

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Town of Warwick Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and that circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Town of Warwick Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the Town, its officials or department members. Violations of any provision of any policy contained within this manual shall only form the basis for administrative action, training or discipline. The Town of Warwick Police Department reserves the right to revise any policy content, in whole or in part.

103.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Town - The Town of Warwick.

Civilian - Employees and volunteers who are not sworn police officers or peace officers.

Town of Warwick Police Department

Policy Manual

Policy Manual

Department/TWPD - The Town of Warwick Police Department.

DCJS - New York State Division of Criminal Justice Services.

DHSES - New York State Division of Homeland Security and Emergency Services.

DJJOY - New York State Division of Juvenile Justice and Opportunities for Youth, Office of Children and Family Services.

DMV - New York State Department of Motor Vehicles.

Employee/personnel - Any person employed by the Department.

Manual - The Town of Warwick Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Department. This includes:

- Full- and part-time (if applicable) employees
- Sworn officers
- Auxiliary officers
- Civilian employees
- Volunteers

NYSP - New York State Police.

OCFS - New York State Office of Children and Family Services.

OPDV - New York State Office for the Prevention of Domestic Violence.

Officer - Those employees, regardless of rank, who are sworn employees of the Town of Warwick Police Department.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

Town of Warwick Police Department

Policy Manual

Policy Manual

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

103.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee. The policies in the manual will be consistent in their format and design, indexed by topic, and will have corresponding numbering (e.g., Organization and Administration – 200s; General Operations – 300s).

Each member shall acknowledge in writing that he/she has been provided access to and has had the opportunity to review the Policy Manual and General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary but at a minimum once every five-year period of accreditation.

103.7 REVISIONS TO POLICIES

Proposed changes in policy, procedures, or rules and regulations will be subject to staff review, and their ultimate approval or disapproval shall be the responsibility of the Chief of Police. Any changes will be forwarded to the Accreditation Committee for indexing and distribution. This policy shall not affect informational bulletins within or between Divisions. All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed. The Accreditation Committee shall retain records of revised and replaced policies along with notes that track the development of such policies and their effective dates.

Members are responsible for keeping abreast of all Policy Manual revisions. Each Lieutenant will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Lieutenants, who will consider the recommendations and forward them to the command staff as appropriate.