

OFFICE OF THE SHERIFF CAMDEN COUNTY

THE OFFICE OF THE SHERIFF MANUAL OF RULES AND REGULATIONS



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The purpose of **The Office of the Sheriff Manual of Rules and Regulations** is threefold: (1) to set forth rules and regulations governing the conduct of sheriff's officers and civilian employees of the Sheriff's Office, (2) to define personnel procedures, and (3) to provide procedural guidance for members of the Sheriff's Office in carrying out the duties imposed upon them by law.

The success of the Sheriff's Office in the performance of its duties is measured largely by the degree of support and cooperation it receives from the outside agencies, people of the county which it serves. It is of paramount importance that we secure the confidence, respect, and approbation of the public. The cultivation of such desirable attitudes is dependent upon proper performance of duty by all the members of the Sheriff's Office.

A professional responsibility, no less grave than that of other administrators of the law, is imposed upon members of the Sheriff's Office. Professional policing is gaining general recognition, but it can win universal acclaim and permanent status only if the actions of the sheriff's officers are reflected by intelligent, sincere, efficient, and courteous service. The law enforcement profession must embody the highest attributes of every other profession. Not private profit, nor personal reward, but the quality of service to the community is the hallmark of the professional law enforcement officer.

The contents of this Sheriff's Manual have been developed to guide and assist members in reaching these goals. Adherence to these principles and guidelines by all members of the Sheriff's Office will eliminate the need for disciplinary action and will insure our acceptance by the community as a truly professional and accountable Office of the Sheriff.

This manual generally states the basic duties and responsibilities of the members of the Sheriff's Office. The guidelines introduced are to be used by all sheriffs' officers in the performance of their duties.

The Sheriffs' Organization is composed of numerous bureaus and units, which are collectively and individually responsible for certain elements of the law enforcement function. To coordinate these general and specialized sheriff's duties toward a common goal, it is necessary that each sheriff's officer knows the type of conduct expected.

Therefore, each sheriff's officer has the responsibility to be familiar with the contents of this manual in order to facilitate effectively fulfilling all obligations to the Sheriff's Office.

This manual is the property of the Office of the Sheriff, Camden County, NJ.

Charles H. Billingham
Sheriff

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ARTICLE I ESTABLISHMENT OF RULES AND REGULATIONS

Section 1 Office of the Sheriff: Authority, Powers & Duties

1:1.1 Legal Authorization

The duties and responsibilities of the Sheriff were set out in the Sheriff Act of 1900 (superseded by a Sheriff Act 1990), and currently include compiling jury rolls and summoning jurors, ensuring the security of judges, juries and the public in the superior courts, serving court processes, and enforcing court judgments, orders and decrees.

- A. Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the department and its officers and personnel;
- B. Have exercise, and discharge the functions, powers and duties of the department;
- C. Prescribe the duties and assignments of all subordinates and other personnel;
- D. Delegate such authority as deemed necessary for the efficient operation of the department to be exercised under the Sheriff's direction and supervision.

1:1.2 Power and Duties

The power and duties of the Office of the Sheriff was established by the New Jersey Constitution. Article I, Section 2, Paragraph 2.

The Legislature has expanded the Sheriff's common law powers and has vested the Sheriff with the following powers and duties by statute:

- 1. All Sheriff's Officers are, in addition to many other powers and authorities which they have, empowered to act as officers for the detection, apprehension, arrest and conviction of offenders against the law. N.J.S.A. 2A154-3; Saved from repeal (See, N.J.S.A. 2C: 97-3).
- 2. The Sheriff and his officers are authorized to preserve the public peace and prevent or quell public disturbances. N.J.S.A. 2A: 154-2 (Saved from repeal N.J.S.A. 2C: 983).
- 3. The Sheriff has the duty to protect any property attacked or threatened. N.J.S.A. 2A: 48-4.
- 4. The Sheriff has the power to apply to the Governor for an extradition requisition. N.J.S.A. 2A: 160-32; Saved from repeal (See, N.J.S.A. 2C: 98-3).

5. The sheriff's officers may enforce the motor vehicle laws, may arrest without a warrant any person violating motor vehicle laws in their presence and may issue a summons for motor vehicle violations. N.J.S.A. 39:5-25.
6. The sheriff's officers have the right to investigate and apprehend violators of the law and are also required to perform such other duties and any related work which the Sheriff may from time to time prescribe. N.J.S.A. 40A:9-117.6. However, sheriff's officers are not to be assigned to any penal institution, jail, penitentiary, county correction center or work house for the purpose of guarding, having custody of, or being charged with the rehabilitation of any inmate housed therein, except upon emergency conditions. N.J.S.A.40A:9-117.6.
7. The sheriff's officers have the right to enter into buildings, make arrests and seizures in matters involving animal fighting. N.J.S.A. 4:22-47.
8. The Sheriff has the power to destroy animals found in disabled conditions. N.J.S.A. 4:22-54.
9. The Sheriff, with regard to mentally ill persons, shall take custody of a person and take the person immediately and directly to a mental health screening service if: (1) the Sheriff has reasonable cause that person requires involuntary commitment; (2) a mental health screener certified that the person requires involuntary commitment; or (3) the Court orders that a person subject to an Order of conditional discharge should be taken to a screening service for assessment. N.J.S.A. 30:4-27.6.
10. The Sheriff has the duty to receive and keep prisoners committed to his custody. N.J.S.A. 30:8-1, et seq.
11. The Sheriff of each county shall provide for security for the Law and Chancery Divisions of the Superior Court sitting in that county in the manner established by the assignment judge in the county. N.J.S.A. 2B:6-1
12. The Sheriff may appoint its own professional services personnel. N.J.S.A. 40A:9117.
13. The sheriff's officers are required to receive compulsory educational and clinical training to qualify and become proficient in the field of law enforcement. N.J.S.A. 52: 177-66.

The New Jersey Department of Personnel (Civil Service) job description for a sheriff's officer includes making arrangements for the sequestering of juries; executing bench warrants for those witnesses who fail to obey subpoenas; guard prisoners in a courtroom; apprehend or arrest suspected offenders in accordance with state statute; serve and execute writs and other legal papers, execute

complaints directed by the Superior Court, County Court, and Chancery Division of the Superior Court, collect monies to satisfy legal debts as ordered by the Court, post notices of public sales; records daily writs, papers and documents processed, served, and executed; serve warrants for commitment; interview persons for physical descriptions and information for recording on fingerprint cards, criminal records, alias cards, and other required records; take photographs of crimes; fingerprint dead bodies for identification purposes; may assist with the exchange of information between federal, state, county and municipal law enforcement authorities by receiving, transmitting, and preparing records and reports; testify in court as a fingerprint expert; may take lead over clerical and other personnel assigned to an identification unit; operate a motor vehicle for transporting prisoners to various locations; conducts investigations of criminal and other matters, and apprehends violators of the law, participate in raids; works with the task-forces as an undercover agent on cases involved with gambling, organized crime, narcotics and dangerous drugs; perform patrol functions; directs flow of vehicular traffic during certain public events or during time of emergency; conducts search and rescue operations using trained dogs or other methods; quells disturbances; and other related duties as required.

The Sheriff has a broad range of powers in the State of New Jersey. The Sheriff's power was best expressed as the "primal power as a police and peace officer in the County . . ." State v. Winne, 12 N.J. 152 (1953). As specified in the above job description and statutes, these powers and duties span the full gamut of law enforcement activities. Within these general powers, the Sheriff is, of course, expected to utilize modern, efficient and technologically sound means. Thus, the use of K-9 Units, and other specialized services may be employed to effectuate completion of these law enforcement duties.

As can be seen by the extent of the powers of the Sheriff and the numerous duties of sheriff's officers, as described by the New Jersey Department of Personnel (Civil Service), many different types of law enforcement activities must be engaged. For example, the sheriff's officers are required to conduct investigations and take photographs of suspected criminal activities. This necessitates the establishment of a photographic laboratory, maintenance of appropriate staff to process photographs and print same.

In staying with his peace keeping duties, in the event of civil disorders, particularly labor disputes, the Sheriff relies on professional and technological advances including videotape surveillance. Videotaping such events has been an indispensable means of not only proving that offenders have violated court orders requiring orderly demonstrations, but also have been proven to be effective aids in tempering otherwise aggressive behaviors.

Highly technical materials and equipment are also needed for fingerprint work. These are not only required in the civil service job description but are also necessitated to keep abreast with the state of the art crime fighting tools. This

includes maintenance of appropriate laboratory facilities to conduct fingerprint analysis.

The primary duties of Sheriff's Officers remain service of warrants for the apprehension and arrest of individuals named therein. These general statutory and constitutional powers of the Sheriff cannot specify the exact means by which the Sheriff is charged to effectuate those ends. He must, therefore, have appropriate flexibility to meet his constitutional authority. Accordingly, specialized units, such as K-9, are employed to assist in the service of warrants for the detection of illegal narcotics and for the apprehension of offenders. Similarly, in order to maintain security of the Courthouse complex, K-9 Units play an indispensable role in insuring that the facilities are swept for explosive devices when a threat arises. Appropriate equipment must be maintained to analyze and debilitate any potentially explosive device in order to maintain effective security of the Courthouse, other county and municipal facilities and to insure public safety.

In those Counties wherein there is no police force, the Sheriffs Office can serve in place of such an agency. As a result, the Sheriffs Office can be called upon to conduct investigative and patrol functions throughout the County. For example, if a municipality makes an appropriate request, the Sheriffs Office has been called upon to serve in lieu of that township's municipal police department. Such activities are in addition to those normally conducted by the Sheriffs Office. Nevertheless, the Sheriff's Office must be ready and available to provide state of the art professional law enforcement assistance to municipalities when needed.

The Sheriff is the sole employer of all necessary deputies, clerks and other personnel pursuant to N.J.S.A. 40A:9-117. However, the Public Employment Relations Commission (PERC) made a finding that both the County and the Sheriff are joint employers for purposes of collective negotiations. In the Matter of Bergen County Sheriff, 10 NJPER 168 (Paragraph 15083, 1984). PERC held in this decision that the County should have preeminent authority and final control over negotiable matters of compensation, while the Sheriff should have final control over negotiable non-economic matters. However, this system does not compromise the Sheriff's power to hire, fire and discipline employees. Id. (citing CWA v. Treffinger, 291 N.J. Super. 336 (L. Div. 1996)).

In conclusion, the statutory and constitutional extent of responsibility is extremely broad. The means for satisfying these mandated responsibilities has been traditionally left at the discretion of the Sheriff as the Chief Executive Officer of the Sheriff's Office. This is consistent with the functioning of other law enforcement agencies, such as municipal police departments, in which the day to the operation are left to the Chief. N.J.S.A. 40A:14-117; Falcone v. DeFuria, 199 N.J. Super. 554 (App. Div. 1985), aff'd, 103 N.J. 219 (1985)

The duties of the Sheriff are integrally related to the continued maintenance of the public health, safety and welfare of the County. This includes the transportation and escort of all prisoners within the County system, and the posting of Sheriff's

Officers in all the County courts so as to maintain the orderly administration of justice. There can be no denial that the continued performance of these duties by the Sheriff and personnel in his office is necessary for the safety of the community. Thus, the courts have recognized the need to maintain the integrity of the Sheriff's Office, as set forth above, to use appropriate mechanisms to accomplish all of these needs.

1:1.3 Appropriate Authority

- A. The Appropriate Authority, as the term is used in New Jersey Constitution, shall be the appointed Sheriff.
- B. The Sheriff shall be the executive head of the Office of the Sheriff and shall be accountable to the people of Camden County for the efficiency and routine day-to-day operations of the Sheriff's Office, and pursuant to policies established by the New Jersey Constitution, shall:
 - 1. Administer and enforce rules and regulations and special emergency directives for the disposition and discipline of the department and its officers and personnel.
 - 2. Have, exercise and discharge the functions, powers and duties of the department.
 - 3. Prescribe the duties and assignments of all subordinates and other personnel.
 - 4. Delegate authority as deemed necessary for the efficient operation of the Office of the Sheriff, to be exercised under his/her direction and supervision.

Section 2 Rules and Regulations Established

1:2.1 Rules and Regulations

The rules hereinafter set forth were compiled, adopted and published by the Sheriff for the guidance of all employees of The Office of the Sheriff. This compilation reflects only the basic rules governing behavior of employees of this department. In addition to these rules, employees are responsible for conforming to all published regulations, procedures, orders and directives promulgated by the Sheriff as well as all lawful orders given by supervisory personnel and all standard operating procedures as dictated by departmental practice. The Appropriate Authority of the Office of the Sheriff hereby adopts and promulgates the department rules and regulations, known as the "**THE OFFICE OF THE SHERIFF MANUAL OF RULES AND REGULATIONS.**"

1:2.2 Right to Amend or Revoke

For the good of the service, the right is reserved to amend or revoke any of the rules and regulations or to make additions from time to time as circumstances or the good of the service may require.

1:2.3 Previous Rules, Regulations, Policies, Procedures, and Orders

All rules, regulations, policies, procedures, orders and directives previously issued, contrary to those embodied in this manual, are hereby revoked. All other rules, regulations, orders, and procedures not in conflict with those contained in this manual shall remain in force.

1:2.4 Application

The rules and regulations contained herein are applicable to all Sheriff's Officers, Sheriff's Investigators and all civilian employees of the Sheriff's Office:

- A. Office rules and regulations, policies and procedures and written directives are applicable to all Sheriff's Officers of the department and where appropriate, to all civilian employees of the Sheriff's Office.
- B. All written directives not in conflict with these rules and regulations have the same authority as rules and regulations.
- C. All personnel have the responsibility to acquaint themselves with the contents of this manual in order to effectively fulfill their obligations to the County of Camden.
- D. Failure of an officer, either willfully or through negligence or incompetence, to perform the duties of his/her rank or assignment, or violation by an officer or civilian employee of any department rule, regulation or written directive, may be considered sufficient cause for disciplinary action.

1:2.5 Department Policy

All general and special orders, policies and procedures, instructions (including those on departmental forms) and manuals not in conflict with these Sheriff's regulations shall have the same authority as law enforcement regulations.

1:2.6 Amendments

Sheriff's regulations, general orders or other department policy shall not be cancelled, amended, or issued without the approval and signature of the Sheriff.

Section 3 The Office of the Sheriff Manual

1:3.1 Distribution of Manual

One copy of the Sheriff's Manual shall be distributed to each member of the department and to all civilian employees of the department.

1:3.2 Responsibility for Maintenance

All members and employees assigned a manual shall be responsible for its maintenance and care. Manuals shall be kept current, and supplements concerning additions, revisions or amendments, shall be promptly and properly inserted.

1:3.3 Familiarization

Each sheriff's officer and each civilian employee is duty bound to be thoroughly familiar with the provisions of the Sheriff's Manual. Failure to comply shall be considered neglect of duty.

1:3.4 Ignorance of Manual Contents

Ignorance of any of the provisions of this manual will not be a defense to a charge of a violation of the rules and regulations.

ARTICLE II AUTHORITY AND RESPONSIBILITY

Section 1 Organization and Chain of Command

2:1.1 Rank Established

When the following positions are filled, the rank in the Office of the Sheriff shall descend in the following order:

- A. Sheriff
- B. Undersheriff
- C. Chief Sheriff's Officer
- D. Chief Warrant Officer
- E. Captain
- F. Lieutenant
- G. Sergeant
- H. Sheriff's Officer, Sheriff's Investigator (S/I)

2:1.2 Command

Command shall be exercised by the virtue of rank, and in the cases of equal rank, by length of service in such rank.

2:1.3 Temporary Absence

During the temporary absence of a commanding officer, when no other provision is made by competent authority, the command automatically devolves upon the subordinate present who is next in rank.

2:1.4 Absence of the Sheriff

In cases other than a temporary absence of the Sheriff, the next highest ranking officer shall assume command of the Office of the Sheriff until a replacement for the Sheriff is appointed by the Appropriate Authority.

2:1.5 Acting Authority

Members of the department who may be placed temporarily in the position of a member of higher rank by proper authority shall exercise the authority and perform the duties of such higher position, and shall be held responsible in like manner as if regularly appointed to such higher office. They shall not alter or countermand any order issued by the member whose place they temporarily occupy, except when expediency demands.

2:1.6 Command Responsibility

Upon all occasions when a body of members of the department is assembled, the ranking officer present shall take command and will be held responsible for the official action and conduct of those present. The ranking officer shall be familiar with all that concerns his/her command and shall exact from all subordinates efficient performance of duty.

2:1.7 Senior Officer

When two or more sheriff's officers are sent upon any special duty and no ranking officer accompanies them, the sheriff's officer senior in length of service will have command.

2:1.8 Command Officer

- A. Command officers are sheriff's officers holding the rank of lieutenant or above and assigned to a position of command, or command of a bureau, by the Sheriff.
- B. Responsibilities. Command officers shall exercise direct control over all employees within their command, subject to higher authority, and in accordance with the rules and regulations and procedures of the department.

Command officers shall:

1. Maintain good order and discipline within their command
 2. Cooperate with other internal bureaus and units
 3. Investigate personnel complaints not processed elsewhere
 4. Assign duties and responsibilities within their command to achieve command and Office of the Sheriff objectives
 5. Prepare reports and correspondence and maintain records concerning their command
 6. Conduct careful, objective, and honest appraisal and analysis of the work accomplished by employees under their supervision. Such evaluation shall be based on daily observations and inspections.
 7. Maintain the quarters, control of the equipment and use of supplies and material assigned to their command
 8. Inform and advise their immediate superior of all significant conditions and activities existing in their bureau
 9. Conduct periodic staff meetings and make periodic inspections of all personnel, equipment and facilities under their command
 10. Ensure that all personnel under their command are complying with current policies and procedures, effectively deploying personnel to directing and coordinating law enforcement operations at emergencies or other situations requiring their immediate attention
 11. Enforce rules, regulations and department policies in a fair, firm, consistent and timely manner
 12. In his/her absence, the Sheriff shall appoint a command level officer to assume full command of the Sheriff's Office in conformance with the duties and responsibilities of the Sheriff as set forth in this section
- C. Instructing Sheriff's Officers. A commanding officer is responsible for determining that each member of his/her command is instructed in their duties and performs them properly. The command officer, under the direction of, and consistent with the authority delegated to him/her by the Sheriff, and in accordance with this manual, assists the Sheriff in the management and discipline of the Office of the Sheriff.
- D. Authority. A command officer shall be responsible for the coordination of service delivery, department activities and overall performance.
- E. Accountability. Command officers are accountable for the actions of the employees operating under their control.
- F. Delegation of Duties. Supervisory officers may delegate appropriate portions of their responsibilities to subordinates with equivalent authority; but, they may not delegate or relinquish their overall responsibility for results or any portion of that accountability.

2:1.9 Supervisory Officer

- A. Supervisory officers are sergeants or senior officers assigned to a permanent or temporary supervisory capacity who, subject to higher authority, are placed in charge of one or more sheriff's officers or civilian personnel placed in charge of other civilian personnel.
- B. General Supervisory Responsibility. Supervisors shall:
 - 1. Enforce the rules and regulations of the Office of the Sheriff and ensure compliance with properly issued orders, 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 sheriff's office
 - 4. Guide and train subordinates to gain effectiveness in their present and future assignments
 - 5. Be responsible for the careful, objective, and honest appraisal and analysis of the work accomplished by employees under their supervision. Such evaluation shall be based on daily observations and inspections
- C. Accountability. Supervisory officers are accountable for the actions of the employees under their immediate control.
- D. Delegation of Duties. Supervisory officers may delegate appropriate portions of their responsibilities to subordinates with equivalent authority; but, they may not delegate or relinquish their overall responsibility for results or any portion of that accountability.

Section 2 Civilian Employees

2:2.1 Authority

Civilian employees shall be subject to the authority of the Sheriff and of the superior officers in charge of the bureaus or units to which they are assigned. All civilian employees shall assist department officers in the accomplishment of the law enforcement function.

2:2.2 Responsibilities

- A. Take appropriate action to perform the duties of their position promptly, faithfully and diligently.
- B. Exercise authority consistent with the obligations imposed by their position and in conformance with the policies of the Sheriff's Office.

- C. Be accountable and responsible to their supervisors for obeying all lawful orders.
- D. Conduct themselves in accordance with high ethical standards, on and off duty.
- E. Familiarize themselves with the area of authority and responsibility for their current assignment.
- F. Strive to improve their skills and techniques through study and training. Perform all related work as assigned by the Sheriff or other appropriate supervisor.
- G. Keep confidential all information learned by virtue of employment.

2:2.3 Civilian Employees Subject to Sheriff's Authority

Civilian employees shall be subject to the authority of the Sheriff and of the superior officer in charge of the bureaus or units or office to which they are assigned.

2:2.4 Civilian Employee Supervisors

Civilian employee supervisors are employees who by reason of title or by special designation by the Sheriff may supervise other civilian employees.

2:2.5 Employees Bound by Sheriff's Office Directives

All rules, regulations and departmental procedures and orders governing the Sheriff's Office shall also bind all civilian employees whenever applicable.

ARTICLE III PROFESSIONAL CONDUCT & RESPONSIBILITIES

Section 1 Ethical Standards

3:1.1 Code of Ethics

- A. Law enforcement is an honorable calling. Service in this field demands a professional rather than an occupational philosophy. Personal honor, a desire for professional status, and devotion to service above self, are the motives which compel a sheriff's officer to discharge all responsibilities in full measure while avoiding unlawful or improper practices.
- B. A sheriff's officer's life is one of self-sacrificing service to a high ideal, based upon the recognition of entrusted responsibilities and the belief that law enforcement is an honorable vocation. The responsibilities to defend the right,

to protect the weak, to aid the distressed, and to uphold the law in public and in private living must be accepted fully.

- C. A sheriff's officer must accept the obligation to report facts and to testify without bias or display of emotion, and to consider all information obtained by virtue of the position as a sacred trust. Such information, confidential or otherwise, must be used for official purposes only and not for personal benefit. Information concerning pending matters which might be prejudicial to the interests of the United States of America, State of New Jersey, County of Camden, or the Office of the Sheriff, must not be disclosed to any unauthorized persons.
- D. A sheriff's officer must give loyal and faithful attention to the identification and apprehension of criminals, while being equally alert to protect the innocent and prosecute the guilty. The functions of the office must be performed without fear, favor, or prejudice, and all citizens must be treated with respect and courtesy.
- E. A sheriff's officer is faithful and loyal to the organization, constantly striving to cooperate with, and to promote better relations with, all regularly constituted law enforcement agencies and their respective personnel in matters of mutual interest and obligation.
- F. Rigid adherence to the principles set out above is mandatory for anyone accepting a position with the Office of the Sheriff. Acceptance of these principles should not be perfunctory, it should be weighed carefully. Citizens are quick to criticize any misconduct by members of the Office of the Sheriff. The community places a trust in sheriff's officers and expects them to so conduct themselves as to merit this trust. Members should be proud to hold a position that demands so much.
- G. There must be a moral philosophy and strong appreciation of the need for service in any profession. Unwavering adherence to such a moral philosophy will earn for sheriff's officers the respect and support of the public. Each member of the Office of the Sheriff will be required to conform to the Code of Ethics.

Section 2 Duty, Responsibilities and Conduct

3:2.1 Standards of Conduct (Class 2 Offense)

- A. Members and employees shall conduct their professional and private lives in such a manner as to avoid bringing the department into disrepute.
- B. Disorderly, immoral, dishonest, deceitful and other conduct without a legitimate lawful purpose, shall be considered conduct unbecoming an officer

and shall subject a member to disciplinary action if the conduct reflects poorly on the reputation of the Office of the Sheriff.

3:2.2 Loyalty (Class 3 Offense)

Loyalty to the department and to associates is an important factor in department morale and efficiency. Members and employees shall maintain loyalty to the department and their associates as is consistent with the law and a high standard of personal ethics.

3:2.3 Cooperation (Class 3 Offense)

Cooperation between the ranks and various areas of the department is essential to effective law enforcement. Therefore, all members are strictly charged with establishing and maintaining a high spirit of cooperation within the department.

3:2.4 Duty Activities (Class 3 Offense)

Members of the Office of the Sheriff are always subject to duty and they shall at all times respond to the lawful orders of superior officers and other proper authorities as well as calls for police assistance from citizens. Proper police action must be taken whenever required. The administrative delegation of the enforcement of certain laws and ordinances to particular subdivisions of the department does not relieve members of other subdivisions from the responsibility of taking prompt, effective police action within the scope of those laws and ordinances when the occasion so requires. Members assigned to special duties are required to take proper action outside the scope of their specialized assignment when necessary.

3:2.5 Assistance—Peace Officers (Class 2 Offense)

All members are required to take appropriate police action toward aiding a fellow peace officer exposed to danger or in a situation where danger might be pending.

3:2.6 General Responsibilities (Class 3 Offense)

Members shall at all times 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 state and local laws and ordinances coming within jurisdiction of the Office of the Sheriff
- F. Safely and expeditiously regulate traffic
- G. Aid citizens in matters within police jurisdiction

3:2.7 Neglect of Duty (Class 2 Offense)

Members and employees may be charged with neglect of duty for any act or omission in violation of law, police orders, procedures or rules and regulations.

3:2.8 Failure to Take Action (Class 2 Offense)

Members shall not fail to take police action when necessary, at any time, in or out of uniform, on or off duty, and shall not fail to make a written report of that action and forward same to their commanding officer.

3:2.9 Failure to Report a Hazardous Condition (Class 2 Offense)

Members shall not fail to report any hazardous condition.

3:2.10 Performance of Duty (Class 2 Offense)

All members and employees shall perform their duties as required or directed by law, department rule, policy or order, or by order of a superior officer. All lawful duties required by competent authority shall be performed promptly as directed, notwithstanding the general assignment of duties and responsibilities.

3:2.11 Protection of Life and Property (Class 2 Offense)

All members who become aware of a situation requiring a police response shall immediately advise communications with the appropriate details. Officers that are not specifically dispatched to a priority call for service, but are close in proximity to the location requiring service, shall immediately advise dispatch of their location and availability. Officers unsure how near they are to a priority call for service shall inquire with Central Communication to see if their assistance is required.

3:2.12 Stopping Motor Vehicles (Class 3 Offense)

No member shall stop a motor vehicle without advising communications of the location of the stop, vehicle registration number, and any other important identifying characteristics of the vehicle or occupants.

3:2.13 Failure to Properly Supervise (Class 3 Offense)

Members and employees may be disciplined for failing to; properly supervise subordinates; prefer disciplinary charges; or take other appropriate disciplinary action.

Section 3 Official Acts and Orders

3:3.1 Obedience to Laws, Regulations, and Policy (Class 2 Offense)

Employees shall obey all laws, ordinances, rules and regulations, policies and procedures, and general orders of the Office of the Sheriff as applicable.

3:3.2 Questions Regarding Assignments (Class 5 offense)

Members and employees in doubt as to the nature or detail of their assignment shall seek clarification from their superiors by going through the chain of command. In the event of improper action or a breach of discipline, it will be presumed that the affected member was familiar with the law, ordinance, rule, regulation, policy, procedure, or order in question. Every member is required to establish and maintain a working knowledge of all rules, regulations, policies, procedures and general orders of the Office of the Sheriff.

3:3.3 Insubordination (Class 2 Offense)

Members and employees shall not commit acts of insubordination. The following specific acts are prohibited by this section:

- A. Failure or deliberate refusal to obey a lawful order given by a superior officer
- B. Any disrespectful, mutinous, insolent, or abusive language or action toward a superior officer

3:3.4 Failure to Comply with Orders (Class 2 Offense)

Members and employees must at all times comply with the orders, rules, directives, regulations, policies and procedures, written and oral, from the Sheriff, superior officers and supervisors.

3:3.5 Conduct Toward Superior & Subordinate Officers & Associates (Class 4 Offense)

Members and employees shall treat superior officers, subordinates, and associates with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty, and particularly in the presence of other

members, employees or the public, employees shall demonstrate a positive attitude and refrain from using sarcastic remarks of any kind. All officers of the department, when in the presence of the public, should be referred to by rank.

3:3.6 Disclosure of Office Orders (Class 3 Offense)

Employees shall not make known to any person any order, which they might receive unless so required by the nature of their assignment.

3:3.7 Criticism of Official Acts or Orders (Class 4 Offense)

Employees shall not criticize any lawful official actions, instructions, or orders of any member of the Office of the Sheriff in a manner which is defamatory, obscene, unlawful or which tends to impair the efficient operation, image or reputation of the Office of the Sheriff.

3:3.8 Manner of Issuing Orders (Class 5 Offense)

Orders from superior to subordinate shall be clear, understandable language, civil in tone and issued in pursuit of department business.

3:3.9 Conflicting Orders (Class 5 Offense)

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

3:3.10 Obedience to Unjust or Improper Orders (Class 5 Offense)

Employees who are given orders they feel to be unjust or contrary to a provision of the department's manual, must first obey the order to the best of their ability and then may proceed to an appeal as provided below. Failure to follow the order prior to appeal may result in a charge of insubordination.

3:3.11 Unlawful Orders (Class 2 Offense)

No command or supervisory officer shall knowingly issue any order, which is in violation of any law, ordinance or department rule.

3:3.12 Obedience to Unlawful Orders

Obedience to an unlawful order is never a defense of an unlawful action; therefore, no member or employee is required to obey any order, which is

contrary to Federal or State law or Local ordinance. Responsibility for refusal to obey rests with the member. He/she shall be strictly required to justify his/her action.

**3:3.13 Reports and Appeals - Unlawful, Unjust, or Improper Orders
(Class 5 Offense)**

Members or employees receiving an unlawful or improper order, shall, at first opportunity, report in writing to the Sheriff through official channels. This report shall contain the facts of the incident and the action taken. Appeals for relief from such orders may be made at the same time. Extra-departmental action regarding such an appeal shall be conducted through the Office of the Sheriff.

3:3.14 Chain of Command (Class 4 Offense)

All employees shall conduct all official activities within the established chain of command.

Section 4 Soliciting, Intercession, Truthfulness & Other Conduct

3:4.1 Soliciting Gifts, Gratuities, Fees, Rewards or Loans (Class 2 offense)

Members and employees shall not under any circumstances solicit any money, gift, gratuity, loan, reward, fee or other thing of value where there is any connection between the solicitation and their department membership or employment.

3:4.2 Soliciting for Attorneys, Bondsmen, etc. (Class 2 offense)

Members and employees shall not under any circumstances solicit for attorneys, bondsmen, or any other business persons or firms.

3:4.3 Acceptance of Gifts, Gratuities, Fees, Loans (Class 2 offense)

Pursuant to the provisions of N.J.S.A. 2C: 27-10, members and employees shall not accept either directly or indirectly any gift, gratuity, loan, fee, or any other object of value arising from or offered because of police employment or any activity connected with said employment. Members and employees shall not accept any gift, gratuity, loan, fee, or other object of value, the acceptance of which might tend to influence the actions of said members or employees 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.

A. No member or employee of the department shall receive any gift or gratuity from other members or employees, junior in rank, without the express permission of the Sheriff.

B. No member or employee shall borrow any money from or otherwise become indebted to any other member or employee.

3:4.4 Rewards (Class 4 offense)

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

3:4.5 Other Transactions (Class 4 offense)

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

3:4.6 Disposition of Unauthorized Gifts, Gratuities, etc. - (Class 4 offense)

Any unauthorized gift, gratuity, loan, fee, reward or other thing falling into any of these categories coming into the possession of any employee shall be forwarded to the Office of the Sheriff together with a written report explaining the circumstances relevant thereto.

3:4.7 Free Admission and Passes - (Class 5 offense)

Employees shall not solicit free admission to theaters and other places of amusement for themselves or others.

3:4.8 Debts - Incurring and Payment - (Class 5 offense)

- A. No employee shall borrow or lend any money or otherwise become indebted to any other employee of the Office of the Sheriff.
- B. Employees shall not solicit other employees to co-sign or endorse any promissory note or loan.
- C. No employee shall offer to act as a co-signer or endorser of any promissory note or other loan for another employee.
- D. Paragraphs A-C do not apply to transactions among employees related to each other.

E. Employees shall promptly pay all just debts and legal liabilities incurred by them.

3:4.9 Failure to Satisfy Just Debts (Class 5 offense)

The failure of members and employees to recognize and satisfy any just debts, which negatively affect the Office of the Sheriff, is prohibited.

3:4.10 Accepting Bribes or Gratuities (Class 1 Offense)

No member or employee shall accept bribes or gratuities in exchange for permitting illegal acts.

3:4.11 Failure to Report Offers of Bribes or Gratuities (Class 1 Offense)

No members or employee shall fail to report to their Bureau Commander as soon as practicable, in writing, any offers of bribes or gratuities.

3:4.12 Intercession–Soliciting (Class 4 Offense)

Members and employees shall not solicit anyone to intercede with the Sheriff, or members of the Camden County Board of Chosen Freeholders in relation to promotion, assignments, disposition of pending charges, or findings in a departmental trial or other related matter. This shall not preclude, however, the right of an employee to be represented by legal counsel or a union representative.

3:4.13 Persons and Places of Bad Reputation (Class 4 offense)

Members and employees shall not associate or conduct business with known criminals. For purposes of this section, a known criminal shall be defined as an individual convicted of a crime of the third (3rd) degree or greater, or equivalent. This section shall not apply to normal relations with relatives.

3:4.14 Association with known Criminals (Class 2 offense)

Employees shall not associate or conduct business with known criminals. For purposes of this section, a known criminal shall be defined as an individual convicted of a crime of the third (3rd) degree or greater or equivalent. This section shall not apply to normal relations with relatives.

3:4.15 Persons Engaging in Unlawful Activities (Class 4 offense)

Employees shall not associate or conduct business with persons who engage in unlawful activities.

**3:4.16 Idle Conversation with known Criminals & Illegal Gamblers
(Class 4 Offense)**

Members and employees shall not conduct idle conversation with known criminals and illegal gamblers while on or off duty.

3:4.17 Illegal Gambling (Class 2 Offense)

Members and employees shall not participate in illegal games of chance or illegal gambling while on or off duty.

3:4.18 Reporting Violations of Law, Ordinances, Rules, or Orders (Class 2 Offense)

Members and employees knowing of other members and employees violating laws, ordinances, or rules of the department, or disobeying orders, shall report same in writing to the Sheriff through official channels. If the member or employee believes the information is of such gravity that it must be brought to the immediate, personal attention of the Sheriff, official channels may be bypassed.

3:4.19 Truthfulness (Class 1 Offense)

Members and employees are required to be truthful at all times, whether testifying under oath or when not under oath, while reporting and answering questions of superior officers, or internal affairs investigators.

- A. Untruthfulness refers to false statements, false reports, intentionally incomplete statements or reports, and intentional omissions.
- B. Untruthfulness to superior officers or during an internal investigation is prohibited.
- C. Failure to disclose information in criminal or departmental matters is an equal offense.

3:4.20 Withholding Information (Class 1 Offense)

Members and employees shall not, at any time, withhold any information concerning criminal activity.

3:4.21 False Entries (Class 2 Offense)

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

3:4.22 Subversive Conduct (Class 3 Offense)

Conduct subversive of good order and the discipline of the department are prohibited.

3:4.23 Forbidden Activity (Class 3 offense)

Employees shall respect the private lives of other employees and not engage in conversations about activities that are not related to Office of the Sheriff business when such conversations are designed to slander or demean their coworkers. Gossip and fabricated stories concerning both job-related and non job-related activities of co-workers will be reason for disciplinary action as such activities tend to impair the efficient operation and harmonious work environment of the department.

3:4.24 Crimes of Moral Turpitude (Class 1 Offense)

Members and employees are prohibited from involvement in crimes of moral turpitude that reflects negatively on the office.

3:4.25 Fighting or Quarrelling (Class 2 Offense)

Members and employees are prohibited from fighting or quarreling with other members and employees of the department or other agencies.

3:4.26 Failure to Give Proper Identification (Class 5 Offense)

All members and employees shall give their proper identification when answering the telephone, upon request by a caller, or when requested in person by a member of the public.

3:4.27 Harassment (Class 2 Offense)

Employees are prohibited from any acts that would constitute harassment, sexual or otherwise, as defined in the Camden County policy and NJ Attorney General's guidelines.

ARTICLE IV GENERAL CONDUCT OF DUTY

Section 1 Prohibitions

4:1.1 Prohibited Activity

Employees are prohibited from engaging in the following activities while on duty, with exceptions as noted:

- A. Sleeping. (Class 2 offense)
- B. Conduct private meetings. (Class 2 offense)
- C. Gambling, unless to further a police purpose with the consent of the Sheriff. (Class 2 Offense)
- D. Sexual activity of any kind. (Class 2 offense)
- E. Conducting non-police related activities or business. (Class 2 offense)
- F. Conducting unauthorized investigations designed to impair or obstruct the efficient operation of the department. (Class 2 offense)
- G. Recreational reading except during breaks, loafing or, idling. (Class 5 offense)

Section 2 Alcohol and Drugs

4:2.1 Under the Influence of Intoxicants (Class 2 offense)

Employees shall not, at any time, report for duty, or be on duty, while under the influence of intoxicants. This condition shall cause the employee to be unfit for duty. Superior officers shall not assign to duty any employee in an unfit condition due to the use of intoxicants and shall immediately relieve of duty, and service weapon, any member found on duty in such condition. The superior officer shall submit a written report of the incident to the Sheriff. Officers deemed unfit for duty due to intoxication shall be tested in accordance with the provisions of 5:2.2.

4:2.2 Physical Tests for Drugs and Alcohol

All physical tests for drugs and alcohol will be conducted in accordance with the provisions of the policies of the New Jersey Attorney General, the Camden County Prosecutor, and the Office of the Sheriff.

- A. Applicants: Applicants may be required to submit a urine specimen at any time prior to appointment.
 1. Applicants must be notified that the pre-employment process will include drug testing. The notification will also indicate that a negative result is a condition of employment and that a positive result will:
 2. result in the applicant being immediately dropped from consideration for employment; and
 3. cause the applicant's name to be reported to the Central Drug Registry maintained by the Division of State Police; and
 4. preclude the applicant from being considered for future law enforcement employment for a period of two (2) years from the date of drug test.

5. The notification will also indicate that if the applicant is currently employed by another agency as a sworn law enforcement officer and the officer tests positive for illegal drug use, the officer's employing agency will be notified of the test results. Under these circumstances, the officer's current employer is required to dismiss the officer from employment and report his or her name to the Central Drug Registry maintained by the Division of State Police.
- B. Trainees: All newly appointed law enforcement officers shall be informed that drug testing is mandatory during basic training. Newly appointed officers shall also be informed that a negative result is a condition of employment and that a positive result will result in:
1. The trainee shall be immediately dismissed from basic training and suspended from employment by his or her appointing authority.
 2. The trainee shall be terminated from employment as a law enforcement officer, upon final disciplinary action by the appointing authority;
 3. The trainee shall be reported to the Central Drug Registry maintained by the Division of State Police; and
 4. The trainee shall be permanently barred from future law enforcement employment in New Jersey.
- C. Sworn Officers-Reasonable Suspicion: Members will be ordered to submit to a drug test when there is reasonable suspicion to believe that the officer is illegally using drugs. Such test can be ordered only by the Sheriff or County Prosecutor. A negative result is a condition of employment as a sworn officer and a positive result will result in:
1. The officer shall be immediately suspended from all duties; and
 2. The officer shall be terminated from employment as a law enforcement officer, upon final disciplinary action;
 3. The officer shall be reported by his or her employer to the Central Drug Registry maintained by the Division of State Police; and
 4. The officer shall be permanently barred from future law enforcement employment in New Jersey.
- D. Sworn Officers-Random Drug Testing: Members will be ordered to submit to a drug test when randomly selected. A negative result is a condition of employment as a sworn officer and a positive result will result in:
1. The officer shall be immediately suspended from all duties; and
 2. The officer shall be terminated from employment as a law enforcement officer, upon final disciplinary action;
 3. The officer shall be reported by his or her employer to the Central Drug Registry maintained by the Division of State Police; and
 4. The officer shall be permanently barred from future law enforcement employment in New Jersey.

- E. Refusals: Officers who refuse to submit to a drug test based on reasonable suspicion or random selections, who have been lawfully ordered to do so, are subject to the same penalties as those officers who test positive for the illegal use of drugs. An officer who resigns or retires after receiving a lawful order to submit a urine specimen for drug testing and who does not provide the specimen shall be deemed to have refused to submit to the drug test.
- F. In accordance with the provisions of the New Jersey Attorney General's Internal Affairs Policy and Procedures, a member believed to be under the influence of alcohol may be ordered to submit to a chemical breath test (breathalyzer) or other tests or procedures to gather evidence. Such tests may be ordered by Internal Affairs or a Bureau Commander. Officers that refuse to perform or participate in a lawfully ordered physical test will be disciplined for their refusal to do so.
- G. Such test(s) must be given if requested by a member.

4:2.3 Consumption of Intoxicating Beverages and/or Drugs (Class 2 offense)

Employees shall not drink any kind of intoxicating beverage at any time while on duty or take any drugs not duly prescribed and necessary for health. A member, while assigned to duty in civilian clothes, may use intoxicants if absolutely necessary in the performance of duty, provided such does not render him/her unfit for the proper and efficient performance of duty. Under no circumstances shall legally defined intoxication be considered justifiable. Such use must be documented in writing, detailing the reasons therefore and the amount consumed. Any officer consuming alcoholic beverages in the performance of duty must receive prior authorization from the Sheriff.

4:2.4 Medication (Class 2 offense)

Employees shall not take any medication that might diminish their alertness or impair their senses prior to or after reporting for duty, unless otherwise directed by a physician.

- A. When employees are required to take any prescription medication or any non-prescription medication that might diminish their alertness or impair their senses, the employee shall follow bureau policy for notifying the department as to the medication required, its properties, the dosage and the period during which the employee is required to take the medication. It shall be the responsibility of the employee to make the notification prior to the employee being assigned to duty. This information so provided shall remain confidential.

B. 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 medication.

4:2.5 Absence of Alcohol Required (Class 3 offense)

Employees shall refrain from drinking intoxicating beverages for a period of time necessary to ensure absence of alcohol in the blood, to any degree, prior to reporting for duty.

4:2.6 Odor of Alcoholic Beverage (Class 4 offense)

Employees shall refrain from drinking alcoholic beverages for a period of time necessary to ensure absence of an odor of alcoholic beverages on their person, prior to reporting for duty.

4:2.7 Possession of Intoxicating Beverages or Drugs (Class 5 offense)

Employees shall not bring or keep any intoxicating beverage or drugs on department premises, except when necessary in the performance of a law enforcement objective, and then it shall be properly identified and stored according policy.

4:2.8 Consuming Intoxicating Beverages at Police Headquarters (Class 3 offense)

Intoxicating beverages shall not, at any time, be consumed on department property.

4:2.9 Possession of Intoxicants on Duty or in Uniform (Class 4 offense)

Employees shall not have intoxicants on their person while on duty or in uniform, or in any police building or vehicle, except for evidential or other authorized purposes.

4:2.10 Consumption of Intoxicating Beverages in Uniform (Class 3 offense)

Employees shall refrain from drinking alcoholic beverages while in uniform or any part thereof.

4:2.11 Visiting Licensed Establishments in Uniform Prohibited (Class 3 Offense)

Members are prohibited from being in an establishment licensed to sell alcoholic beverages in uniform, while not in performance of their police duty. Members are not prohibited from taking meal breaks at licensed establishments approved by the Sheriff.

4:2.12 Intoxication - Off Duty (Class 3 Offense)

Intoxication off duty, which negatively affects the Office of the Sheriff, is prohibited.

4:2.13 Interest in Liquor License (Class 2 offense)

No liquor license shall be held by any Sheriff's Officer, or by any profit corporation or association in which any such member is interested, directly or indirectly.

4:2.14 Employment at Licensed Establishment (Class 2 offense)

No law or regulation promulgated by the Department of Alcoholic Beverage Control prohibits permanent full-time members of the Office of the Sheriff from being employed, other than in the County of Camden for which they serve as Sheriff's Officers, by a business licensed to sell alcoholic beverages in this State.

- A. Members so employed shall not, while engaged in the selling, serving, possessing or delivering of any alcoholic beverage have in their possession any firearm, or wear or display any uniform, badge or insignia which would identify them as a sheriff's officer. (Class 3 offense)
- B. No member so employed shall be permitted to work in excess of twenty-five (25) hours per week in any such establishment. (Class 4 offense)

Section 3 Absences and Other Conduct

4:3.1 Absence from Duty (Class 2 offense)

Every member or employee who fails to appear for duty at the date, time, and place specified without the consent of competent authority is "absent without leave." Such absence within the period of one (1) day must be reported in writing to the officer's commanding officer who will report to the Sheriff.

4:3.2 Absence without Leave - Less than Five (5) Days (Class 2 offense)

Every member or employee who is absent without leave for less than five (5) consecutive working days are subject to disciplinary action.

4.3.3 Absence Without Leave for Five (5) Consecutive Days (Class 1 Offense)

Except as otherwise provided by law, any permanent member or officer of the Office of the Sheriff who is absent from duty without just cause or leave of absence for a continuous period of five (5) days shall cease to be a member of the Office of the Sheriff. (Reference: N.J.S.A 40A:14-122).

4:3.4 Line Up (Class 5 Offense)

Unless otherwise directed, members shall report to daily line up briefings, or other specified assignments, at the time and place specified, properly uniformed and equipped. They shall give careful attention to orders and instructions avoiding unnecessary talking or movement.

4:3.5 Physical Fitness for Duty (Class 5 Offense)

Members shall maintain good physical condition so that they can handle the strenuous physical contacts often required of a law enforcement officer.

4:3.6 Loitering (Class 5 Offense)

Members on duty or in uniform shall not enter taverns, theatres, other public or private places without a legitimate cause, except to perform a police task. Loitering and unnecessary conversation in such locations are forbidden. Members and employees, off duty or on duty and not on any official police business, shall not loiter in headquarters areas, or other county offices.

4:3.7 Smoking and Tobacco Use While on Duty (Class 5 Offense)

Members and employees shall not smoke or utilize tobacco products while on duty in direct contact with the public, in their respected offices, or in any Office of the Sheriff vehicles at any time.

4:3.8 Relief (Class 2 Offense)

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

4:3.9 Meals (Class 5 Offense)

Members shall be permitted, subject to immediate call at all times for the purpose of having meals during their tour of duty, but only for such period of time, and at such time and place as permitted by their supervisors and/or by departmental practice.

- A. Members, while on meal breaks, must have their portable radios "ON" to monitor the activities of the shift and to ensure immediate radio contact, if necessary.
- B. All members will be regulated by Office of the Sheriff memos as they relate to meal breaks.

4:3.10 Training (Class 3 Offense)

Members shall attend in-service training on the theory and practice of law enforcement at the direction of the Sheriff or commanding officer. Such attendance is considered a duty assignment.

4:3.11 Inspections (Class 2 Offense)

From time to time the Sheriff may call for full dress inspections of the department or any part thereof. Members directed to attend such inspections shall report in the uniform prescribed, carrying the equipment specified. Unauthorized absence from such inspections is chargeable as absence without leave.

4:3.12 National Colors and Anthem (Class 5 Offense)

Uniformed members will render full military honors to the National Colors and Anthem at appropriate times. Members and employees in civilian dress shall render proper civilian honors to the National Colors and Anthem at appropriate times. The appropriate honor for officers in uniform (*with hat/cover or not*) is a raised hand salute and in civilian attire is right hand over heart.

4:3.13 Military Courtesy (Class 5 Offense)

When meeting in public, members shall conform to normal courtesy standards and refer to each other by rank. During official ceremonies or other designated special occasions, a salute will be rendered to all commanding officers, while in uniform and in public. Civilian attire is right hand over heart.

4:3.14 Possession of Keys (Class 4 Offense)

No member, unless authorized by a commanding officer, shall possess keys to any premises not his/her own, on or near his/her post or sector.

4:3.15 Address and Telephone Numbers (Class 5 Offense)

Immediately upon employment, members and employees shall record their correct residence addresses and telephone numbers with their commanding officer and the Sheriff. Members and employees are required to have a telephone in the place where they reside. Changes in address or telephone number shall be reported to the appropriate commanding officer and the personnel department within 24 hours of the change. This shall be done in writing on the appropriate form and within the specified time whether the member or employee is working or on leave.

4:3.16 Home Telephone Numbers (Class 4 offense)

Employees shall not disclose the home telephone number and address of any employee of the Office of the Sheriff, nor confidential numbers of department associates.

Section 4 Uniforms and Equipment

4:4.1 Regulation Uniforms Required (Class 5 Offense)

All employees of the department shall maintain in good order a regulation uniform. Employees shall appear neat and well groomed while in uniform. Employees shall not wear the uniform or any part thereof while off-duty, except while traveling to and from duty, without the permission of the Sheriff.

4:4.2 Compliance (Class 5 Offense)

All personnel shall comply fully with the provisions in the Office of the Sheriff policies and procedures as they apply to uniforms and appearance.

4:4.3 Manner of Dress on Duty (Class 5 Offense)

Normally, members will wear the duty uniform on a tour of duty, however, commanding officers may prescribe other clothing as required by the nature of the duty which a particular member is assigned.

4:4.4 Wearing or Carrying Badge & ID Card (Class 5 Offense)

A member, when in uniform, shall wear the regulation badge on the outside of the outermost garment over the left breast and always in sight. When not in uniform or off duty, the badge and/or identification card shall be carried in his/her pocket. This rule shall not apply when engaged in sports or activities of a nature making it impractical.

4:4.5 Altering Style of Uniform (Class 5 Offense)

Uniforms shall be made of the material and the style prescribed in the Sheriff's orders, and such style shall not be altered or changed in any manner, whatsoever, unless authorized by the Sheriff.

4:4.6 Carrying Required Equipment: In Uniform (Class 5 Offense)

While on duty, except when authorized by the Sheriff, members are required to wear the specified uniform and carry their badge, identification card, and all equipment as specified by department policy.

4:4.7 Carrying Required Equipment in Civilian Clothes and On Duty (Class 5 Offense)

While on duty, members who are required to wear civilian clothes shall carry as full equipment the following:

- A. Badge
- B. Firearm and ammunition (department-issued or approved)
- C. Handcuffs
- D. Office of the Sheriff identification card
- E. Any other items specified by policy

4:4.8 Carrying Equipment Off Duty (Class 5 Offense)

If you carry a weapon off duty, each member will carry or have in his/her immediate possession, their badge and their identification card. This rule shall not apply when members are engaged in sports and activities of such a nature as to make it impractical. It is incumbent upon each member to exercise discretion regarding the carrying of authorized weapons in an establishment which serves alcoholic beverages.

4:4.9 Civilian Clothing-Manner of Dress (Class 5 Offense)

Male members and employees permitted to wear civilian clothing during a tour of duty shall wear appropriate casual business attire. Commanding officers may prescribe other types of clothing when necessary to meet a particular police objective. Female members and employees permitted to wear civilian clothing shall wear clothing that conforms to standards normally required of office personnel in private business firms, unless otherwise directed. All articles of clothing shall be of a conservative nature.

4:4.10 Equipment (Class 5 Offense)

All equipment must be clean, in good working order and conform to department specifications.

4:4.11 Personal Appearance (Class 5 Offense)

Every member and employee of the department, while on duty, must at all times be neat and clean in person, clothes clean and pressed, and uniform in conformity with Office of the Sheriff policies and procedures. Members shall, as often as necessary, examine and clean their equipment and always keep it in good

serviceable condition. Members and employees shall conform to the following additional standards of appearance:

A. Male members. Hair must be clean, neat and combed. No member shall wear his hair in a style that would create a safety hazard or would detract from a professional appearance.

1. The style shall be of no more than medium length and fullness and shall not be of such length as to cover any portion of the ears or collar.
2. Bushy hair protruding from the sides, back or front of the head is prohibited and unusual haircuts inappropriate for uniform or business attire, are strictly prohibited.
3. A neat pattern, shaped at the rear of the neck, shall be maintained. Growth near the collar line must be neatly trimmed and shall not extend over the shirt or coat collar.
4. Sideburns shall not extend below the bottom of the earlobe. The width shall not exceed 1 ¼ inches at the broadest point.
5. Dyed, tinted or bleached hair shall not interfere with projecting a professional appearance.
6. Mustaches shall have a pattern that is neatly trimmed and the extent of the growth shall be limited to ½ inch below the corner of the mouth. Length of the hair shall be no more than ¼ inch, nor appear bushy.
7. Beards. Full beards or other growths of hair below the lower lip, on the chin, or lower jaw bone are prohibited, unless authorized by the Sheriff.
8. Clean Shaven. Except for the areas where facial hair growth is permitted, all members shall be clean shaven. Personnel with a medical condition, which precludes shaving, shall be required to present a written statement, signed by a medical doctor verifying such conditions, unless authorized by the Sheriff.

B. Female Members

1. In the interest of safety, female members assigned to a bureau or unit where the regulation police uniform is worn, shall arrange their hair so that it does not extend below the collar line, nor interfere with the proper wearing of the uniform hat. Hair shall be arranged so as not to interfere with vision in any way or pose a safety hazard.
2. Hair must be clean, neat and combed. No member shall wear her hair in a style that would create a safety hazard or would detract from a professional appearance.
3. Dyed, tinted or bleached hair shall not distract from a professional appearance.

C. Body Ornaments, Jewelry, Tattoos, Decals and Body Piercing.

1. While on duty and in uniform, officers are not permitted to wear ear ornaments.
2. While on duty and in civilian clothing, male officers may wear ear ornaments to achieve a police objective if authorized by the Sheriff.
3. While on duty and in civilian clothing, female officers may wear ear ornaments if they are not obscene, offensive, distract from professional appearance, pose a safety hazard, or interfere with on duty actions and responsibilities.
4. No officer shall wear any facial jewelry while on duty or in uniform. Ornamental jewelry, such as neck chains, are prohibited if exposed and visible. Members may wear wrist watches, wedding rings, engagement rings, or other conservative rings limited to one ring or wedding set on each hand.
5. Officers may not appear on duty or in uniform with any visible facial, head, or body tattoo or decal unless such tattoo or decal existed prior to the date of this manual. Visible tattoos or decals cannot be obscene, offensive, distract from professional appearance, or interfere with on duty actions and responsibilities.
6. Body piercing may not be visible to the public while on duty or in uniform.

4:4.12 Department Property and Equipment (Class 4 Offense)

Members and employees are responsible for the proper care of department property and equipment assigned to them. Damaged or lost property may constitute failure to properly care for assigned equipment and vehicles, and subject the responsible individual to reimbursement charges and appropriate disciplinary action. Employees shall not use any office owned property or equipment for personal use or pleasure without the expressed permission of the Sheriff. All office property and equipment is and remains the property of the Office of the Sheriff and is subject to entry, retraction of use privilege, and/or inspection without notice.

4:4.13 Damaged - Inoperative Property (Class 4 Offense)

Members and employees shall immediately report to their commanding officers any loss of or damage to department property assigned to or used by them. The immediate superior will be notified of any defects or hazardous conditions existing in any department equipment or property.

4:4.14 Willful Damage (Class 2 Offense)

Any employee who is proven to have willfully damaged any Office of the Sheriff property or facility, to any degree, will be subject to disciplinary action.

4:4.15 Surrender of Department Property (Class 2 Offense)

Members and employees are required to surrender all Office of the Sheriff's property in their possession upon separation from the service. Failure to return non-expendable items may cause the person to reimburse the Office of the Camden County Sheriff for the fair market value of the item(s). Any employee under suspension shall immediately surrender their Office of the Sheriff's identification, firearm (if applicable), and all other Office of the Sheriff's property to the appropriate supervisor pending disposition of the case.

4:4.16 Uniform and Equipment Damage Claim (Class 5 Offense)

All claims for replacement of, or reimbursement for, damage to clothing, equipment or any personal property caused by the performance of duty, shall be made in accordance with department policy and the current collective bargaining agreement.

4:4.17 Care of Department Buildings (Class 3 Offense)

Members and employees shall not mark or deface any surface in any department building. No material shall be affixed in anyway to any wall in Office of the Sheriff buildings without specific authorization from a commanding officer.

4:4.18 Notices (Class 5 Offense)

Members and employees shall not mark, alter, deface or remove any posted notice in the Office of the Sheriff. Notices or announcements shall not be posted on bulletin boards without permission of a commanding officer.

Representatives of the collective bargaining units are permitted to post appropriate pertinent materials on the boards so designated for their organizations.

Section 5 Vehicles

4:5.1 Use of Department Vehicles (Class 2 Offense)

Department vehicles shall be used in accordance with current policies and procedures. Employees shall not use any office owned vehicle without the approval of the shift commander or other competent authority.

4:5.2 Failure to Remove Key when Unattended (Class 5 Offense)

Members and employees are required to remove the key from Office of the Sheriff's vehicles when not attended. This does not preclude a member from leaving a locked vehicle running while operating emergency equipment or other lighting at a scene, or to ensure the comfort and safety of any passengers or police animals.

4:5.3 Failure to Remove Key when Unattended: Stolen Vehicle (Class 2 Offense)

Members and employees are required to remove the key from county vehicles when not attended.

4:5.4 Operation of Motor Vehicles (Class 4 Offense)

Members and employees, when driving vehicles of any description, private or of the department, shall not violate the traffic laws except in cases of absolute emergency and then only in conformity with the law regarding same. They shall set an example for other persons in the operation of their vehicles.

4:5.5 Parking Department Motor Vehicles (Class 4 Offense)

It shall be the responsibility of any sheriff's officer operating a county owned vehicle to see that it is properly and legally parked off the travel portion of the highway at a crime scene, fire, etc., unless such vehicle is being used to light the scene, create a roadblock, or under other extenuating circumstances.

4:5.6 Care of Department Vehicles (Class 3 Offense)

Members and employees are responsible for the proper care of Office of the Sheriff vehicles assigned to them. A damaged vehicle may subject the responsible individual to reimbursement charges and appropriate disciplinary action. Members and employees shall not use any Office of the Sheriff vehicle for personal use or pleasure without the expressed permission of the Sheriff. All Office of the Sheriff vehicles remain the property of Camden County and are subject to entry, retraction of use privilege, and/or inspection without notice.

4:5.7 Private Motor Vehicles (Class 5 Offense)

Employees shall not drive privately owned vehicles while on duty unless specifically authorized by the Sheriff. This shall not preclude a bureau commander from authorizing the operation of vehicles during a police investigation.

4:5.8 Emergency Calls and Use of Emergency Lights and Siren (Class 3 Offense)

Members driving any department vehicle when responding to an emergency call, shall exercise judgment and care with due regard to the safety of life and property. They shall slow down at all street intersections to such degree that, when crossing same, they will have safe control of their vehicle; especially when crossing street intersections. They shall use the emergency lights and sound the siren on such calls and take the utmost precaution. Members must adhere, at all times, to all the

provisions of the New Jersey Motor Vehicle and Traffic Regulations (Title 39) and department policy.

4:5.9 Driver's License (Class 2 Offense)

All members must possess and maintain a current and valid New Jersey driver's license. Whenever a driver's license is revoked, suspended, or lost, their commanding officer shall be immediately notified and informed of the particulars in full.

4:5.10 Transporting Citizens (Class 5 Offense)

Citizens will be transported in department vehicles only when necessary to accomplish a police purpose. Such transportation will be done in conformance with department policy and at the direction of a command officer, or immediate supervisor.

4:5.11 Definition of "driver"

Whenever the term driver is used or inferred in this section, all the responsibilities placed upon the driver are shared equally by any other officer assigned to the vehicle at the same time.

4:5.12 Passengers (Class 5 Offense)

A driver shall only allow such persons, as are necessary in the proper performance of his/her duties, to ride in an assigned department vehicle. Unless expressly authorized by the Sheriff, no unauthorized persons are permitted in police vehicles.

4:5.13 Reporting Accidents (Class 3 Offense)

Accidents/crashes involving Office of the Sheriff personnel, property, and equipment must be reported in accordance with department policies and procedures. The officer(s) involved shall as soon as reasonably possible notify the shift commander. It shall be the duty of the shift commander to cause an investigation to be made of same, and a written report made to the Sheriff. Camden County property found bearing evidence of damage, which has not been reported, shall be prima facie evidence that the last person using the property or vehicle was responsible.

4:5.14 Presumption of Responsibility (Class 4 Offense)

In the event that department property is found bearing evidence of damage, it shall be incumbent upon the discoverer to report same immediately. Failure to do so will result in disciplinary action.

4:5.15 Liability

Liability for negligence in the care, maintenance and safekeeping of property and equipment issued to or placed at the disposal of any member of the department shall rest with that member. All Office of the Sheriff's property shall be properly cared for, maintained and secured by said member. In the event of any misuse or loss of said property by any member, that member will be held liable to reimburse the department for damage or loss. This shall also include transportation vehicles of any type.

Section 6 Communications & Correspondence

4:6.1 Restrictions (Class 4 Offense)

Members and employees shall not use department letterheads for private correspondence. Correspondence shall be sent out of the department only under the direction of the Sheriff.

4:6.2 Forwarding Communications to Higher Command (Class 3 Offense)

Any member or employee receiving a written communication for transmission to a higher command shall, in every case, forward such communication through official channels. Members receiving written communications shall initial same indicating approval for transmission to a higher command.

4:6.3 Department Address - Private Use Of (Class 5 Offense)

Members and 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 operator's license.

4:6.4 Telephones and Electronic Communications – Use (Class 2 Offense)

All telephone and electronic communications, messaging, or information searches must be conducted in accordance with department policies and procedures and all applicable laws and rules.

4:6.5 Telephones & Electronic Communications - Toll Charges (Class 5 Offense)

Office of the Sheriff's telephone and other electronic communications equipment may not be used for the transmission of personal messages involving toll charges without the expressed approval of a commanding officer.

4:6.6 Radio Discipline (Class 5 Offense)

All employees operating a police radio from either a base, mobile or portable radio unit shall strictly observe regulations for such use as set forth in Office of the Sheriff policies and procedures, those of the Camden County Emergency Response Center and the Federal Communications Commission.

4:6.7 Interfering with Radio Transmission (Class 2 Offense)

Employees shall not under any circumstance interfere or attempt to interfere with any transmissions made on assigned police radio frequencies.

4:6.8 Tampering with Police Radios (Class 2 Offense)

Employees shall not insert or remove any police frequencies, or otherwise tamper in any way with a bureau radio, without the permission of a command officer.

4:6.9 Unauthorized Equipment (Class 5 Offense)

The use of portable entertainment devices, other than equipment authorized by the Office of the Sheriff, is prohibited in police vehicles.

Section 7 Investigations

4:7.1 Investigations (Class 3 Offense)

All employees involved in any official investigation of any matter will fully comply with the policies and procedures of the Office of the Sheriff governing same.

4:7.2 Failure to Conduct a Proper Investigation (Class 3 Offense)

Members, when required, must conduct a legal, proper, complete and thorough investigation, including but not limited to, thoroughly searching for, collecting, preserving, and identifying evidence; or person's property, and locations in the course of an arrest or investigation.

4:7.3 Property and Evidence Handling (Class 3 Offense)

Members shall follow department procedures for the handling of evidence, personal effects and all other property taken into custody.

4:7.4 Identification as a Sheriff's Officer (Class 4 Offense)

Except when impractical or where the identity is obvious, officers shall identify themselves by displaying the official badge or identification card before taking police action.

4:7.5 Command of Scene (Class 3 Offense)

At the scene of any crime, accident, or other police incident, the ranking officer present shall assume command and direction of Sheriff's personnel 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 investigation detail that will follow up the investigation, that ranking officer will be in charge. This provision coordinates 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 ensure that appropriate action is being taken or is initiated.

4:7.6 Responsibilities of Members Arriving at Crime Scenes (Class 3 Offense)

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. Summoning medical assistance and administering first aid as required to prevent further injury or loss of life.
- B. Arrest of violator(s).
- C. Security at the scene.
- D. Conducting a preliminary investigation.
- E. Following all Office of the Sheriff policies and procedures.

4:7.7 Responsibilities of Assigned Members at Crime Scene (Class 3 Offense)

The members officially assigned to perform the preliminary or other investigation of an alleged crime or other incident, are responsible for the duties and the completion of the preliminary or other investigation as directed. This shall include securing statements and other information which will aid in the successful completion of the investigation; locating, collecting, and preserving physical evidence; and identifying, locating and apprehending the offender(s).

4:7.8 Confidentiality (Class 2 Offense)

Employees shall not reveal any confidential business of the Office of the Sheriff. They shall not impart confidential information to anyone except those for whom it is intended, or as directed by a commanding officer.

4:7.9 Reports – Revealing Contents (Class 2 Offense)

Contents of any official record or report filed in the department shall not be

exhibited nor divulged to any person, except on approval of the Sheriff, or under due process of law, or as permitted by department policy. Members shall not give any verbal or written report of any incident without approval of a commanding officer.

4:7.10 Reports (Class 4 Offense)

All members must submit properly written reports when required. All reports shall be completed and submitted according to department policy and procedures.

4:7.11 Removal of Documents (Class 2 Offense)

Removal of any official document from the Office of the Sheriff by any employee or member, without authorization of the Sheriff or a commanding officer is prohibited.

4:7.12 Falsifications (Class 2 Offense)

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

4:7.13 Interference with Legal Process (Class 2 Offense)

No member or employee shall attempt to interfere with the legal process, except where a manifest injustice might otherwise occur, nor participate in or be concerned with any activity which might interfere with the process of law.

4:7.14 Traffic Cases (Class 2 Offense)

Employees shall not attempt to have any traffic summons or notice to appear reduced or stricken from the calendar, except in connection with legitimate criminal justice interests and then done in conformance with established court procedures. In any instance where it becomes necessary to void a traffic or criminal summons or warrant, officers will follow all applicable laws and rules.

4:7.15 Compromising Criminal or Traffic Cases (Class 2 Offense)

Members and employees shall not interfere with the proper administration of criminal justice.

A. Members and employees shall neither attempt to interrupt the legal process except where a manifest injustice might otherwise occur nor participate in or be concerned with any activity which might interfere with the process of law.

- B. Members and employees shall not attempt to have any traffic summons or notice to appear reduced or stricken from the calendar. Such actions must be authorized by the municipal prosecutor or county prosecutor.
- C. In any instance of voiding a traffic summons, a report explaining reasons and circumstances shall be submitted according to the rules of the Municipal Court.
- D. Any member or employee having knowledge of such action and failing to inform his/her superior officer, thereof, shall be subject to disciplinary action.

4:7.16 Assisting Criminals (Class 2 Offense)

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 or secrete evidence of unlawful activity or money, merchandise, or other property unlawfully obtained.

4:7.17 Release of Information at Crime Scene (Class 3 Offense)

Unauthorized persons, including members of the press, shall be excluded from crime scenes. Information, which will not hinder or nullify an investigation, shall be given to the press by the superior officer in charge of the investigation or in accordance with departmental policy, in order not to jeopardize the prosecution of a criminal case and to insure that an accused will not have cause to challenge the fairness of the court proceeding against him.

4:7.18 Statements by Sheriff's Officers (Class 2 Offense)

No officer shall 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 the crime) of the accused.
- B. The possibility of a plea of guilty to the offense charged or to a lesser offense.
- C. The identity, testimony, or credibility of a prospective witness.
- D. The existence or contents of any confession, admission, or statement given by the accused or his refusal or failure to make a statement.
- F. The performance or results of any examinations, tests, or the refusal or failure of the accused to submit to examinations of tests.

G. Any opinion as to the guilt or innocence of the accused, the evidence, or the merits of the case.

Section 8 Arrests and Detentions

4:8.1 Handling Prisoners (Class 5 Offense)

All employees involved in the arrest, transportation, booking and detention of persons arrested or detained by the Office of the Sheriff shall handle all prisoners as set forth in policy and procedures.

4:8.2 Derogatory Terms (Class 2 Offense)

Members or employees shall neither speak disparagingly of any race, sex, sexual orientation, creed, color, national origin, ancestry, or influence, nor refer to them in insolent or insulting terms of speech, whether prisoners or otherwise. The use of uncomplimentary terms of speech when referring to any prisoner or other person are prohibited as well as the willful antagonizing of any person with whom the officer comes in contact.

4:8.3 Custody and Detention of Juveniles (Class 3 Offense)

The custody and detention of juveniles shall be governed by office policy and the Code of Juvenile Justice N.J.S.A. 2A:4A-20 et. Seq.

4:8.4 Searching of Prisoners (Class 4 Offense)

It shall be the responsibility of the arresting officer to search all prisoners, consistent with office policy and law, prior to transportation or detention of said prisoner.

4:8.5 Strip Searches and Body Cavity Searches (Class 2 Offense)

Strip searches shall be regulated by the New Jersey Attorney General's Strip Search and Body Cavity Search Requirements and Procedures, and policy of the of the Office of the Sheriff.

4:8.6 Treatment of Prisoners (Class 3 Offense)

No employee shall willfully mistreat or harm a prisoner in custody. Prisoners shall be treated firmly and humanely and shall not be subject to unnecessary restraint.

4:8.7 Safekeeping of Prisoners (Class 2 Offense)

Members shall be responsible for maintaining their safekeeping and preventing their escape. The escape of a prisoner shall be a prima facie evidence of gross neglect of duty.

4:8.8 Assisting Escape (Class 1 Offense)

Employees shall not communicate any information nor shall they aid a person to escape custody or arrest.

4:8.9 Recommending an Attorney or Bail Bond Broker (Class 3 Offense)

Employees shall not suggest, recommend, advise, or otherwise counsel the retention of any attorney or bail bond broker to any person coming to their attention as a result of law enforcement business. Any person requesting this information shall be referred to public reference sources.

4:8.10 Acting as Bailor Prohibited (Class 2 Offense)

Employees cannot act as bailor for any person in custody, except relatives, or in any case where any fee, gratuity or reward is solicited or accepted.

Section 9 Firearms

4:9.1 Use and Care of Firearms (Class 2 Offense)

Office of the Sheriff regulations concerning the care and use of firearms are designed to protect the lives of Sheriff's Officers and the lives and property of the public. All members are required to conform to all applicable federal and state laws, the policy of New Jersey Attorney General, the policy of the Camden County Prosecutor, and the policy and procedures of the Office of the Sheriff governing firearms.

4:9.2 Handling of Firearms (Class 2 Offense)

Sheriff's Officers shall exercise caution and the utmost care in handling firearms on and off-duty. The improper use, handling, or display of any firearm is prohibited.

4:9.3 Carrying Firearm Generally (Class 2 Offense)

Sheriff's Officers may carry their official police firearms or authorized off-duty weapons fully loaded and in a serviceable, operating condition so that they may be prepared when called upon to carry out a police duty, service, function, or responsibility. When on duty, they shall also carry sufficient extra ammunition to

fully reload their official, department issued firearm. Sheriff's Officers who may be sick, injured, or on vacation leave may, but are not required, to carry a firearm. Sheriff's Officers who are suspended or whose weapons have been officially taken from them so as to prohibit their being carried, shall not carry a firearm under any circumstances.

Section 10 Use of Force-Excessive Force

4:10.1 Use of Force (Class 2 Offense)

The use of force, including deadly force shall, at all times, be subject to all applicable federal and state laws, the rules set forth by Chapter 3 of the Code of Criminal Justice, Title 2C, of New Jersey, all policies and procedures of the New Jersey Attorney General, Camden County Prosecutor, and the Office of the Sheriff.

4:10.2 Excessive Force (Class 2 Offense)

No member shall use excessive force on any person at any time, no matter what the provocation may be. All members shall conform to all applicable federal and state laws, the New Jersey Attorney General's Guidelines, policy of the Camden County Prosecutor, and policy of the Office of the Sheriff governing the use of force by law enforcement officers.

Section 11 Public Activities

4:11.1 Conduct Toward the Public (Class 5 Offense)

Members and employees shall be courteous and orderly in their dealings with the public. They shall perform their duties quietly, avoiding harsh, violent, profane, or insolent language and shall always remain calm regardless of provocation. They shall attend to requests from the public quickly and accurately, avoiding unnecessary referral outside the Office of the Sheriff or to other bureaus and units within.

4:11.2 Conduct Offensive to the Public (Class 5 Offense)

Members and employees are prohibited from using rude, obscene, or insulting language or engaging in conduct offensive to the public.

4:11.3 Requests for Identification (Class 5 Offense)

Upon request, employees are required to supply their names and badge numbers in a courteous manner. They shall attend to the request from the public quickly and accurately, avoiding unnecessary referral to other parts of the Office of the Sheriff.

4:11.4 Impartiality (Class 3 Offense)

Employees shall not exhibit bias or favoritism toward any person because of race, sex, sexual orientation, creed, color, national origin, ancestry, or influence. Exhibiting partiality is conduct unbecoming an officer. Similarly, unwarranted interference in the private business of others when not in the interest of justice is conduct unbecoming an officer.

4:11.5 Use of Derogatory Terms (Class 2 Offense)

Employees shall not use language that is derogatory to anyone because of race, sex, sexual orientation, disability, creed, color, national origin, ancestry, or influence.

4:11.6 Public Statements (Class 2 Offense)

Members of the department shall not make public statements concerning the work, plans, policies, or affairs of the department, which may impair or disrupt the operation of the department or which are obscene, unlawful, or defamatory.

4:11.7 Unauthorized Media Releases Class 2 Offense)

Members of the department shall not release official information concerning the work plans, policies, or affairs of the department, without proper authorization.

4:11.8 Subversive Organizations (Class 2 Offense)

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

4:11.9 Affiliation With Radical Groups (Class 3 Offense)

No sheriff's officer or civilian employee, except in the discharge of law enforcement duties, shall knowingly associate with or have any dealings with any person or organization which advocates or which is instrumental in fostering hatred, prejudice, or oppression against any racial or religious group or government entity.

4:11.10 Trade Unions or Affiliated Organizations (Class 2 Offense)

No member of the Office of the Sheriff shall be affiliated with any labor union or organization whose policy may be to cause a violation of any federal, state statute or municipal ordinance which would cause a deterioration of law enforcement services.

4:11.11 Affiliation with Certain Organizations Prohibited (Class 3 Offense)

Members and employees shall not join any organizations nor affiliate themselves with any organization whose constitutions embrace provisions which might in any way exact prior consideration and prevent the proper and efficient functioning of the department. This prohibition does not apply "to the active military service of the United States or of this State, in time of war or an emergency, or for or during any period of training, or pursuant to or in connection with the operation of any system of selective service." (Source: N.J.S.A. 38:23-4)

4:11.12 Commercial Testimonials (Class 4 Offense)

Members and employees shall not permit their names or photographs to be used to endorse any product or service, which is in any way connected with law enforcement, without the permission of the Sheriff. They shall not, without the permission of the Sheriff, allow their names or photographs to be used in any commercial testimonial which alludes to their positions or employment with the department.

4:11.13 Public Appearance Request (Class 5 Offense)

All requests for public speeches, demonstrations, and the like, concerning law enforcement matters, etc., will be routed to the Office of the Sheriff for approval and processing. Members and employees directly approached for this purpose shall instruct the party to submit the request to the Sheriff.

Section 12 Political Activities

4:12.1 Partisan and Non-Partisan Political Activities Prohibited (Class 2 Offense)

Sheriff's officers shall not engage in partisan political campaigns and activities while on duty or in the performance thereof. Employees shall not directly or indirectly use, or attempt to use their official position to influence the political activity of another.

4:12.2 Use of Influence (Class 2 Offense)

Members of the department shall not use the influence of their office for political reasons.

4:12.3 Political Testimonials (Class 2 Offense)

Members and employees shall not permit or allow their photographs, while in uniform, to be used in any political testimonial or political material.

This includes, but is not limited to, wearing a department uniform, or utilizing departmental insignias or equipment for such purposes, or permitting the use of same by others.

4:12.4 Displaying of Political Material (Class 2 Offense)

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

4:12.5 Political Intercession–Soliciting (Class 2 Offense)

Members and employees shall not solicit anyone, including elected officials, to intercede with the Sheriff, in relation to Office of the Sheriff matters and business. These matters include, but are not limited to, promotions, assignments, disposition of pending charges, or findings in a departmental trial or other related matters. This shall not preclude, however, the right of an employee to be represented by legal counsel or a union representative.

4:12.6 Soliciting Contributions Prohibited (Class 2 Offense)

Members of the department shall not use their official position to solicit contributions for political purposes or do so while on duty.

4:12.7 Political Contributions (Class 2 Offense)

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

4:12.8 Election to Public Office (Class 2 Offense)

Members may be candidates for or hold elected office when permitted by law.

Section 13 Judicial and Investigative Actions

4:13.1 Subpoena (Class 5 Offense)

Employees must attend court or quasi-judicial hearings as required by subpoena. Permission to omit this duty must be obtained from the prosecuting attorney handling the case or other competent court officials.

4:13.2 Appearance in Court (Class 5 Offense)

When appearing in court, either the official uniform or civilian dress for plain-clothes assignments as set forth in this manual shall be worn. Members shall present a neat and clean appearance, avoiding any mannerism, which might imply disrespect to the court.

4:13.3 Duty of Members or Employees to Appear and Testify

It shall be the duty of every member or employee to appear and testify upon matters directly related to the conduct of his/her office, position or employment before any Court, Grand Jury, or State Commission of Investigation.

- A. Any member or employee failing to appear and testify in said matters shall be subject to disciplinary action. **(Class 5 Offense)**
- B. Any member or employee refusing to so appear and to so testify shall be subject to removal from office, position or employment. **(Class 2 Offense)**

4:13.4 Testifying for the Defendant (Class 5 Offense)

Any member or employee subpoenaed to testify for the defense in any trial, hearing, or against the county or department in any hearing or trial shall notify his/her commanding officer upon receipt of the subpoena. The commanding officer shall notify the Sheriff.

4:13.5 Character Witness (Class 4 Offense)

No member or employee shall, prior to written approval of the Sheriff, appear to give testimony as a character witness to any defendant in a criminal trial or inquiry.

4:13.6 Department Investigations – Testifying (Class 2 Offense)

Members or employees are required to truthfully answer all questions, or render material and relevant statements, in departmental investigations in accordance with the New Jersey Attorney General's Internal Affairs Policy and Procedures.

4:13.7 Civil Action, Court Appearances –Subpoenas (Class 4 Offense)

Employees shall not volunteer to testify in civil actions arising out of official employment and shall not testify unless subpoenaed. If the subpoena arises out of official employment or if employees are informed that they are a party to a civil action arising out of official employment, they shall immediately notify their respective supervisor or bureau commander.

4:13.8 Civil Depositions and Affidavits (Class 5 Offense)

Employees shall confer with their department commander before giving a deposition or affidavit on a civil case relating to their police employment. The Sheriff shall be informed of the matter and in turn notify County Counsel prior to the employee supplying the deposition or affidavit.

4:13.9 Civil Cases (Class 5 Offense)

Members shall not serve civil process or assist in civil cases unless the specific consent of the Sheriff is obtained and in conformance of their duty. They shall avoid entering into civil duties but shall prevent or abate a breach of the peace or crime in such cases.

4:13.10 Civil Action-Expert Witness (Class 4 Offense)

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

Section 14 Personnel Regulations and Sick Leave

4:14.1 Hours of Duty

Employees shall have regular hours assigned to them for active duty, and when not so engaged, they shall be considered off duty. Employees are subject to be recalled to duty as needed. The fact they may be off duty shall not relieve members from the responsibility of taking proper law enforcement action on any matter coming to their attention at any time.

4:14.2 Unexcused Tardiness (Class 5 Offense)

All members and employees shall report to duty assignments at the times specified as their hours of work.

4:14.3 Scheduled Days Off

Employees are entitled to days off pursuant to appropriate collective bargaining agreements and are to be taken according to a schedule arranged by the appropriate superior. The Sheriff will have the final decision concerning scheduling of personnel.

4:14.4 Suspension of Leave

Any vacation, day off, leave or leave of absence may be suspended when a sudden and serious emergency arises and when, in the judgment of the Sheriff, such action should be taken.

4:14.5 Sick Leave

Employees are entitled to sick leave pursuant to the provisions of the appropriate collective bargaining agreement. The use of same must conform with the policies and procedures set forth in this manual.

4:14.6 Abuse or Excessive Use of Sick Leave (Class 3 Offense)

Employees who take sick leave in violation of department policy and procedure will be subject to disciplinary action.

4:14.7 Reporting Sick or Injured (Class 5 Offense)

All employees unable to report for duty because of illness or injury shall, call the Bureau of Criminal Identification at least one hour prior to the beginning of his/her shift when reporting out sick. If unable to report, a relative or other responsible person shall make the notification.

4:14.8 Address of Confinement (Class 5 Offense)

Members and employees, when sick or injured, shall be responsible for notifying the Bureau of Criminal Identification as to their place of confinement or of any subsequent change in their place of confinement.

4:14.9 Sick or Injured on Duty (Class 5 Offense)

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

4:14.10 Psychological Evaluation, Assistance, Fitness for Duty

The Sheriff will have the authority, in conjunction with his/her responsibility for the disposition and discipline within the Office of the Sheriff, to require such psychological assistance or evaluations as deemed appropriate for any member of the department for the purpose of assisting such member or as an aid in evaluating the conduct of such member or for determining a member's fitness for duty. Evaluations may also be required in a determination as to continuance in or promotion and/or transfer of assignments within the Office of the Sheriff.

4:14.11 Unauthorized Absence (Class 2 Offense)

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

- A. Feign illness or injury
- B. Deceive any physician in any way as to their true condition
- C. Are injured or become sick as the result of improper conduct or of intemperate, immoral, or vicious habits or practices
- D. Violate any provisions concerning reporting of sickness or injury
- E. Failure to report for scheduled duty without authorization

4:14.12 Convalescent Time/Light Duty

If a member or employee is injured on duty, the Sheriff may elect to assign him/her to convalescent duty. The specific duties assigned shall also be at the discretion of the Sheriff.

4:14.13 Compensation for Damages Off Duty (Class 4 Offense)

Members or employees who have sustained injury while off duty and who have received salary from the county while injured shall notify the Sheriff in writing of any intent to seek, sue, solicit, or accept compensation as damages for such injury. This notice shall be filed before any action is taken. It shall include the facts of the claim and the name of the respondent.

4:14.14 Resignation in Writing

All resignations of members or employees must be in writing and bear the signature of the person resigning. Members or employees shall provide the Sheriff no less than two (2) weeks written notice. A member or employee who resigns without giving the required notice shall be held as having resigned not in good standing.

4:14.15 Death or Serious Injury (Class 5 Offense)

When a member is killed or seriously injured on or off duty, his/her immediate supervisor will, as soon as possible, verbally notify the Sheriff. This will be followed by the immediate submitting of a report of the facts. Information shall include the date, location, cause, extent of injuries and property damage. Serious injury in this instance means an injury which could result in death or disability.

4:14.16 Death of Member or Employee (Class 5 Offense)

Any member or employee receiving notice of the death of any member or employee during regular business hours shall notify the Sheriff and commanding officer of the deceased. At other times, the on-duty shift supervisor shall be notified, and he/she shall relay such information to the aforementioned personnel.

4:14.17 Non-Serious Injury (Class 5 Offense)

In cases where injuries are other than of a serious nature, an injury report will be submitted prior to going off duty unless authorized by the supervising officer to defer same to a later time or date. The report shall include all information required above. These reports are in addition to those accident and sick reports otherwise required.

4:14.18 Notification of Family (Class 5 Offense)

The family of a member or employee killed or seriously injured in the performance of duty shall be personally notified by the Sheriff or his designee.

Section 15 Military Leave and Leave of Absence

4:15.1 Military Leave

Any member or employee who is a member of the organized Reserves of the United States Army, Navy, Marines, Air Force, Coast Guard, or other affiliated organizations of the Armed Forces shall be entitled to leaves of absence in accordance with federal law, the laws of the State of New Jersey, and the collective bargaining agreement.

4:15.2 Field Training Notification (Class 5 Offense)

Members or employees going on military leave for field training must notify their commanding officer at least thirty (30) days before the date their training period is scheduled to begin. They must also submit copies of their official military orders at least five (5) days prior to the date they are to report for duty.

4:15.3 Enlistment or Re-Enlistment in National or State Military Organization (Class 5 Offense)

Members and employees of the department shall not enlist, re-enlist, or accept a commission in any Federal or State military organization without having made prior notification to the Sheriff.

4:15.4 Extended Leave - Surrender of Department Property (Class 5 Offense)

Before reporting for extended military service, members or employees of the department shall surrender all department property held by them to their commanding officer.

4:15.5 Leave of Absence:

Employees of this department may request leaves of absence without pay for medical or personal reasons for periods of thirty (30) days, sixty (60) days, ninety (90) days and one hundred and eighty (180) days. Extensions may be granted by the Sheriff or his designee on a case by case basis as circumstances dictate, but in no instance shall the aggregate amount of leave exceed one (1) year.

4:15.6 Limitations on Period of Absences: Extension

Any such leave of absence shall not be for more than one year.

4:15.7 Retention of Pension and Retirement Benefits

Neither membership of the department, nor pension or retirement rights shall be affected by such leaves of absence, but pension contributions shall be payable notwithstanding such leaves of absence. Source: N.J.S.A. 40A:14-136

4:15.8 Rights on Resumption of Office, Position or Employment

Upon the expiration of any such leave of absence, the member or officer shall return to original duties and resume his/her office, position or employment with the said department and be entitled to all salary adjustments, increments, seniority and pension rights, as if no leave had been granted. Source: N.J.S.A. 40A:14-136

Section 16 Secondary Employment

4:16.1 Secondary Employment (Class 5 Offense)

Employees are required to comply with the office policies and procedures regulating secondary employment before engaging in same.

4:16.2 Authorization for Outside Employment (Class 5 Offense)

Prior to engaging in any outside employment, members and employees shall, in writing, request permission and receive approval from the Sheriff.

4:16.3 Rescinding of Approval.

The Sheriff may rescind prior permission for the engagement in outside employment.

4:16.4 Termination of Outside Employment (Class 5 Offense)

It is the obligation of the employee or member to notify, in writing, the Sheriff when outside employment has discontinued.

ARTICLE V DISCIPLINARY CODE

Section 1 Departmental Discipline

5:1.1 Purpose

The Office of the Sheriff has established this disciplinary process as a means of achieving the below listed objectives through the reasonable and consistent application of discipline to address breaches of the code of conduct:

- A. Insure the highest professional standards for law enforcement within the agency
- B. Providing citizens with a fair and effective avenue for redress of their legitimate grievances against law enforcement officers
- C. Protect employees from false charges of misconduct or wrongdoing and provide accused officers with due process safeguards
- D. Monitoring officers' compliance with agency rules, regulations, policies and procedures
- E. Identifying problem areas which require training or direction

5:1.2 Factors

Disciplinary action shall be imposed to accomplish the purposes of the disciplinary process and shall take into account all of the aggravating and mitigating factors of the case, including the:

- A. Nature of the offense
- B. Disciplinary record of the accused officer
- C. Need to deter the accused or other officers from similar conduct

D. State of the accused officer's mind at the time of the offense

E. Mitigating factors

5:1.3 Disciplinary Action

Office of the Sheriff members and employees, regardless of rank, shall be subject to disciplinary action according to the nature of the offense for violating their oath and trust by committing an offense punishable under the laws or statutes of the United States, the State of New Jersey, or failure, either willfully or through neglect or incompetence, to perform the duties of their rank or assignment; or for violation of any order, rule, procedure or written directive of the department; or for failure to obey any lawful instruction, order or command of a superior officer. Disciplinary action in all cases will be decided on the merits of each case and in conformity with controlling state law.

5:1.4 Establishing Elements of Violation

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

5:1.5 Penalties

The Office of the Sheriff shall establish a scale of progressive penalties that may be assessed against any employee of the department as disciplinary action. These actions and penalties may include any one or a combination of the following:

A. Training

B. Counseling

C. Oral reprimand

D. Written reprimand

E. Surrender of accrued time in lieu of other action

F. Monetary fine

G. Suspension with pay

H. Suspension without pay

- I. Demotion
- J. Termination

5:1.6 Duration of Employment and Causes for Removal

Members and employees of the Office of the Sheriff shall severally hold their respective offices and positions and continue in their respective employment during good behavior, efficiency and compliance with the law. Any one of the following may be cause for removal from the service, although removals may be made for sufficient causes other than those listed:

- A. Neglect of duty
- B. Incompetence or inefficiency
- C. Incapacity due to mental or physical disability
- D. Insubordination or serious breach of discipline
- E. Intoxication while on duty
- F. Chronic or excessive absenteeism
- G. Disorderly or immoral conduct
- H. Willful violation of any of the provisions of the rules and regulations or other statutes relative to the employment of public employees
- I. The conviction of any criminal act
- J. Negligence of, or willful damage to public property or waste of public supplies
- K. Conduct unbecoming an employee in the public service
- L. The use or attempted use of one's authority or official influence to control or modify the action, political or otherwise, of any person
- M. Untruthfulness

5:1.7 Repeated Violations (Class 1 Offense)

Repeated violations of the rules of conduct shall be indicative of an employee's disregard of the obligations of all employees and shall be cause for dismissal.

This shall apply regardless of the severity of the offense, regardless of any reckoning period, and regardless of whether the violations are of the same type.

5:1.8 Relationship of Penalties to Offense

The information contained herein is intended to guide the Sheriff in administering fair and uniform punishment for violations of the rules and regulations of the department. The suggested penalties shall in no way limit the discretion or set the penalty that the Sheriff may elect to impose.

5:1.9 Classes of Offenses - Recommended Penalties.

The penalties listed herein are representative of the severity of the offense. This list serves as a guideline for determining the appropriate degree of penalty, NOT a limitation on the penalty that may be imposed for any offense.

- A. Class 1 Offense - Violation of any rule designated as a Class 1 Offense may result in disciplinary action as follows:
 - 1. 1st offense - dismissal

- B. Class 2 Offense - Violation of any rule designated as a Class 2 Offense may result in disciplinary action as follows:
 - 1. 1st offense-reprimand to dismissal
 - 2. 2nd offense-reprimand to dismissal
 - 3. 3rd and/or subsequent offense-dismissal

- C. Class 3 Offense - Violation of any rule designated as a Class 3 Offense may result in disciplinary action as follows:
 - 1. 1st offense-reprimand to 30 days suspension without pay
 - 2. 2nd offense-reprimand to dismissal
 - 3. 3rd and/or subsequent offense-dismissal

- D. Class 4 Offense - Violation of any rule designated as a Class 4 Offense may result in disciplinary action as follows:
 - 1. 1st offense - reprimand to 20 days suspension without pay
 - 2. 2nd offense - reprimand to dismissal
 - 3. 3rd offense and/or subsequent - 20 days suspension without pay to dismissal

- E. Class 5 Offense - Violation of any rule designated as a Class 5 Offense may result in disciplinary action as follows:

1. 1st offense - reprimand to 5 days suspension without pay
2. 2nd offense - reprimand to 30 days suspension without pay
3. 3rd and/or subsequent offense - 5 days suspension without pay to dismissal

5:1.10 Reckoning Period

The reckoning period is defined as the period of time following an administrative finding of guilt as defined herein, during which the employee or member must remain free of the same type of violation for which guilt was found. This period shall begin with the date of the disposition of the first violation. Second, third and subsequent violations of the same type during the reckoning period shall be treated as second, third and subsequent violations. Similar violations occurring after the expiration of the reckoning period shall be considered as first occurrences with regard to penalty. Removal of any record of disciplinary action maintained in a member/employee's personnel file is prohibited, even after the expiration of a set reckoning period.

5:1.11 Suspensions, Fines and Demotion for Disciplinary Purposes

Members or employees may be suspended without pay, fined or demoted due to inefficiency, incompetence, misconduct, negligence, insubordination, or for other sufficient cause.

Section 2 Disciplinary Procedure

5:2.1 Authority to Discipline

Except as otherwise provided in N.J.A.C. Title 4A: inclusive, the primary disciplinary authority and ability rests with the Sheriff. With the exception of oral reprimands and emergency suspensions, discipline must be recommended to, or approved by, the Sheriff.

5:2.2 Establishing a Violation

Existence of facts establishing a violation of the law, ordinance, or rule is all that is necessary to support any allegation of such violation as a basis for disciplinary action. Nothing in this manual prohibits disciplining or charging members and employees merely because the alleged act or omission does not appear herein if such conduct is otherwise without lawful purpose and violates some law, ordinance, or rule governing the officer's conduct at the time it occurred.

5:2.3 Discipline by Supervisory Personnel

Supervisory personnel may take the following disciplinary measures:

- A. Counseling
- B. Oral reprimand
- C. Emergency suspension until the next business day
- D. Written recommendations for other penalties

5:2.4 Suspensions

Members shall not be suspended or suffer any loss in benefits until after the member has had a departmental hearing and has been found guilty except in cases of severe nature, when the Sheriff deems the suspension of the member of immediate necessity for the safety of the public or the welfare of the department.

A. Suspension (Emergency)

Any superior officer may immediately suspend an employee from duty if they determine one of the following exist:

1. The employee is unfit for duty; or
2. The employee is a hazard to any person if permitted to remain on the job; or
3. An immediate suspension is necessary to maintain safety, health, order or effective direction of public services

B. Suspension (General)

In accordance with N.J.A.C. 4A:2-2.5:

An employee must be served with a Preliminary notice of Disciplinary Action setting forth the charges and statement of facts supporting the charges (specifications), and afforded the opportunity for a hearing prior to imposition of major discipline, except, said officer may be:

1. Suspended immediately and prior to a hearing where it is determined that the employee is unfit for duty or is a hazard to any person if permitted to remain on the job, or that an immediate suspension is necessary to maintain safety, health, order or effective direction of public services. However, a Preliminary Notice of Disciplinary Action with opportunity for a hearing must be served in person or by certified mail within five days following the immediate suspension.
2. An employee may be suspended immediately when the employee is formally charged with a crime of the first, second or third degree, or a crime of the fourth degree on the job or directly related to the job. See N.J.A.C. 4A:2-2.7.

- a. Where suspension is immediate under (a) 1 and (a) 2 above, and is without pay, the employee must first be apprised either orally or in writing, of why an immediate suspension is sought, the charges and general evidence in support of the charges and provided with sufficient opportunity to review the charges and the evidence in order to respond to the charges before a representative of the appointing authority. The response may be oral or in writing, at the discretion of the appointing authority.
- b. The employee may request a departmental hearing within five days of receipt of the Preliminary Notice. If no request is made within this time or such additional time as agreed to by the appointing authority or as provided in a negotiated agreement, the departmental hearing may be considered to have been waived and the appointing authority may issue a Final Notice of Disciplinary Action.
- c. A departmental hearing, if requested, shall be held within 30 days of the Preliminary Notice of Disciplinary Action unless waived by the employee or a later date as agreed to by the parties.
- d. Appeals concerning violations of this section may be presented to the Commissioner through a petition for interim relief. See N.J.A.C. 4A:2-1.2.

5:2.5 Emergency Inter-Departmental Disciplinary Action

When the improper conduct of a member or employee of one unit is of such nature that immediate or emergency disciplinary action is required of a command or supervisory officer of another bureau, such action may be taken at once within the following limitations:

- A. Oral reprimand
- B. Emergency suspension until the next business day

5:2.6 Inter-Departmental Oral Reprimand (Class 5 offense)

When the commanding or supervisory officer of one bureau orally reprimands a member or employee of another bureau, he/she shall notify the supervisor of the member or employee so disciplined as soon as possible. He/she shall also submit a report of this action and the reason therefore to his commanding officer and also the commanding officer of the member or employee.

5:2.7 Follow-up on Emergency Suspensions (Class 5 offense)

A member or employee receiving an emergency suspension shall be required to report to the Sheriff or his designee on the next business day at a time scheduled by the Sheriff. The commanding or supervisory officer imposing or recommending the suspension shall also report to the Sheriff at the same time.

5:2.8 Reports of Disciplinary Action Taken or Recommended (Class 5 offense)

Whenever any disciplinary action is taken or recommended a written report must be submitted immediately to the Sheriff containing the following information:

- A. The name, rank, badge number, and present assignment of the person being disciplined
- B. The date, time and location of the incident
- C. The section number and name of the violated rule
- D. A complete statement of the facts of the misconduct
- E. The punishment, if imposed or recommended
- F. The written signature, badge number, rank and/or title of the preparing officer and/or civilian personnel and position in relation to the member or employee being disciplined

5:2.9 Endorsement and Forwarding of Disciplinary Reports (Class 5 offense)

Each level in the chain of command must endorse and forward reports bearing on disciplinary matters. Such endorsement may be one of approval, disapproval, or modification. No employee shall alter or cause to be altered or withdrawn any disciplinary report. Disciplinary reports in transit through the chain of command shall not be delayed, but must be reviewed, endorsed, and forwarded as soon as possible. Disciplinary reports shall be filed in accordance with current departmental procedures.

5:2.10 Informing the Person Being Disciplined

The member being disciplined shall be so informed of the charges, in writing, as provided by N.J.S.A. 40A:14-147 and New Jersey Attorney General's guidelines. The member shall be granted all procedural rights and safeguards as provided by law.

- A. Except as otherwise provided by law, no permanent member or officer of the Office of the Sheriff shall be removed from his/her office, employment or

position for political reasons or for any cause other than incapacity, misconduct, or disobedience of rules and regulations established for the government of the Office of the Sheriff, nor shall such member or officer be suspended, removed, fined or reduced in rank from or in office, employment or position therein, except for just cause as herein before provided and then only upon a written complaint setting forth the charge or charges against such member or officer.

- B. Said complaint shall be filed in the office of the body, officer or officers having charge of the department wherein the complaint is made and a copy shall be served upon the member or officer so charged, with notice of a designated hearing thereon by the proper authorities, which shall not be less than ten (10) nor more than thirty (30) days from date of service of the complaint. A failure to comply with said provisions as to the service of the complaint shall require a dismissal of the complaint.

5:2.11 Misconduct Observed by Law Enforcement Personnel (Class 5 offense)

Whenever any commanding officer or supervisory officer observes or is informed of the misconduct of another member or employee which indicates the need for disciplinary action, he/she shall take authorized and necessary action and render a complete written report of the incident and action taken to his/her commanding officer in accordance with Office of the Sheriff policy and procedures.

5:2.12 The Authority of Internal Affairs Personnel

Officers and/or civilian personnel assigned to an investigation are the direct representative of the Sheriff and, as such, shall receive the cooperation of all employees of the department while conducting their investigations. The sole responsibility of the investigating individual shall be the gathering of all the facts regarding the allegations. In doing so, he/she must remain objective and thorough when submitting a report. Opinions, conclusions, or personality shall not be interjected into the case. By adhering to the foregoing principles, the case can be concluded with optimum fairness for all persons concerned.

5:2.13 Citizens Complaints against Members or Employees (Class 5 offense)

All complaints shall be accepted in a courteous, understanding and professional manner and in accordance with Office of the Sheriff policy and procedures.

Section 3 Disciplinary Hearings

5:3.1 Charges

Whenever an internal investigation establishes probable cause that an officer/member is guilty of violating an Office of the Sheriff rules and

regulations, penalty for which is to be permanently reflected on the member's personnel record, charges shall be prepared by the proper authority and personally served upon the respective member. The charges shall contain the:

- A. Office and Bureau instituting the action
- B. Name and title of the officer/member against whom the action is being instituted
- C. Rules, regulations, policies and/or procedures violated
- D. Specification of the alleged facts upon which the charges are based
- E. Notification if the officer/member is being suspended pending the determination of the hearing
- F. Penalties to which the member is being exposed as a result of the alleged charges
- G. Signature and official title of the proper authority

The notice of charges (Preliminary Notice of Disciplinary Action) shall direct that the officer/member charged must enter a plea of guilty or not guilty, in writing, on or before the date set forth in the notice for entry of a plea. Such date for entry of a plea shall be set within a reasonable time, at least five (5) days after the date of service of the charges.

5:3.2 Waiver of Hearing

Any member or employee charged with a violation of these rules and regulations shall be entitled to waive a hearing and enter a plea of guilty as charged. Said waiver shall be in express terms and signed by the charged party after he/she has had the charges read to him/her and certifies an understanding of all specifications therein. This waiver shall be witnessed by the Sheriff and the charged party's immediate supervisor or commanding officer. If the member charged enters a plea of guilty, the Sheriff shall permit the member to present factors in mitigation prior to assessing a penalty. Conclusions of fact and the penalty imposed will be noted in the member's personnel file after he has been given an opportunity to read and sign it. Internal Affairs will cause the penalty to be carried out and complete all required forms.

5:3.3 Hearings

- A. If the employee desires a hearing he/she must respond in writing to the Bureau Undersheriff/Chief no more than five (5) working days after being served the Preliminary Notice of Disciplinary Action.

- B. If no hearing is requested the hearing shall be deemed waived and a Notice of Final Disciplinary Action shall be issued by the Sheriff or his/her designee within twenty working days of the scheduled hearing date.
- C. Penalty shall be determined by the Sheriff based upon the charges, specifications and Internal Affairs reports.
 - 1. Original forwarded to employee
 - 2. Copy forwarded to I.A.B.
 - 3. Copy forwarded to Payroll
 - 4. Copy forwarded to Personnel Office
 - 5. Copy forwarded to the New Jersey Department of Personnel
 - 6. Copy forwarded to the Bureau Undersheriff/Chief
 - 7. Copy forwarded to the Unit Commander
- D. In the event the employee requests a hearing, said hearing will be held within 30 working days of the Preliminary Notice of Disciplinary Action, unless waived by the employee or a later date is agreed to by the parties.
- E. The Final Notice of Disciplinary Action shall be issued by County Counsel or Sheriff no more than twenty (20) working days after expiration of the appeal process or within twenty (20) working days after the hearing, if no appeal is taken.
 - 1. Original forwarded to employee
 - 2. Copy forwarded to I.A.B.
 - 3. Copy forwarded to Payroll
 - 4. Copy forwarded to Personnel Office
 - 5. Copy forwarded to the New Jersey Department of Personnel
 - 6. Copy forwarded to the Bureau Undersheriff/Chief
 - 7. Copy forwarded to the Bureau Commander
- F. Hearings will not be provided in minor disciplinary actions.
- G. Hearings will be provided for major disciplinary actions unless waived by employee.
 - 1. The Sheriff shall select a hearing officer or board of officers, each holding a command level rank.
 - 2. The employee may be represented by an attorney or an authorized union representation.
 - 3. All parties shall have the right to present and examine witnesses.
 - 4. The employee is not required to testify, but an employee who testifies will be subject to cross-examination.
 - 5. The burden of proof is upon the Sheriff's Office. The hearing officer/hearing board shall utilize the preponderance of evidence standard

of proof and will render a written recommendation to the Sheriff within five (5) working days of the hearing's completion.

6. The recommendation will include:
 - i. Time and date of hearing
 - ii. Appearances by the employee, his/her counsel, departmental counsel, witnesses, etc.
 - iii. Disposition of charges as to guilt
 - iv. Recommendation of penalty (if appropriate)
 - v. Personnel record or previous charges if applicable
7. A copy of the recommendation will be forwarded to the employee, his/her representative and counsel.

5:3.4 Plea Agreement

Prior to a final determination by the hearing officer, a plea agreement may be permitted with said agreement being endorsed by the Sheriff in writing with copy distribution to all concerned parties. Said plea agreement may contain, but is not limited to:

- A. Regular duty suspension, fines, vacation, or other earned leave time or owed compensation in lieu of regular duty suspension.

5:3.5 Appeals

- A. Minor
Disciplinary actions are grievable under the terms of the prevailing collective bargaining agreement.
- B. Major Discipline.
All post-departmental appeals shall be in accordance with Title 4A of the New Jersey Administrative Code.

Section 4 Members Rights During Disciplinary Process

5:4.1 Level of Proof

No member shall be found guilty of violating a Sheriff's Office rule and regulation, unless the hearing officer finds that a preponderance of credible evidence substantiates the specific charges of the particular case.

5:4.2 Confidentiality

Other than the official findings and attendant penalties, every internal investigation and subsequent departmental hearing shall be considered privileged and confidential information and same shall not be made public and/or released to any non-governmental agency.

5:4.3 Scope of Interrogation

Although every member or employee has a duty to answer truthfully and directly all questions and submit to any and all forms of investigative efforts when so ordered or questioned by a supervising or commanding officer, said duty only applies to questions and investigation that directly relate to one's official capacity or directly bears on one's fitness for continued employment. All questions and investigative efforts must be limited to the investigation of matters in which the department has a legitimate interest.

- A. No questioning or investigative effort shall be initiated arbitrarily for personal or other reasons that are unrelated to the maintenance of departmental efficiency or integrity.
- B. All questions and investigative efforts shall be limited in scope to activities, circumstances, and events that pertain to a member or employee's conduct which may form the basis for disciplinary action under one or all the following categories:
 - 1. Commission of a crime or quasi-criminal offense of misconduct that would be grounds for removal
 - 2. Not being qualified for continued employment with the department
 - 3. Violation of Office of the Sheriff Rules or Regulations
- C. All questioning or other investigative efforts shall be completed with reasonable dispatch and, where practical, said employee should be made as comfortable as possible so as not to offend the concepts of procedural and substantive due process of law.

5:4.4 Due Process

Although the department can utilize any form of investigative procedure pursuant to an internal investigation that is fair and reasonably calculated to achieve its objective, the nature or utilization of same must not violate the basic concepts and substantive due process of law.

5:4.5 Coercion

Although cooperation of a member or employee is demanded under threat of disciplinary action (including job forfeiture), said employee shall not be questioned or subjected to investigative efforts under circumstances that would render such statements void as being coerced. Prolonged interrogation, threats of force, hostility, or over aggressiveness by interrogators shall render any statements or employee's response void for all purposes.

5:4.6 Conduct of Investigating Officer (Class 3 offense)

At no time during an internal investigation, shall any member or employee be subjected to offensive language, nor shall he/she be threatened with transfer, dismissal or other disciplinary punishment. No promise or reward shall be offered as an inducement to answering questions. Nothing herein is to be construed as to prohibit the investigating officer from informing the employee that such conduct can become the subject of disciplinary action resulting in disciplinary punishment.

5:4.7 Advisement of Member

Exclusive of the normal reporting duties incidental to the performance of official duties, no member shall be expected to answer questions or submit to other forms of investigative efforts until being advised of the following:

- A. Whether he/she is being questioned or required to submit to investigative efforts as a suspect or a witness.
- B. The identity of his/her interrogator as well as the identity of all persons present at the time of the interrogation.
- C. The nature of the investigation and facts sufficient to inform the member of the existing allegations.

5:4.8 Miranda Warnings

Under circumstances where the alleged violation of department rules and regulations involve or could possibly involve criminal prosecution, the employee shall be advised of his/her constitutional right against self-incrimination, which may be invoked with respect to the possible criminal prosecutions. However, he/she must respond with respect to the “administrative” subject matter of the inquiry.

5:4.9 Inadmissible Evidence

All evidence obtained as a result of a member’s responses to questioning on administrative matters as outlined above, accordingly could not be used in a subsequent criminal prosecution, but would be admissible during a Sheriff’s Office disciplinary hearing.

5:4.10 Time Limitations

Consistent with state statute and policy, a formal charge must be filed against a member within a reasonable time after which the existence of the alleged or suspected misconduct is made known, or should have been made known, to the Office of the Sheriff.

5:4.11 Representation

Members and employees are entitled to have a representative of their choice in attendance during an internal affairs interview. The investigator shall allow any employee a reasonable amount of time for the desired representative to attend. The representative shall be an observer only and may not actively participate in the interview.

5:4.12 Polygraph (Class 2 offense)

No employee shall be ordered or asked to submit to a polygraph (lie detector) test for any reason. Such test may be given, however, if requested by the employee.

5:4.13 Drug and Alcohol Tests

A member or employee may be ordered to submit to a blood test, urinalysis, a breathalyzer, or any other test to determine the percentage of alcohol or drugs in the blood for any reason except as otherwise provided by specific statutory law. Such test(s) must be given, if requested by the member.

5:4.14 Physical Tests

Sheriff's officers that are the subjects of internal investigations, may be compelled to submit to various physical tests or procedures to gather evidence.

5:4.15 Refusal to Submit to Physical or Drug and Alcohol Tests (Class 2 offense)

Officers that refuse to perform or participate in a lawfully ordered physical, drug and/or alcohol test will be disciplined for their refusal to do so.

5:4.16 Reassignment Pending Disposition of Charges

As a general rule, to be determined by the Sheriff, when a member is charged with a violation of an Office of the Sheriff Rules and Regulations, said member shall continue to perform the assigned duties of his/her position until such time as the judicial determination duly rendered pursuant to an Office of the Sheriff hearing necessitates a discontinuance of same. However, where the nature of the member's position is such that the public trust relationship, when considered against the alleged charge of misconduct, would dictate the immediate temporary

termination of such duties, said member shall be temporarily reassigned to another less sensitive position within the department, pending the Office of the Sheriff hearing referred to above.

5:4.17 Suspension in the Interest of Public Welfare

Notwithstanding the above mentioned general policy, whenever it proves physically impossible to reassign said member to any duties whatsoever and/or the alleged misconduct indicates a physical, mental or emotional condition inconsistent with the continued performance of any departmental duty whatsoever, the interest of the public welfare may require suspension from duty pending a departmental hearing. In such cases, the member may continue on salary, at the discretion of the appointing authority as per the provision of Chapter 270, Laws of New Jersey 1973, specifically dealing with such situations.

ARTICLE VI DEFINITIONS

Section 1

6:1.1 Accredited College or University

An accredited college or university shall be defined as an institute of higher education which has received accreditation from an accrediting body which is recognized by the United States Department of Education.

6:1.2 Annual Vacation

Vacation period granted to all members annually.

6:1.3 Authority

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

6:1.4 Bureau

A functional body having jurisdiction-wide coverage whose commanding officer reports directly to the Chief, Undersheriff or Sheriff.

6:1.5 Bureau Order

Written directives issued by commanding officers to their command, directing,

describing, or informing subordinates of the official method of dealing with any given situation.

6:1.6 Chain of Command

The unbroken line of authority extending from the Sheriff through a single subordinate at each level of command, down to the level of execution and back to the Sheriff.

6:1.7 Commanding Officer

Any officer appointed to the rank of lieutenant or higher who is in command of a bureau or unit.

6:1.8 Days Off - Regular

Regularly scheduled days off (RDO) according to collective bargaining agreements or those days determined by the Sheriff, on which a given member is excused from duty.

6:1.9 Department/Sheriff's Office/Office

Shall mean the Office of the Sheriff of the County of Camden.

6:1.10 Detail

A temporary assignment of personnel for a specialized activity.

6:1.11 Employee / Member

Civilian and sworn employees of the department

6:1.12 Equipment

Equipment required by Office of the Sheriff policy and procedures.

6:1.13 Gender

Use of the masculine gender herein shall also include, where applicable, the female gender.

6:1.14 General Orders

General orders are written directives that pertain to the permanent policy and procedures of the Office of the Sheriff. General orders are prepared and issued under the direction of the Sheriff and remain in force until rescinded.

Examples of proper subjects of General Orders:

- A. Institution of permanent procedures, rules, policies and related manual
- B. Permanent changes in organization
- C. Installation of permanent programs that affect more than one unit subordinate to the issuing authority; e.g., citizen complaint, internal affairs procedures, etc.
- D. Permanent personnel policies and procedures including recruiting, hiring and training but not including changes of status, such as transfers and promotions
- E. Use of public facilities and equipment

6:1.15 Incompetence

Incapable of satisfactory performance of law enforcement duties.

6:1.16 Insubordination

Failure or deliberate refusal of any member or employee to obey a lawful order given by a superior officer.

6:1.17 Investigator

A sheriff's officer/sheriff's investigator assigned to investigative duties while in civilian clothes.

6:1.18 Lawful Order

Any written or oral directive issued by a superior officer to any subordinate or group of subordinates in the course of law enforcement duty, which is not in violation of any law, ordinance or any Office of the Sheriff's Rules or Regulations.

6:1.19 Manual

Office of the Sheriff Rules and Regulations adopted and promulgated by the appropriate authority and issued by the Sheriff.

6:1.20 May

As used herein *may* means that the action indicated is permitted.

6:1.21 Member, Sworn

Any duly appointed sheriff's officer or sheriff's investigator of the Office of the Sheriff.

6:1.22 Memorandum

Written information not warranting a formal order. Used to direct any segment or all of the department personnel in specific situations or to inform them of coming events.

6:1.23 Military Leave

Period of time during which an officer is excused from duty while serving in the armed forces of the United States in an active capacity as provided by law.

6:1.24 Neglect of Duty

Failure to give suitable attention to the performance of duty. Examples include, but are not limited to, failure to take appropriate action on the occasion of a crime, disorder, or other act or condition deserving police attention; absence without leave; failure to report to duty at the time and place designated; unnecessary, unapproved, or unwarranted absence from the assignment during the tour of duty; failure to perform duties or comply with provisions prescribed in this Police Manual; failure to conform to the Office of the Sheriff operating procedures.

6:1.25 Off Duty

The status of a member during the period he/she is free from the performance of specified duties. Also may be known as day off, annual vacation, compensatory time, extra day off, regular day off, lieu of holiday and death in family.

6:1.26 Office of the Sheriff Administration Building

The building that houses the headquarters staff and the members of the Office of the Sheriff.

6:1.27 Official Channels

Through the hands of the superior officers in the chain of command.

6:1.28 On Duty

The status of a member during the period of day when he/she is actively engaged

in the performance of his/her duties. Technically, a sheriff's officer is subject to call at all times.

6:1.29 Order

Any written or oral directive issued by the Sheriff, any superior officer or acting superior officer to any subordinate or group of subordinates in the course of law enforcement duty.

6:1.30 Personnel Orders

Includes a change in position, transfer, promotion, etc. Appointment of new personnel, commendations, assignment or transfers, disciplinary action, promotions, resignation or retirement.

6:1.31 Post

A stationary, limited, or specific geographical area of coverage by a sheriff's officer.

6:1.32 Procedure

The official method of dealing with any given situation prescribed by the Sheriff's order or procedural guide.

6:1.33 Probationary Period, Promotional

Six (6) months probation following the date of promotion.

6:1.34 Probationary Period, Recruit

One (1) year following completion of the Police Academy.

6:1.35 Rules and Regulations

Office of the Sheriff Rules and Regulations adopted, promulgated and issued by the Sheriff.

6:1.36 Seniority

Seniority in the department is established by the Camden County Collective Bargaining Agreement.

6:1.37 Shall/Will

The words shall and will as used herein indicate that the action required is mandatory.

6:1.38 Sheriff

The Sheriff of the County of Camden, New Jersey, is the ranking officer of the Office of the Sheriff.

6:1.39 Shift

A shift designates one of the basic time units for assignment of personnel, usually specified in terms of eight (8) hour periods.

6:1.40 Sick Leave

The period of time during which an officer is excused from active duty by reason of illness or maternity.

6:1.41 Special Assignment

A member being excused from the performance of his/her regular duties and assigned a special detail.

6:1.42 Special Orders

Directives affecting a specific unit, a specific event, or circumstance of a temporary or self-canceling nature or involving only specific segments of activities.

6:1.43 Sheriff's Investigator

The Sheriff of each county may appoint a number of persons, not to exceed 15% of the total number of sheriff's officers employed by the sheriff and set forth in the Sheriff's table of organization in the county budget, to the position of sheriff's investigator.

6:1.44 Specialty Areas

Functional and staff areas of the Office of the Sheriff, other than the Court Security Bureau and the Transportation Bureau.

6:1.45 Staff Supervision

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

6:1.46 Subordinate

A member lower in rank than a superior officer.

6:1.47 Superior Officer

A person holding a rank higher than a sergeant.

6:1.48 Supervisory Officer

Member of the Office of the Sheriff assigned to a position requiring the exercise of immediate supervision over the activities of members and employees.

6:1.49 Suspension

Suspension is the act of temporarily denying a member the privilege of performing his/her duties, and relieving him/her from duty with or without pay for a period of time, in consequence of alleged, admitted, or conviction for dereliction of duty or violation of Office of the Sheriff rules and regulations.

6:1.50 Tour of Duty

The given number shifts worked between regular days off during which an individual member is on duty.

6:1.51 Training Bulletin

Bulletins published are designed to keep officers of the department abreast of current police techniques and procedures. The bulletins and their presentation act as a continuous training program and as a stimulus for further study.

6:1.52 Uniform

Prescribed or regulation uniform worn by members of the Office of the Sheriff.

6:1.53 Unit

A unit designates; an independent element of less than a bureau.

6:1.54 Zone/Sector

A specific territorial assignment of a mobile patrol officer.