obeying all lawful orders.
- d. Coordinate their efforts with other employees of the department to achieve department objectives.
- e. Conduct themselves in accordance with high ethical standards, on and off-duty.
- f. Strive to improve their skills and techniques through study and training.
- g. Familiarize themselves with the area of authority and responsibility for the current assignment.
- h. Abide by all rules, regulations and department procedures and directives governing civilian employees.

- i. Perform all related work as required.

CHAPTER 3
RULES OF CONDUCT

3:1 GENERAL CONDUCT

3:1.1 Performance of Duty

All employees shall promptly perform their duties as required or directed by law, rules and regulations or written directive, or by lawful order of a superior officer.

3:1.2 Neglect of Duty

Employees shall not commit any act, nor shall they be guilty of any omission that constitutes neglect of duty.

3:1.3 Action Off-Duty

While off-duty, police officers shall take appropriate action as needed in any police matter that comes to their attention within their jurisdiction as authorized by New Jersey law and department written directive.

While off-duty, police officers who take any police related action or any other action which may touch upon or reflect upon their position with the Wall Township Police Department shall notify the highest ranking officer on duty as soon as possible and shall submit a written report to the Chief of Police as soon as practical.

3:1.4 Obedience to Laws, Ordinances, Rules, and Policy and Procedures

Employees shall obey all laws, ordinances, rules, and policy and procedures as well as any other directives of the department.

3:1.5 Withholding Information

Employees shall report any and all information concerning suspected criminal activity of others.

3:1.6 Reporting Violations of Laws, Ordinances or Rules, and Policy and Procedures

Employees knowing of other employees violating laws, ordinances, or rules and policy and procedures of the department, shall report same to the Chief of Police through the chain of command. If the employee believes the information is of such gravity that it must be brought to the immediate, personal attention of the Chief of Police, the chain of command may be bypassed.

Employees charged with violating laws or ordinances shall report same immediately to the Chief of Police through the chain of command.

3:1.7 Insubordination

Employees shall not:

- a. Fail or refuse to obey a lawful order given by a supervisor;

- b. Use any disrespectful or abusive language/action towards a specific supervisor.

3:1.8 Conduct Toward Other Department Employees

Employees shall treat other department employees with respect. They shall be courteous and civil at all times in their relationships with one another. When on-duty and in the presence of the public, an officer shall be referred to by rank.

3:1.9 Respect

Employees shall display respect for their supervisors, subordinates, and associates. All employees are to display good ethical character in on and off duty contexts and shall conduct their professional and private lives in a manner to avoid bringing this department disrepute. An employee's conduct, either on or off duty, which adversely reflects upon the department will be deemed to be **CONDUCT UNBECOMING AN OFFICER**.

3:1.10 Compromising Criminal Cases/Investigations

Employees shall not interfere with the proper administration of criminal justice.

3:1.11 Recommending Attorney and Bail Bond Brokers Prohibited

Employees shall not suggest, recommend, or advise the retention of any attorney or bail bond broker to any person as a result of police business.

3:1.12 Posting Bail

Employees shall not post bail for any person in custody, except relatives.

3:1.13 Use of Force

Members shall follow New Jersey State Law and department written directive on the use of force.

3:1.14 Physical and Mental Fitness for Duty

Police officers are required to be capable of performing the essential functions of their assigned positions without posing a direct threat to their own health and safety, or that of others. Officers, who are aware of any reason why they are incapable of performing the essential functions of their assigned positions without posing a direct threat to their own health and safety, or that of others, shall notify their supervisors. The department reserves the right to take appropriate action in such circumstances, which may include deeming the member unfit for duty, placing the employee on sick leave status, or other action. The department reserves the right in appropriate cases to require medical clearance before allowing the member to return to regular duties.

3:1.15 Driver's License

Employees operating department motor vehicles shall possess a valid New Jersey driver's license. Whenever a driver's license is revoked, suspended, or lost the employee shall immediately notify the appropriate supervisor giving full particulars.

3:1.16 Address and Telephone Numbers

Employees are required to have a telephone or cellular phone in the place where they reside. Changes in address or telephone number shall be reported in writing to the appropriate supervisor within twenty four (24) hours of the change. Upon receipt of this information, the supervisor will immediately forward the change to the Office of the Chief of Police.

3:2 ISSUING ORDERS

3:2.1 Manner of Issuing Orders

Orders from a supervisor to a subordinate shall be in clear and understandable language.

3:2.2 Unlawful Orders

No supervisor shall knowingly issue an order, which is in violation of any law or ordinance.

3:2.3 Improper Orders

No supervisor shall knowingly issue an order, which is in violation of any department rules and regulations or written directive.

3:3 RECEIVING ORDERS

3:3.1 Questions Regarding Orders

Employees, in doubt as to the nature or detail of an order, shall seek clarification from their supervisors by going through the chain of command.

3:3.2 Obedience to Unlawful Orders

Employees are not required to obey any order, which is contrary to any law or ordinance. Responsibility for refusal to obey rests with the employee, who will be required to justify the refusal to obey.

3:3.3 Obedience to Improper Orders

Employees, who are given any order which is contrary to department rules and regulations or written directive, must first obey the order to the best of their ability, and then report the improper order as provided in 3:3.5.

3:3.4 Conflicting Orders

Upon receipt of an order, conflicting with any previous order, the employee affected will advise the person issuing the second order of this fact. Responsibility for countermanning the original order rests with the individual issuing the second order. If so directed, the latter order shall be obeyed first. Orders will be countermanned, or conflicting orders will be issued, only when reasonably necessary for the good of the department.

3:3.5 Reports of Unlawful or Improper Orders

An employee receiving an unlawful or improper order shall advise the issuing supervisor of his/her belief that the order in question is unlawful or improper. If the matter is not resolved, the officer shall at first opportunity, report in writing to the next highest-ranking supervisor above the supervisor who issued the unlawful or improper order. Action regarding such a report shall be conducted at the direction of the Chief of Police.

3:3.6 Criticism of Official Acts or Orders

Employees shall not criticize the actions or orders of any department employee in a manner which is defamatory, obscene, or which tends to impair the efficient operation of the department.

3:4 POLICE RECORDS AND INFORMATION

3:4.1 Release of Information

Employees shall not release any information nor reveal any confidential business of the department to the public or the press except as provided in department written directives.

3:4.2 Department Records

Contents of any record or report filed within the department shall not be exhibited or divulged to any person other than a duly authorized police officer, except with the approval of the appropriate supervisor, or under due process of law, or as permitted under department written directives.

3:4.3 Reports

No employee shall knowingly falsify any official report or enter or cause to be entered any inaccurate, false, or improper information on records of the department.

3:5 GIFTS, REWARDS, ETC.

3:5.1 Soliciting Gifts, Gratuities, Fees, Rewards, Loans, Etc.

Except as stated herein, employees shall not under any circumstances solicit any gift, gratuity, fees, rewards, loans, etc. where there is any direct or indirect connection between solicitations and their department membership or employment. All solicitations must stay within the parameters of Federal and State law, directives from the Office of the New Jersey Attorney General and Monmouth County Prosecutor's Office. Employees shall not solicit for any organization that in anyway references their employment as an employee of the Township of Wall without the knowledge of the Chief of Police pursuant to the standards set forth above. Nothing herein is meant to prevent action authorized by N.J.S.A. 45:17A-18 et seq.

3:5.2 Acceptance of Gifts, Gratuities, Fees, Loans, Etc.

Employees shall not accept either directly or indirectly any gift, gratuity, fees, rewards, loans, etc. or any other thing of value arising from or offered because of his police employment or any activity connected with said employment or employment with the Township or which might tend to influence directly or indirectly the actions of said employee or any other employee in any matter of police business; or which might tend to cast an adverse reflection on the department or any

employee thereof. No employee of the department shall receive any gift, gratuity, fees, rewards, loans, etc. from other employees without the express permission of the Chief of Police.

3:5.3 Other Transactions

Every employee is prohibited from buying or selling anything of value from or to any complainant, suspect, witness, defendant, prisoner, or other person involved in any case which has come to his attention or which arose out of his department employment, except as may be specifically authorized by the Chief of Police.

3:5.4 Rewards

Employees shall not accept any gift, gratuity or reward in money or other consideration for services rendered in the line of duty to the community or to any person, business or agency except lawful salary and that which may be authorized by the law and the Chief of Police.

3:5.5 Disposition of Unauthorized Gifts and/or Gratuities

Any unauthorized gift, gratuity, loan, fee, reward, or other object coming into the possession of any employee shall be forwarded to the Chief of Police together with a written report explaining the circumstances.

3:5.6 Financial Obligation

No employee shall incur any financial obligation on behalf of the department without the approval of the Chief of Police.

3:5.7 Financial Liability

No employee shall imply or accept financial liability for loss or damage on behalf of the township.

3:5.8 Intercession – Soliciting

Employees shall not attempt to circumvent, undermine or improperly influence department procedures for determining promotions, assignments, disposition of disciplinary charges, appeals from department hearings, or related matters. Examples of circumventing, undermining or improperly influencing such procedures include, but are not limited to, soliciting unauthorized persons to intercede in such procedures, communicating or supplying information in a manner not authorized or permitted under such procedures, refusing to participate and/or cooperate in any investigation into alleged improper behavior. Members and employees may utilize the review, appeal and grievance procedures provided by statute, ordinance, department rules and procedures, municipal ordinance or policy, and collective negotiation agreements. Nothing in this section shall prohibit employees from lawful consultation with attorneys and union representatives. Any lawyer or union representative consulted shall not be permitted to speak on behalf of the employee and shall not interfere in any investigatory process, including a prohibition against delaying the process.

3:6 ALCOHOLIC BEVERAGES AND DRUGS

3:6.1 Alcoholic Beverages and Drugs

- a. No employee of the department will appear for, or be on duty, under the influence of an alcoholic beverage (any beverage containing alcohol) (hereinafter "alcohol") or illegal drugs

(including the illegal use of prescription drugs) (hereinafter “drugs”), or be unfit for duty because of use of drugs or an alcoholic beverage. The reasonable opinion of a supervising officer that the employee is under the influence of, or has alcohol or drugs in the employee's system shall be sufficient to establish a violation of this provision. In addition, the presence of detectable level of alcohol or drugs as tested by blood, urine or other medical test shall constitute a violation of this provision. Superior officers shall not assign to duty any employee in an unfit condition due to the use of alcohol or drugs and shall immediately relieve of duty and service weapon any employee found on duty in such condition. Supervisors shall not allow to remain on duty, any employee whose fitness for duty is questionable due to the use of alcohol or drugs. The superior officer shall submit a written report of the incident to the Chief of Police. (See Procedures for Employees Using Prescription Drugs in a Legal Manner Under Section c below)

- b. Employees of the department, shall not drink alcohol while on duty, or take any drug as defined herein, except on special assignment authorized by the Chief of Police. Sworn employees shall not drink alcohol or take drugs while in uniform or during any activity where the employee is acting as a representative or has identified himself as an employee of the Department. An employee, while assigned to duty in civilian clothes, may use alcohol or drugs only when absolutely necessary in the performance of duty, provided such use does not render them unfit for proper and efficient performance of duty. Employees should not, to the extent possible, engage in any behavior that could put him/herself in danger or the public in danger after consuming alcohol or drugs, for example, driving. All use of alcohol or drugs used in the performance of an employee's duty must be documented in writing, detailing the reasons therefore and the amounts consumed as soon as possible after such consumption. An employee may be subject to testing to confirm the level of alcohol/drugs in their system.
- c. Taking Prescription or other Medication While on Duty/Notification about Medication – Members of the department shall disclose to their supervisors if they are taking medication (prescription or non-prescription) that may affect their ability to perform their duties, including but not limited to using a firearm or operating a motor vehicle. Such members shall also disclose the expected duration of their use of such medication. The department reserves the right to take appropriate action in such circumstances, which may include deeming the member unfit for duty, placing the employee on sick leave status, or other appropriate action. The department may also consider other appropriate accommodations if the employee has a disability as defined by law. The department reserves the right in appropriate cases to require medical clearance before allowing the member to return to regular duties. The department reserves the right to take appropriate action in case of any employee who is impaired on duty for any reason, including the use of prescription or non-prescription medication who has failed to give proper advance notification.
- d. Alcohol may not be consumed at or in the police station or ancillary facilities.
- e. No member shall, at any time when in uniform, or any part thereof, except in the performance of duty, enter any place in which alcohol is served or sold, unless authorized by a supervisor. This provision does not include establishments with a separate dining area where the serving of alcohol is not the primary function (e.g. certain diners and restaurants which have a liquor license). If an employee is unclear whether an establishment would violate this section, he should contact his supervisor.
- f. Employees shall not bring into or keep any alcohol or drugs on department premises except when necessary in the performance of a police related task. Alcohol or drugs brought into department premises in the furtherance of a police related task shall be properly identified and stored according to department written directives.

- g. Any employee reporting for duty with the odor of alcohol on his breath or appearing to be under the influence may be subject to testing as set forth in Section 3:6.2 below.
- h. No liquor license shall be held by any police officer, or by any profit corporation or association in which any police officer is interested, directly or indirectly.
- i. Pursuant to law, members of the Wall Township Police Department may not be employed by a business located in the Township, which is licensed to sell alcoholic beverages in New Jersey. Members of the Wall Township Police Department may be employed by such licensed businesses, which are located outside the Township of Wall with prior notice to the Chief of Police and under the following legal conditions:
 - 1) Police officers so employed shall not, while engaged in the selling, serving, possessing or delivering of any alcoholic beverages: (1) have in his possession any firearm, or; (2) wear or display any uniform, badge or insignia which would identify them as a police officer.
 - 2) No police officer so employed shall be permitted to work in excess of twenty-four (24) hours per week in any such establishment.

The Chief of Police retains the right to advise any police officer that for the good of the Department or for other operational reasons (including but not limited to the ability to work overtime), the officer cannot obtain or retain such employment.

3:6.2 Substance Testing

- a. Members will be ordered to submit to drug testing when there is a reasonable suspicion to believe that the member is using drugs illegally, in accordance with the following procedure.
 - 1) The Chief of Police or Monmouth County Prosecutor must approve any reasonable suspicion test.
 - 2) A written report shall be prepared to document the basis for the reasonable suspicion. The report will be reviewed by the Chief of Police or Monmouth County Prosecutor before the reasonable suspicion test may be ordered.
 - 3) The drug test must be administered in accordance with the procedures contained in the Attorney General's Law Enforcement Drug Testing Policy then in effect.
 - 4) Officers who refuse to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so are subject to the same penalties as those officers who test positive for the illegal use of drugs. Officers who resign or retire after receiving a lawful order to submit a urine specimen for drug testing and who do not provide the specimen shall be deemed to have refused to submit to the drug test.
 - 5) A negative test result is a condition of employment as a sworn officer. A positive result will result in: a) the officer's termination from employment; b) inclusion of the officer's name in the central drug registry maintained by the Division of State Police; and, c) the officer being permanently barred from future law enforcement in New Jersey.

- b. Random drug screening may be ordered by the Chief of Police from time to time. If the Chief of Police orders random drug screening it shall be in accordance with the Office of the New Jersey Attorney General's Guidelines on Drug Testing and any policy mandated by the Monmouth County Prosecutor. Employees who refuse to submit to a test when randomly selected are subject to the same penalties as those employees who test positive.

3:7 DUTY CONDUCT

3:7.1 Reporting for Duty

Employees shall report for duty at the time and place specified, properly uniformed and equipped.

3:7.2 Absence from Duty

Every employee who fails to appear for duty at the date, time and place specified without the consent of competent authority, is "absent without leave". Such absence must be reported in writing to the supervisor immediately. Absences without leave in excess of one day must be reported in writing to the Chief of Police.

3:7.3 Harassment in the Workplace

All employees of the department shall adhere to the written directive established by the Chief of Police and the Township of Wall regarding Harassment in the Workplace.

3:7.4 Civil Rights

All employees shall observe and respect the civil rights of all persons.

3:7.5 Work Expectation

Employees are expected to perform their duties to the best of their abilities at all times.

3:7.6 Retaliation

No employee shall take any official action or initiate or engage in any conduct with the intention to retaliate against any person for criticizing or complaining about any employee. This shall not apply to situations where employees are disciplined for engaging in actions, which constitute insubordination.

3:7.7 Personal Relationships

If a supervisor and subordinate enter into a dating relationship, marital relationship or civil union during the course of employment, and the department reasonably believes the relationship may create a conflict of interest, one of the employees shall be transferred to another shift or assignment. A supervisor or subordinate involved in a relationship as described within shall report the relationship to the Chief of Police. Failure to report such a relationship may subject the involved employees to discipline.

3:7.8 Smoking

P.L. 2005, C.383 "NJ Smoke-Free Air Act" approved January 15, 2006. It provides for an employer's obligation to establish a written directive protecting the health, welfare and comfort of

employees from those employees who smoke. That written directive must establish designated non-smoking areas. It is the policy of this department not to allow smoking in any office or vehicle assigned to the Wall Township Police Department. Employees desiring to smoke may do so outside or in an area designated for smoking. It is the rule of this department not to allow smoking in any designated crime scene area.

3:7.9 Distracters

The use of any item or object that distracts an employee from the performance of duty other than equipment authorized by the department is prohibited while on duty.

3:7.10 Relief

Employees are to remain at their assignments and on duty until properly relieved by other employees or until dismissed by competent authority.

3:7.11 Meals/Breaks

All meals/breaks are to be consumed within authorized areas, subject to modification by the supervisor.

3:7.12 Training

Employees shall attend training at the direction of the appropriate supervisor. Such attendance is considered a duty assignment, unless the prevailing collective bargaining agreements provides otherwise.

3:7.13 Inspections

Employees directed to attend full dress inspections shall report in the uniform prescribed, carrying the equipment specified. Unauthorized absence from such inspection shall be considered absence without leave.

3:7.14 Prohibited Activity On-Duty

Employees who are on-duty are prohibited from engaging in activities, which are not directly related to the performance of their duty with exceptions as noted:

- a. Meeting with other officers for excessive time periods without permission of supervisor; sleeping, loafing and idling is never tolerated
- b. Reading material other than department required materials (except at meals);
- c. Conducting private business while on duty;
- d. Unlawful gambling, unless to further a police purpose such as conducting an investigation of suspected criminal activity as authorized through the chain of command;
- e. Tobacco Use and Electronic Nicotine Delivery Systems;
 - 1) Employees are prohibited from smoking or using tobacco products while inside any Police Department building, training location, or Police Department Vehicle, while on duty or off duty. Tobacco products include, but are not limited to, the following: snuff, chew, cigars, and cigarettes. This is also to include electronic

cigarettes, personal vaporizer or electronic nicotine delivery systems or any battery-powered vaporizer which simulates tobacco smoking by producing vapor that resembles smoke. Exceptions may be authorized by the Chief or his designee under circumstances where an employee's assignment would require him or her to do so. Designated tobacco use areas where an employee may use tobacco products while on duty are the east and west entrances to the Police Department. Personnel using these locations are expected to keep the area clear of debris and will ensure that they extinguish their cigarette prior to disposing of same and that any residue from chewing tobacco is properly disposed of.

- f. Sexual conduct;
 - 1) Sexual conduct or contact of any kind, which is intentional in nature and for purposes of sexual stimulation or gratification, is strictly prohibited.
 - 2) No employee shall while on duty shall encourage, suggest, offer, accept sexual favors or provide leniency in enforcement in return for sexual or social encounters.
 - 3) No employee on duty shall transmit or receive by personal analog or digital device any sexually explicit text or content.
- g. Soliciting or otherwise enhancing secondary employment interests while on duty or as a result of an official duty;
- h. Conducting secondary employment activities while on duty;
- i. Taking any photographs, pictures, digital images that are not related to the job, including but not limited to pictures of any crime scenes, traffic crashes, people, or job related incidents or occurrence with any personal analog or digital device, camera or cellular telephone, except as may be necessary for the furtherance of official duties, and only in accordance with established department procedures pertaining to preservation of evidence and chain of custody;
- j. Releasing any personal or department photographs, pictures, digital images of any crime scenes, traffic crashes, people, or job related incident or occurrence taken with a personal or department analog or digital device, camera or cellular phone to any person, entity, business, or media/Internet outlet without the express written permission of the Chief of Police;
- k. Video or audio recording, which is not connected with an official investigation or duties, is prohibited;
- l. Employees are forbidden to videotape or record conversations with other employees unless related to the job and approved in advance by the employee's supervisor. This prohibition does not apply to videotaped interviews of witnesses or suspects where two or more employees may be present, the routine recording of telephone calls over or through the department telephone system via any recording system approved by the Chief of Police, or to the use of mobile video recorders installed in police vehicles as authorized by the Chief of Police. The exception to this is for an Internal Affairs investigation as authorized by the Chief of Police or representatives of the involved prosecutorial authorities.
- m. Any other activity deemed inappropriate by the Chief of Police.

3:7.15 Criminal Complaints by Employees

Employees who make a criminal complaint against a person for injuries or damages incurred while off duty shall notify the Chief of Police on the first workday, which follows the making of the complaint.

3:7.16 All Other Conduct

Misconduct by a police officer need not be predicated on the violation of any particular department rule or regulation. Police officers are called upon to exercise tact, restraint and good judgment in their relationship with the public and must present an image of personal integrity and dependability in order to have the respect of the public. The department will take appropriate disciplinary action against any officer whose actions violate this standard of good behavior.

3:8 UNIFORMS, APPEARANCE, AND IDENTIFICATION

3:8.1 Regulation Uniforms Required

All members and uniformed civilians of the department shall maintain in good order a regulation uniform. Members and uniformed civilians shall be neat appearing, and well groomed while in uniform. All articles of uniform shall conform to the department uniform regulations. No employee shall allow any other person to use their badge or other means of personal identification. No employee shall sell, exchange, lend or borrow any part of their prescribed uniform and equipment, nor shall it be worn or any part thereof in any private performance, exhibition, or parade without permission of the Chief of Police.

3:8.2 Manner of Wearing the Uniform

All members and uniformed civilians of the department shall wear the uniform on duty as prescribed by department written directive for the employee's current assignment. However, supervisors may prescribe other clothing as required by the nature of the duty to which a particular employee is assigned.

3:8.3 Manner of Wearing Civilian Attire

Members and employees permitted to wear civilian clothing while on duty shall wear clothing that is suitable for a business environment and neat in appearance. Supervisors may prescribe other types of clothing when necessary to meet a particular police objective.

3:8.4 Alternating Style of Uniform

Uniforms shall be made of the material and style prescribed in police department orders, and such style shall not be altered or changed in any manner whatsoever, unless authorized by the Chief of Police.

3:8.5 Carrying Required Equipment When in Uniform

While on duty, sworn members who are required to wear the specified uniform shall carry the full equipment. The Chief of Police shall through written procedures specify the equipment that is authorized for duty. A sworn member shall also carry specially issued equipment and forms necessary for performing their duties.

3:8.6 Equipment in Civilian Clothes and On Duty

While on duty, sworn members who wear civilian clothes shall carry the full equipment as directed by the Chief of Police.

3:8.7 Carrying Equipment Off Duty

When off duty, each sworn member will carry or have in their immediate possession their badge and the photo identification card.

3:8.8 Equipment

All equipment must be clean, and maintained in good working order.

3:8.9 Uniform and Equipment Damage Claim

Any claims for damage to clothing and equipment caused by performance of duty, shall be put in writing through the chain of command. Articles of clothing shall be kept, whenever possible.

3:8.10 Wearing or Carrying Identification

Members shall wear or carry their department identification at all times, provided that it is practical for the circumstances.

3:8.14 Personal Appearance

Every employee of the department, while on duty, must at all times be neat and clean in person, their clothes cleaned and pressed, and their uniform in conformity with the rules and regulation of this department. Commanding officer upon may prescribe other clothing as required by the nature of the duty, which a particular member is assigned. Non-uniformed civilian employees may be permitted deviations from this section as directed by the Chief of Police or designee and in keeping with a professional appearance.

a. Male Employees

- 1) Hair shall be neatly trimmed and groomed. Hair shall be cut to present a tapered appearance on the side and back and when combed, shall not fall over the ears or eyebrows, or extend over the shirt or coat collar when standing with the head in a normal position. There shall be no designs cut into the head hair. Designs such as numbers, insignias, or other inscriptions are strictly forbidden. Hair coloring, if used, must appear natural.
- 2) Sideburns shall not extend below the bottom of the ear. The maximum width at the bottom of the sideburns shall not exceed one and one-quarter inch. A clean-shaven appearance is required at all times.
- 3) Mustaches shall be neatly trimmed and shall not exceed more than one quarter of an inch below the corner of the mouth. Mustache ends will not be waxed or twisted.
- 4) Beards shall not be permitted.

- 5) Hair growing from the chest, neck, ears or nose shall be neatly trimmed. Chest hair shall not extend over the collar, tie or exposed t-shirt.
- 6) Fingernails shall be clean and trimmed. Nails shall not extend beyond the tips of the fingers.

b. Female Employees

- 1) Hair shall not be worn longer than the bottom of the shirt or coat collar at the back of the neck when standing with the in a normal position. Hair may be worn slightly over the ears, but in no case shall the bulk or length of hair interfere with the wearing of the authorized uniform headgear. Braids, ponytails, etc., shall not be permitted on duty. A bun or twist will be permitted on the back of the head, provided it is worn in a neat manner and does not interfere with the wearing of department headgear. No ribbons or ornaments shall be worn in the hair except for neat inconspicuous bobby pins or conservative barrettes, which blend with the hair color. Hair coloring, if used, must appear natural.
- 2) Cosmetics may be worn provided they are subdued and blended to match the natural skin color of the individual. False eyelashes are not permitted.
- 3) Fingernails shall be clean and trimmed. Nails shall not extend beyond the tips of the fingers. Fingernail polish, if worn, shall be clear.

c. Jewelry and Apparel (All)

- 1) Jewelry is authorized for all female personnel. Eccentric, outrageous, or faddish jewelry including, but not limited to, nose rings or studs, tongue rings or studs, eyebrow rings or studs, etc., shall be prohibited. Jewelry shall not present a safety or foreign object damage hazard.
- 2) The following jewelry restrictions apply while in uniform:
 - Only one ring per hand, in addition to an engagement or wedding ring.
 - One earring per ear, centered on the earlobe.
 - Earrings shall not be a hoop or dangling style or design.
 - One necklace or neck-chain may be worn, and must be worn under the uniform. This neck chain is in addition to any chain worn to identify the wearer as having a medical condition.
 - Ankle bracelets are not authorized.
 - Dangling or loose fitting bracelets are prohibited, and only one wristwatch and one bracelet may be worn.

d. Tattoos or Similar Markings (All)

- 1) Definitions:

- Tattoo - the act or practice of marking the skin with designs, forms, figures, art, etc.
 - Scarification - the act of intentional cutting of the skin for the purpose of creating a design, form, figure or art.
 - Branding- the act of intentional burning of the skin for the purpose of creating a design, form, figure or art.
- 2) Tattoos or similar markings on the face, neck, or scalp are forbidden. Tattoos or similar markings on exposed arms and exposed legs while in any approved police uniform(s) or non-uniform dress attire are forbidden. Tattoos existing prior to the promulgation of these rules and regulations are exempt, except that these tattoos cannot be added to, modified, enhanced, or otherwise altered (except for removal). All employees who fall under the exception are required to provide photographic documentation of all existing visible tattoos or similar markings.

3:9 DEPARTMENT EQUIPMENT AND PROPERTY

3:9.1 Equipment On-Duty

Employees shall carry all equipment on-duty as prescribed by department written directive based on their assignment.

3:9.2 Equipment Off-Duty

Employees shall carry equipment off-duty as prescribed by department written directive.

3:9.3 Firearms

Employees shall follow department written directive on the care and handling of firearms.

3:9.4 Department Property and Equipment

Employees are responsible for the proper care of department property and equipment assigned to them.

3:9.5 Use of Department Property and Equipment

Employees are prohibited from using any department property, equipment, consumable supplies and other resources for personal business or pleasure.

3:9.6 Damaged or Inoperative Property or Equipment

Employees shall immediately report to their supervisors any loss of or damage to department property assigned to or used by them. The supervisor shall also be notified of any defects or hazardous conditions existing in any department equipment or property.

3:9.7 Care of Department Buildings

Employees shall not mark or deface any surface in any department building. No material shall be affixed to any wall in department buildings without specific authorization from the appropriate supervisor.

3:9.8 Notices

Employees shall not mark, alter, or deface any posted notice of the department. No notices or announcements shall be posted on bulletin boards without permission of the appropriate supervisor, except those areas designated for use by the collective bargaining unit(s).

3:9.9 Use of Department Vehicles

Employees shall not use any Township of Wall vehicle without the permission of a supervisor.

3:9.10 Operation of Department Vehicles

When operating department vehicles, employees shall not violate traffic laws, except in cases of emergency and then only in conformity with state law and department written directive regarding same.

3:9.11 Transporting Citizens

Such transportation will be done at the direction or permission of a supervisor.

3:9.12 Reporting Accidents

Accidents involving department personnel, property, equipment and vehicles must be reported in accordance with department policy and procedure.

3:9.13 Inspection

Department property and equipment is subject to entry and inspection without notice. This includes, but is not limited to any vehicle, desk, filing cabinet, and/or locker, the use of which is provided to the employee by the department.

3:9.14 Presumption of Responsibility

In the event that township property is found bearing evidence of damage which has not been reported, it shall be prima-facie evidence that the last person using the property or vehicle was responsible. It shall be incumbent upon the discoverer to report same immediately.

3:9.14 Liability

If any department property is damaged or lost as result of misuse or negligence by an employee, that employee will be held liable to reimburse the department for the damage or loss and is subject to disciplinary action.

3:9.15 Surrender of Department Property

- a. Upon Separation from the Department - Employees are required to surrender all department property in their possession upon separation from the service. For failure to return a non-expendable item, the employee will be required to reimburse the department for the fair market value of the article.
- b. Under Suspension - Any employee under suspension shall immediately surrender their identification, firearm (if applicable), and all other department property to the appropriate supervisor pending disposition of the case.

3:10 COMMUNICATIONS, CORRESPONDENCE

3:10.1 Restrictions

- a. Employees shall not use department letterheads for private correspondence.
- b. Employees shall only send official correspondence out of the department under the direction of the Chief of Police or his/her designee.

3:10.2 Forwarding Communications

Any employee who receives a written communication for transmission to another employee shall forward same without delay.

3:10.3 Use of Department Address

Employees shall not use the department as a mailing address for private purposes. The department address shall not be used for any private vehicle registration or driver's license.

3:10.4 Telephones

Department telephone equipment may not be used for personal use involving toll charges without the express approval of a supervisor.

3:10.5 Radio Discipline

Employees operating the police radios shall strictly observe the procedures and restriction for such operations as set forth in department written directive and by the Federal Communications Commission.

3:10.6 Truthfulness

Employees shall not knowingly lie, give misleading information, or falsify oral or written communications in any official report when it is reasonable to expect that the information may be relied upon because of the employee's affiliation with this department.

3:11 CONDUCT TOWARD PUBLIC

3:11.1 Publicity

Employees may identify themselves as employees of the Wall Township Police Department. However, members and employees shall not use or refer to their affiliation with the Wall Township Police Department for purposes of furthering or gaining advantage in personal pursuits or for any other reason that has or reasonably may have an adverse impact on the department or of the Township of Wall. The Chief of Police shall determine whether an employee's conduct has violated this standard. Nothing herein is meant to prevent action authorized by N.J.S.A. 45:17A-18 et seq. or the New Jersey State Constitution.

3:11.2 Personal Preferment

No employee may seek the improper influence or intervention of any person outside of the department for purposes of personal preferment, advantage, transfer or advancement. Members and employees may utilize where legally required and where not duplicative the review, appeal and grievance procedures provided by statute, ordinance, department rules and procedures, Township policy, and collective bargaining agreements. Nothing in this section shall prohibit employees from lawful consultation with attorneys and union representatives where required by law. Unless otherwise required by law, an employee may not consult with both an attorney and a union representative.

3:11.3 Commercial Testimonials

Employees shall not permit their names or photographs to be used to endorse any product or service without the permission of the Chief of Police. They shall not, without the permission of the Chief of Police, allow their names or photographs to be used in any commercial testimonial, which alludes to their position or employment with this department or their position as a police officer or employee of a police department.

3:11.4 Public Appearance Requests

All requests for public speeches, demonstrations, etc., will be routed to the Chief of Police for approval and processing. Employees directly approached for this purpose shall suggest that the party submit his request to the Chief of Police.

3:11.5 Courtesy

Employees shall be courteous and orderly in all dealings with the public. They shall perform their duties professionally, avoiding harsh, violent, profane or insolent language, and always remain calm regardless of provocation to do otherwise. Upon request, employees are required to supply their name and identification in a courteous manner. They shall attend to requests from the public quickly and accurately, avoiding unnecessary referral to other parts of the department.

3:11.6 Impartial Attitude

All employees must remain completely impartial toward all persons coming to the attention of the department. Violations of the law are against the people of the state and not against the individual officer. All citizens are guaranteed equal protection under law. Exhibiting partiality for or against a person because of race, creed, color, national origin, ancestry, age, sex, gender identity or expression, affectional or sexual orientation, marital status, domestic partner or civil union status, familial status, liability for service in the Armed Forces of the United States, disability, atypical hereditary cellular or blood trait, genetic information, nationality, pregnancy or other protected class (N.J.S.A 10:5-1 et seq.) is conduct unbecoming a public employee. Similarly, unwarranted interference in the private business of others when not in the interests of justice is conduct unbecoming a public employee.

3:11.7 Disparaging Comments Regarding Protected Personal Characteristics

Courtesy and civility toward the public is required of all employees of the department. Employees shall not use words which humiliate, disparage, demean, degrade, ridicule, or insult a person because of their race, creed, color, national origin, ancestry, age, sex, gender identity or expression, affectional or sexual orientation, marital status, domestic partner or civil union status, familial status, liability for service in the Armed Forces of the United States, disability, atypical

hereditary cellular or blood trait, genetic information, nationality, pregnancy or other protected class (N.J.S.A 10:5-1 et seq.).

3:11.8 Public Statements

Employees of the department shall not make public statements concerning the work, plans, policies, or affairs of the department which may impair or disrupt the operation of the department or which are obscene, unlawful, or defamatory. While employees have a right to maintain personal web pages, websites, and blogs, their status as employees of the police department requires that the content of those web pages and websites not be in violation of existing department policy or directives.

3:11.9 Subversive Organizations

No employee shall knowingly become a member of or connected with a subversive organization, except when necessary in the performance of duty, and then only under the direction of the Chief of Police.

3:11.10 Affiliation with Certain Organizations Prohibited

Police officers shall not join or affiliate with any organization, or enter into any business relationships that would interfere with the officer's ability to fulfill his or her obligations to the department, that may impair or disrupt the operations of the department, or that is inconsistent with the mission of the department. This section shall not apply to active or reserve service in the armed forces of the United States or the State of New Jersey.

3:11.11 Affiliation with Radical Groups

No employee, except in the discharge of police duties, shall knowingly associate with or have any dealings with any person or organization which advocates or which is instrumental in fostering hatred, prejudice, or oppression against any group set forth in Section 3:11.7 or any political entity.

3:12 POLITICAL ACTIVITIES

3:12.1 Political Activities Prohibited

Employees should not be permitted to engage in political activity while on duty, and no employee shall be permitted to use his official position to influence another person's partisan or non-partisan political activity.

3:12.2 Election to Public Office

Employees shall not be candidates for or hold in office in elective public positions or political organizations within or inclusive of the jurisdiction in which they are employed unless authorized to do so by the Monmouth County Prosecutor.

3:12.3 Soliciting Prohibited

Employees of the department shall not solicit contributions for political purposes while on duty or when such activity prevents the employee from performing his job with the department, nor shall any employee interfere with or use the influence of his office for political reasons.

3:12.4 Contributions

Employees may contribute funds or any other thing of value to candidates for public office subject to the provision of law governing such contributions.

3:12.5 Polling Duties

Employees shall not engage in any polling duties except in the performance of their official duties.

3:12.6 Displaying of Political Material

Employees shall not display any political material on any government property or on their person while on duty or in uniform or while representing the department or the Township.

3:13 JUDICIAL APPEARANCE AND TESTIMONY

3:13.1 Court Appearances

Employees must attend court or quasi-judicial hearings as required by a subpoena. Permission to omit this duty must be obtained from the prosecuting attorney handling the case or other competent court official. When appearing in court, either the official uniform or appropriate business attire shall be worn. Weapons will not be displayed unless wearing the uniform. Members shall present a neat and clean appearance, avoiding any mannerism, which might imply disrespect to the court.

3:13.2 Testifying for the Defendant

Any employee subpoenaed to testify for the defense in any trial or hearing, or against the Township of Wall in any hearing or trial shall notify their supervisor upon receipt of the subpoena. He shall also notify the appropriate prosecutorial authority handling the case. The employee may not testify for or on behalf of the defendant as a character witness in prosecution.

3:13.3 Duty of Employees to Appear and Testify

It shall be the duty of every employee to appear and testify upon matters directly related to the conduct of his office, position or employment before any court, grand jury, or the State Commission of Investigation.

3:13.4 Department Investigations – Testifying

Employees shall be required to respond to questioning, provide reports, and render materials during department investigations in accordance with the provisions of the New Jersey Attorney General's Internal Affairs Policy & Procedures currently in effect.

3:13.5 Truthfulness

Employees are required to be truthful at all times whether under oath or not. No employee shall make any false statement, alter or falsify reports, or intentionally misrepresent facts under any circumstance. Employees who deliberately depart from the truth, in any oral or official report by misrepresenting, distorting or omitting any important fact shall be charged with having made a false report.

3:13.6 Civil Action Interviews

Civil action interviews involving members or employees which arise out of department employment shall be conducted according to department directives.

3:13.7 Civil Action, Court Appearances – Subpoenas

An employee shall not volunteer to testify in civil actions and shall not testify unless legally subpoenaed. Employees will accept all subpoenas legally served. If the subpoena arises out of department employment or if the employee is informed that he is a party to a civil action arising out of department employment, he shall immediately notify the Chief of Police, who in turn shall notify the proper authorities. He shall also notify the Chief of Police of testimony he is to give. Employees shall not enter into any financial understanding for appearances as witnesses prior to any trial, except in accordance with department directives.

3:13.8 Civil Depositions and Affidavits

Employees shall confer with their supervisor before giving a deposition or affidavit on a civil case. If the supervisor determines that the case is of importance to the Township of Wall, he shall inform the Chief of Police before the deposition or affidavit is given.

3:13.9 Civil Action, Expert Witness

Employees shall not volunteer or agree to testify as expert witnesses in civil actions without the prior written approval of the Monmouth County Prosecutor and the Chief of Police.

3:13.10 Civil Process

Members shall not serve civil process or assist in civil cases unless the specific consent of the Chief of Police is obtained. They shall avoid entering into civil disputes, particularly while performing their police duties, but shall prevent or abate a breach of the peace or crime in such cases.

3:13.11 Internal Affairs Investigations

The Wall Township Police Department hereby adopts and incorporates the "Internal Affairs Policy & Procedures" of the Police Management Manual promulgated by the Police Bureau of the Division of Criminal Justice in the Department of Law and Public Safety to govern the conduct of internal affairs investigations.

3:14 SICKNESS, INJURY LEAVE, FAMILY AND MEDICAL LEAVE

3:14.1 Reporting Sick or Injured

Employees unable to report for duty because of sickness or injury shall make an immediate report to the supervisor on duty in person or by telephone, but not less than one hour prior to the start of a tour of duty, stating their reason illness or injury, which prohibit reporting for duty. If unable to report, a relative or other responsible person shall notify the supervisor of all pertinent facts either in person or by telephone. Please refer to the appropriate collective bargaining agreements in reference to employees using sick leave for an illness or injury of any household member.

Anyone who remains absent from duty due to injury or sickness for a period in excess of three (3) consecutive days, shall present their commanding officer with written documentation from a medical doctor stating that the employee is fit to return to regular duty.

3:14.2 Address of Confinement

Once an employee is on sick or injury leave, they are automatically confined to their primary residence during their regular duty hours. Employees who had reported that they are not in their primary residence are required to remain at the location they indicated they were. This section does not prohibit an employee from relocating to their primary residence to recuperate. Any movement of one's location while on sick leave must be reported to their supervisor.

It is recognized that it may become necessary to leave one's location while on sick leave. Reasons include, but are not limited to, physician's visits, hospital visits, physical therapy visits, pharmacy visits, other essential life necessities, or religious obligations. Should it become necessary to leave their location, their supervisor must be notified.

3:14.3 Sick or Injured on Duty

Employees taken sick or injured on duty shall report the facts to the supervisor and shall remain on duty until relieved, unless excused by a commanding officer. The exception to this rule would be where the sickness or injury is disabling to the point of preventing compliance.

3:14.4 Unauthorized Absence

Employees who absent themselves in an improper manner shall be subject to disciplinary action. Unauthorized absence occurs when employees:

- a. Are not at home or who are not at their place of confinement, while on sick leave.
- b. Feign illness or injury.
- c. Deceive the physician in any way as to their true condition.
- d. Are injured or become sick as the result of improper conduct.
- e. Violate any provisions concerning the reporting of sickness or injury.

CHAPTER 4

DISCIPLINARY REGULATIONS

4:1 DISCIPLINARY ACTION

4:1.1 Disciplinary Action

Department employees regardless of rank or assignment, shall be subject to disciplinary action, according to the nature or aggravation of the offense, for violating their oath and trust by committing an offense, incapacity, misconduct or disobedience of established department Rules and Regulations punishable under the laws or statutes of the United States, the State of New Jersey, municipal ordinances, or failure, either willfully or through negligence or incompetence to perform the duties of their rank or assignment; or for violation of any written directive or rule or regulations of the department; or for failure to obey any lawful instruction, order, or command of a superior or supervisor. Disciplinary action in all cases will be decided on the merits of each case.

The disciplinary system established herein shall reflect the overarching emphasis for improving the quality of service being delivered by employees of this department. Discipline should not engender a strictly negative connotation. The disciplinary process is meant to correct employee actions and conduct that tend to impede the efficient and effective operation of the department. The proper use of discipline can achieve this objective without realizing a reduction in morale. Training and counseling shall be a function of the department's overall disciplinary system. In lieu of discipline, training and counseling shall be corrective actions used to modify an employee's performance.

4:1.2 Establishing Elements of Violation

Existence of facts establishing a violation of the law, ordinance, or rule is all that is necessary to support any allegation of such as a basis for disciplinary action. Nothing in these rules and regulations prohibits disciplining or charging employees merely because the alleged act or omission does not appear herein, in the department, or in laws and ordinances within the cognizance of the department.

4:2 DEPARTMENT AUTHORITY TO DISCIPLINE

All disciplinary procedures shall be in accordance with the laws of the State of New Jersey, applicable case law, and the municipal ordinances of the Township of Wall. Except as otherwise provided by applicable law, the department disciplinary authority and responsibility rests with the Chief of Police.

4:2.1 Corrective Actions/Disciplinary Dispositions

A system of progressive discipline shall be used, wherever appropriate and practicable. Discipline shall follow the basic concepts of due process as established by State law. The following actions may be taken regarding any conduct felt to be in violation of any policy, procedure, rule and regulation of the police department:

- a. In certain situations, formal discipline is not required in order to correct employee performance in various areas. All training and counseling resulting from a performance issue shall be documented and forwarded through the appropriate chain of command to the

Chief of Police or designee. Performance based issues may be corrected by using training and counseling outlined below:

Training - Training is encouraged as a means of improving employee effectiveness and performance through positive and constructive methods. Training and discipline are not mutually exclusive. Certain minor offenses may be handled through targeted training. Supervisors have an affirmative obligation to observe the conduct and appearance of employees and detect those instances wherein corrective action (training) may be necessary. Training includes:

- 1) Verbal Instruction - The supervisor may, depending on the circumstances, provide individual on the spot training where such is indicated.
- 2) Peer Training - The supervisor may assign the employee to another employee with experience in the area where training is indicated.
- 3) In-Service Training - The supervisor may refer the employee to an in-service training program.

Counseling - Counseling is indicated where personal actions or job performance are in conflict with basic police practice and agency written directives. Certain first offenses are sufficiently minor in nature and may be handled by supervisors by documenting the counseling session on a performance notice. Facts to be considered in making these decisions will include, but are not limited to the person's intent, receptivity of the supervisory consulting and their desire to correct the problem. More serious infractions may indicate the need for a stronger response in place of, or in addition to, counseling. There is no right to a hearing for counseling notices except as may exist under applicable collective bargaining agreements. The final disposition notice regarding the corrective action shall be filed in the employee's personnel file.

- b. Repeat performance based issues or minor misconduct issues may be corrected through formal discipline by using the following actions:

Oral Reprimand (written) - They are intended to be the least intrusive form of discipline. To be effective, however, written oral reprimands must be timely. Otherwise, the employee may believe future infractions will be tolerated. In some cases, a minor infraction may warrant more than counseling, but less than a written reprimand. In those instances, a report of the offense shall be documented and issued to the employee as a written verbal reprimand. There is no right to a hearing for a written oral reprimand, unless provided for in the current collective negotiations agreement. The disciplinary document shall be filed in the employee's personnel file.

Written Reprimand - In some cases, the misconduct may warrant more stringent measures. In these instances, a report of the offense shall be documented and issued to the employee as a written reprimand. There is no right to a hearing for written reprimands except as may exist under applicable collective bargaining agreements. The final disposition notice regarding the discipline shall be filed in the employee's personnel file.

- c. Serious violations and those committed as one in a series of repeated violations require swift and certain punitive measures in order to maintain proper discipline within the department. The final disciplinary action notice shall be filed in the employee's personnel file pursuant to department policy. The following disciplinary actions may be taken in accordance with the laws of the State of New Jersey:

- 1) Voluntary surrender of time off in lieu of other action;
 - 2) Suspension or Fine;
 - 3) Demotion in rank;
 - 4) Dismissal.
- d. All punitive actions applied as a result of discipline shall be documented and forwarded through the appropriate chain of command to the Chief of Police or designee. The disciplinary document shall be filed in the employee's personnel file.

4:2.3 Appeals Procedure

- a. The appeal of discipline imposed against a member or employee may be taken consistent with laws of the State of New Jersey, ordinance and/or the grievance procedures of the current collective negotiation agreements and/or employee manuals.

1) Appeal to Superior Court

- Any member or employee of the department who has been tried and convicted upon any disciplinary charge or charges involving formal discipline (above the level of a reprimand) may obtain review in Superior Court or, where permitted by law, a removal may be appealed to an arbitrator appointed by the Public Employment Relations Commission.
- Such review shall be obtained by serving a written notice of an application upon the officer or board whose action is to be reviewed within 10 days after written notice to the member of the conviction. The officer or board shall transmit to the court a copy of the record of such conviction, and of the charge or charges for which the member was tried.
- The court shall hear the cause de novo on the record below and may either affirm, reverse or modify such conviction. If the member shall have been removed from his position, the court may direct that he be restored to such position and all his rights pertaining thereto, and may make such other order judgment as said court shall deem proper.
- Either the Township of Wall or the member may supplement the record with additional testimony subject to the rules of evidence.
- Suspension or fines of five days or less may be appealed under a grievance procedure contained in a collective negotiations agreement if the collective negotiation agreement so provides, except where the employee has been suspended or fined for an aggregate of fifteen or more days in a calendar year, or more than three times in a calendar year.

4:2.4 Employee Files

It is incumbent upon the employee to notify the Chief of Police to remove the final disposition notice from the file.

WALL TOWNSHIP POLICE DEPARTMENT				
<i>Standard Operating Procedure</i>				
CHAPTER: 21	SECTION: 3	# OF PAGES: 6		
SUBJECT: SAFE HAVEN INFANT PROTECTION				
EFFECTIVE DATE: January 25, 2013	ACCREDITATION STANDARDS: 4.5.7	REVISION DATE	PAGE #	
		04/01/14	3	
BY THE ORDER OF: Police Chief Robert Brice				
SUPERSEDES ORDER #:				

PURPOSE The purpose of this standard operating procedure is to maintain compliance with the New Jersey Safe Haven Infant Protection Act, NJSA 30: 4C-15 et seq.

POLICY It is the policy of the Wall Township Police Department to adhere to the tenets of the New Jersey Safe Haven Infant Protection Act. The intent of this law is to save infant lives by decriminalizing abandonment, under certain narrow circumstances, and place it outside the realm of child abuse and child neglect. The first priority in receiving an infant under the Act shall be to ensure the safety and well being of the infant.

PROCEDURES

I. Definitions

- A. **The Act** means the New Jersey Safe Haven Infant Protection Act, NJSA 30: 4C-15 et seq.
- B. **Safe Haven for Infants Hotline** means the toll-free, 24-hour hotline established by the Department of Human Services pursuant to the Act, and staffed by specially trained DCF employees. **1-877-839-2339**. The Safe Haven for Infants Hotline serves the following purposes:
 - 1. To receive and process referrals from a hospital emergency room when an infant is brought there from a police department, or brought directly to the hospital pursuant to the Act;
 - 2. To provide support to persons who may be considering giving up, or abandoning a newborn infant or a child not yet born;
 - 3. To respond to inquiries from the public about the Act, safe placement alternatives for infants, and information about adoption proceedings in New Jersey.
- C. **Infant** means a child no more than 30 days old, or appears to be no more than 30 days old. This definition should be interpreted generously. There are no guidelines to determine the exact age of an infant. Use common sense to arrive at a preliminary conclusion concerning the infant's age.
- D. **Hospital** means a licensed general hospital or medical center operating within the State of New Jersey under applicable state law.
- E. **Parent** means an infant's birth mother or birth father.
- F. **Police Department** means a state, county or municipal police department operating within the State of New Jersey, including substations.
- G. **Non-Identifying Information** means information about an infant that is not intended to identify the parents or birth family.

II. General

- A. The Act provides procedures that are similar to the way in which foundlings have been historically handled in this state, except that the timeframe for adoption proceedings regarding these children has been substantially accelerated and the act of leaving a child has been decriminalized, provided that the child has not been abused or neglected before being left at a police department or hospital emergency room.
- B. Although the Act specifies that the child must be brought to a police department or hospital emergency room, parent(s) may bring the child to someone else, such as another family member or clergy member, who may then bring the child to a police department or hospital emergency room for protection under the Act.

- C. The Act provides that police officers and hospital staff members who act in good faith in the application of the Act shall be immune from criminal and civil liability.
- D. The Act permits parent(s) who want to permanently give up rights to an infant, or a person acting on parent(s)' behalf, to voluntarily deliver and subsequently leave an infant at a police department or a hospital emergency room.
- E. The 24-hour toll free Safe Haven for Infants Hotline number may be provided to the public to satisfy any inquiry about the Act. It can also serve as a basic investigative or support resource tool.
- F. This agency is not required to conduct an independent missing/unidentified person investigation of an infant being surrendered in compliance with the Act, but shall assist the State Police Missing and Exploited Persons Unit upon request.
- G. On the next business day following the surrender of an infant, the detective assigned the case shall notify the Monmouth County Prosecutor's Office of the incident.
- H. All press or other media inquiries pertaining to the handling of the Safe Haven infant shall be directed to the **Department of Children & Families, Office of State Haven Infant Protection** at (609) 292-0422.

III. Infant Intake

- A. Upon any person(s) appearing at this agency to surrender an infant:
 - 1. Under no circumstances shall the person with an infant be turned away or directed to take the child to another agency or a hospital.
 - 2. The receiving officer shall take physical custody of the infant, immediately notify the shift supervisor, and take the appropriate steps to protect the infant's physical health and safety. These steps include but are not limited to:
 - a. Make a visual assessment of the infant for readily apparent signs of abuse or neglect. There is no obligation to remove the clothing of an otherwise apparently healthy infant to make the assessment;
 - b. Contact EMS to check on the health of the infant;
 - 3. If signs of abuse or neglect are observed, the person delivering the infant should be detained. Immediately contact a member of the Detective Bureau, who will be responsible for contacting the Monmouth County Prosecutor's Office. The responding detective shall make contact with the **New Jersey Department of Children & Families** (1-877-652-2873).
 - 4. Determine if any infant had been reported missing within this jurisdiction within the preceding 30 days.
 - 5. Offer the parent(s) or person acting on behalf of the parent(s) literature provided by the Department of Human Services.

6. Offer the parent(s) or person acting on behalf of the parent(s) medical services or inquire if they need medical care.
7. Contact EMS to transport the infant to a hospital emergency room. If EMS is unavailable, police personnel shall provide the transport. An approved car seat should be used if transported by police personnel.
8. Ask the person who delivered the infant to the police station the following questions and record the answers:
 - a. Whether that person is the parent of the infant; and
 - b. Whether the infant is no more than 30 days old; and
 - c. Whether the infant is being delivered voluntarily; and
 - d. Whether the parent intends to return for the infant.
9. Proof of identification is not required if the circumstances fall within the parameters of the Act. The Act does not apply in the following circumstances:
 - a. If the person delivering the infant is not the parent and indicates that the parent did not voluntarily arrange for that person to leave the infant at the police station; or
 - b. If the parent indicates that their actions are not voluntary (coerced); or
 - c. If the infant is more than 30 days old; or
 - d. If the parent or person delivering the infant expresses an intent to return for the infant; or
 - e. If signs of abuse or neglect are present. In this case, the incident will become a criminal investigation. The supervisor in charge shall initiate the investigation.
10. If it appears that the Act does apply and, **if offered**, record basic, non-identifying information from the parent(s) or person who brought the infant here. Record this information as it is being given. *(Note: A parent or person who is delivering an infant is **not** required to disclose any information and cannot be compelled to disclose this information. They will most likely be nervous, anxious or distrusting. Be concerned and supportive. **Do not** be judgmental. Remember that the safety of the infant is the paramount concern.)* Although this department cannot compel the person to provide information, some information may be useful to the hospital or to DCF. This information may include but is not limited to:
 - a. The infant's present health. Has the infant been sick since birth? Does the infant appear to have any handicap(s), physical or developmental problems?
 - b. The infant's race;