

CHAPTER 2: CONDUCT OF PERSONNEL

2:1 PROFESSIONAL CONDUCT AND RESPONSIBILITIES

[26.1.1]

- 2:1.1 Standards of Conduct:** Morris County Sheriff's Office personnel will conduct their private and professional lives in such manner as to avoid bringing the Morris County Sheriff's Office into disrepute.
- 2:1.2 Loyalty:** Loyalty to the Morris County Sheriff's Office and to associates is an important factor in office morale and efficiency. Morris County Sheriff's Office personnel will maintain loyalty to the Morris County Sheriff's Office and their associates as is consistent with the law and personal ethics.
- 2:1.3 Cooperation:** Cooperation between the Morris County Sheriff's Office personnel, ranks and units of the Morris County Sheriff's Office is essential to effective law enforcement. Therefore, Morris County Sheriff's Office personnel are strictly charged with establishing and maintaining a high spirit of cooperation.
- 2:1.4 Assistance:** Morris County Sheriff's Officers, on duty or off duty, are required to aid fellow Law Enforcement Officers by taking appropriate police action, when necessary. Morris County Sheriff's Office personnel who take any law enforcement type action which may touch upon or reflect on their position in the Morris County Sheriff's Office shall notify their Morris County Sheriff's Office supervisor and shall submit a written Operations Report, as soon as practical.
- 2:1.5 General Responsibilities:** Morris County Sheriff's Officers will, at all times, take appropriate action to:
- 1) Protect life and property;
 - 2) Preserve the peace;
 - 3) Prevent crime;
 - 4) Detect and arrest violators of the law;
 - 5) Enforce all Federal, State and Local Laws and Ordinances within the jurisdiction of the Morris County Sheriff's Office;
 - 6) Safeguard the rights of individuals as provided by the United States Constitution and Constitution of New Jersey.
 - 7) Safely and expeditiously regulate traffic;
 - 8) Provide information to other law enforcement agencies;
 - 9) Aid citizens in matters within the jurisdiction of the Morris County Sheriff's Office;
 - 10) Take appropriate action in aiding fellow law enforcement officers, as needed; and
 - 11) Provide miscellaneous services to the community and other agencies.

- 2:1.6 Duty Responsibilities:** Morris County Sheriff's Officers are always subject to duty, although periodically relieved of its routine performance. While on duty, Morris County Sheriff's Officers must be capable of performing all aspects of their job title as outlined by the New Jersey Civil Service Commissions; in addition to carrying the agency approved firearm. They will, at all times, respond to the lawful orders of Superior Officers and/or other proper authorities as well as calls for police assistance from citizens. Proper action must be taken whenever required. The administrative delegation of the enforcement of certain Laws and Ordinances to particular units of the Morris County Sheriff's Office does not relieve Morris County Sheriff's Officers of other units from the responsibility of taking prompt, effective police action within the scope of those Laws and Ordinances, when the occasion so requires. Morris County Sheriff's Officers assigned to special duties are not relieved from taking proper action outside the scope of their specialized assignment. While on alternate duty, Morris County Sheriff's Officers will not be permitted to carry agency approved firearms on or off duty.
- 2:1.7 Neglect of Duty:** Morris County Sheriff's Office personnel will not commit any act that constitutes neglect of duty nor will they be guilty of any omission thereof.
- 2:1.8 Performance of Duty:** Morris County Sheriff's Office personnel will perform their duties as required or directed by Law, Office Rule, Regulation, Policy, Procedure or Order of a Superior Officer/Supervisor. All lawful duties required by competent authority will be performed promptly as directed, notwithstanding the normal assignment of duties and responsibilities. Morris County Sheriff's Office personnel who deviate from the performance of any required duty will be held accountable for their actions and be required to justify such actions in writing.
- 2:1.9 Questions Regarding Assignments:** Morris County Sheriff's Office personnel in doubt as to the nature or detail of their assignment will seek clarification from the immediate Supervisor responsible for the assignment.
- 2:1.10 Insubordination:** Morris County Sheriff's Office personnel are prohibited from committing any act that may be considered disobedient in nature.
- 2:1.11 Obedience to Laws and Regulations:** Morris County Sheriff's Office personnel will observe all Rules, Regulations, Policies, Procedures, or Orders of the office in addition to all Morris County Prosecutor and Attorney General directives and mandates, State Laws, Federal Laws, and Municipal Ordinances.
- 2:1.12 Criticism of Official Acts or Orders:** Morris County Sheriff's Office personnel will not criticize the official actions, instructions or orders of any personnel in a manner which is defamatory, obscene, unlawful or which tends to impair the efficient operation of the Morris County Sheriff's Office.
- 2:1.13 Conduct Toward Others:** Morris County Sheriff's Office personnel will treat Superior Officers/Supervisors, Subordinates and associates with respect. They will be courteous and civil at all times in their relationships with one another.
- 2:1.14 Manner of Issuing Orders:** **[12.1.3]**
- 1) Orders from Superior Morris County Sheriff's Office Officers/Supervisors to Subordinates will be in clear, understandable language, civil in tone and issued in pursuit of office business; and
 - 2) Morris County Sheriff's Office personnel will observe and fulfill any lawful orders given to them by a Superior Officer/Supervisor, including any order relayed from a Superior by Morris

County Sheriff's Office personnel of the same or lesser rank.

2:1.15 Unlawful Orders: No Superior Morris County Sheriff's Office Officer/Supervisor will knowingly issue any order that is in violation of any Law or Ordinance. **[12.1.3]**

2:1.16 Obedience to Unlawful Orders: Obedience to an unlawful order is never a defense of an unlawful action. Therefore, Morris County Sheriff's Office personnel will not obey an order that is contrary to Federal or State Law or Local Ordinance. Responsibility for refusal to obey rests with receiving Morris County Sheriff's Office personnel who will be required to justify their action. If any Morris County Sheriff's Office personnel doubts the legality of an order, they will either request clarification of the order or confer with higher authority. Any Morris County Sheriff's Office personnel receiving an unlawful order will notify the issuing Supervisor that compliance with the order, as issued, is unlawful. If the Supervisor does not rescind the order, the employee shall request the presence of the next level Supervisor in the Chain-of-Command.

2:1.17 Unjust or Improper Orders: No Superior Morris County Sheriff's Officer/Supervisor will knowingly issue any order that is unjust or contrary to Office Rules, Regulations, Policies or Procedures.

2:1.18 Obedience to Unjust or Improper Orders: Morris County Sheriff's Office personnel who are given an order, which they feel to be unjust or contrary to Office Rules, Regulations, Policies or Procedures, will respectfully inform the Supervisor issuing the order of their belief. If the Supervisor issuing the order does not alter or retract the order, the order shall stand and the individual must obey the order to the best of their ability. The Supervisor issuing the order will be responsible for any consequences. Morris County Sheriff's Office personnel may appeal as provided in subsection 2:1.20 of this chapter.

2:1.19 Conflicting Orders: Upon receipt of any order conflicting with any previous order or instruction, affected Morris County Sheriff's Office personnel will advise the person issuing the second order of this fact. Responsibility for countermanding the original instruction then rests with the individual issuing the second order. If so directed, the latter command will be obeyed first. Orders will be countermanded or conflicting orders will be issued only when reasonably necessary for the good of the Morris County Sheriff's Office. The individual countermanding the original order must make every effort to immediately notify the originator of that order. **[12.1.3]**

2:1.20 Reports and Appeals-Unlawful, Unjust, Improper Orders: Morris County Sheriff's Office personnel receiving an unlawful, unjust or improper order will, at first opportunity, report the details in writing to the Morris County Sheriff through the Chain of Command. This report will contain the facts of the incident and the action taken. An appeal for relief from such orders, if necessary, may be made at the same time.

2:1.21 Soliciting Gifts, Gratuities, Fees, Rewards, Loans: Morris County Sheriff's Office personnel will not under any circumstances solicit any gift, gratuity, loan, reward or fee where there is any connection between the solicitation and their office employment.

2:1.22 Acceptance of Gifts, Gratuities, Fees, Loans: Morris County Sheriff's Office personnel will not accept, give or sell, either directly or indirectly, any gift, gratuity, loan, fee or any other object of value arising from or offered because of their employment or any activity connected with their affiliation with the Morris County Sheriff's Office, unless approved by the Morris County Sheriff or his designee.

2:1.23 Other Transactions: Morris County Sheriff's Office personnel are prohibited from buying or selling anything of value from or to any known complainant, suspect, witness, defendant, prisoner or other

person involved in any case which has come to their attention or which arose out of their Morris County Sheriff's Office employment, except as may be specifically authorized by the Morris County Sheriff.

2:1.24 Rewards: Morris County Sheriff's Office personnel will not accept any gift, gratuity or reward in money or other compensation for services rendered in the line of duty to the community or any person, business or agency, except lawful salary and that which may be authorized by Law.

2:1.25 Disposition of Unauthorized Gifts, Gratuities: Any unauthorized gift, gratuity, loan, fee, reward or other object coming into the possession of any personnel will be forwarded to the Morris County Sheriff with a written report explaining the circumstances.

2:1.26 Intercession-Soliciting: Morris County Sheriff's Office personnel will not solicit anyone to intercede with the Morris County Sheriff, or the Board of Chosen Freeholders in relation to promotion, assignments, disposition of pending charges or findings in a department hearing or other related matter.

2:1.27 Restricted Activity and Associations: Morris County Sheriff's Office personnel will not visit places known to be under investigation for illegal activity, except as may be required in the course of duty. Morris County Sheriff's Office personnel will not voluntarily maintain or establish relationships with individuals known to be under investigation for illegal activity or who are on parole, probation or out on bail, except when dealing with immediate family, household members or as may be required in the course of official duty. When dealing in matters regarding family-based relationships, Morris County Sheriff's Officers are expected to use prudent judgement in assuring their loyalty to the family member does not impede their sworn duty to act as a Law Enforcement Officer.

2:1.28 Withholding Information: Morris County Sheriff's Office personnel will not, at any time, withhold any information concerning criminal activity, a law enforcement investigation or a violation of Rules, Regulations, Policies or Procedures.

2:1.29 Reporting Violations of Laws, Ordinances, Rules, Regulations, Policies, Procedures, or Orders: Morris County Sheriff's Office personnel with knowledge of other Morris County Sheriff's Office personnel violating Laws, Ordinances, Rules, Regulations, Policies or Procedures of the Office or disobeying orders, will report the violation to their Supervisor. The Supervisor will notify the Morris County Sheriff's Office Chief through the Chain of Command. If the Supervisor is the violator then the Division Captain or Lieutenant will be notified directly.

2:1.30 Compromising Criminal or Traffic Cases/Investigations: Morris County Sheriff's Office personnel shall not interfere with the proper administration of justice.

2:2 GENERAL CONDUCT ON DUTY

[26.1.1]

2:2.1 Prohibited Activities on Duty: Morris County Sheriff's Office personnel are prohibited from engaging in certain activities while on duty which are listed, but are not limited to the following:

- 1) Sleeping, loafing, and idling;
- 2) Reading any material that is not job related; and/or
- 3) Conducting private business.

- 4) Excessive use of a cellphone while on duty.

2:2.2 Alcoholic Beverages, Prescription Medication and Drugs:

- 1) No Morris County Sheriff's Office personnel will appear for or be on duty while under the influence of alcohol or marijuana/cannabis or controlled dangerous substances or be unfit for duty because of their excessive use.
- 2) Morris County Sheriff's Office personnel will not drink any kind of intoxicating beverage while on duty unless to further a police purpose. If Morris County Sheriff's personnel must drink alcoholic beverages in the course of their police function, they will not consume to the extent of becoming intoxicated.
- 3) Office Morris County Sheriff's personnel will not take any prescription drugs unless duly prescribed by a certified physician.
- 4) Intoxicating beverages and/or marijuana/cannabis may not be consumed at or in any Morris County Sheriff's Office facility.
- 5) Morris County Sheriff's Office personnel will not bring into or keep any intoxicating liquor or marijuana/cannabis or controlled dangerous substances on to any Morris County Sheriff's Office premises except for duly prescribed medication. Liquor or marijuana/cannabis or controlled dangerous substances brought on to any Morris County Sheriff's Office premises, in the furtherance of a police task, will be properly identified and stored according to Morris County Sheriff's Office policy.
- 6) Morris County Sheriff's Officers who are taking prescription medication must inform the administration of this fact with a written note from their doctor. This note must state that the Morris County Sheriff's Officer is currently under the doctor's care and taking medication that will or will not interfere with the Morris County Sheriff's Officer's ability to perform their duties or carry a weapon. The note must not indicate the type of medication or the illness for which it is being administered. If the doctor believes that the medication or illness may affect those abilities, the Morris County Sheriff or his designee may take appropriate action such as ordering a temporary duty reassignment or requiring the person to take sick leave, Family Leave or disability leave.
- 7) Any Morris County Sheriff's Office personnel reporting for duty with the odor of alcohol in their breath or appearing to be under the influence may be subject to substance testing as outlined in portions of the S.O.P. entitled "*Professional Standards Unit*" (Vol. V, Ch. 1).
- 8) No liquor license shall be held by any Morris County Sheriff's Officer, or by any profit corporation or association in which any Morris County Sheriff's Officer is interested, directly or indirectly.

2:2.3 Absence from Duty: Every Morris County Sheriff's Officer/Civilian must appear for duty at the date, time and place specified by their Supervisor or daily schedule. Failing to do so without the consent of competent authority is "absent without leave". Morris County Sheriff's Office personnel who are

“absent without leave” for any period must report the absence to their Supervisor in writing and include in the report the reason for their absence. The Supervisor will review and forward the report to the Morris County Sheriff through the Chain of Command.

- 2:2.4 Work Expectation:** Morris County Sheriff’s Office personnel are expected to perform their duties to the best of their abilities at all times.
- 2:2.5 Physical Fitness for Duty:** Morris County Sheriff’s Officers will maintain good physical and mental condition so that they can handle the strenuous physical and mental contacts often required of a Law Enforcement Officer. Their Supervisor will report those Morris County Sheriff’s Officers suspected of being unable to perform their assigned duties because of a poor physical or mental condition to the Morris County Sheriff through the Chain of Command for his recommended actions.
- 2:2.6 Smoking While on Duty:** Morris County Sheriff’s Office personnel wishing to smoke while on duty will do so in accordance with the S.O.P. entitled *“Smoking within Facilities/Vehicles Used by Sheriff’s Office Personnel”* (Vol. III Chap. 14).
- 2:2.7 Relief:** Morris County Sheriff’s Office personnel are to remain at their assignments and on duty until properly relieved or until dismissed by competent authority.
- 2:2.8 Training:** Morris County Sheriff’s Office personnel will attend in-service training, when deemed necessary, for the enhancement of the Morris County Sheriff’s Office and at the direction of their Superior Officer/Supervisor. Such attendance is considered a duty assignment.
- 2:2.9 Inspections:** From time to time the Morris County Sheriff may call for full dress inspections of the office or any part thereof. Morris County Sheriff’s Officers directed to attend such inspections will report in the uniform prescribed, carrying the equipment specified. Unauthorized absence from such inspection is chargeable as absence without leave.
- 2:2.10 Retaliation:** No Morris County Sheriff’s Office personnel shall take any official action, initiate, or engage in any conduct with the intention to retaliate against any person for criticizing or complaining about other Morris County Sheriff’s Office personnel.
- 2:2.11 National Colors and Anthem:** (United States Code Title 36 Chapter 10 - 01/93)
- 1) During rendition of the national anthem when the flag is displayed, all present except those in uniform should stand at attention facing the flag with the right hand over the heart. Men/Women not in uniform should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should come to attention and render the military salute at the first note of the anthem and retain this position until the last note.
 - 2) When the flag is not displayed, those present should face toward the music and act in the same manner they would if the flag were displayed there.
 - 3) During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should come to attention and render the military salute the moment the flag begins to move and hold the salute until the flag has stopped. When not in uniform, men should remove their headdress with their right

hand and hold it at the left shoulder, the hand being over the heart.

- 4) When the flag is in a moving column, uniformed Morris County Sheriff's Officers will face the flag and render a military salute the moment the flag passes.
- 5) During rendition of "Taps", all Morris County Sheriff's Office personnel should adhere to the same procedures as a rendition of the national anthem.

2:3 GENERAL RULES FOR DIVISION COMMANDERS

2:3.1 Each Commanding Morris County Sheriff's Officer regardless of rank is subject to the general Rules and Regulations, in addition to being amenable to the Rules and Regulations governing their position.

2:3.2 During the temporary absence of the Division Captain, when no special designation is made by the Morris County Sheriff or his designee, the command will be assumed by the next highest available rank in the Chain of Command.

2:3.3 Captains and Lieutenants are responsible for ensuring:

- 1) The good order, efficiency and discipline of personnel under their command;
- 2) Each person under their command is provided with a copy of these Rules and Regulations;
- 3) Morris County Sheriff's Office personnel under their command are properly instructed in their duties and responsibilities;
- 4) The proper preparation, transmission, filing, use and preservation of official records, reports, return forms and correspondence originating in or forwarded to their command;
- 5) Periodic and careful examination of all Rules and Regulations and those Policies and Procedures applicable to their particular Division; and
- 6) Proper care, economical use and serviceability of the property issued and assigned to the personnel of their Division.

2:3.4 Lieutenants will have direct supervision and control, subject to the orders of the Morris County Sheriff, over all Morris County Sheriff's Office personnel assigned to their Section(s). They will be responsible for the efficiency and effectiveness of their Section(s). They will coordinate the functions and activities of the various Sections and Units of their Division. They will promote harmony among Morris County Sheriff's Office personnel of their Section(s) and be responsible for the cooperation of their Section(s) with all other Divisions and Sections. Lieutenants may act as such to Section(s) not regularly assigned to their command, when a delay to inform the Captain might result in a failure to perform a duty.

2:3.5 Lieutenants will, without specific instructions, establish the required details and assignments necessary to carry out the functions of the Office of the Morris County Sheriff and of their Section(s) in particular.

- 2:3.6 Lieutenants will be guided in their assignment of Morris County Sheriff's Office personnel by the number of personnel available to them for assignments and the necessity for assigning the Morris County Sheriff's Office personnel where they will be the most useful and efficient.
- 2:3.7 Lieutenants will not countermand an order issued by a higher authority without sufficiently good reason.
- 2:3.8 Lieutenants will immediately report any emergency, serious crime or unusual occurrence to their immediate Supervisor.
- 2:3.9 When the Lieutenant feels it necessary, they will personally respond to any emergency or occurrence of a serious or unusual nature, which arises within their area of responsibility, unless their presence would be of more value elsewhere. In which case, they will assign a competent Morris County Sheriff's Officer/Supervisor to take command at the scene of the emergency. They will also, whenever possible, respond to calls where Morris County Sheriff's Officers of their command are involved in controversial incidents or serious accidents.
- 2:3.10 Lieutenants will maintain a pleasant, courteous and dignified attitude. They will accord respect, sincerity and attention to each citizen.
- 2:3.11 Lieutenants will be responsible for the efficiency, discipline and morale of all Morris County Sheriff's Office personnel of their Section(s). They will promptly bring to the attention of the Morris County Sheriff's Office Chief and the Captain, all complaints by citizens and reports by Morris County Sheriff's Office personnel of alleged violations of the Rules, Regulations, Policies and Procedures on the part of anyone under their command in accordance with the applicable portions of the S.O.P. entitled "*Professional Standards Unit*" (Vol. V, Ch. 1).
- 2:3.12 Lieutenants will be held responsible for the justification and legality of any action they take.

2:4 GENERAL RULES FOR SUPERIOR OFFICERS/SUPERVISORS

- 2:4.1 Superior Morris County Sheriff's Officers/Supervisors must accept responsibility in matters not covered by specific Rules, Regulations, Policies and Procedures.
- 2:4.2 Superior Morris County Sheriff's Officers/Supervisors are responsible not only for their own conduct and the performance of duties, but for that of their Subordinates as well. They will set a proper example in sobriety, dignity, courtesy, discretion, initiative, diligence, truthfulness, courage, attention to duty and the observance of proper discipline. They will, at all times, appear neatly attired and clean in personal equipment. Subordinates should have a clear understanding of the reporting relationship and accessibility to a Supervisor. Each Subordinate is accountable to only one (1) Supervisor at any given time. Supervisors may be deployed geographically rather than temporally. **[11.3.2]**
- 2:4.3 Superior Morris County Sheriff's Officers/Supervisors will not attempt to evade responsibility. General laxity, indifference, incompetence and ineffectiveness on the part of Subordinates will be deemed evidence of incompetence and neglect of duty on the part of the Superior Morris County Sheriff's Officer/Supervisor.
- 2:4.4 Superior Morris County Sheriff's Officers/Supervisors will promptly obey all orders of their Superior Officer/Supervisor, the Morris County Sheriff's Office Chief, the Undersheriffs, and/or of the Morris County Sheriff. They will communicate all orders and provide all necessary information to their

Subordinates.

- 2:4.5 Superior Morris County Sheriff's Officers/Supervisors will be held responsible for issuing proper orders. They will not issue unlawful orders, or orders violating Rules and Regulations.
- 2:4.6 Superior Morris County Sheriff's Officers/Supervisors will be responsible for the proper execution of orders by their Subordinates. The fact that an order has been given is not acceptable as an excuse when the order is not carried out by a Subordinate.
- 2:4.7 Communications, orders and directions emanating from the Morris County Sheriff, the Undersheriff, the Chief, or a Superior Morris County Sheriff's Officer/Supervisor and all requests for assistance from one (1) Division to another will follow the Chain of Command, except in emergencies where the element of time renders this procedure impractical and ineffective.
- 2:4.8 Superior Morris County Sheriff's Officers/Supervisors will exercise direct command over Subordinate Officers outside of their usual command, when necessary. Superior Morris County Sheriff's Officers/Supervisors, however, will not unnecessarily give orders to Subordinates who are not assigned to their command. Whenever orders are given to a Subordinate not under a Superior Morris County Sheriff's Officer/Supervisor's direct command, the Superior Morris County Sheriff's Officer/Supervisor giving the orders will, as soon as possible, inform the Subordinate's Supervisor of the action taken.
- 2:4.9 During the temporary absence of a Superior Morris County Sheriff's Officer/Supervisor, when no other provision has been made by competent authority, the command will automatically fall upon the Subordinate present that is next in rank/seniority to the Superior Morris County Sheriff's Officer/Supervisor.
- 2:4.10 Superior Morris County Sheriff's Officers/Supervisors who observe or are informed of neglect of duty or misconduct by Morris County Sheriff's Office personnel not assigned to their command will immediately notify that individual's Lieutenant.
- 2:4.11 Superior Morris County Sheriff's Officers/Supervisors will make an impartial written report to their Supervisor in each case of misconduct, incompetency, neglect of duty or violation of the Rules and Regulations on the part of a Subordinate or a citizen's complaint being lodged against a Subordinate. This will be done in accordance with the applicable portions of the S.O.P. entitled "*Professional Standards Unit*" (Vol. V, Ch. 1). Failure to do so will be deemed neglect of duty.
- 2:4.12 Superior Morris County Sheriff's Officers/Supervisors will exercise their authority without bias or prejudice and will not, under any circumstances or in any manner, prejudice any Subordinate to their position.
- 2:4.13 Superior Morris County Sheriff's Officers/Supervisors will, prior to taking any authorized leave, provide a telephone number (if different than usual contact number) where they may be contacted by their Supervisor.

2:5 GENERAL RULES FOR ALL PERSONNEL

- 2:5.1 Morris County Sheriff's Officers will preserve the peace, protect life and property, prevent crime, apprehend criminals, recover lost or stolen property and enforce in a fair and impartial manner the Laws of the State of New Jersey and of the United States.

- 2:5.2 Morris County Sheriff's Officers will serve the public by counsel, direction and other ways that will not interfere with the discharge of their sworn responsibility. They will respect and protect the rights of individuals and perform their services with honesty, zeal, courage, discretion, fidelity and sound judgement.
- 2:5.3 Morris County Sheriff's Office personnel, while on duty, will devote their whole time and attention to their duties.
- 2:5.4 Morris County Sheriff's Office personnel will be courteous, civil and respectful to their Superior Morris County Sheriff's Officer/Supervisor, associates, employees and other persons whether on or off duty.
- 2:5.5 Morris County Sheriff's Office personnel, while on duty, will be neat and clean in personal hygiene, with uniform or clothes clean and pressed. This provision will not prohibit non-uniform Morris County Sheriff's Officers on duty from dressing appropriately for the conditions of their current assignment in accordance with Morris County Sheriff's Office policy.
- 2:5.6 Any Morris County Sheriff's Office personnel who necessarily incur expense in connection with official duties and for which the Morris County Sheriff's Office is responsible, will promptly submit an itemized account of such expenditures, together with all the required receipts. This submission will be made in accordance with the S.O.P. entitled "*Reimbursement of Expenditures*" (Vol. III, Chap. 23).
- 2:5.7 Morris County Sheriff's Office personnel will obtain authorization from their Supervisor prior to removing any Morris County Sheriff's Office record or report from any Morris County Sheriff's Office facility for reasons other than official business. If the records or reports to be removed are not normally related to the individual's assignment, this authorization must be requested in writing.
- 2:5.8 A Morris County Sheriff's Office report or record will not be destroyed or permanently removed from its file except on order of the Morris County Sheriff.
- 2:5.9 Morris County Sheriff's Office personnel will be civil and respectful towards each other and toward all persons on all occasions. They will give all authorized information to those requesting it in a courteous and accurate manner. When answering the phone they will give their name and respond promptly and courteously.
- 2:5.10 **Truthfulness:** All Morris County Sheriff's Office personnel will speak the truth at all times and under all circumstances. Any Morris County Sheriff's Office personnel who willfully departs from the truth are unfit for employment and may be subject to immediate dismissal.
- 2:5.11 **Conduct:** All Morris County Sheriff's Office personnel will be quiet, civil and orderly while on duty and will maintain command of their temper, patience and discretion. They will at all times refrain from coarse, profane or insolent language and act with firmness, when required.
- 2:5.12 **Morris County Sheriff's Office Personnel's Residence:**
- 1) Morris County Sheriff's Office personnel will furnish their residence address and telephone number to their Superior Morris County Sheriff's Officer/Supervisor. Any changes will be reported to their Superior Morris County Sheriff's Officer/Supervisor within twenty-four (24) hours after each change occurs. The change will then be forwarded to the Undersheriff.

- 2) Morris County Sheriff's Officers are authorized to reside anywhere within the State of New Jersey with the following restrictions:
 - A. Morris County Sheriff's Office personnel residing beyond a thirty-five (35) mile radius of the Morris County Courthouse are not permitted to take a county owned vehicle to their home on a regular basis;
 - B. Morris County Sheriff's Officers living outside the thirty-five (35) mile radius may have their assignments limited to areas that do not require an emergency response. Examples of assignments requiring an emergency response are, but not limited to, crime scene investigation services, K-9 and S.E.R.T.; and
 - C. Morris County Sheriff's Office civilians do not have a residency requirement, but living outside a thirty-five (35) mile radius may restrict them from being part of an emergency response team.

2:5.13 Command Protocol

- 1) **Absence of the Morris County Sheriff.** The Sheriff of Morris County is the highest-ranking Sworn Officer in the organizational structure of the Morris County Sheriff's Office. In the event that the Morris County Sheriff is incapacitated, unavailable or otherwise unable to command, the Undersheriff of the Bureau of Law Enforcement will assume command of the Morris County Sheriff's Office. **[12.1.2a]**
- 2) **Exceptional Situations.** In emergent or unusual circumstances, a Superior Morris County Sheriff's Officer will exercise direct supervision over Subordinate Officers outside their usual command. During a temporary absence of a Superior Morris County Sheriff's Officer, when no other provision has been made by competent authority, the command will automatically fall upon the Subordinate present that is next in rank to the Superior Officer. If no Morris County Sheriff's Officers present have the rank of Corporal or above, then the command will fall to the senior Morris County Sheriff's Officer. **[12.1.2b]**
- 3) **Situations involving various functions.** In situations involving Morris County Sheriff's Office personnel of different functions engaged in a single operation, the Morris County Sheriff's Officer appointed by the Morris County Sheriff or the Superior Officer with the highest rank will be in command. If no Morris County Sheriff's Officers present have rank, then the command will fall to the senior Morris County Sheriff's Officer. **[12.1.2c]**
- 4) **Normal day-to-day agency operations:** During normal day-to-day operations, Morris County Sheriff's Office personnel will maintain strict adherence to the Chain of Command. The Chain of Command will be engaged at every level until each level has been contacted for the appropriate decision or response. In no event will Morris County Sheriff's Office personnel evade their immediate Superior Morris County Sheriff's Officer/Supervisor without the awareness and permission of said Superior Morris County Sheriff's Officer/Supervisor. **[12.1.2d]**

2:5.14 Chain of Command: A Chain of Command within the ranks of the Morris County Sheriff's Office is essential in order to effectuate and maintain sound order and effective Office awareness at all levels. All Morris County Sheriff's Office personnel will maintain strict adherence to the Chain of Command

when communicating either verbally or in writing a matter of office business to any Superior Morris County Sheriff's Officer/Supervisor. The Chain of Command will be engaged at each and every level until each level has been contacted for the appropriate decision or response. Morris County Sheriff's Office personnel will not surpass their immediate Superior Morris County Sheriff's Officer/Supervisor without their awareness and permission. Morris County Sheriff's Office personnel requesting to see the Morris County Sheriff, the Undersheriff, Chief or the Chief Warrant Officer will go through the proper Chain of Command. Upon receiving permission, they will contact the appropriate executive assistant for the appointment. If the matter is of a personal nature and does not involve the operations of the Morris County Sheriff's Office, the Chain of Command can be circumvented as established by provisions in current Policy and Procedures. **[12.1.2d]**

- 2:5.15** A Morris County Sheriff's Officer who is denied a request to see or communicate correspondence to any Superior Morris County Sheriff's Officer/Supervisor in the Chain of Command at any level will be provided with an explanation for such denial from the Superior Morris County Sheriff's Officer/Supervisor who has denied the request. That Superior Morris County Sheriff's Officer/Supervisor will then inform the Superior Morris County Sheriff's Officer/Supervisor cited in the original request of the denial and their reason for the action.
- 2:5.16 Information:** Morris County Sheriff's Office personnel will treat all official business as confidential. They will not impart official information to anyone except those to whom it is intended or as directed by their Supervisor or under due process of law. They will not reveal the identity of a complainant or informant to any private person.
- 2:5.17** Morris County Sheriff's Office personnel will not reveal information that may hinder an arrest, aid a person to escape, cause destruction of evidence or tamper with evidence.
- 2:5.18** Morris County Sheriff's Office personnel will not divulge information relating to proposed arrests or cases to be investigated, except to the Morris County Sheriff's Officer assigned to the case or to a Superior Morris County Sheriff's Officer.
- 2:5.19** Morris County Sheriff's Office personnel will first obtain permission from the Morris County Sheriff before publishing articles as official representatives of the Morris County Sheriff's Office. No Morris County Sheriff's Office personnel will act as a correspondent to any news media, nor will they discuss publicly or for publication any matters pertaining to Morris County Sheriff's Office personnel, Policies or Procedures without the authority and approval of the Morris County Sheriff.
- 2:5.20** Morris County Sheriff's Office personnel will not, in any manner relating to the Morris County Sheriff's Office or their employment therein, give testimonials or permit their names or photographs to be used for advertising purposes without prior written approval of the Morris County Sheriff. They will not seek publicity in the public press involving the Morris County Sheriff's Office.
- 2:5.21** Morris County Sheriff's Office personnel will not give out information concerning prisoners. They will not give out personal history or photographs of prisoners, information as to arrival or departure of such prisoners or permit reporters to interview them without proper authorization.
- 2:5.22 Arrests and Prisoners:**
- 1) Morris County Sheriff's Officers will not make arrests in their own disputes or in those between their families or in disputes arising between their neighbors, except under circumstances that would justify the Morris County Sheriff's Officer in using self-defense or to

prevent injury to another.

- 2) Morris County Sheriff's Officers will not make an arrest for trivial offenses when a warning would suffice, except when the violations are willful and repeated.
- 3) An arresting Morris County Sheriff's Officer will advise an arrestee of their constitutional rights (Miranda warning).
- 4) Morris County Sheriff's Office personnel will not provide bail for any person arrested, except for members of their immediate families. They will not suggest, recommend or arrange attorneys, bondsmen or bail brokers for persons other than immediate family members.
- 5) Morris County Sheriff's Office personnel will not become involved in any communication, promises or arrangements between a criminal and their victim that are intended to reduce the charges and permit the offender to escape from full penalty provided by Law.
- 6) Morris County Sheriff's Office personnel will not interfere with another individual's assigned cases. Morris County Sheriff's Office personnel will not unnecessarily interfere with the operation of any other Division or of the courts or with any lawful private enterprise.
- 7) An arresting Morris County Sheriff's Officer will take their prisoner to the proper detention facility as promptly as is possible after making an arrest.
- 8) Every Morris County Sheriff's Officer will remain aware of the status of all their pending court cases and whether on or off duty, will appear on the date and time set for any case in which they are a witness.
- 9) Morris County Sheriff's Officers will prepare for court by reviewing the case information and evidence prior to their appearance. When appearing in municipal court, Morris County Sheriff's Officers will have their witnesses subpoenaed and physical evidence arranged for presentation. A Morris County Sheriff's Officer who attends court as a witness for the prosecution will appear attired in uniform or suitable business attire. A Morris County Sheriff's Officer who attends court as a witness for the defense will not appear attired in uniform.
- 10) Morris County Sheriff's Officers will use good judgement in making arrests and investigating suspicious activity and they will summon assistance when an unaided arrest seems risky and dangerous.
- 11) Morris County Sheriff's Officers will not use unnecessary force, violence or fire warning shots at any time. Prisoners and suspects will be treated in a fair and humane manner. They will not be humiliated, ridiculed, taunted or embarrassed. See the S.O.P. entitled "[Use of Force](#)" (Vol. III, Chap. 16).
- 12) In the arrest, transportation and detention of prisoners, the Morris County Sheriff's Officer will take precautions to prevent an escape, injury to themselves or others or damage to property. When making an arrest, they will search the prisoner carefully and will immediately take possession of all weapons and evidence. If for any reason a prisoner has not been searched before being turned over to other Morris County Sheriff's Officers, the arresting Morris County Sheriff's Officer will, without fail, notify the Officers receiving the prisoner. See the

S.O.P. entitled “*Transportation of Prisoners*” (Vol. VI, Chap. 7).

- 13) Care will be exercised in the handling of persons appearing or thought to be mentally ill, in order to guard against injury to them and to avoid being injured by them. Force will be used only as a last resort, and then only in a measure sufficient to control the person. See the S.O.P. entitled “*Use of Force*” (Vol. III, Chap. 16.)

2:5.23 Civil Cases:

- 1) A Morris County Sheriff’s Officer will not involve them self in the civil actions or disputes of another person nor will they attempt to resolve any civil dispute or give legal advice in civil matters. They will not suggest, recommend or solicit business for any specific attorney.
- 2) When called upon to act or advice in such disputes, they will respectfully inform the interested parties that the police have no jurisdiction in civil disputes and will, when requested, refer them to proper authorities for assistance.
- 3) A Morris County Sheriff’s Officer, however, will act to prevent or suppress any breach of peace or disturbance that may grow or has grown out of such a dispute.
- 4) Morris County Sheriff’s Office personnel will provide notification, in writing to the Morris County Sheriff, of their intent to file a suit stemming from actions related to their official duties in any court of law not less than five (5) days before the actual filing date. Morris County Sheriff’s Office personnel will not institute a civil action arising out of their official duties without notifying the Morris County Sheriff. Morris County Sheriff’s Office personnel will not accept or agree to accept anything as payment for personal injury or property damage incurred in the line of duty without first notifying the Morris County Sheriff. Morris County Sheriff’s Office personnel will not use their official position as a means of forcing or intimidating persons with whom they are engaged in civil controversy to settle the case in their favor. Morris County Sheriff’s Office personnel will furnish notification to the Morris County Sheriff, in writing, of their intent to file a suit in any court of law stemming from personal issues in a timely fashion after the filing date.
- 5) Any Morris County Sheriff’s Office personnel who have a damage suit filed against them by reason of an act performed by them in the line of duty will immediately notify their Superior Morris County Sheriff’s Officer/Supervisor, who in turn will forthwith notify the Morris County Sheriff through the Chain of Command. If required to testify in a civil case, Morris County Sheriff’s Office personnel will wear business attire.

2:5.24 Conduct Prejudicial to the Efficiency, Good Name and Reputation of the Office: Such conduct by Morris County Sheriff’s Office personnel will be a violation of these Rules and Regulations and will be construed to include any of the following acts:

- 1) Failure of Morris County Sheriff’s Office personnel, willfully or through negligence, incompetence or cowardice, to perform the duties of their rank or assignment;
- 2) Immoral, indecent, lewd or disorderly conduct;
- 3) Drinking alcoholic beverages while on duty, whether in or out of uniform or reporting for work intoxicated;

- 4) Willful departure from the truth, when giving a statement, testimony or when connected with any official duties;
- 5) Neglecting or refusing to obey any proper legal order of a Superior Morris County Sheriff's Officer/Supervisor;
- 6) Neglecting or refusing to perform any duty in the manner required by the Office Rules, Regulations, Policies and Procedures;
- 7) Malicious or public criticism of the Office of the Morris County Sheriff or its directives, policies, actions, programs or personnel;
- 8) Performing any act or making any statement that tends to bring the Morris County Sheriff's Office into disrepute or ridicule or that tends to interfere with the reasonable Supervision or proper discipline of the Office;
- 9) Maliciously gossiping about other personnel, to their discredit, whether the subject is true or false;
- 10) Unlawful harassing;
- 11) Intimidation of persons for personal reason under color of authority;
- 12) Commission of an act in violation of a State or Federal Statute, Local Ordinance or Disorderly Person's Offense;
- 13) Disobedience of an order lawfully issued by a Superior Morris County Sheriff's Officer or any disrespectful, mutinous, insolent or abusive language toward a Superior Morris County Sheriff's Officer/Supervisor;
- 14) Sleeping while on duty;
- 15) Appropriating any lost-found property, evidence or office property for personal use;
- 16) Rough or careless handling of Morris County property;
- 17) Feigning sickness or injury to escape duty; chronic or excessive absenteeism or lateness;
- 18) Falsifying of office reports, records or communications;
- 19) Abuse of authority granted as a Morris County Sheriff's Officer to:
 - A. Force the settlement of, or in any way influence, a civil matter or any portion of a case that is civil in nature;
 - B. Request the aid of any citizen or solicit any influence or favor to have them or other personnel promoted, transferred to a specific assignment or restored to any post from which they have been removed;

- C. Attempt to improperly influence the appointment of any person to the Morris County Sheriff's Office;
- D. Create interference with any disciplinary procedure; and/or
- E. Use their official position to solicit special privileges for themselves and others. A Morris County Sheriff's Officer may use their badge to obtain admission to any public gathering only in furtherance of their official duty.

- 20) Mental or physical abuse of any prisoner in custody or the use of unnecessary force in making an arrest or preventing an escape;
- 21) Refusal or failure to appear before any court, judge, prosecuting officer, law enforcement agency, board or body authorized to conduct any hearing, inquiry or investigation for a violation of any State or Federal Statutes, Rules and Regulations or Local Ordinances when requested to do so. Refusing to testify or answer any question concerning their conduct, as Morris County Sheriff's Office personnel or in the performance of their duties, during a hearing, inquiry or court proceeding;
- 22) Members of the Morris County Sheriff's Office will not personally fraternize with interns outside of the work environment during the internship; and/or
- 23) Conduct unbecoming, which may not be specifically, set forth in these Rules and Regulations.
- 24) Consuming marijuana/cannabis while on duty, whether in or out of uniform or reporting for work under the influence.

2:5.25 Supervisors should ensure that the workplace has an environment free from discrimination and all harassment. Supervisors should take prompt and appropriate corrective action when they observe or are made aware of conduct that may be interpreted as discrimination or any form of harassment (to include sexual harassment) regardless of an informal or formal complaint. **[26.1.3]**

2:5.26 Morris County Sheriff's Officers and/or Employees, other than victims, who become aware of conduct believed to be harassment or discrimination, whether or not the conduct is directed at them, by another Officer/Employee, should report the incident to their Supervisor. **[26.1.3]**

2:5.27 Any Morris County Sheriff's Office personnel who feel that they have been injured or discredited by a Superior Morris County Sheriff's Officer/Supervisor through unreasonable, unjust, arbitrary, capricious, tyrannical conduct or abusive language will reduce their grievance to writing and direct the same as outlined in the S.O.P. entitled "*Sexual Harassment, Offensive Behavior, and Discrimination*" (Vol. IV, Chap. 2). Grievances between Morris County Sheriff's Office personnel will be reduced to writing and direct the same as outlined by agreements. **[26.1.3]**

2:5.28 A grievance concerning violations of terms and conditions of the various labor agreements will be handled as outlined in the labor agreement affecting the aggrieved personnel.

2:5.29 Morris County Sheriff's Office personnel who believe themselves to be entitled to official commendation by reason of an act done in the performance of duty may do so in accordance with the S.O.P. entitled "*Awards Program*" (Vol. IV, Chap.5).

- 2:5.30** Morris County Sheriff's Office personnel may forward suggestions for improvement of the Morris County Sheriff's Office to the Morris County Sheriff, in writing, through the Chain of Command.
- 2:5.31** Morris County Sheriff's Office personnel will properly and promptly report the following in accordance with the S.O.P. entitled "*Administration of Records and Reports*" (Vol. III, Chap. 9), but no later than the completion of the next business day. Morris County Sheriff's Office Personnel will not repress, conceal, falsify or distort the facts of any information contained in a report (either oral or written) and it will be deemed neglect of duty to withhold any pertinent information:
- 1) Information of all crimes, criminal investigations and attempted crimes to which Morris County Sheriff's Office personnel become aware or involved;
 - 2) Information concerning the Morris County Sheriff's Office;
 - 3) Information regarding any wanted person; and
 - 4) Information regarding any arrest made by a law enforcement Officer.
- 2:5.32** Morris County Sheriff's Officers who receive assistance from other Officers during any reportable incident will note the Officer's name and assistance on their report.
- 2:5.33** Morris County Sheriff's Office personnel who injure a person or animal or damage public or private property while on duty will report the circumstances to their Supervisor immediately and submit an Operations Report.
- 2:5.34** Morris County Sheriff's Officers will be attentive to and take suitable action on reports and complaints by a private person, except when circumstances make it necessary for them to report the matter or refer the complaint to a more suitable Police Officer or another agency. Morris County Sheriff's Office personnel will fulfill proper requests for information and assistance or they will aid the person in otherwise obtaining the requested information or assistance. Morris County Sheriff's Office personnel will avoid giving the impression that they are not interested in the problems of persons who are referred elsewhere for service. Morris County Sheriff's Office personnel will not belittle a seemingly trivial request or complaint.
- 2:5.35** Morris County Sheriff's Officers will act promptly at the scene of crimes, disorders, accidents or other situations, disasters or incidents that require police attention and in dealing with suspects and carrying out their assignments when the police purpose might be jeopardized by delay. Immediate action will be taken even though some other Morris County Sheriff's Officer or Section would ordinarily deal with the incident.
- 2:5.36** It will be the duty of each Morris County Sheriff's Officer to properly document and deliver, to the proper authority designated by the Morris County Sheriff, all property seized or found by them, immediately after such property comes into their possession.
- 2:5.37** The Morris County Sheriff's Office, Bureau of Law Enforcement does not perform, on a regular basis, any investigations involving vice crimes, drug-related crimes and organized crimes. If a Morris County Sheriff's Officer witnesses any activities that would constitute the commission of a crime in one (1) of these categories they will contact the appropriate authorities in the respective jurisdiction immediately. In addition, the Morris County Sheriff's Officer will complete an Operations Report

including all the necessary information and forward the report directly to the Morris County Undersheriff or the Chief of the Bureau of Law Enforcement within twenty-four (24) hours. This report will then be forwarded to the appropriate authorities, if not already done.

2:5.38 No Morris County Sheriff's Officer will dismiss, cancel, destroy, alter, change, fix or attempt to fix any traffic summons. If a summons has to be canceled, it should be done as prescribed in the S.O.P. entitled "*Enforcement of Motor Vehicle Laws and Motorist Assistance*", (Vol. III, Ch. 33).

2:6 GENERAL RULES FOR MORRIS COUNTY SHERIFF'S OFFICE INTERNS

2:6.1 All Morris County Sheriff's Office Interns will receive copies of rules and regulations found in Chapter 2 of the Morris County Sheriff's Office Employee Rules and Regulations Manual and the S.O.P. entitled "*Harassment, Offensive Behavior and Discrimination*" (Vol. IV, Ch. 2). All Morris County Sheriff's Office Interns are expected to abide by these rules, regulations, and policies while present at the Morris County Sheriff's Office as well as during off hours.

2:6.2 Morris County Sheriff's Office Interns shall conduct themselves in a professional manner at all times.

2:6.3 There will be absolutely no fraternization with any employees of the Morris County Sheriff's Office.

2:6.4 Morris County Sheriff's Office Interns will dress appropriately (business attire unless otherwise specified by their respective Supervisor).

2:6.5 Morris County Sheriff's Office Interns will not post any inappropriate/unprofessional material on any social media outlets.

2:6.6 Morris County Sheriff's Office Interns will not participate in any criminal or illegal activities while at the Morris County Sheriff's Office as well as during off hours.

2:6.7 Morris County Sheriff's Office Interns shall use Morris County Sheriff's Office computer terminals for appropriate, internship related work only.

2:6.8 Morris County Sheriff's Office Interns shall read and agree to follow all standards listed in the S.O.P. entitled "*Harassment, Offensive Behavior and Discrimination*" (Vol. IV, Ch. 2).

2:6.9 Morris County Sheriff's Office Interns shall contact their respective Supervisor if they will be arriving late or will not be attending a day of their internship program.

2:6.10 Morris County Sheriff's Office Interns shall report any injuries or illnesses incurred during their internship period to their Supervisor immediately.

2:6.11 Morris County Sheriff's Office Interns shall not release any information related to their internship to the public. Any inquiries from the public for information should be directed to their respective Supervisor.

2:6.12 Morris County Sheriff's Office Interns shall not share training techniques taught during their internship period.

2:6.13 Morris County Sheriff's Office Interns shall not record any type of video or audio during their internship.

2:6.14 Morris County Sheriff's Office Interns are expected to exercise sound and moral judgment at all times.