

RAMSEY POLICE DEPARTMENT - POLICIES & PROCEDURES			
GENERAL ORDER			
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Prepared by Captain Raymond P. Bailey Reviewed by Sgt. Kelly 9/9/14			
Issued by Ramsey Police Chief Bryan Gurney:			

RULES AND REGULATIONS

I. Establishment of police department rules and regulations

A. Police Department Authority

1. The Police Department of the Borough Of Ramsey is established pursuant to N.J.S.A. 40A:14-118 and municipal ordinance. The Ramsey Police Department shall after this be called the "department."

B. Department Rules

1. Rules and Regulations Established. The appropriate authority of the Borough of Ramsey hereby adopts and promulgates the department Rules and Regulations, known as the Ramsey Police Department Rules and Regulations and after this called the "rules."

2. Right to Amend or Revoke. In accordance with N.J.S.A. 40A:14-118, the right is reserved by the appropriate authority to amend or to revoke any of the rules contained herein.
3. 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.
4. Application. These rules are applicable to all police officers of the department and to all civilian employees of the department where appropriate.
5. Distribution. One copy of these rules shall be distributed to each employee of the department.
6. Responsibility for Maintenance. It is the continuing responsibility of each employee to maintain a current copy of the rules, including all additions, revisions and amendments as issued.
7. 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.

II. Definitions

A. Authority. The right to issue orders, give commands, enforce obedience, initiate action and make necessary decisions commensurate with rank or assignment as provided in the department rules, policies and procedures. Authority may be delegated by those so designated. Acts performed without proper authority or authorization shall be considered to be in violation of the rules.

B. Chain of command. Vertical lines of communication, authority and responsibility within the organizational structure of the department.

C. Day Off. Those days determined by the appropriate supervisor on which a given employee is excused from duty.

D. Directive. A document detailing the performance of a specific activity or method of operation. "Directive" includes:

1. General order: Broadly based directive dealing with policy and procedure and affecting one or more organizational subdivisions of the department.
2. Special order: A directive dealing with a specific circumstance or event that is usually self-canceling.
3. Personnel order: A directive initiating and announcing a change in the assignment, rank or status of personnel.

E. Employee. All employees of the department, whether sworn or special police officers or civilian employees.

F. May/Should. As used herein words "may" and "should" mean that the action indicated is permitted.

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

H. Policy. A statement of department principles that provides the basis for the development of procedures and directives.

I. Procedure. A written statement providing specific direction for performing department activities. Procedures are implemented through policies and directives.

J. Shall/Will. The words "shall" and "will" as used herein, shall indicate that the action required is mandatory.

K. Supervisor. Employee assigned to a position requiring the exercise of immediate supervision over the activities of other employees.

III. General duties and responsibilities

A. Police officers shall:

1. Take appropriate action to:
 - a. Protect life and property;
 - b. Preserve the peace;
 - c. Prevent crime;
 - d. Detect and arrest violators of the law;
 - e. Enforce all federal, state, and local laws and ordinances coming within department jurisdiction;
 - f. Safely and expeditiously regulate traffic;
 - g. Aid citizens in matters within police jurisdiction;
 - h. Take appropriate police action in aiding fellow officers as needed.
 - i. Provide miscellaneous services.
2. Support and defend individual protections, rights and privileges guaranteed by the Constitutions of the United States and New Jersey.
3. Exercise authority consistent with the obligations imposed by the oath of office and in conformance with the policies of the department.
4. Abide by all rules, regulations and departmental procedures and directives governing police officer employees.
5. Be accountable and responsible to their supervisors for obeying all lawful orders.
6. Coordinate their efforts with other employees of the department to achieve department objectives.
7. Conduct themselves in accordance with high ethical standards, on and off-duty.
8. Strive to improve their skills and techniques through study and training.
9. Familiarize themselves with the area of authority and responsibility for the current assignment.
10. Perform their duties promptly, impartially, faithfully and diligently.

11. Perform all related work as required.

B. Supervisors in the department shall:

1. Enforce department rules and insure compliance with department policies and procedures.
2. Exercise proper use of their command within the limits of their authority to assure efficient performance by their subordinates.
3. Exercise necessary control over their subordinates to accomplish the objectives of the department.
4. Guide and train subordinates to gain effectiveness in performing their duties.
5. Use department disciplinary procedures when necessary.
5. When using discipline, comply strictly with the provisions of the department disciplinary process.

See V2C1

C. Chief of Police

1. Pursuant to N.J.S.A. 40A:14-118 and municipal ordinance, the Chief of Police shall be the head of the Police Department and is the appropriate authority for the efficiency and day to day operations of the department. Pursuant to policies established by the appropriate authority, who is the Chief of Police shall:

- a. Administer and enforce the Rules and Regulations of the Police Department and any special emergency directives for the disposition and discipline of the Department and its members and officers;
- b. Have, exercise and discharge the functions, powers and duties of the Police Department;
- c. Prescribe the duties and assignments of all members and officers;

- d. Delegate such authority as may be deemed necessary for the efficient operation of the Police Department to be exercised under the direction and control of the Chief; and
- e. Report at least monthly to the Borough Administrator in such form as shall be prescribed on the operation of the Police Department during the preceding month and make such other reports as may be requested by the Governing Body.

2. Responsibilities. The Chief of Police is responsible to:

- a. Establish and maintain the efficient operation of the department.
- b. Organize, control and maintain all property and resources of the department.
- c. Develop the written organizational structure of the department, including chain of command and duty assignments.
- d. Develop and implement policies and procedures necessary to govern and direct the day to day operations of the police department.
- e. Provide for the proper training of all department employees.
- f. Provide for periodic inspections of all police operations to insure compliance with department rules, policies, and procedures.
- g. Maintain the overall discipline of the department.
- h. Maintain a constructive relationship with the public, community organizations, the media and other law enforcement agencies.
- i. Prepare and submit the annual budget and proposed expenditure programs to the appropriate authority or other designated officials.

j. Allocate funds within the budget which are appropriated by the governing body.

k. Provide for performance evaluations of all department employees. See V1C2

D. Civilian employees shall:

1. Take appropriate action to perform the duties of their positions promptly, faithfully and diligently.
2. Exercise authority consistent with the obligations imposed by their position and in conformance with the policies of the department.
3. Be accountable and responsible to their supervisors for obeying all lawful orders.
4. Coordinate their efforts with other employees of the department to achieve department objectives.
5. Conduct themselves in accordance with high ethical standards, on and off-duty.
6. Strive to improve their skills and techniques through study and training.
7. Familiarize themselves with the area of authority and responsibility for the current assignment.
8. Abide by all rules, regulations and departmental procedures and directives governing civilian employees.
9. Perform all related work as required.

IV. Rules of conduct

A. General conduct

1. Performance of Duty. All employees shall promptly perform their duties as required or directed by law, department rule, policy or directive, or by lawful order of a superior officer.
2. 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 policy.

3. Obedience to Laws and Rules. Employees shall obey all laws, ordinances, rules, policies, and procedures and directives of the department.
4. Withholding Information. Employees shall report any information concerning suspected criminal activity of others.
5. Reporting Violations of Law or Rules. Employees knowing of other employees violating laws, ordinances, or rules of the department, shall report it in writing to the Chief of Police through official channels. 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, official channels may be bypassed.
6. Truthfulness. Members and employees are required to be truthful at all times, whether under oath or not.
7. 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, officers should be referred to by rank.
8. Compromising Criminal Cases. Employees shall not interfere with the proper administration of criminal justice.
9. 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.
10. Posting Bail. Employees shall not post bail for any person in custody, except relatives. See V7C26
11. Use of Force. Employees shall follow department policy and procedure on the use of force. See V4C1
12. Fitness for duty. Police officers shall maintain sufficient physical and psychological condition in order

to handle the variety of activities required of a law enforcement officer.

13. 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.
14. Address and Telephone Numbers. Employees are required to have a telephone in the place where they reside. Changes in address or telephone number shall be reported in writing to the appropriate supervisor within 24 hours of the change.
15. Insubordination. Employees shall not:
 - a. Fail or refuse to obey a lawful order given by a supervisor;
 - b. Use any disrespectful or abusive language or action toward a supervisor.

B. Orders

1. Issuing Orders

- a. Manner of Issuing Orders. Orders from a supervisor to a subordinate shall be in clear and understandable language.
- b. Unlawful Orders. No supervisor shall knowingly issue any order, which is in violation of any law or ordinance.
- c. Improper Orders. No supervisor shall knowingly issue any order, which is in violation of any department rule, policy, or procedure.

2. Receiving Orders

- a. Questions Regarding Orders. Employees in doubt as to the nature or detail of an order shall seek clarification from their supervisors through the chain of command.

- b. 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.
- c. Obedience to Improper Orders. Employees who are given any order which is contrary to department rule, policy, or procedure must first obey the order to the best of their ability, and then report the improper order as provided.
- d. 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 countermanding the original order rests with the individual issuing the second order. If so directed, the latter order shall be obeyed first. Orders will be countermanded, or conflicting orders will be issued, only when reasonably necessary for the good of the department.
- e. Reports of Unlawful or Improper Orders. An employee receiving an unlawful or improper order shall, at first opportunity, report in writing to the next highest-ranking supervisor above the supervisor who issued the unlawful or improper order. Actions regarding such a report shall be conducted by the Chief of Police.
- f. 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.

C. Police Records and Information

- 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 policy and procedure.

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 policy and procedures.
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. See V4C8

D. Gifts, rewards, etc.

1. Soliciting or Accepting Benefits. Employees shall not directly or indirectly solicit, accept or agree to accept any benefit not allowed by law to influence the performance of their official duties.
2. Members and employees shall not accept any gift, gratuity, loan, fee or other thing of value, the acceptance of which might tend to influence directly or indirectly the actions of said member or employee or any other member or employee in any matter of police business; or which might tend to cast an adverse reflection on the Department or any member or employee thereof. No member or employee of the Department shall receive any loan, gift or gratuity from other members or employees junior in rank without the express permission of the Chief of Police. Said permission will only be granted when the transaction (loan, gift etc.) is made between family members of the first degree (e.g. parent, sibling).
3. Disposition of Unauthorized Gifts, 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.
4. No member or employee shall borrow any money or otherwise come indebted to any other member or employee. Additionally, no member shall become indebted to any

business entity within the Borough of Ramsey other than duly recognized lending institutions.

E. Alcoholic Beverages and Drugs

1. Consuming Alcoholic Beverages Before Duty. Employees shall not consume alcoholic beverages within four hours prior to reporting for duty.
2. Being Under the Influence. Employees shall not report for duty under the influence of any alcoholic beverage.
3. Consuming Alcoholic Beverages on Duty. Employees of the department shall not consume any alcoholic beverage while on duty.
4. Exception. Employees while assigned to duty in civilian clothes may consume alcoholic beverages only if such consumption:
 - a. is absolutely necessary in the performance of duty, and
 - b. has been approved by the appropriate supervisor, and does not render the employee unfit for proper and efficient performance of duty.
5. Consuming Alcoholic Beverages Off Duty in Uniform. Employees shall not consume alcoholic beverages while off duty and in uniform or any recognizable component of the uniform.
6. Alcoholic Beverages in Police Buildings. Alcoholic beverages shall not, at any time, be consumed in police buildings or facilities.
7. Supervisors' Responsibility. Supervisors shall not assign to duty or allow to remain on duty any employee whose fitness for duty is questionable due to the use of alcohol or medication.
8. Possession of Alcoholic Beverages. Employees shall not have alcoholic beverages on their person while on duty or in uniform, nor in any police department building or vehicle, except for evidential or other authorized purpose.

9. Entering Licensed Premises. Employees in uniform shall not enter any licensed premises where alcoholic beverages are sold or stored, except in the performance of duty and in compliance with department policy. Exemptions to this only can be approved by the Police Chief.
10. Taking Medication on Duty. Employees of the department shall not take any medication, which may diminish their alertness or impair their senses prior to, or after, reporting for duty unless directed by a physician.
11. Notification about Medication. When employees are required to take any prescription medication or any non-prescription medication, which may diminish their alertness or impair their senses, the employee shall notify their supervisor as to the medication required, its properties, the dosage and the period during which the employee is required to take the medication. This notification shall be by the prescribing physician. If the medication is a non-prescription drug the employee shall make this notification. The required notification shall be made prior to the employee reporting for duty. This information so provided shall be confidential.

Alcohol abuse and Alcohol Testing

A. GENERAL GUIDELINES

1. Subsequent to appointment, all members will be subjected to alcohol testing whenever there is individualized reasonable suspicion to believe a member is ingesting alcohol while on duty, or is in any way impaired while on duty due to alcohol consumption.
2. Members who produce, for the first time, a positive test result indicating alcohol consumption, will be subject to disciplinary action and/or may be granted, upon request and at the sole discretion of Borough of Ramsey, an unpaid medical leave of absence to obtain medical treatment for alcohol abuse. The length of the unpaid leave of absence is at the sole discretion of the Borough of Ramsey. Members who produce a second or subsequent test result indicating

alcohol consumption will be subject to disciplinary action, up to and including termination.

3. All supervisors may be required to undergo in-service training in alcohol abuse detection.

C. GENERAL METHODS AND PROCEDURES FOR ALCOHOL TESTING

1. The Alcotest will be the initial method for the screening of members for alcohol content.
2. Blood alcohol testing will be the primary method for verifying alcohol content.
3. Established quality control and chain of custody procedures must be maintained throughout the entire blood testing process, from sample acquisition to delivery at the laboratory.
4. All blood samples obtained from members will be delivered to a Ramsey designated physician/laboratory for analysis.
5. No adverse action will be taken against a member until a Ramsey designated physician/laboratory preliminary analysis and subsequent confirmation have been reported to the Department.

D. METHODS AND PROCEDURES FOR ALCOHOL TESTING FOR MEMBERS

1. Applicability

The following methods and procedures apply when a member submits to alcohol testing through blood samples for the purpose of determining alcohol content in the blood. Members will be required to submit a blood sample after having been given a Alcotest test based upon a Superior Officer's reasonable individualized suspicion that the member has consumed alcohol while on duty, or is in any way impaired while on duty due

to alcohol consumption, and has received a positive result from the Alcotest.

2. Notification of Alcohol Testing

- a. Alcohol testing through blood testing will be conducted when a member has received a positive test result from a Alcotest. Any member who has reasonable suspicion to believe that a fellow member has consumed alcohol while on duty, or is in any way impaired while on duty do to alcohol consumption, must immediately report that fact to the Police Chief or his designee. Any member who produces a confirmed positive test result for alcohol consumption for the first time will be subject to disciplinary action/or and may be granted, upon request, at the sole discretion of the Borough of Ramsey, an unpaid medical leave of absence to obtain medical treatment for alcohol abuse. The length of the unpaid medical leave of absence is at the sole discretion of the Borough of Ramsey. Members who produce a second or subsequent test result indicating alcohol consumption will be subject to disciplinary action, up to and including termination.
- b. Any member who refuses to provide a blood sample upon a lawful request made upon individualized reasonable suspicion will also be dismissed.

3. Laboratory Method - A Borough of Ramsey designated physician/laboratory will be the sole facility for the blood alcohol testing.

4. Preliminary Acquisition Procedures

- a. Before a member is ordered to submit to a blood alcohol test, the Department shall prepare a confidential report which documents the basis for

reasonable suspicion. The individual whose approval is necessary to order the blood alcohol test shall base his decision on the contents of this confidential report.

- b. Prior to the submission of a blood sample, the employee may complete a medical questionnaire which clearly describes all medicines, both prescribed by a physician or available over the counter (non-prescription), which he ingested during the prior 30 days.

5. Specimen Acquisition Procedure

- a. At the time that the blood sample is provided, the member will have the option to submit two samples. Both samples will be acquired according to the procedures outlined herein. One will be forwarded to Ramsey designated physician/laboratory for testing; the remaining sample will be stored in the frozen state within the Department according to Departmental procedures regarding chain of custody and evidence storage. This sample will be made accessible to the member or his attorney.
- b. The Department shall be responsible for acquiring blood samples from members and shall designate an individual to serve as the official monitor. The member may also choose to name another witness to the sample acquisition.
- c. The official monitor shall be responsible for insuring that all related forms have thoroughly and accurately been completed by the member.

- d. Generally, the member will submit the blood sample in the presence of the official monitor.
- e. Blood samples will be processed in accordance with accepted chain of custody procedures, and every effort will be made to ensure that the identity of the member being tested remains confidential. Throughout the blood acquisition process, the sample will be identified by use of the members social security number.
- f. The member will complete the information requested on any related Department or laboratory forms and will put his social security number, initials, and date on the specimen bottle label. After the official monitor has inspected the information for accuracy, the member will unseal the specimen bottle packet, and affix the label to the bottle. The member will secure the cap of the specimen bottle and will seal the sample by wrapping evidence tape around the bottle, vertically up one side, across the cap, down the other side, across the bottom and again up the first side, overlapping the tape to make a complete circle around the bottle. The member will then put his social security number, initials and date on the evidence tape and surrender the specimen to the official monitor. After ascertaining that all forms have been completed accurately, the official monitor shall take possession of the sample. The sample shall be placed in a control-access refrigerated storage area until it is delivered to a Ramsey designated physician/laboratory. This delivery shall occur within one laboratory working day of acquisition.

6. Alcohol Testing Results

A Borough of Ramsey designated physician/laboratory will notify the Police Chief of the result of the analysis immediately upon completion. The laboratory will report as positive only those samples which have been confirmed to be positive for the presence of alcohol. The laboratory will follow-up all immediate notifications with written reports. The Department will notify the member of the result of the analysis as soon as possible after notification by the laboratory. The Department will provide a copy of the laboratory report to the member if he requests it.

7. Hearings

A member may be disciplined up to and including termination from employment as a result of a positive test result for alcohol use or a refusal to submit to a blood alcohol test in accordance with established procedures.

Drug Abuse and Drug Testing (See V1C4)

- A. All drug testing shall be conducted in accordance with New Jersey Attorney General and Bergen County Prosecutor's Office Directives. (See Ramsey Police Department Drug Policy-Officer Drug Screening V1 C4), which is an annex to these Rules and Regulations.

F. Duty conduct

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

2. Absence from Duty. An employee who fails to appear for duty at the date, time, and place specified without the consent of competent authority is absent without leave. Supervisors shall immediately report to their supervisor in writing any employee who is absent without leave.
3. 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 (e.g., sleeping, conducting private business, or gambling).
4. Smoking While On Duty. Employees shall not smoke except in authorized areas. Employees shall not smoke on duty while in direct contact with the public.
5. 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.
6. Relief. Employees are to remain at their assignments and on duty until properly relieved by other employees or until dismissed by competent authority.
7. Meals. All meals are to be consumed within authorized areas, subject to modification by the supervisor.
8. Training. Employees shall attend training at the direction of the appropriate supervisor. Such attendance is considered a duty assignment, unless the prevailing collective bargaining agreement provides otherwise.
9. 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 absent without leave.

G. Uniforms, appearance and identification

1. Regulation Uniforms Required. All police officers and uniformed civilians shall maintain uniforms prescribed in department policy and procedure. Uniforms shall be kept neat, clean and well-pressed at all times.
2. Manner of Dress on Duty. Employees shall wear the uniform or civilian clothing on duty as prescribed by

department policy and procedure for the employee's current assignment.

3. Wearing Jewelry on Duty. Police officers on duty shall not wear loose fitting jewelry which may be grasped during a struggle or which can inflict injury or retard the mobility of the officer. This provision shall not prohibit non-uniform officers on duty from wearing jewelry appropriate for the conditions of their current assignment in accordance with department policy.
4. Personal Appearance. Employees, while on duty, shall be neat and clean in person, with uniform or clothes clean and pressed. This provision shall not prohibit non-uniform officers on duty from dressing appropriately for the conditions of their current assignment in accordance with department policy.
5. Wearing or Carrying Identification. Employees shall wear or carry their department identification at all times, provided that it is practical under the circumstances.
6. Identification as Police Officer. Except when impractical or where the identity is obvious, police officers shall identify themselves by displaying the official badge or identification card before taking police action. See V1C17

H. Department equipment and property

1. Equipment on duty. Employees shall carry all equipment on duty as prescribed in department policy and procedure based on their assignment.
2. Equipment off duty. Employees shall carry equipment off duty as prescribed in department policy and procedure based on their assignment.
3. Firearms. Employees shall follow department policy and procedure on the care and handling of firearms.
4. Department Property and Equipment. Employees are responsible for the proper care of department property and equipment assigned to them or used by them in the course of duty.

5. Use of Department Property and Equipment. Employees shall not use any department property or equipment for personal business or pleasure.
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.
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.
8. Notices. Employees shall not mark, alter or deface any posted notice of the department. Notices or announcements shall not be posted on bulletin boards without permission of the appropriate supervisor, except those areas designated for use by the collective bargaining units.
9. Use of Department Vehicles. Employees shall not use any department vehicle without the permission of a supervisor. Department vehicles shall never be used for personal business or pleasure except as provided for in department policy.
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 policy and procedure regarding same.
11. Transporting Citizens. Citizens will be transported in department vehicles only in conformance with department policy.
12. Reporting Accidents. Accidents involving department personnel, property, equipment and vehicles must be reported in accordance with department policy and procedure.
13. Inspection. Departmental property and equipment is and remains the property of the department and is subject to

entry and inspection without notice. Members should not have any expectation of privacy to any Borough owned property.

14. Liability. If department property is damaged or lost as a 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.

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 police identification, firearm (if applicable), and all other department property to the appropriate supervisor pending disposition of the case.

See V4C16

I. Communications, correspondence

1. Restrictions. Employees shall:

a. Not use department letterheads for private correspondence.

b. Only send correspondence out of the department under the direction of the appropriate supervisor.

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

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 license.

4. Telephones. Department telephone equipment may not be used for personal use involving toll charges without the express approval of a supervisor.
5. Radio Discipline. Employees operating the police radios shall strictly observe the procedures and restrictions for such operations as set forth in department policy and procedure and by the Federal Communications Commission.

See V2C11

J. Conduct toward public

1. Courtesy. Employees shall be courteous and orderly in their dealings with the public. They shall perform their duties politely, avoiding profane language and shall always remain calm regardless of provocation.
2. Request for Identification. Upon request, employees are required to supply their name and identification number in a courteous manner.
3. Impartiality. Employees shall not exhibit bias or favoritism toward any person because of race, sex, sexual orientation, creed, color, national origin, ancestry, influence or political affiliation.
4. Use of Derogatory Terms. Employees shall not use language that is derogatory to anyone because of race, sex, sexual orientation, creed, color, national origin, ancestry, or influence. See V4C6
5. Affiliation with Certain Organizations Prohibited. No employee shall knowingly become a member of any organization which advocates the violation of law, or which professes hatred, prejudice, or oppression against any racial or religious group or political entity, except when necessary in the performance of duty and at the direction of the Chief of Police. See V6C17
6. Representing the Police Department. Employees shall not give public speeches or demonstrations on behalf of the department, nor shall they endorse any product or

service as a representative of the department, without prior approval from the Chief of Police.

7. Racially-Influenced Policing. Members of the Ramsey Police Department shall not consider a person's race or ethnicity as a factor in drawing an inference or conclusion that the person may be involved in criminal activity, or as a factor in exercising police discretion as to how to stop or otherwise treat the person, except when responding to a suspect specific or investigation specific "be on the lookout" (BOLO) situation.

Nothing in this section shall be construed in any way to prohibit a member of this Department from taking into account a person's race or ethnicity when race or ethnicity is used to describe physical characteristics that identify a particular individual or individuals who is/are the subject of a law enforcement agency in furtherance of a specific investigation or prosecution. Any employee of this department that violates this rule shall be subject to discipline.

K. Political activities

1. Employees shall not be candidates for or hold office in the governing body of the Borough of Ramsey or political organizations within or inclusive of the jurisdiction in which they are employed unless authorized to do so by the county prosecutor.
2. 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. Employees shall not engage in any political activity while on duty, or while in uniform, or at any other time if to do so would conflict with their duties or impair their ability to perform their duties.
4. Employees shall not directly or indirectly use or attempt to use their official position to influence the political activity of another person.
5. Employees shall not engage in any polling duties except in the performance of their official duties.

6. Employees shall not display any political material on any government property or on their person while on duty or in uniform.

See V6C17

L. Judicial appearance and testimony

1. Duty of Employee to Appear and Testify. Employees shall appear and testify on matters directly related to the conduct of their office, position or employment before any court, grand jury, or the State Commission of Investigation.
2. Subpoena. Employees must attend court or quasi-judicial hearings as required by a subpoena (or Ramsey Court List). Permission to omit this duty must be obtained first by the employee's immediate supervisor in writing, then from the prosecuting attorney handling the case or other competent court officials.
3. Court Appearance. When appearing in court on department business, employees shall wear either the department uniform or appropriate business attire.
4. Testifying for the Defendant. Any employee subpoenaed or requested to testify for the defense or against the municipality or department in any hearing or trial shall notify the appropriate supervisor immediately upon receipt of the subpoena or request to testify.
5. Department Investigations. Employees are required to answer questions, file reports, or render material and relevant statements, in a departmental investigation when such questions and statements are directly related to job responsibilities. Employees shall be advised of, and permitted to invoke, all applicable constitutional and statutory rights, including consultation with their designated representative.
6. Truthfulness. Employees are required to be truthful at all times whether under oath or not.
7. Civil Action, Subpoenas. Employees shall not volunteer to testify in civil actions arising out of department employment and shall not testify unless subpoenaed. If the subpoena arises out of department employment or if

employees are informed that they are a party to a civil action arising out of department employment, they shall immediately notify the appropriate supervisor.

8. Civil Depositions and Affidavits. Employees shall confer with the appropriate supervisor before giving a deposition or affidavit on a civil case relating to their police employment.
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 county prosecutor.
10. Civil Process. Employees shall not serve civil process or assist in civil cases unless such service is approved by the appropriate supervisor.
11. Any time that a member is arrested for a crime, disorderly persons offense, domestic violence, or issued a motor vehicle summons for violations of Title 39, they are to notify the highest level of supervisor on duty at that time. See V4C21 & V7C3

M. Personnel regulations

1. Hours of Duty. Employees shall have regular hours assigned to them for active duty, and when not so employed, they shall be considered off duty. Employees are subject to be recalled to duty as needed.
2. Scheduled Days Off. Employees are entitled to days off pursuant to appropriate collective bargaining agreements and are to take such days according to a schedule arranged by the appropriate supervisor.
1. Vacation Leave. Employees are entitled to vacation days off pursuant to appropriate collective bargaining agreements, department policy and procedure, and approval of the vacation schedule by the appropriate supervisor.
2. Other Leaves. Employees are entitled to other leave as provided for in collective bargaining agreements, by law and by department policy and procedure, subject to approval of the schedule by the appropriate supervisor.

3. Sick Leave. Employees are entitled to sick days off pursuant to appropriate collective bargaining agreements and department policy and procedures.
4. Abuse of Sick Leave. Employees who take sick leave in violation of department policy shall be subject to disciplinary action.
7. Suspension of Leave. Any vacation leave, scheduled day off, or other leave of absence may be suspended when an emergency which reasonably could not have been foreseen is declared by appropriate department authority, and which unavoidably requires utilization of additional employees who are not scheduled to work.

See V1C9

N. Secondary Employment

1. Secondary Employment. Employees may engage in secondary employment consistent with department policy. See V1C15

O. Sexual Harassment (See V6C5)

1. It is the policy and one of the highest priorities of this Department to provide Equal Employment Opportunity to all members and employees and applicants for employment without regard to race, color, religion, nation origin, age or sex. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation and training.
2. In furtherance of this policy, the Department expressly prohibits any form of sexual harassment, which is a form of sexual discrimination. Improper interference with the ability of members and employees to perform their expected job duties will not be tolerated.
3. It is the responsibility of each supervisor to create an atmosphere free from sexual

harassment and to communicate the Department's policy of non-discrimination to all subordinates, to promptly investigate complaints and to take corrective action as necessary. It is the responsibility of each member and employee to respect the rights of co-workers.

P. Police Training (See V1C18)

Police officers and the Ramsey Police Department are responsible for conforming with the obligations of the Police Training Act (N.J.S.A. 52:17B-66 et seq.).

A. INDIVIDUALS AFFECTED BY THE ACT

1. Every individual appointed as a "police officer" by the appointing authority comes within the provisions of the Act. The term "police officer" includes all municipal police, county police, and county park police. The Act covers not only individuals entering law enforcement for the first time, but also individuals in the following categories:
 - a. Former police officers who have terminated their service with a police agency and subsequently seek reemployment with that agency.
 - b. Police officers from one agency who are subsequently employed by a different agency.
2. The Act applies to appointments that will become permanent. Appointments include, among others, officers employed under the Safe and Clean Streets program and individuals appointed as police officers pending Civil Service examinations. These classes of individuals come under the Act.
3. Not covered by the Act are civilian heads of law enforcement units and special police

officers appointed under N.J.S.A. 40A:14-146.

Q. Arrest (See V7C1)

1. Arrests. In making arrests, members shall strictly observe the laws of arrest and the following provisions:
 - a. The arresting officer shall employ only such force and necessary restraint to assure the safety of other persons, other police officers, and himself.
 - b. Every member shall refrain from using unnecessary force or violence in making arrests and must not strike a prisoner or any other person, except when necessary in self defense or to overcome actual physical resistance in making an arrest. However, he must be firm, resolute, and energetic, exercising the necessary means to perform his duty properly. (See V4C1)
 - c. The arresting officer is responsible for the safety and protection of the arrested person while in his custody. He shall notify the transportation officers of any injury, apparent illness, or other conditions which indicate that the arrested person may need special care.
(See V7C8 & C9)
 - d. The arresting officer is responsible for the security of the personal property in the possession of the arrested person or under his control at the time of the arrest. Except for vehicles, this responsibility transfers to the transportation officers when they accept custody of the arrested person.
 - e. Any person requiring transportation as a result of an arrest, or a suspicious

person, must be fully identified (if applicable, if not, treated like a John Doe) and searched (if female, with good sound police practice) before being placed in the back seat area of a Departmental vehicle and transported. Upon completing the transportation, the back seat area should be searched. This policy and procedure is not to conflict with any other Departmental policy or procedure. (See V7C9)

f. For the handling of prisoners in Headquarters, (See V7C8)

2. Assisting Criminals - Members and employees shall not communicate any information which might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment or which may enable them to dispose of or secrete evidence of unlawful activity or money, merchandise, or other property unlawfully obtained.
3. Assaults Against Police Officers - Police Officers shall arrest actors of assaults, aggravated assaults, and criminal offenses directed against them. The actors shall be charged accordingly. Whenever it is impossible to consummate the arrest at the time of the offense, the member shall make a complete report of the incident to his shift supervisor with a request that he be allowed to make a complaint in the proper court at the next session. A warrant which may be issued as a result of filing such a complaint shall in no case be served by the aggrieved member.

R. Detentions (See V7C8)

1. Custody of Prisoners - Members charged with the custody of prisoners shall observe all laws and Department orders regarding this activity. Prisoners shall be kept secure, treated firmly and humanely and shall not be subjected to unnecessary restraint.

2. Custody and Detention of Juveniles - The custody and detention of juveniles shall be governed by the Code of Juvenile Justice, N.J.S.A. 2A:4A-31 et seq. (L. 1988, c. 77). (See V7C2)
3. Transportation of Prisoners - Members transporting prisoners shall do so in accordance with Department policy and procedure. (See V7C9)
4. Use of Derogatory Terms - Members or employees shall:
 - a. Neither speak disparagingly of any race or minority group nor refer to them in insolent or insulting terms of speech, whether prisoners or otherwise.
 - b. Neither use uncomplimentary terms of speech when referring to any prisoner or other person nor willfully antagonize any person with whom the Officer comes in contact.
5. Reports and Bookings - No member or 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.
6. Use of Force, Including Deadly Force, By Law Enforcement Officers
(See V4C1, V4C2, V4C3 and V4C4)
7. Security of Departmental Business - Members and employees shall not reveal police information outside the Department except as provided elsewhere in this Manual or as required by law or competent authority. Specifically, information contained in police records, other information ordinarily accessible only to members and employees and names of informants, complainants, witnesses and other persons known to the police, are considered confidential. Silence shall be

employed to safeguard confidential information. Violation of the security of this type of information reflects gross misconduct.

8. Assisting Criminals - Members and employees shall not communicate in any manner, directly or indirectly, any information which might assist persons guilty of criminal or quasi-criminal acts to escape arrest or punishment or which may enable them to dispose of or secrete evidence of unlawful activity or money, merchandise or property unlawfully obtained.
9. Recommending Attorneys and Bail Bond Brokers are Prohibited - Members and employees shall not suggest, recommend, advise or otherwise counsel the retention of any particular attorney or bail bond broker to any person coming to their attention as a result of police business.
 - a. This does not apply when a relative of the member of the Department seek such service.
 - b. In no case may such advice be given to a relative where a fee, gratuity, or reward is solicited, offered or accepted from the attorney or bail bondsman.
 - c. Running or soliciting for an attorney or bail bondsman is gross misconduct.
10. Acting as a Bailor is Prohibited - Members and employees cannot act as bailors for any person in custody except relatives, and in no case where any fee, gratuity or reward is solicited or accepted.
11. Assisting a Citizen in Arrest - When a citizen charges another with the commission of a crime and insists that the person charged be taken into custody, and the circumstances appear to warrant an arrest, a

police officer shall take the accused to Police Headquarters, and shall require the accuser to accompany him as the complainant.

12. The Citizen's Arrest - Prisoners arrested by citizens shall be processed and detained in the usual manner.
13. Officer-in-Charge's Responsibility - The superior Officer in Charge shall not permit a person arrested by a citizen to be detained until and unless he, the superior officer, has carefully considered the factors in the case and is satisfied that a crime has been committed and that the person arrested has committed it.
14. Citizen as Arresting Person - Citizens making arrests shall be carried on all forms as the arresting person and shall be instructed by a superior officer or police officer where he is to make a sworn complaint, and when and where to appear for the arraignment of the prisoner.
15. Services of Detective Division - Where arrests are made by citizens, the Officer-in-Charge shall use discretion as to whether such cases warrant the services of Detectives. If so, a superior officer having responsibility shall be immediately notified so that a citizen may be interviewed and an investigation conducted, if necessary.
16. Criminal Complaints by Members. Members who prefer a criminal complaint against a person for injuries or damages incurred while off duty shall notify the Police Chief on the first work day.

S. Bail (See V7C2 and V7C4)

T. Firearms (See V4C2)

1. Department regulations concerning the care and use of firearms are designed to protect

the lives of police officers and the lives and property of the public.

2. Handling of Firearms - Police officers shall exercise caution and the utmost care in handling firearms on and off duty.
3. Official Police Firearm - The official police firearm shall be the firearm issued to each police officer by the Department. Depending on an officer's duty assignment, other firearms may be carried, if authorized by the Chief of Police
4. Cleaning - All weapons shall be clean and in proper working order and will be subject to inspection at all times. The Department will supply cleaning equipment.
5. Ammunition Inventory - The supervising firearms instructor shall have the responsibility of all Departmental ammunition and shall maintain a constant inventory of same, as directed by the Police Chief.
6. Qualification - All officers shall qualify with weapons at least twice a year at a time and date as set by the Police Chief.
7. Use of Force - Use of firearms and deadly force shall, at all times, be subject to all rules set forth previously by Chapter 58 of the Criminal Justice Code Title 2C of New Jersey and rules or regulations hereafter promulgated by the Chief of Police, Attorney General, Prosecutor, and/or State Statutes.
8. Discharge of Firearm: Report - (See Prosecutor's Policy also.) It shall be the policy of the Ramsey Department of Police that any member of the force who discharges any firearm or service weapon shall, by the quickest means of communication available, notify the appropriate police official, and promptly submit a written report to his Commanding Officer, whether in performance

of duty or accidentally, or whether on or off duty, as well as during an authorized absence from duty. This reporting requirement shall not apply to firearms routinely discharged in the course of training, hunting, competitive shooting.

9. Non-regulation Firearm Prohibited - Police officers who carry and employ firearms other than those that have been inspected and approved by the Department shall be subject to disciplinary action.
10. Removing Firearm From Belt - When removing a firearm from his person, a police officer shall keep the firearm holstered and jointly remove both the firearm and holster from his belt. A police officer shall not remove the firearm from its holster except when he intends to clean or fire it. However, when circumstances require, a police officer may unload his firearm before storing it in a secure place, providing he observes all the safe practices prescribed and taught by authorized Department firearms instructors for the safe unloading of the weapon.
11. Carrying Firearm - On Duty - All repairs and adjustments to the official police firearm shall be made only with the authorization of the superior officer in charge of firearms training. Police officers shall not use unauthorized molded grips, special type grips, nor pearl-handled grips. They shall not make any change to the trigger pull mechanism or effect any other unauthorized alteration or addition. Grip adapters may be used in special cases, but only after the police officer first has obtained the approval of the firearms instructor.
12. Carrying Firearm - General - Police officers shall carry their official police firearms or authorized off-duty firearms fully loaded and in a serviceable operating condition. They shall also carry extra ammunition in either belt loop, speed loader, or strip

loader at the officer's discretion. He must be qualified by the firearms instructor using the same loading method. Police officers who are suspended or whose firearms have been officially taken from them for other reasons shall not carry a firearm under any circumstances.

13. Care of Firearms Off Duty, Outside Home - If a police officer, when off duty and outside his home, carries his Department-issued firearm or authorized off-duty weapon, it shall be holstered on his person readily available for emergency use. To avoid an accidental discharge, a police officer shall not carry his firearm in his waistband or in any of his pockets.
14. Care of Firearms Off Duty, At Home - A police officer shall keep his firearm in a secure place readily available in case of emergency.
15. Securing of Weapons - A member shall be solely responsible for storing his Department-issued weapons or personally-owned weapons in his locker or other police facility.
16. Loss of the Firearm - Loss of the official police firearm through carelessness or neglect shall be deemed a serious violation of Department regulations.

T. INVESTIGATIONS (See V4C8, V6C1, V6C6, V7C9, V7C11, V8C1, V9C21 and V9C22)

1. Command of Scene - At the scene of any crime, accident or other police incident, the ranking officer present shall assume command and direction of police personnel in a manner to assure the most orderly and efficient accomplishment of the police task. When two or more officers of the same rank are present and one of these is assigned to the investigative detail that will follow up the investigation, that ranking officer will

be in charge. This provision is intended to provide for the coordination of the efforts of the several subordinate members who may be assigned to the incident. Therefore, it is incumbent upon the ranking officer assuming such control to become acquainted with the facts and insure that appropriate action is being taken or is initiated.

2. General Responsibilities of Members at Scenes - The first member to arrive at the scene of a crime or other police incident is responsible for the following actions as they may apply to the situation:

- a. Notify headquarters of situation and location.
- b. Summon medical assistance and then administer first aid as required to prevent further injury or loss of life.
- c. Arrest of violator(s).
- d. Secure the scene.
- e. Conduct a preliminary investigation.

3. Responsibilities of Assigned Member at Crime Scene - The members officially assigned to perform the preliminary or other investigation of an alleged crime or other incident are responsible for the completion of the preliminary or other investigation as directed. This shall include, but is not necessarily limited to, the securing of statements and other information which will aid in the successful completion of the investigation; locating, collecting and preserving physical evidence material to the issue, and; identifying, locating and apprehending the offender.

3. Identification as Police Officer - Except when impractical or unfeasible, or where the identity is obvious, officers shall identify themselves by displaying the official badge or

identification card before taking police action.

5. Release of Information at Crime Scene - Unauthorized persons, including members of the press, shall be excluded from crime scenes. Information which will not hinder or nullify any investigation shall be given to the press by the superior officer in charge of the investigation in accordance with Department policy.

6. Statements to the Media - (See V6C6)
An officer shall not make nor participate in making any statement to the media that relates to:

- a. The character, reputation, or prior criminal record (including arrests, indictments, or other charges of crime) of the accused.
- b. The possibility of a plea of guilty to the offense charged or to a lesser offense.
- c. The existence or contents of any confession, admission, or statement given by the accused or his refusal or failure to make a statement.
- d. The performance or results of any examinations or tests or the refusal or failure of the accused to submit to examinations or tests.
- e. The identity, testimony, or credibility of a prospective witness.
- f. Any opinion as to the guilt or innocence of the accused, the evidence, or the merits of the case.

(All statements will be made under the direction of the Police Chief)

THESE RULES DO NOT PRECLUDE AN OFFICER FROM ANNOUNCING (See V6C6):

- (1) The name, age, residence, occupation, and family status of the accused, except if a juvenile.
- (2) If the accused has not been apprehended, any information necessary to aid in the apprehension or to warn the public of any dangers the accused may present.
- (3) A request for assistance in obtaining evidence.
- (4) The identity of the victim of the crime unless a sexual assault is involved or there is some other reason to protect the privacy of a victim.
- (5) The fact, time and place of arrest, resistance, pursuit, and use of weapons.
- (6) The identity of investigating and arresting officers or agencies and the length of the investigation.
- (7) At the time of seizure, a description of the physical evidence seized, other than a confession, admission or statement
- (8) The nature, substance, or text of the charge.
- (9) Quotation from or references to public records of the court in the case.
- (10) The scheduling or result of any step in the judicial proceedings.
- (11) The accused's denial of the charges against him.

U. Discipline

A. Disciplinary Action

1. Disciplinary Action. Employees, regardless of rank, shall be subject to disciplinary action, according to the nature or aggravation of the offense, for:
 - a. committing an offense punishable under the laws or statutes of the United States, the State of New Jersey or any other State, or municipal ordinances;
 - b. failure, either willfully or through negligence or incompetence, to perform the duties of their rank or assignment;
 - c. violation of any rule, policy, procedure, or directive of the department; or
 - d. failure to obey any lawful instruction, order, or command of a supervisor.
2. Repeated Violations. Repeated violations of the rules of conduct shall be indicative of employees' disregard for their duty and may be cause for dismissal. This shall apply regardless of the type or severity of the offenses.

V. Disciplinary Procedure

Procedures.

The disciplinary procedures must be in accordance with the laws of the State of New Jersey, municipal ordinance, case law, collective bargaining agreements, administrative regulations, and municipal rules. These procedures should include details on charging, hearings, and appeals.

Appeal Procedures.

Appeals of disciplinary actions are explained in the current agreement between the Borough of Ramsey and the collective bargaining agreements with the recognized collective bargaining units.

Penalties.

A system of progressive discipline must be instituted within the department's rules and regulations. Progressive discipline serves an important role in the process by which

the department deals with minor complaints of misconduct. In providing a range of penalties, the department can use the disciplinary process to achieve the basic goals of instruction and addressing inappropriate behavior before minor problems escalate into major problems. At the same time, the accused officer is made aware that repeated violations of department rules will lead to ever increasing penalties. A progressive discipline scale can include:

1. Counseling
2. Oral reprimand or performance notice
3. Written reprimand
4. Monetary fine
5. Transfer/reassignment
6. Suspension without pay
7. Loss of promotion opportunity
8. Demotion
9. Dismissal

The possible penalties an officer might receive when an allegation of misconduct is substantiated should be included in the rules. It is suggested that the agency set different levels of penalty based on the seriousness of the violation. For instance, four "classes" of violations could be used in which Class A violations represent only the most serious infractions, Class D violations are relatively minor rule violations, and Class B and Class C are in between. For each class, presumptive minimum and maximum penalties should be specified. This does not limit the hearing authority from imposing a penalty outside of the established classes. If the hearing authority should impose a penalty outside of the set range, this action must be clearly justified in the hearing documentation. Penalties must be imposed on a case by case basis. In each case, the hearing officer should consider all the aggravating and mitigating circumstances surrounding the accused officer's behavior.

W. Resignation

1. Resignation to be in Writing. All resignations of employees must be in writing and bear the signature of the person resigning. Employees shall provide no less than two weeks written notice to the Chief of Police.

