**BOROUGH COMMANDER**

1. Be responsible for and ensure efficiency of all police operations within borough.
2. Develop borough specific plans and implement strategies, programs and procedures to:
   a. Reduce crime and fear of crime
   b. Improve quality of life
   c. Ensure traffic safety and optimize traffic flow.
3. Utilize borough executive staff to administer, assign, control, coordinate, discipline, evaluate, guide, motivate, supervise and ensure the mission of the command.
4. Develop and maintain strong relationships with clergy, business, community and educational leaders.
5. Visit Internal Affairs Bureau, Community Affairs Bureau, Quality Assurance Division, Deputy Commissioner, Equity and Inclusion and Personnel Orders Division for a briefing upon assignment to command.
   a. Confer with the above commands semi-annually thereafter.
6. Inspect each subordinate command's "Confidential Performance Profile," annually.
7. Ensure administrative and operational responsibilities of subordinate executives are performed properly and efficiently.
8. Mentor and provide guidance to subordinate command executive staff.
9. Convene a quarterly meeting (or as needed) with members of the borough's executive staff and members of the Department's line organizations, to discuss command level management issues and to resolve challenges faced by members on patrol.

***NOTE*** *Borough commanders of bureaus performing enforcement functions (e.g., Detective, Transit, Housing, etc.) will ensure that executive staff from their respective borough attend a briefing with Internal Affairs Bureau, Community Affairs Bureau, Quality Assurance Division, and Personnel Orders Division upon assignment to command and semi-annually thereafter.*

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**BOROUGH EXECUTIVE OFFICER, OPERATIONS**

1. Supervise the following:
   a. Borough Operations Commander
   b. Borough Special Projects Coordinator
   c. Borough specialty units.
2. Provide for borough strategic and tactical efficiency through the equitable distribution of borough operational resources.
3. Provide operational oversight and support at the borough command level, including housing developments covered by the Patrol Services Bureau, for the following:
   a. Planning and execution of crime control strategies
   b. Development of initiatives for quality of life improvement and maintenance
   c. Traffic management and safety
   d. Graffiti enforcement and removal.
4. Liaison with the Borough Counterterrorism Coordinator to ensure the operational readiness of:
   a. Emergency preparedness
   b. Mobilizations.

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**BOROUGH EXECUTIVE OFFICER, ADMINISTRATION**

1. Supervise the following:
   a. Borough Administrator
   b. Borough Adjutant
2. Provide operational and administrative oversight at the borough command level for the following:
   a. Community affairs
   b. Communications (written)
   c. Discipline
   d. Facilities/logistics/supply management
   e. Personnel issues:
      (1) Budget/overtime monitoring
      (2) Evaluation process (entire borough)
      (3) Training (crossover with Counterterrorism and operational)
      (4) Resource use/needs/distribution
      (5) Sick monitoring.
   f. Property held in Department custody
   g. Scheduling:
      (1) Executive scheduling
      (2) Court/agency appearances verification and follow up.
   h. Quality assurance:
      (1) Inspections
      (2) Audit review
      (3) Data integrity
      (4) Data quality.

**BOROUGH ADJUTANT**

1. Report to Borough Executive Officer, Administration.
2. Oversee all risk management and mitigation functions within borough of assignment.
   a. Coordinate with Professional Standards Bureau and implement strategies to improve performance and remediate deficiencies.
   b. Utilize information and data analytics to identify deficiencies and indicators of negative performance and take remedial action, as necessary.
3. Participate in Early Intervention Committee.
   a. Oversee implementation of intervention strategies and performance monitoring programs.
4. Audit data integrity functions to ensure compliance.
5. Oversee and ensure equity of the disciplinary system throughout borough command.
6. Manage the self-inspection and auditing program.
7. Ensure property in custody of the Department is properly accounted for and maintained.
8. Manage overtime to ensure efficient use of resources.
9. Monitor budget and overtime allowances within borough.
10. Monitor sick records of assigned personnel with attention to members designated Chronic Absent.
11. Review firearms discharges by uniformed members of the service.
12. Conduct staff Performance Evaluations.
13. Review reports submitted by commanding officers within borough regarding conferrals with uniformed members of the service prior to Civilian Complaint Review Board (CCRB) appearances for accuracy and completeness.

**BOROUGH OPERATIONS COMMANDER**

1. Report to Borough Executive Officer, Operations.
2. Oversee Borough specialty units.
3. Develop and execute crime reduction strategies for the following crimes and conditions within the borough including housing developments covered by the Patrol Services Bureau:
   a. Sex crimes
   b. Robberies
   c. Assaults
   d. Burglaries
   e. Larcenies/thefts (including Grand Larceny)
   f. Vehicle theft and related crimes
   g. Domestic violence
   h. Firearms violence/weapons possession/use
   i. Other crimes and conditions as they emerge.
4. Supervise special event preparation.
5. Oversee selection of command youth coordination officers, after conferral with precinct/PSA commanding officers.

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**BOROUGH ADMINISTRATOR**

1. Report to Borough Executive Officer, Administration.
2. Oversee Borough Operations Unit.
3. Administer communications program.
4. Supervise scheduling of assigned members.
5. Ensure the proper functioning of court/agency appearances control.
6. Supervise and develop programs that ensure all discoverable material (i.e., all records, evidence, test results, notes, videos, photos, etc.), for all arrests made, are being produced and provided to the District Attorney's office in a timely manner.
7. Supervise community affairs functions.
8. Ensure Department facilities are properly maintained and functioning.
   a. Liaise with Quartermaster Section to ensure proper resources are acquired.
9. Safeguard and ensure Department property is in good working order.
10. Maintain the Department fleet.
    a. Oversee investigations of all Department vehicle collisions within borough of assignment.
11. Supervise personnel and resource distribution.
12. Identify needs of the borough and coordinate appropriate training.
13. Accept and process requests for Department recognition.

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**BOROUGH SPECIAL PROJECTS COORDINATOR**

1. Report to Borough Executive Officer, Operations.
2. Oversee the following:
   a. Borough Crime Analysis/Patrol Borough Pattern Identification Module (PIM)
   b. Quality of life initiatives
   c. Special project implementation
   d. Evidence collection teams
   e. 311 program.
3. Ensure a robust Traffic Management Safety program is in place.
4. Identify school safety issues. Develop borough level school safety strategies and establish a quality control and review mechanism to evaluate programs and initiatives.
   a. Coordinate with the School Safety Division.
5. Supervise narcotics crime control.
6. Investigate gang motivated and related offenses.
7. Ensure juvenile crime is effectively addressed.
8. Investigate and rectify issues involving arrest processing.

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**BOROUGH COUNTER-TERRORISM COORDINATOR**

1. Maintain liaison with the Borough Executive Officer(s), Operations and Patrol Borough Operations Unit.
2. Oversee and coordinate counterterrorism training, equipment, and preparedness for Patrol Borough personnel.
3. Oversee and coordinate counterterrorism security planning for Patrol Borough locations (critical, sensitive, iconic) and special events.
4. Assist Patrol Borough Operations Unit in the preparation, maintenance, and operational deployment of Disorder Control Plan, Area Evacuation Plans and the Patrol Borough Stand Alone Plan.
5. Assist the Patrol Borough to ensure mobilization preparedness.
6. Serve as a liaison for the Patrol Borough with the Intelligence and Counterterrorism Bureau.

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**PATROL BOROUGH TRAFFIC SAFETY COORDINATOR**

1. Coordinate the activities of the precinct Traffic Safety Officers.
2. Review precinct Collision Prone Location and Enforcement Ratio Reports.
3. Forward Collision Prone Location and Enforcement Ratio reports to the Patrol Services Bureau by the tenth day of the month.
4. Maintain a liaison with Department of Transportation regarding engineering concerns not resolved at the precinct level.
5. Conduct on-site meetings with the precinct Traffic Safety Team and Department of Transportation representatives to resolve and expedite engineering recommendations.
6. Conduct monthly meetings with the precinct Traffic Safety Officers.
7. Attend weekly Traffic Safety Forum meetings.
8. Address conditions reported on **TRAFFIC INTELLIGENCE REPORTS (PD178-150)** that cannot be corrected at the precinct level.
9. Monitor the following enforcement programs:
   a. Speed Enforcement
   b. Pedestrian Safety Overtime
   c. Aggravated Unlicensed Operator.
10. Maintain borough statistics for motor vehicle collisions, injuries and fatalities, as well as for summons enforcement.
11. Review construction permits received from the Traffic Management Center and forward copies to the precinct Traffic Safety Officer.
12. Maintain a liaison with various government agencies, community councils and the Borough President's Office regarding traffic concerns.
13. Attend community council and other public meetings to promote traffic safety.
14. Attend Traffic Safety Board meetings chaired by the Borough President.
15. Develop and participate in traffic plans for special events, demonstrations and motorcades.
16. Train and familiarize all newly designated precinct Traffic Safety Officers with the Department's traffic safety related computer programs and regularly due reports.

***NOTE*** *All Patrol Borough Traffic Safety Coordinators MUST become familiar with the "Procedural Manual for Traffic Safety Officers."*

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# ADMINISTRATIVE GUIDE

| Section: Duties and Responsibilities | | Procedure No: 303-10 |
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| **BOROUGH AUXILIARY POLICE COORDINATOR** | | |
| DATE EFFECTIVE: 05/27/21 | LAST REVISION: I.O. 37 | PAGE: 1 of 1 |

**BOROUGH AUXILIARY POLICE COORDINATOR**

1. Oversee activities and functions of, and provide support for, command auxiliary police coordinators.
2. Provide assistance in the assignment of auxiliary police personnel for special events and details within the borough concerned and outside the borough, if requested by the Commanding Officer, Auxiliary Police Section.
3. Process in a timely manner, requests received from command auxiliary police coordinator for:
   a. Promotion
   b. Recognition awards.
4. Process the return of shields and identification cards for members leaving or dropped from the Auxiliary Police Program.
5. Confer daily, at the start of the tour, with the liaison officer at Auxiliary Police Section to ascertain current program activities and instructions.
   a. Submit tours of duty, for the upcoming week, to Auxiliary Police Section.
6. Maintain a list of qualified volunteer Auxiliary Police personnel for use in vice enforcement operations.
   a. Forward monthly enforcement recapitulation to Auxiliary Police Section.
7. Conduct a borough annual awards/graduation ceremony in recognition of volunteer auxiliary police services.
8. Conduct monthly borough based recruitment drives.

***NOTE***

*Borough commander selects qualified uniformed member of the service for assignment as borough police auxiliary coordinator but is not assigned as such until approved by the Commanding Officer, Auxiliary Police Section. Additionally, the borough commander selects an alternate to perform the above duties when the borough auxiliary police coordinator is not working.*

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**BOROUGH COURT LIAISON OFFICER**

1. Perform an operational tour of duty as approved by the commanding officer, choosing tours that will maximize operational efficiency.
2. Submit weekly schedule to the Criminal Justice Bureau, Operations Commander, via the commanding officer of the Court Section.
3. Confer weekly with members of the borough District Attorney's Office and patrol borough command to monitor trends and develop strategies that will improve criminal prosecutions.
4. Confer with the supervising judge of the borough Criminal Court, Family Court and administrator of the New York City Corporation Counsel, bi-weekly.
   a. Develop channels of communication and information sharing with these agencies, as appropriate.

***NOTE*** *The goal of communication and information sharing is to improve conviction rates.*

5. Review arrests processed as "declined prosecution" and recommend ways to prevent future "declined prosecutions."
   a. Review and analyze arrest documents (e.g., **COMPLAINT REPORT[S] [PD313-152]**, Affidavits, Supporting Depositions, Court Complaints, digital **Activity Log** entries, etc.) to determine ways to improve prosecutions.
6. Provide assistance to supervisors investigating court appearances that resulted in overtime.
7. Provide assistance to supervisors investigating complaints regarding uniformed members of the service who failed to report for a scheduled court appearance.
   a. Verify that commands are being properly notified when uniformed members are scheduled for a court appearance.
8. Make recommendations on ways to improve courtroom testimony.
   a. Visit the different courts within assigned borough to observe performance and conduct of uniformed members attending court
   b. Review courtroom testimony to uncover and correct deficiencies
   c. Confer bi-weekly with Assistant District Attorneys regarding effectiveness of uniformed members' testimony
   d. Review Department training regarding courtroom testimony and make recommendations in writing (through channels), as necessary, to improve the curriculum.
9. Prepare report on **Typed Letterhead** to commanding officer monthly, containing recapitulation of the previous month's conferrals, observations and conclusions.
10. Provide assistance to members of the New York State Commission of Correction in their inspection of Department holding pens and detention cells.
11. Coordinate the Court Section fire safety plan and attend fire drill meetings.

**BOROUGH COURT LIAISON OFFICER (continued)**

12. Provide assistance to members of Family Court in their site visits to inspect and certify juvenile rooms.
13. Confer with administrators and staff members of any agency deemed appropriate by the Commanding Officer of the Criminal Justice Bureau that is involved in the enforcement of City and State laws and regulations.
14. Attend monthly prosecution assessment meetings at the Criminal Justice Bureau.
15. Perform assignments as directed by the commanding officer, borough Court Section.
16. Ensure that all **DESK APPEARANCE TICKETS (PD260-123)** issued are completed accurately and transmitted to the Office of Court Administration in a time period not to exceed 24 hours from the issuance of the **DESK APPEARANCE TICKET**.

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**PRINCIPAL ADMINIS-TRATIVE ASSOCIATE**

1. Acts as principal assistant in precinct/police service area/transit district to operations coordinator.
2. Responsible for direct line supervision and training of both uniformed and civilian members of the service assigned to clerical, administrative, and custodial staff, including roll call, payroll/time records, clerical, crime analysis and communications.
3. Complies with *A.G. 322-20, "Attendance Application Guidelines"* when reporting for tour of duty and at completion of tour.
4. Assists in providing staff supervision of SP9, telephone switchboard, command clerk positions and all non-clerical civilian personnel.
   a. Inform and train personnel regarding changes in position functions.
   b. Consult with desk officer and training sergeant regarding training needs.
   c. Request civilian personnel be included in Command Level Training Program, when appropriate.
5. Monitors attendance and punctuality of members of the service under their supervision.
6. Responsible for scheduling adequate coverage of positions under their supervision.
7. Develops and/or assists in developing procedures and methods, records and operational controls.
8. Communicates new and/or modified policy methods and procedures to staff and evaluates results.
9. Prepares routine, complex, and confidential communications, including self-inspection reports.
10. Prepares performance evaluations for designated staff members using "Tasks and Standards Guide."
11. Attends supervisory staff meetings and conducts meetings with subordinate staff.
12. Have a Command Log entry made of the time arriving and leaving the precinct stationhouse, police service area, or transit district, and the reason.
13. Performs other assignments as directed by commanding officer and/or operations coordinator.
14. Prepare self-inspection of command's military leave records, as required.
15. Notify the operations coordinator and integrity control officer if member's current military contract and current drill schedule are not provided by the member concerned.
16. Regularly confer with assigned personnel administrative manager as a resource to aid and assist in identifying, clarifying and resolving matters relating to civilian members of the service.

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***NOTE*** *In commands where there is no principal administrative associate assigned, the commanding officer concerned will designate a member of the service to perform the above functions.*

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**CRIME ANALYSIS SERGEANT**

1. Comply with *A.G. 322-20, "Attendance Application Guidelines"* when reporting for tour of duty and at completion of tour.
2. Perform duty in uniform, unless authorized to do otherwise by the Commanding Officer, Office of Crime Control Strategies.
3. Perform only crime analysis related duties as directed by the Office of Crime Control Strategies.
   a. Perform duties as directed by the commanding officer, if assigned to a housing PSA or transit district.

***NOTE*** *Crime analysis sergeants will not be utilized as backfill for other precinct assignments (i.e., patrol supervisor, desk officer, meal relief, etc.).*

4. Supervise members assigned to the Office of Crime Control Strategies (i.e., crime analysis officer and crime analyst).
5. Provide support to precinct, detective squad, and patrol borough personnel (e.g., Pattern Identification Module Unit, etc.).
6. Confer regularly with the commanding officer, special operations lieutenant, platoon commanders, precinct detective squad, and specialty unit officers (e.g., neighborhood coordination officer, field intelligence officer, gang, narcotics, etc.) to obtain intelligence.
7. Communicate frequently with command staff and counterparts from Patrol Services, Housing, and Transit Bureaus in an effort to share and disseminate pertinent information.
8. Liaise with Quality Assurance Division's Data Integrity Unit.
9. Review all **COMPLAINT REPORTS (PD313-152)** within the command.
   a. Establish emerging crime trends and patterns.
   b. Verify offenses are properly classified in accordance with the **Crime Complaint Reporting System Reference Guide**.
      (1) Notify the training sergeant of any deficiencies.

***NOTE*** *The accuracy and completeness of **COMPLAINT REPORT WORKSHEETS (PD313-152A)** will continue to be the responsibility of the desk officer. P.G. 207-07, "Preliminary Investigation of Complaints (Other Than Vice Related or Narcotics Complaints)" will be strictly adhered to.*

10. Assist the commanding officer in identifying emerging crime conditions, trends, and patterns.
    a. Focus on crime and quality of life conditions within command boundaries, in addition to surrounding areas for crime crossover.
    b. Maintain an awareness of existing patterns and information regarding people, places, problems and/or factors, such as modus operandi, potential suspects, property descriptions, methods of entry, environmental factors, etc.

**CRIME ANALYSIS SERGEANT (continued)**

c. Supply the commanding officer with detailed data with an emphasis on crime mapping, to help develop strategies for strategic deployment to assist in apprehension, crime reduction, and crime prevention.

***NOTE*** *Crime mapping should include a broader spatial view that is not limited to precinct boundaries.*

11. Regularly conduct roll call training sessions on wanted persons, crime conditions, trends and patterns, etc., affecting the command.
12. Monitor pattern releasees in an attempt to identify persons of interest who may fit the modus operandi of specific crimes in command.
13. Review data sources of information and intelligence from within the Department and outside agencies for analysis purposes.
14. Prepare weekly command analytical report and forward to the Office of Crime Control Strategies.
    a. Provide report to precinct personnel and to appropriate personnel in other commands/bureaus.
15. Prepare a variety of statistical and analytical reports identifying crimes using available Department databases.
    a. Use computer generated reports created by the Office of Crime Control Strategies.
    b. Refer to **Crime Analyst Reference Manual** available on the Department Intranet.
16. Prepare and submit required reports to patrol borough concerned.
17. Designate a member to maintain and update the command's Crime Information Center, weekly, as per *P.G. 212-103, "Crime Information Centers."*
18. Ensure members assigned to the Office of Crime Control Strategies view the CompStat meeting when their patrol borough is in attendance.

**CRIME PREVENTION OFFICER**

1. Cooperate with the special operations lieutenant, patrol supervisors, training sergeant, patrol officers, neighborhood coordination officers, and command auxiliary police coordinator to determine local crime prevention needs and methods of controlling crime.
2. Evaluate crime patterns and institute crime prevention programs relative to specific crimes.
3. Establish rapport with local community to implement innovative crime prevention programs tailored to specific needs.
4. Act as liaison with private security directors of organizations within command and facilitate exchange of intelligence information with the business community.
5. Coordinate larceny reduction programs with retail establishments regarding shoplifting arrests.
6. Keep commanding officer apprised of private sector security initiatives.
7. Conduct public education programs on crime prevention via various community group meetings.
8. Give direction and guidance to cooperative neighborhood crime prevention undertakings.
9. Inspect premises and make recommendations concerning physical security.
10. Investigate selected crimes against property, evaluate current security measures and recommend new procedures to owners or residents.
11. Investigate selected crimes against the person, interview victims and institute individual and community education programs to prevent recurrence.
12. Refer complex cases which require special investigative effort to the Crime Prevention Division.
13. Wear appropriate business attire when not performing duty in uniform.
14. Inspect all **COMPLAINT REPORTS (PD313-152)** to identify crime victims under sixty years of age, who have been the subject of:
    a. Homicide, sex crime, robbery, assault, OR,
    b. Physically injured.

***NOTE*** *Notification of rights to compensation for victims aged sixty years and over will be made by the New York City Department of the Aging.*

15. Verify if member of the service preparing/investigating **COMPLAINT REPORT** involving a crime victim has complied with *P.G. 207-08, "Preliminary Investigation of Complaints (Other than Vice or Narcotics Complaints)."*

**CRIME PREVENTION OFFICER (continued)**

16. Notify crime victim/surviving relative by mailing a pamphlet/application through the Mail and Distribution Unit within five days of receipt of **COMPLAINT REPORT**.
    a. If requested, provide assistance to crime victim or relative in completing Application for Compensation form. Another available officer from Community Affairs or Domestic Violence should be designated to assist crime victim/relative in the absence of the crime prevention officer.
    b. Operations Coordinator will be responsible for maintaining the notification system in the absence of the Crime Prevention Officer.
17. Maintain written records of the month's activity of all notifications made and forward a report on **Typed Letterhead**, by the fifth of each month, to the patrol borough command concerned.
    a. Patrol borough commands will consolidate monthly reports and forward them, within three days, to Crime Victims Unit, Chief, Community Affairs.
18. Administer VIN etching, CAT, and similar programs.
    a. Prepare **VIN ETCHING PROGRAM RELEASE AND CONSENT (PD171-054)** and file at command.
19. Act as the primary designee and liaison to pawnbrokers and second-hand dealers.
20. Conduct crime prevention security surveys as described in *A.G. 316-46, "Precinct Crime Prevention Security Surveys*."

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**PERSONNEL ADMIN-ISTRATIVE MANAGER**

1. Report direct to borough/bureau commanding officer and perform assignments as directed.
2. Confer regularly with borough/bureau commanding officer regarding civilian related matters.
3. Assist executive personnel administrative manager with special projects, as necessary.
4. Provide professional development mentoring and guidance to civilian members of the service, as appropriate.
5. Attend meetings and training sessions, as required.
6. Confer regularly with integrity control officers, investigative units, etc., assigned to commands within borough/bureau of assignment regarding civilian matters.
7. Assist borough/bureau commanding officer with the implementation of civilian related policies and procedures.
   a. Disseminate information regarding changes to civilian related policies and procedures, as necessary.
8. Monitor workflow of civilian members of the service, including, but not limited to:
   a. Assignments,
   b. Personnel requests,
   c. Transfers,
   d. Promotions,
   e. Title changes, and
   f. Other changes within the scope of their assignment.
9. Monitor training requirements of civilian members of the service (e.g., promotion training, etc.), as necessary.
   a. Oversee training of principle administrative associates.
10. Conduct interviews of candidates for civilian positions.
11. Monitor compliance regarding preparation of performance evaluations for civilian members of the service within borough/bureau of assignment.
12. Facilitate supervision of civilian members in the Civilian Performance Monitoring Program and ensure disciplinary matters are adjudicated, when requested.
13. Review and coordinate salary adjustments for civilian members of the service.
14. Provide information and assistance to civilian members of the service regarding authorized leaves of absence (e.g., Family Medical Leave Act, paid family leave, worker's compensation, etc.).
15. Monitor commands within borough/bureau of assignment for compliance with sick leave procedures for civilian members of the service.
16. Liaise with relevant units, when directed.
17. Assist Human Resources Division, as necessary (e.g., dissemination of pension related materials, etc.).

**PERSONNEL ADMIN-ISTRATIVE MANAGER (continued)**

18. Distribute Department related materials (e.g., certificates, reports, surveys, etc.) as directed by the Personnel Bureau.

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# ADMINISTRATIVE GUIDE

| Section: Duties and Responsibilities | | Procedure No: 303-17 |
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| **DIGITAL COMMUNICATIONS OFFICER** | | |
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**PURPOSE** To assist with the development and management of Department social media accounts.

**PROCEDURE** When assigned duties regarding the development and management of Department social media accounts within a precinct, police service area, transit district, or select bureaus/commands:

**DIGITAL COMMUNICATIONS OFFICER**

1. Liaise and coordinate with the Deputy Commissioner, Public Information concerning Department social media account establishment, maintenance, training, messaging, and support.
   a. Obtain approval from the Deputy Commissioner, Public Information, prior to changing password on Department social media accounts.
   b. Comply with *A.G. 304-19, "Department Social Media Accounts and Policy,"* and *P.G. 207-21, "Allegations of Corruption and Other Misconduct Against Members of the Service."*
   c. Ensure current official commanding officer's portrait, including name, is featured in the command's Department social media account profile, unless exception is made by the Deputy Commissioner, Public Information.
2. Operate and manage all Department social media accounts (e.g., Facebook, Twitter, etc.) under the direction of commanding officer.
   a. Confer, regularly, with commanding officer regarding Department social media account posts.
   b. Monitor Department social media accounts, frequently, and be responsive to community concerns, questions, and issues raised on Department social media platforms.
3. Obtain approval from commanding officer prior to posting on Department social media accounts.
4. Ensure information concerning command is frequently updated on the Department's internal intranet and external website.
   a. Coordinate and communicate with the Deputy Commissioner, Public Information regarding all changes and/or updates.
5. Develop innovative and informative Department social media messaging with the goal of cultivating public engagement.
6. Coordinate with neighborhood coordination officers to gather information about community events and disseminate information on Department social media accounts, as appropriate.
7. Coordinate with members of the command and other authorized Department social media account users, regularly, in regard to posting relevant information, and pictures of interest, to Department social media accounts.

**DIGITAL COMMUNICATIONS OFFICER (continued)**

8. Liaise with traffic safety sergeant, traffic safety officer, and Traffic Management Center, and post road closures, detours, etc., as appropriate.
9. Confer with the Deputy Commissioner, Public Information, detective squads, investigative units, and crime analysis units concerned, to post requests for information, wanted/missing persons flyers, and other relevant information affecting public safety, as directed by commanding officer.
10. Post wanted/missing persons flyers in compliance with:
    a. Guidelines set forth by the Deputy Commissioner, Public Information, Detective Bureau, and any relevant Department procedures, including, but not limited to:
        (1) Formatting of images,
        (2) Wording of posts,
        (3) Removal of posts after certain periods of time, and
        (4) Updating the community in regard to individuals arrested and/or found.
11. Review and post Deputy Commissioner, Public Information's Requests for Media Attention, as directed by commanding officer.
12. Liaise with Crime Prevention Division on communications that promote crime prevention tips, public safety, and awareness.
13. Redirect and/or retweet messages disseminated by the Department's Twitter account @NYPDnews, as directed, during large scale emergency incidents.
14. Upload command specific information and material received from overhead command to electronic boards.
    a. Ensure content is accurate and properly displayed within Department guidelines.
    b. Notify Information Technology Bureau (ITB) if command is experiencing any technical related issues.

***ADDITIONAL DATA***

*Members of the service are prohibited from disclosing the arrest or booking photographs of an individual on social media, unless the photo(s) would serve a law enforcement purpose, including, but not limited to, releasing photographs of wanted suspects. Post arrest, the release of arrest or booking photographs is limited to circumstances where the release of such photographs is used to alert victims and/or witnesses of crimes to facilitate criminal investigations. This limitation only applies to arrest or booking photographs, and does not apply to video or surveillance photographs.*

**PERSONNEL OFFICER**

1. Serve as liaison officer between command and the Personnel Bureau.
2. Acquire and maintain working knowledge of personnel administration to provide advice to commanding officer in personnel functions.
3. Advise and assist commanders and field supervisors in the proper utilization of the Department's evaluation programs and disciplinary and reward procedures.
4. Supervise the maintenance of personnel records for command and advise subordinate commands in the maintenance of an appropriate personnel records system.
5. Supervise maintenance of chronic sick records and work with those members in an effort to correct the situation.
6. Advise commanding officer in the selection, assignment, and transfer of personnel within area of responsibility.
7. Attempt to ameliorate grievances and keep commanding officer informed on conditions that generate grievances or interfere with efficient performance.
8. Confer with employees to determine their attitudes and suggestions, and provide feedback to the Personnel Bureau.
9. Disseminate information on Department programs relating to education, health, and welfare.
10. Provide information to dispel rumors and misunderstandings.
11. Assess morale in subordinate commands.

***NOTE***

*Bureaus Chiefs and Deputy Commissioners will designate a ranking officer or qualified civilian member, when appropriate, as the personnel officer, who will report directly to the commander involved.*

*When a commanding officer appoints a personnel officer, they will notify the Human Resources Division and the Commanding Officer, Personnel Orders Division, of the identity and designation of member concerned.*

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**COMMUNITY GUIDE**

1. Perform duty in proper business attire and display **IDENTIFICATION CARD (PD416-091)** on outermost garment.
2. Report to desk officer/designated supervisor at commencement of tour for entry in Command Log as present for duty.
   a. Scan in/out utilizing Attendance Application.
   b. Request Department tablet from desk officer/designated supervisor at beginning of tour and return upon completion of tour.

***NOTE*** *Desk officer/designated supervisor will record members name and assigned tablet serial number in Command Log or appropriate Department log.*

3. Perform tours of duty at the direction of the commanding officer.
4. Serve as the point person to welcome, assist, and direct complainants/victims, and all other visitors entering Department facility.
   a. If assigned to a non-enforcement command, perform facility specific duties, as directed, by desk officer/designated supervisor.
5. Provide members of the public with general precinct/Department facility information, report details, and information on Department specific programs.
   a. Make only official inquiries related to official Department business for requesting members of the public, as appropriate.
   b. Treat all information obtained as confidential.
6. Keep abreast of precinct/community/facility concerns, needs and priorities.
7. Escort members of the public within the command under the direction of desk officer/designated supervisor.
8. Complete and monitor the Visitor's Log.
   a. Track number of visitors and reason for visit.
9. Direct visitors to customer service survey and assist with access, as necessary.
10. Assist members of the public with Department kiosk stations.
11. Notify desk officer/designated supervisor of the following:
    a. When confronted with violent or hostile situations,
    b. All matters of importance, and
    c. Any conditions requiring attention.

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**COMMUNITY AMBASSADOR**

1. Report to the Chief of Community Affairs or designee.
2. Serve as a liaison between Department executives, constituents, community organizations, complainants, and crime victims and/or their next of kin.
3. Confer frequently with borough commander in area of assignment.
4. Coordinate activities with community affairs, neighborhood coordination and youth coordination officers.
5. Serve as a liaison for all demonstrations, disturbances, large gatherings, and/or community issues within assigned patrol borough.
6. Work with neighborhood organizations regarding community concerns, needs, and priorities.
7. Serve as a common point of contact and coordinator for precinct-level police/community bodies (e.g., Build-the-Block meetings, precinct community councils, police service area councils, etc.).
8. Assist community councils in developing strategies on how to better serve their communities.
9. Provide information and assistance to complainants on navigating the processes on police accountability and disciplinary matters.
10. Coordinate with the Department Advocate's Office prior to the dissemination of information regarding the status of disciplinary matters of members of the service.
11. Assist victims with navigating and accessing various support organizations that are available (e.g., Thrive NYC, etc.).
    a. Coordinate with Crime Victim Assistance Program personnel to achieve the best service possible for crime victims.
12. Advise the Department on enhancing customer service to improve public outreach and visitor engagement at Department facilities.
13. Attend and coordinate meetings with local organizations, community leaders, youth, business owners, tenant associations, etc.
14. Convene regular meetings with Department executives and community leaders.
15. Recruit and coordinate a network of community volunteers, particularly in areas most affected by the justice system, to help facilitate public outreach.
16. Engage regularly with organizations focused on police reform and restorative justice.
17. Confer with respective Bureau/command, when responding to incidents that have the potential for community concern and/or unrest (e.g., unusual, newsworthy, or sensitive nature).

**ORDER OF RANK**

1. The order of rank in the police service is:
   a. Chief of Department
   b. Bureau Chief
   c. Assistant Chief
   d. Deputy Chief
   e. Inspector
   f. Deputy Inspector
   g. Captain
   h. Lieutenant
   i. Sergeant
   j. Police Officer/Detective
2. Police Department Chaplains and Surgeons have the assimilated rank of Inspector.
3. Seniority in rank among members appointed or promoted at the same time is determined by position on appointment or promotion list.
4. At a police incident, the senior uniformed member, in R.M.P. assigned to incident or on foot patrol at the scene, will direct and coordinate police operations pending arrival of the supervisor. If R.M.P. assigned to incident is delayed and no uniformed member is assigned to foot patrol at the scene, the senior uniformed member first on the scene will take charge, pending the arrival of supervisor or assigned R.M.P.

NYPD

**UNIFORMED MEMBER OF THE SERVICE**

1. Tender and return hand salute as prescribed by U.S. Army regulations.
2. Salute:
   a. Police Commissioner or deputy commissioners in civilian clothes
   b. Supervisory officer in uniform
   c. United States flag as it passes
   d. Desk when entering command.
3. Salute flag when national anthem is played. If flag not visible, face band, etc., and salute.
4. Supervisory officers return salutes promptly.
5. Salute is not required at large assemblages except when addressed by or addressing supervisory officer. Salute not required if it interferes with police duty.
6. Remove hat and stand at attention in office of Police Commissioner, deputy commissioner or member above rank of lieutenant.
7. Order "Attention" when member above rank of captain enters room unless otherwise directed.
8. Place U.S. flag at half-staff as indicated below, when a uniformed member of the service dies:
   a. Lieutenant, sergeant, police officer - on Department building where assigned on day of funeral
   b. Captain - on Department building where assigned from time of death to sunset, day of funeral
   c. Deputy inspectors or inspectors - on Department buildings within their command from time of death to sunset, day of funeral; flag at Police Headquarters will fly at half-mast on day of funeral.
   d. Member killed in line of duty - on Department building where member assigned from time of death to ten days after the funeral; flags will fly at half-mast on all Department buildings from time of death until day after the funeral.
   e. Other members, Police Commissioner or a deputy commissioner - as directed by the Police Commissioner or Chief of Department.

DRAFT

**COMPLIANCE WITH ORDERS**

1. Be familiar with contents of the Department Manual.
2. Obey lawful orders and instructions of supervising officers.
3. Be punctual when reporting for duty.
4. Be governed by orders affecting another rank when temporarily assigned to perform the duties of that rank, except as otherwise indicated.
5. Maintain a current New York State driver's license and notify commanding officer, with pertinent details, when license is suspended, revoked or not renewed.

***NOTE***

*All uniformed members of this Department are required to have a valid driver's license as a condition of employment. Civilian members who are authorized to operate Department vehicles also must have a valid driver's license.*

*The Department of Motor Vehicles will send a weekly printout of the names of Department members with a suspended, revoked, or expired driver's license directly to the Internal Affairs Bureau. The Internal Affairs Bureau will assign a log number and assess the allegations in accordance with Internal Affairs Bureau procedures. If appropriate, a copy will be faxed directly to a concerned member's commanding officer.*

*Upon notification by the Internal Affairs Bureau, the commanding officer of any member of the Department, uniformed or civilian, who is deemed to have a suspended, revoked, or expired New York State driver's license, will not permit that member to operate any Department vehicle until the member proves that such revocation, suspension, or expiration is erroneous or has been resolved. The commanding officer will submit a report to Internal Affairs Bureau's Records Section indicating the results of the investigation of this matter and the current status of the member's driver's license.*

*Commanding officers will ensure a Department of Motor Vehicles inquiry and a warrant check for each uniformed member of the service is conducted on a semi-annual basis.*

*Commanding officers will ensure that civilian members of the service authorized to operate Department vehicles present valid New York State driver licenses. In addition, commanding officers concerned will ensure that an inquiry and warrant check, as performed for uniformed members of the service, is conducted for all civilian members assigned to the command.*

6. Keep Department locker neat, clean and secured with combination lock (without identifying serial number) that conforms to Equipment Section specifications.
7. At commands that have not undergone locker room renovation, affix Department stickers as follows:
   a. To front of assigned locker, **PROPER TACTICS SAVE LIVES (PD642-110)** and **POLICE DON'T MOVE (PD672-133)** with rank, name, shield and squad number captions filled in, and
   b. To the inside portion of the door of assigned locker, in a conspicuous manner, **GUN SAFETY (PD420-110)**, **HEALTH AND WELLNESS (Misc. 4659)** and **SEATBELT (PD642-130)**.

***NOTE*** *If a command has vinyl images of stickers described in step "7" above, posted at locker room entrances and exits, members shall not affix them on front/inside of assigned lockers.*

**COMPLIANCE WITH ORDERS (continued)**

8. Request new Department locker stickers from operations coordinator, as needed.
9. Apply for interview with Police Commissioner in writing (include squad or chart numbers), ONLY when action or relief cannot be obtained by other means.
10. Cooperate with supervisor, regardless of rank, who has been dispatched by competent authority (e.g., Commanding Officer, Medical Division, Internal Affairs Group, precinct commanding officer or duty captain, etc.) to visit member on sick report, and directs such member to comply with lawful order/instruction (e.g., appear in court, Trial Room, in front of an investigatory unit, etc.).

NYPD

**FITNESS FOR DUTY**

1. Be fit for duty at all times, except when on sick report.
2. Do not consume intoxicants to the extent that member becomes unfit for duty.

***ADDITIONAL DATA***

*All members of the service are required to remain fit for duty as specified above, and are reminded of their absolute responsibility to remain fit for duty while in possession of their firearms.*

*Any misconduct involving a member's misuse of a firearm while unfit for duty due to excessive consumption of, and intoxication from, alcohol will result in that member's termination from the Department. Exceptional cases will be determined by the Police Commissioner, on a case by case basis.*

*Furthermore, any misconduct involving members who are found to be unfit for duty due to excessive consumption and intoxication from alcohol, while armed with a firearm, will result in the inclusion of the charge of "Unfit For Duty While Armed," in Departmental disciplinary proceedings. In addition to those penalties imposed as a result of all other charges stemming from the misconduct, strict punitive sanctions will be imposed for any member upon whom the charge has been substantiated.*

*Additionally, a uniformed member of the service who refuses to submit to chemical testing in connection with an alleged violation of section 1192 of the New York State Vehicle and Traffic Law (Driving While Intoxicated) will be charged with violating Administrative Guide procedure 304-06, "Prohibited Conduct," "Engaging in conduct prejudicial to the good order, efficiency, or discipline of the Department."*

*Members of the service are also reminded of the Department's commitment to the many counseling and assistance programs available for a wide variety of problems. Members who are experiencing problems related to alcohol, or know of any other member who may be experiencing problems related to alcohol, are strongly encouraged to call HELPLINE, in order to achieve confidential assistance.*

*<u>DEPARTMENT POLICY STATEMENT CONCERNING THE OPERATION OF A MOTOR VEHICLE UNDER THE INFLUENCE OF ALCOHOL</u>*

*i. Any uniformed member of the service who causes serious physical injury to another person while operating a motor vehicle and is determined to be unfit for duty due to the consumption of alcohol will be terminated from the New York City Police Department, absent exigent circumstances.*

*ii. Any negotiated penalty in a Department disciplinary proceeding, involving a uniformed member of the service who is determined to have been operating a motor vehicle while unfit for duty due to the consumption of and/or intoxication from alcohol shall include a period of Dismissal Probation. Additionally, uniformed members of the service involved in incidents either on or off duty where alcohol is deemed a contributing factor, and where pursuant to a negotiated penalty in a Department disciplinary proceeding are required to submit to ordered breath testing, the negotiated*

***ADDITIONAL DATA (continued)***

*penalty may also include a period of Dismissal Probation. Further, any such negotiation shall include the subject officer's agreement to submit to ordered breath testing for the presence of alcohol while on duty or off duty, during the period of probation, or other agreed upon time period. Should the member be found unfit for duty or refuse to submit to breath testing, this will result in additional disciplinary action against the subject officer which may include termination.*

*iii. Members of the service whose alcohol consumption has caused problems for them or others are urged to self-report before they are responsible for a serious incident and the above disciplinary action becomes necessary. They can do so in complete confidence by calling the Counseling Services Unit. Additionally, members who are experiencing problems related to alcohol, are strongly encouraged to call HELPLINE or the Police Organization Providing Peer Assistance, (POPPA). POPPA is a joint labor-management cooperative effort involving the implementation of a union-operated, alternative employee assistance program. Both HELPLINE and POPPA offer confidential services.*

*iv. Members of the service with alcohol-related problems may also be referred to the Counseling Services Unit by supervisors, other Department units, or as the result of an alcohol related incident. However, the Department's objective, at all levels, is early detection and referral of personnel for evaluation and treatment <u>before</u> drinking causes problems in work performance or worse.*

*v. The Counseling Services Unit maintains strict standards of confidentiality as set forth in Title 42 of Federal guidelines governing alcoholism programs, and it does not act as part of the Department's disciplinary system. The Counseling Services Unit's mission is to assist in recovery and return to full and productive service those members of the Department who are experiencing problems with alcohol. The unit operates 24 hours a day, seven days a week, and will help assess the extent of the problem, and make the appropriate referrals for treatment. Treatment can range from detoxification and inpatient rehabilitation to outpatient rehabilitation and the participation in self-support groups. Counseling is available to members of the service, their families and retirees.*

*vi. The Police Department's policy is to encourage members of the service to seek help in a supportive, confidential environment before the consequences of alcohol abuse require the Department to take disciplinary action. In addition, to assist those members of the service experiencing alcohol related problems, all New York City Police Department personnel are encouraged to refer those with problems to any of the counseling/assistance providers indicated in number "iii" of this procedure.*

*vii. Members participating in these programs will not jeopardize their promotional opportunities. In addition, their current assignments will not ordinarily be changed because of their participation in these programs unless, due to the nature of the assignment, a change is deemed to be in the best interests of all parties concerned. However, participation in these programs will not exempt a member of the service from disciplinary action for specific acts of misconduct and the consequences of such disciplinary action.*

**PERFORMANCE ON DUTY**

1. Perform all duties as directed by competent authority.
2. Remain on post until properly relieved, except for police necessity, personal necessity or meal period.
   a. Notify telephone switchboard operator and, if possible, make entry in digital **Activity Log** before leaving post.
   b. Make entry upon return to post and notify telephone switchboard operator.
3. Take meal period in police facility, a bona fide restaurant or Department vehicle.
4. Make accurate, concise entries in Department records in chronological order, without delay, using black or blue ink.
5. Sign Department reports or forms with full first name, middle initial and surname.
   a. Print and write legibly.
   b. Utilize shield and tax registry numbers as required.

***NOTE***

*Civilian members of the service and uniformed members of the service who do not possess a shield number are required to utilize their tax registry number on Department forms when a 'Shield No.' is required.*

6. Make corrections on Department records by drawing an ink line through incorrect matter. Enter correction immediately above and initial change.
7. Use numerals when entering dates on Department forms, e.g., 03/24/88.
8. Start serial numbers with one at beginning of each year for official forms or reports, unless otherwise specified.
9. Elect to wear dual purpose personal protection/scooter helmet at own discretion, if it is believed that safety is endangered or conditions warrant, and in the absence of supervisory presence or direction.
   a. In all supervised situations, the ranking member on scene will determine in the first instance, if helmets are to be worn or removed, except in emergencies where the member reasonably believes that there is a substantial and specific imminent threat to the safety of the member.
10. The following guidelines regarding the wearing/carrying of helmets also apply:
    a. Members of the service shall have the discretion to carry their helmets on their duty belts or to secure the helmet within sight and sound of the scene (e.g., in a vehicle, a premises, or with another member of the service), to be deployed as circumstances warrant.
    b. Any member operating a motor scooter must wear a helmet (face shield is also required when operating two-wheel scooter).
    c. Members performing Radio Motor Patrol in uniform will keep helmets in the vehicle trunk for use, if needed.
    d. All other members shall keep their helmets in their lockers where they will be readily accessible.

**PERFORMANCE ON DUTY (continued)**

11. Answer telephone promptly, stating in a courteous manner, command, rank or title, surname, and "May I help you?"
12. Be responsible for humane treatment and safekeeping of prisoners in custody or detained in Department facility over which member has supervision.
13. Maintain Department property issued or assigned for use in serviceable condition.
14. Deliver recovered property, property removed from a prisoner, or property removed from an emotionally disturbed, intoxicated or incapacitated person, to the desk officer of the precinct where obtained unless otherwise directed.
15. Announce presence before entering a locker room, dormitory, lavatory, utilized by members of the opposite sex, except in an emergency. In addition, be accompanied by member of said opposite sex, if practicable.

***NOTE***

*In complying with the regulation above, desk officers concerned will make an entry in Command Log indicating time/date of member(s) of the service utilizing dormitory and reason, and will inform inspecting officers if dormitory is being used prior to conducting inspection. Additionally, inspecting officers will peruse the Interrupted Patrol Log, etc., to ascertain who is authorized in facility prior to conducting inspection.*

16. Operate Department vehicles only when assigned and only when Department qualified to operate such vehicle.
17. Use Department radio for field communications except under limited circumstances.
    a. Department and personal cellular phones may be used for field communications when content of the communication is not appropriate for radio transmission due to length or subject matter (e.g., detailed information about incident, personal information, names of persons, notifications, etc.).

***ADDITIONAL DATA***

*When a uniformed member of the service below the rank of captain has been directed to appear at any of the following agencies, the member concerned will be assigned to the second platoon. If the member is on RDO (regular day off), the tour will start at 0900 hours. If the member is regularly scheduled to perform duty with another platoon that day, the tour will start at 0800 hours.*

*a. Subpoenaed or directed to attend:*
    *(1) Any court (except personal cases)*
    *(2) Grand Jury*
    *(3) District Attorney's Office*
    *(4) Corporation Counsel's Office*
    *(5) Comptroller's Office*
    *(6) Honor Committee*
    *(7) Trial Room.*

*b. Directed to attend hearing of Federal, State or City department or agency by Police Commissioner or Chief of Department.*

*c. Directed by captain or above to attend official hearing of this Department as witness.*

*d. Directed by police surgeon to report for medical examination.*

**PROHIBITED CONDUCT**

1. Engaging in conduct prejudicial to good order, efficiency, or discipline of the Department.
2. Using discourteous or disrespectful remarks regarding another person's age, ethnicity, race, religion, gender, gender identity/expression, sexual orientation, or disability.
   a. Members shall address the public using pronouns, titles of respect, and preferred name appropriate to the individual's gender identity/expression as expressed by the individual.
   b. The term "gender" shall include actual or perceived sex and shall also include a person's gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the legal sex assigned to that person at birth.
3. Consuming any amount of intoxicants while on duty whether in uniform or civilian clothes.
   a. Member assigned to duty in civilian clothes may be granted permission by the bureau chief/counterpart concerned based upon the nature of the member's assignment.
4. Bringing or permitting an intoxicant to be brought into a Department building, facility, booth, boat, or vehicle, except in performance of police duty.
5. Entering premises serving intoxicants, except for meal, personal necessity, or performance of duty.
6. Having a romantic relationship with a subordinate member who is routinely under the direct supervision of the supervising member.

***NOTE*** *Romantic relationships between supervisors and subordinates who the supervisor routinely supervises will result in the transfer of one of the involved parties. Members of the service are strongly encouraged to make a notification requesting a transfer in order to avoid workplace disruption.*

7. Engaging in a relationship beyond the scope of official duties with:
   a. Confidential informants, witnesses, or victims while on or off duty
   b. Any youth/young adult assigned to the various programs the Department operates (i.e., explorers, cadets, interns, volunteers, etc.) while on or off duty
   c. Any youth/young adult who attends school where member is temporarily or permanently assigned for duty.

***NOTE*** *Conduct beyond the scope of official duties includes but is not limited to any of the following activities: dating, romantic/sexual relationship, socializing, carpooling, unauthorized meet-ups, unauthorized home visits, contact via social media, forum, message, chat, or other sites and/or applications. Communication while off duty is strictly limited to work related exchanges (authorized field trips, assignments, questions, duties/responsibilities, etc.). Members are required to utilize their Department email account for this purpose.*

***NOTE (continued)*** *When members are communicating with persons enumerated in step "7" and acting in accordance with official duties, such authorized communication may occur in the form of a home visit, telephone, and/or text. Additionally, in some instances it may also be appropriate to contact the person via social media when other points of contact are not known.*

**PROHIBITED CONDUCT (continued)**

8. Knowingly associate with any person or organization:
   a. Advocating hatred, oppression, or prejudice based on race, religion, gender, gender identity/expression, sexual orientation, or disability.
   b. Disseminating defamatory material.
   c. Reasonably believed to be engaged in, likely to engage in, or to have engaged in criminal activities.
   d. Preventing or interfering with performance of police duty.
9. Divulging or discussing official Department business, except as authorized.
   a. As per *P.G. 212-77, "Release of Information to New Media,"* members are reminded that unauthorized communication with the news media, without conferral with the Office of the Deputy Commissioner, Public Information is prohibited.
10. Discussing substance of a pending case *ex parte* (e.g., elected officials, community advocates, members of the press, members of the public, attorneys, representatives, relatives, etc.).
   a. This prohibition also applies to the Department Advocate's Office during the pre-charge stage, as it has prosecutorial discretion in determining whether to serve charges, and what penalty to seek.
      (1) Pre-decision letters (i.e., a letter of support, character letter, etc.) may be submitted to the Department Advocate's Office and Civilian Complaint Review Board, as appropriate, with a copy forwarded to the First Deputy Commissioner.
   b. Questions pertaining to the disciplinary process (e.g., timing, scheduling, etc.,) may be referred to the Deputy Commissioner, Trials, Department Advocate's Office, or the Civilian Complaint Review Board, as appropriate.
   c. Post-trial negotiations may be authorized by the Police Commissioner, as appropriate.
11. Participating in the Department disciplinary process, or its investigatory process, when there is a familial (e.g., spouse, child, present or past romantic relationship, etc.), or personal (e.g., friend, neighbor, business/financial, close colleague, etc.) relationship, or any other relationship with the respondent that could create, or appear to create, a conflict of interest.
   a. Notify commanding officer or executive officer, immediately, if a familial or personal relationship is discovered, which may require recusal from participation in a particular case.
      (1) If uncertainty exists as to whether recusal is appropriate, member concerned should consult with the Legal Bureau.

**PROHIBITED CONDUCT (continued)**

(2) Commanding officer or executive officer will notify their bureau chief or deputy commissioner immediately, if a familial or personal relationship requires recusal.

12. Manipulating manually or electronically, transmitting in any form, or distributing any official Department recorded media or recorded media coming into possession of the Department as evidence, or for investigative purposes, except as authorized for official Department business.
    a. Recorded media includes videotapes, photographic images or pictures, audio recordings, electronic or internet files, or any like forms to be available in the future.
13. Making recommendation for or concerning any person or premises to any government agency in connection with issuance, revocation, or suspension of any license or permit, except when required in performance of duty.
14. Engaging in card games or other games of chance in a Department facility.
15. Joining any political club within the precinct to which assigned.
16. Soliciting, collecting, or receiving money for any political fund, club, association, society, or committee, unless approved by Internal Affairs Bureau.
17. While on duty, endorsing political candidates or publicly expressing personal views and opinions concerning the merits of:
    a. Any political party or candidate for public office;
    b. Any public policy matter or legislation pending before any government body; <u>or</u>
    c. Any matter to be decided by a public election, except with the permission of the Police Commissioner.
    d. Voting on any matter that comes before the community board concerning Police Department activities in the district that the board serves.
18. Being a candidate for election to, or serving as member of a School Board, if School District is located within City of New York (see Section 2103-a, Education Law).
19. Serving on a community board's Public Safety Committee (which deals directly with Police Department and other law enforcement matters).
20. Violating Section 1129 of the New York City Charter. This section provides that any uniformed member who shall accept any additional place of public trust or civil emolument, OR who shall be nominated for any office elective by the people, and does not decline said nomination within ten days, shall be deemed thereby to have vacated his or her position/office in the Department. This **shall not** apply to the following:
    a. A member of a community board
    b. An appointment, nomination, or election to a board of education outside the City of New York
    c. A member, who with the written authorization of the Mayor, shall accept any additional place of public trust or civil emolument, while on leave of absence without pay from the Department.

**PROHIBITED CONDUCT (continued)**

d. A member who, with the written approval of the Deputy Commissioner, Legal Matters, shall accept any additional place or position outside the City of New York, limited to volunteer work as a member or volunteer in, of, or for a community board, not-for-profit corporation, volunteer fire department, or other similar community-oriented entity.

***NOTE*** *Uniformed members of the service seeking to volunteer off-duty in any of the above-indicated positions must complete and submit form* ***APPLICATION FOR OFF-DUTY VOLUNTEER WORK (PD407-1622)*** *to the Deputy Commissioner, Legal Matters, One Police Plaza, Room 1406. No off-duty volunteer work can commence until written approval is received by the uniformed member of the service. Members who have already obtained the written approval of the Police Commissioner do not need to re-submit a request, unless there has been a substantial change in a member's NYPD duties or assignment, or a change in the type or frequency of off-duty volunteer work.*

21. Occupying seat in a public conveyance, while in uniform.
22. Rendering any service for private interest, which interferes with proper performance of duty.
23. Recommending use of particular business, professional or commercial service to anyone except when transacting personal affairs.
24. Steering business, professional or commercial persons to a prospective client requiring such services except when transacting personal affairs.
25. Consenting to payment by anyone to regain lost or stolen property or advising such payment, except towing fees as provided by law for recovered stolen vehicles.
26. Having any person make a request or recommendation that affects the duties of any member of the service, except as provided by Department procedures.
27. Failing to provide notice to the Department of an obligation or intention to perform services in any federal military branch.
28. Carrying a package, umbrella, cane, etc., while in uniform, except in performance of duty.
29. Possessing or displaying police shield, **IDENTIFICATION CARD (PD416-091)**, Department logo, or similar object except as authorized by the Police Commissioner.
30. Using Department letterhead, personnel, equipment, resources, or supplies for any non-Department purpose or non-city purpose.
31. Making an unauthorized radio transmission.
32. Reporting for duty and/or end of tour via "outside wire" on a regular basis.
    a. Members will not report for duty and/or end of tour within their precinct of residence unless approved by their commanding officer.

***ADDITIONAL DATA*** *Members of the service are reminded that their conduct, on or off duty, is subject to scrutiny.*

**PERFORMANCE ON DUTY – PERSONAL APPEARANCE**

1. Be neat and clean.
2. Keep uniforms clean, well pressed, and in good repair. Shoes must be shined and will not display a clearly visible company name or logo.
3. Keep uniform securely buttoned.
   a. When the short-sleeved shirt is worn, the collar button may be left unbuttoned but all other buttons shall be fastened.
4. Wear cap squarely on head, with center of visor directly over nose.
   a. No hair is to show beneath the visor of the cap.
   b. Cap must be worn when members are assigned to foot patrol, traffic posts, or details.
   c. Members riding in Department vehicles may remove the cap while in the vehicle.
      (1) Members (except those assigned to Highway District) will not be required to wear the uniform cap when exiting the vehicle to take police action (e.g., responding to a radio run, interviewing a complainant, conducting a car stop, etc.).
      (2) Members will have their cap available and will be required to wear it when reassigned to a foot post or under the direction of a competent authority.
   d. Police officers and detectives assigned to subway patrol duties in uniform have the option of wearing the cap during the period of June 1 to October 1.

***NOTE*** *At all other times, the uniform cap must be worn except where there are exigent circumstances. When the exigent circumstances have stabilized, the cap must be worn.*

5. Prevent non-uniform articles from showing above uniform collar.
   a. When the short-sleeve shirt is worn, undershirts, neck chains, or other non-uniform articles shall not be visible within the open collar or below the sleeve ends of the shirt.
   b. Shirt sleeves may not be rolled up.

***NOTE*** *Members of the service who are hired on or after January 1, 2007, must cover any visible tattoos by either regulation uniform, proper business attire, or a neutral colored skin covering such as a sports wrap or bandage. Such covering must resemble the skin tone of the member and must cover the entire tattoo. This includes but is not limited to any tattoo visible above the shirt collar, below the sleeve ends of any shirt, or on a visible area of the leg, ankle or foot. A limited exception may be granted by the member's commanding officer in writing due to the nature of the member's assignment. Such approval must be filed in the member's personnel folder.*

6. Wear hair so that it is neatly groomed.
   a. All regulations regarding the appearance of members' hair apply equally to male and female uniformed members of the service.

**PERFORMANCE ON DUTY – PERSONAL APPEARANCE (continued)**

b. When a member is in uniform, regardless of whether or not the uniform cap is required, hair will not be worn so that it falls over the eyebrows or reaches the collar. Ponytails are strictly prohibited while in uniform.

c. When the uniform cap is required, long hair must be securely gathered and placed under the uniform cap without the use of a ponytail. The hairstyle must allow for the cap to be placed squarely on the head, without visible bulk.

d. The length and bulk of the hair should not interfere with the wearing of any uniform headgear, including emergency equipment.

e. Any designs shaved into a uniformed member's hair/scalp are prohibited.

7. Necessary hair holding devices (such as but not limited to rubber bands, clips, barrettes, pins), when used, must be unadorned and plain, and be transparent or similar to the color of the hair. All such devices must be unobtrusive, and concealed as much as possible. Hair scarves, beads, bows, large and decorative fabric-covered elastic bands, large plastic clips, or other ornamental items are prohibited.

8. Comply with *A.G. 304-08, "Facial Hair Policy."*

9. Comply with *A.G. 304-09, "Religious Head Covering,"* if applicable.

10. Do not wear ornaments or jewelry visible on the head, neck, or wrist while performing duty in uniform. Prohibited ornaments include, but are not limited to earrings, necklaces, neck chains, bracelets, and body piercing.

a. Medical alert bracelets may be worn visibly.

b. Watchbands must be a conservative color, such as navy, black, brown, yellow metal, white metal, or similar colors.

c. Rings may be worn if they are generally smooth, and not likely to catch on other objects. Rings with jagged edges, raised stones, etc., are not permitted.

11. Keep fingernails neatly trimmed and extending no more than ¼ inch from the fingertip.

a. Any raised, ornamented accessories that are worn or affixed to nails are prohibited (e.g., rhinestones, jewelry, etc.).

12. Only those cosmetics which are of conservative color and amount shall be permitted.

13. Eyewear will be of conservative style and color. No neon or brightly colored frames may be worn. Eyeglass straps may be worn, but must be black.

14. While in uniform in public view, do not chew gum, use tobacco in any form, or hold toothpicks in the mouth.

15. When authorized to perform duty in civilian clothing, wear attire appropriate for assignment.

**POLICY**

Department guidelines allow all uniformed members of the service, members assigned to the Traffic Enforcement District, and members assigned to the School Safety Division who are authorized to wear a duty uniform, to grow a beard up to one-half inch in length. Members of the service may request a religious accommodation for facial hair to grow a beard of a longer length. All beards must be neatly trimmed. Members of the service are strictly prohibited from growing goatees, designer beards, or "chin-strap" beards, or to display words, images, patterns, logos or designs in their facial hair.

**DEFINITION**

RELIGIOUS ACCOMMODATION FOR FACIAL HAIR – Members of the service shall be permitted to grow facial hair up to one-half inch in length for religious purposes. No religious accommodation shall be necessary. Members of the service who wish to grow facial hair in excess of one-half inch in length due to a sincerely held religious belief must obtain approval from the Equal Employment Opportunity Division. A request for additional length will be reviewed and decided upon by the Equal Employment Opportunity Division on a case-by-case basis through a cooperative dialogue.

**PROCEDURE**

When a uniformed member of the service, or a member of the service assigned to the Traffic Enforcement District or School Safety Division who is authorized to wear a duty uniform, wishes to grow facial hair longer than one-half inch in length due to a sincerely held religious belief, the member of the service must apply for a religious accommodation with the Equal Employment Opportunity Division.

FACIAL HAIR STANDARDS:

**MEMBER OF THE SERVICE**

1. Do not grow a beard more than one-half inch, except under the following circumstances:
   a. When approved, in writing, by member's commanding officer due to nature of assignment.
      (1) Beard may not be longer than one-half inch when performing duty in uniform.
   b. When approved, in writing, by Equal Employment Opportunity Division, due to sincerely held religious beliefs of member.
2. Keep sideburns closely trimmed and not extending below bottom of earlobe.
3. Have mustache neatly trimmed, not extending beyond, nor drooping below corners of mouth.

WHEN A MEMBER OF THE SERVICE REQUESTS A RELIGIOUS ACCOMMODATION TO GROW FACIAL HAIR LONGER THAN ONE-HALF INCH:

**REQUESTING MEMBER OF THE SERVICE**

4. Prepare **REASONABLE ACCOMMODATION REQUEST FOR RELIGIOUS PRACTICES OR OBSERVANCES (PD469-161)**, and submit to Equal Employment Opportunity Division.

**EQUAL EMPLOYMENT OPPORTUNITY DIVISION**

5. Review **REASONABLE ACCOMMODATION REQUEST FOR RELIGIOUS PRACTICES OR OBSERVANCES** for completeness and accuracy.
6. Confer with member concerned regarding circumstances of request.
   a. The Equal Employment Opportunity Division will review the reasonable accommodation request, engage in a cooperative dialogue with the requestor, and make a determination on a case-by-case basis.
   b. Ensure that facial hair does not cover Body-Worn Camera or identifying items of uniform (e.g., shield, nameplate, collar brass, etc.).
   c. The member will be notified of the restrictions delineated in this procedure for members of the service who are authorized to grow facial hair.
7. Notify requesting member and commanding officer of member concerned, in writing, of decision regarding accommodation request.
   a. If approved, make entry into Reasonable Accommodations Photo Net (RAPNET), via the Department Intranet, as appropriate.

**INTEGRITY CONTROL OFFICER, MEMBER CONCERNED**

8. Maintain a copy of final determination of **REASONABLE ACCOMMODATION REQUEST FOR RELIGIOUS PRACTICES OR OBSERVANCES** in the member's personnel folder.

TIGHT-FITTING AIR PURIFYING RESPIRATOR (APR) OR OTHER SIMILAR DEVICE EXCLUSION:

**EQUAL EMPLOYMENT OPPORTUNITY DIVISION**

9. Notify member in writing, that they are no longer eligible to deploy or receive training in the use of a tight-fitting Air Purifying Respirator (APR), or other similar device, because the presence of facial hair is in violation of OSHA regulations and will impact the effectiveness of the APR. Members cannot be assigned to a unit that requires the use of an APR.
   a. Inform member that they may apply to a designated unit requiring the use of a tight-fitting APR or similar device, but they will be required to shave if accepted in order to properly utilize the required tight-fitting APR or similar device.

**EQUAL EMPLOYMENT OPPORTUNITY DIVISION (continued)**

b. Inform member that if they are presently assigned to a unit requiring the use of a tight-fitting APR or similar device, they will be reassigned or transferred to a unit that will allow their needs to be met.

c. File copy of notification.

10. Notify Personnel Orders Division of any uniformed member of the service assigned to their command who needs to be transferred based on the restriction delineated in step "9."

***NOTE***

*This exclusion includes, but is not limited to, assignments or positions in designated subunits within Chief of Special Operations, Counterterrorism Division, Forensic Investigations Unit, Highway Patrol District, and tow truck operators assigned to the Traffic Enforcement Division, etc.*

*This exclusion does not include units that require the use of the tactical hood.*

**COMMANDING OFFICER, DESIGNATED UNIT**

11. Notify uniformed members of the service assigned or seeking assignment to a designated unit that requires the use of the tight-fitting APR or similar device, that they will be required to shave if accepted to a designated unit.
    a. Inform members that the ability to safely deploy the tight-fitting APR or similar equipment is an essential requirement for assignment to designated specialized units.
12. Ensure any uniformed member of the service assigned to their command is transferred based on the restriction delineated in step "9."

***ADDITIONAL DATA***

*Religious reasonable accommodations for facial hair are recorded in RAPNET. RAPNET is an online application accessible through the Department's Intranet containing uniformed members of the service, traffic enforcement agents, and school safety agents who have a reasonable accommodation for facial hair. It is also accessible via Department mobile digital devices. Through RAPNET, enabled supervisors will be able to query members' tax numbers to determine if they have a reasonable accommodation. If a member of the service has a reasonable accommodation for facial hair, RAPNET will produce an electronic image stating the exemption and/or accommodation. RAPNET will also indicate negative results.*

# ADMINISTRATIVE GUIDE

| Section: General Regulations | | Procedure No: 304-09 |
|---|---|---|
| **RELIGIOUS HEAD COVERING** | | |
| DATE EFFECTIVE: 03/07/23 | LAST REVISION: R.O. 11 | PAGE: 1 of 2 |

**PURPOSE**

To establish the Department's policy for uniformed members of the service, including members of the service assigned to the Traffic Enforcement District or School Safety Division who are authorized to wear a duty uniform, to wear a religious head covering.

**DEFINITIONS**

RELIGIOUS HEAD COVERING – Head covering may be worn with the written approval of the Equal Employment Opportunity Division. The head covering must conform to the standards prescribed by the Equal Employment Opportunity Division and have a cap device affixed to the front of the head covering, if appropriate. All hair must neatly fit inside the head covering and in case of an incident where the use of a tight-fitting helmet is required, head covering must be removed to don appropriate protective head gear.

**PROCEDURE**

When a uniformed member of the service, including a member of the service assigned to the Traffic Enforcement District or School Safety Division who is authorized to wear a duty uniform, wishes to wear a religious head covering:

**REQUESTING MEMBER OF THE SERVICE**

1. Prepare **REASONABLE ACCOMMODATION REQUEST FOR RELIGIOUS PRACTICES OR OBSERVANCES (PD469-161)** and submit to the Equal Employment Opportunity Division.

**EQUAL EMPLOYMENT OPPORTUNITY DIVISION**

2. Review **REASONABLE ACCOMMODATION REQUEST FOR RELIGIOUS PRACTICES OR OBSERVANCES** for completeness and accuracy.
3. Confer with member concerned regarding circumstances of request.
   a. The Equal Employment Opportunity Division will review all applications and make a decision on a case-by-case basis.
   b. The member will be notified of the restrictions delineated in this procedure for members of the service who choose to wear a religious head covering.
4. Notify requesting member and commanding officer of member concerned, in writing, of decision regarding accommodation request.
5. Direct requesting member of the service to report to Shield, ID and Uniformed Services Unit to obtain new **IDENTIFICATION CARD (PD416-091)**, noting religious accommodation.

**COMMANDING OFFICER, MEMBER CONCERNED**

6. Ensure requesting member complies with provisions of religious accommodation.

| | | |
|---|---|---|
| **INTEGRITY CONTROL OFFICER, MEMBER CONCERNED** | 7. | Maintain copy of final determination of **REASONABLE ACCOMMODATION REQUEST FOR RELIGIOUS PRACTICES OR OBSERVANCES** in member's personnel folder. |

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# ADMINISTRATIVE GUIDE

| Section: General Regulations | | Procedure No: 304-10 |
|---|---|---|
| **FALSE OR MISLEADING STATEMENTS** | | |
| DATE EFFECTIVE: 08/26/21 | LAST REVISION: I.O. 78 | PAGE: 1 of 2 |

**PURPOSE** To provide clear guidelines regarding written and verbal statements made by members of the service during an official investigation.

**DEFINITIONS**

FALSE STATEMENT - An intentional statement that a member of the service knows to be untrue, which is material to the outcome of an investigation, proceeding, or other matter in connection with which the statement is made.

MISLEADING STATEMENT - A statement that is intended to misdirect the fact finder, and materially alter the narrative by:

a. Intentionally omitting a material fact or facts,
b. Making repeated claims of "*I do not remember*" or "*I do not know*" when a reasonable person under similar circumstances would recall, or have been aware of, such material facts, or
c. Altering and/or changing a member's prior statement or account when a member of the service is confronted with independent evidence indicating that an event did not occur as initially described, will generally be considered a misleading statement.

INACCURATE STATEMENT - A statement that a member of the service knows, or should know, includes incorrect material information. There is no intent to deceive, but rather the member's actions are grossly negligent.

MATERIAL FACT - A significant fact that a reasonable person would recognize as relevant to, or affecting, the subject matter of the issue at hand, including any foreseeable consequences, or establishment of the elements of some proscribed conduct. It is a fact that is essential to the determination of the issue and the suppression, omission, or alteration of such fact would reasonably result in a different decision or outcome. A material fact may be distinguished from an insignificant, trivial, or unimportant detail.

IMPEDING - Making false, misleading, and/or inaccurate statements, or engaging in an impeding action (e.g., failing to produce records as directed by a competent authority, etc.).

**PROHIBITED CONDUCT**

1. Intentionally making a false official statement.
2. Intentionally making a misleading official statement.
3. Making, or causing to be made, an inaccurate official statement.
4. Impeding an investigation.

***ADDITIONAL DATA*** *Intentionally making a false official statement regarding a material matter will result in separation from the Department, absent extraordinary circumstances. Extraordinary circumstances will be determined by the Police Commissioner on a case by case basis.*

***ADDITIONAL DATA (continued)***

*Circumstances in which false or misleading official statements are made include, but are not limited to, verbal statements made pursuant to a statutory or procedural requirement, or under oath during a civil, administrative, or criminal proceeding, in addition to written statements made in a sworn document, including affirmations made in Department (e.g.,* ***COMPLAINT REPORT [PD313-152]****, etc.) and non-Department (e.g.,* ***New York State Domestic Incident Report [DCJS-3221]****, etc.) forms.*

*Statements made during an official Department interview conducted pursuant to P.G. 206-13, "Interrogation of Members of the Service," an interview conducted by the New York State Attorney General's Law Enforcement Misconduct Investigative Office pursuant to P.G. 211-09 "Appearances by Members of the Service Before Governmental Agencies or Private Organizations," or an interview pursuant to P.G. 211-14, "Investigations by Civilian Complaint Review Board" are subject to the provisions of this procedure. In addition, members of the service are reminded that the Civilian Complaint Review Board has been granted broadened prosecutorial authority to investigate potential false statements and recommend penalties.*

*When a member of the service is afforded an opportunity to recollect with the benefit of credible evidence, and the member makes a statement consistent with the evidence, the member's prior statement will not be considered a false statement. However, it may be considered a misleading statement, or an inaccurate statement, or in cases where further investigative steps were required after the statement was made, may also be considered an action impeding the investigation.*

*If, during an investigation or proceeding, a member of the service intentionally makes a false statement, but then retracts the statement and substitutes a truthful statement during the same interview, deposition, or other session of oral testimony, a charge of false statement may not be appropriate.*

*Mistakes distinguished: Mere clerical errors may not be considered inaccurate statements when the statement error is so minor that it has little, or no effect, on the overall intent of the statement. An error will be considered to be an inaccurate statement when a member of the service does not intend to deceive, but causes a material variation. Erroneous statements, lacking in willful intent, and not so unreasonable as to be considered gross negligence, are not a basis for finding misconduct.*

*Members of the service have an obligation to review documents before signing, or otherwise verifying, their accuracy.*

*An investigation is considered impeded when a member of the service makes false, misleading, and/or inaccurate statements, or engages in impeding actions (e.g., failure to produce records as requested by a competent authority, etc.). A member of the service who impedes, or attempts to impede, an official investigation will face disciplinary action for conduct prejudicial to the good order, efficiency, or discipline of the Department.*

*The Department will not bring false official statement charges in situations where, as opposed to creating a false description of events, the member of the Department merely pleads not guilty in a criminal matter, or merely denies a civil claim or an administrative charge of misconduct.*

**PURPOSE** To ensure uniformed members of the service interact with members of the public in a professional manner, and offer a business card, as appropriate, to members of the public upon conclusion of certain law enforcement activities.

**DEFINITION** LAW ENFORCEMENT ACTIVITIES – For the purpose of this procedure, a business card is to be offered for a law enforcement activity, except in cases when a summons is issued or an arrest is made, as follows:

a. Noncustodial questioning of individuals suspected of criminal activity **(Level 2 Encounter)**
b. Stop where an officer has an individualized, reasonable suspicion that the person stopped has committed, is committing, or is about to commit a crime and where a reasonable person would not feel free to end the encounter **(Level 3 Encounter)**
c. Frisk **(Level 3 Encounter)**
d. Search of persons or property, including vehicles
e. Roadblock or checkpoint stops, including checkpoints related to enforcement of Article 31 of the Vehicle and Traffic Law (Alcohol and Drug-Related Offenses), but not including planned security checks of vehicles at sensitive locations or street closures for public events or emergencies
f. Home search
g. **Assigned Detective Only**: First in-person questioning of victims and/or witnesses to a crime.

**PROCEDURE** When a uniformed member of the service interacts with a member of the public and/or concludes the above-described law enforcement activities:

**UNIFORMED MEMBER OF THE SERVICE**

1. Courteously and clearly state your rank, name, shield number and command, or otherwise provide them, to anyone who requests you to do so.
   a. Comply with *P.G. 212-123, "Use of Body-Worn Cameras,"* as appropriate.

***NOTE*** *Uniformed members of the service are reminded that when performing official duties in uniform, their shield number or rank designation must be visible at all times. A refusal to make a shield number or rank designation visible to a requesting individual may subject them to legal action.*

2. Carry appropriate amount of pre-printed **RIGHT TO KNOW BUSINESS CARDS (PD142-012)**.
   a. Carry appropriate amount of generic **RIGHT TO KNOW BUSINESS CARDS – GENERAL (PD142-013)**, if supply of pre-printed **RIGHT TO KNOW BUSINESS CARDS** becomes depleted.
3. Explain reason for law enforcement activities, unless providing this information would impair a criminal investigation, or exigent circumstances are present (i.e., physical resistance, flight, imminent danger of physical injury or damage to property, or other factors make such procedure impractical).

**UNIFORMED MEMBER OF THE SERVICE (continued)**

4. Offer pre-printed **RIGHT TO KNOW BUSINESS CARD** upon conclusion of law enforcement activities, except in cases when a summons is issued or an arrest is made, or exigent circumstances are present (i.e., physical resistance, flight, imminent danger of physical injury or damage to property, or other factors make such procedure impractical).
   a. Offer pre-printed **RIGHT TO KNOW BUSINESS CARD** to minor, or if present at scene, a parent, guardian, or other responsible adult.
5. Enter command in space provided on front of pre-printed **RIGHT TO KNOW BUSINESS CARD**, as appropriate.
   a. Uniformed members of the service may, at their discretion, enter either their command phone number or their Department cellphone number, in the space provided on the front of pre-printed **RIGHT TO KNOW BUSINESS CARD**.
6. Offer member of the public a generic **RIGHT TO KNOW BUSINESS CARD – GENERAL** with identification information written down legibly, if supply of pre-printed **RIGHT TO KNOW BUSINESS CARDS** becomes depleted (e.g., awaiting new supply of pre-printed **RIGHT TO KNOW BUSINESS CARDS**, etc.), upon conclusion of law enforcement activities, except in cases when a summons is issued or an arrest is made, or exigent circumstances are present (i.e., physical resistance, flight, imminent danger of physical injury or damage to property, or other factors make such procedure impractical).
   a. Allow member of the public ample time to write down identification information, if supply of generic **RIGHT TO KNOW BUSINESS CARDS – GENERAL** becomes depleted.
7. Make digital **Activity Log** entry including pertinent information regarding law enforcement activities, as per *P.G. 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops."*

***ADDITIONAL DATA***

*Uniformed members of the service may offer business cards, as appropriate, and at their discretion, in situations that fall outside of the defined law enforcement activities. In addition, members are also to provide business cards, as appropriate, at the request of members of the public.*

*A uniformed member of the service performing duty in an undercover (UC) capacity and those UMOS operating in operational support of a UC or a confidential informant, are exempt from providing business cards due to the sensitive nature of their assignment.*

*Uniformed members of the service in the rank of captain and above and civilian members of the service holding the title of Director and above will use the **BUSINESS CARD – EXECUTIVE (PD142-091)** rather than the **RIGHT TO KNOW BUSINESS CARD** in the above described situations or in other necessary circumstances.*

***BUSINESS CARD –EXECUTIVE (PD142-091)** will be provided by the Printing Section upon request.*

**FINANCIAL RESTRICTIONS - PROHIBITED**

1. Using confidential official information to advance financial interest of self or another.
2. Engaging, or rendering a service, in any financial, commercial or private interest which is directly or indirectly in conflict with official duties.
3. Purchasing city-owned real property through negotiated sale, except a city-owned residential building of six units or less, through negotiated sale.
   a. Violation subject's member to fine, suspension or dismissal, and member may be prosecuted for a misdemeanor.
4. Purchasing real estate for rental purposes within precinct of assignment.
5. Authorizing use of photograph in uniform or mentioning rank, title or membership in Department for commercial advertisement.
6. Accepting testimonial award, gift, loan or thing of value to defray or reimburse any fine or penalty, or reward for police service except:
   a. Award from City of New York Employee's Suggestion Board
   b. Award of Departmental recognition
   c. Award to a member of officer's family for a brave or meritorious act, from a metropolitan newspaper
   d. Monetary prize or award from foundations, universities, institutions, etc., after review by the Deputy Commissioner, Legal Matters and the approval of the Police Commissioner.
7. Purchasing or acquiring property of another, without approval of commanding officer, knowing or having reason to know that such property was held in custody of this Department.
8. Soliciting or accepting loans from merchants, firms or persons doing business located or residing in area of assignment.
9. Entering into a business or financial transaction with another member of the service who is your superior or subordinate, where the superior has the power to direct the subordinate's work or has the power to affect the terms and conditions of the subordinate's employment.
   a. This is not limited to circumstances where the superior has direct supervision of the subordinate or instances where in the course of conducting police related business, there is a likelihood that the superior will be in a position to supervise or affect the assignment of the subordinate.
   b. Members of the service who do not work in the same command, but who do work within the same bureau/patrol borough, should carefully consider, before entering into a business or financial transaction with each other, whether the above superior/subordinate relationship presently exists.
   c. Members of the service should also be aware that changes in assignments that affect the superior/subordinate relationship may make a pre-existing business or financial relationship an impermissible conflict of interest.

**FINANCIAL RESTRICTIONS-PROHIBITED (continued)**

d. The Office of the Deputy Commissioner, Legal Matters should be contacted if questions arise regarding these issues.

***NOTE***

*The Conflicts of Interest Board has determined that it is a violation for a superior to solicit charitable contributions from, or to offer to sell products of any amount or value to a subordinate. However, a subordinate may sell products for profit or charitable purposes, or solicit donations for charitable purposes from a superior if the amount involved is $25.00 or less.*

10. Using your position with the Department for the benefit of yourself or associate, through micropurchases made on behalf of the Department (purchases up to $20,000 that may be made without competition).
    a. "Associate" is defined in Chapter 68 of the City Charter as a spouse, domestic partner, child, parent, or sibling of a public servant; a person with whom a public servant has a business or other financial relationship; and each firm in which a public servant has a present or potential interest.
11. Becoming interested, directly or indirectly, in any business dealing with the City as follows:
    (a) No Department employee may have a position in a firm that the employee knows, or should know, is engaged in business dealing with the Department.
    (b) No Department employee shall have a position in a firm which such employee knows is engaged in business dealings with the City, unless such position is in a firm whose shares are publicly traded.
    (c) No Department employee may have an ownership interest in a firm that is engaged in business dealings with the Department;
    (d) No Department employee may have an ownership interest in a firm that is engaged in business dealings with the City, unless the firm's shares are traded publicly.

***ADDITIONAL DATA***

*Any Department employee who believes they may be covered by these provisions should immediately contact the Deputy Commissioner, Legal Matters for further instructions.*

*In certain limited circumstances, a member of the service may hold an otherwise prohibited position with written approval of the Police Commissioner, and a determination by the Conflicts of Interest Board that the position would not conflict with the purposes and interests of the City.*

*If a member of the service has a prohibited ownership interest, the member must disclose the ownership interest to the Conflicts of Interest Board within ten days of learning that such interest is prohibited and await further guidance from the Board. The Deputy Commissioner, Legal Matters can facilitate such disclosure and guidance. Members of the service may also elect to terminate such ownership interest in lieu of seeking guidance from the Board.*

***ADDITIONAL DATA (continued)***

*An ownership interest means an interest held by a Department employee, the employee's spouse or unemancipated child, that is greater than five percent of the firm or an investment equivalent to $50,000.00. While this does include investments in corporate stock, it does not apply to any stocks or interests held in a pension plan, deferred compensation plan, or mutual fund not controlled by the Department employee, the employee's spouse or unemancipated child.*

*The term "firm," as defined by the Conflicts of Interest Board, means sole proprietorship, joint venture, partnerships, corporations, and any other form of enterprise. It does not include public benefit corporations or similar entities.*

*Many of the financial restrictions and guidelines involve conflict of interest related issues as addressed in Chapter 68 of the New York City Charter. Each member of the service should be familiar with those provisions. Conflict of interest questions or inquiries regarding waivers or orders may be directed to the Deputy Commissioner, Legal Matters or the Conflicts of Interest Board.*

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# ADMINISTRATIVE GUIDE

| Section: General Regulations | Procedure No: 304-13 |
|---|---|

## ATTENDANCE AT PARADES, FUNERALS, MEMORIAL SERVICES AND OTHER DEPARTMENT ORIENTED OR LAW ENFORCEMENT EVENTS

| DATE EFFECTIVE: | LAST REVISION: | PAGE: |
|---|---|---|
| 06/24/21 | I.O. 56 | 1 of 2 |

**PURPOSE** To inform all members of the service of guidelines to be complied with when attending or taking part in parades, funerals, memorial services, and other Department-oriented or law enforcement events.

**SCOPE** All members of the service are strictly accountable for their conduct at all times, whether on or off duty, inside or outside New York City. Conduct which brings discredit to the Department, or conduct in violation of law is unacceptable and will result in appropriate disciplinary measures. Additionally, all members of the service are subject at all times to the provisions of the Patrol Guide, other Department regulations, and all local, state, and federal laws.

**PROCEDURE** When attending or taking part in parades, funerals, memorial services, and other Department-oriented or law enforcement-oriented events, the following will be complied with:

a. ALL members are required to report corruption or other misconduct whether on or off duty, inside or outside New York City. In particular, ranking officers are reminded that supervisory responsibilities are never abrogated. Ranking uniformed members of the service must take affirmative action whenever they observe or become aware of corruption or other misconduct, including immediate notification to the Internal Affairs Bureau.

b. On duty members, in or out of uniform, will return to their commands as soon as the event is over. They will not take a meal period and will not be granted lost time until they return to their assigned commands.

c. All off duty uniformed members of the service who wish to wear their uniform outside New York City must receive permission in advance from the Police Commissioner, First Deputy Commissioner, or Chief of Department.

d. Off duty members granted permission to wear uniforms will only wear them for the duration of the event. They must then change into civilian attire as soon as the event is over.

e. Under no circumstances will any member wear their uniform off duty or attend any parties, dinners, fund raising events, etc., in uniform, without the permission of his/her commanding officer or designee. This includes social events that take place after a parade, funeral, etc., has ended.

f. All members of the service are reminded to comply with *P.G. 203-06, "Performance On Duty - Prohibited Conduct,"* which prohibits the consumption of intoxicants when in uniform whether on or off duty. Members will not, under any circumstances, allow alcoholic beverages to be brought into Department facilities or vehicles except in performance of duty.

**PROCEDURE (continued)**

g. All Department-oriented and law enforcement-oriented events that members of the service attend, wherever they take place, will be monitored by ranking officers from overhead commands. In selected cases, as specifically directed by the Police Commissioner, First Deputy Commissioner, or Chief of Department, the Internal Affairs Bureau will conduct such monitoring.

h. Members are reminded of the provisions of A.*G. 305-07, "Firearms – General Regulations*" which states that off duty members are to be unarmed at their own discretion when engaged in any activity of a nature whereby it would be advisable NOT to carry a firearm, especially those events at which alcoholic beverages are consumed. In addition, off duty members are reminded that they may only carry the regulation service pistol, authorized off duty pistol/revolver, or authorized special weapons.

i. Members, when out of state for a parade, funeral, memorial ceremony, or any other Department-oriented or law enforcement-oriented event, may not carry any firearms without the permission of the Police Commissioner, First Deputy Commissioner or Chief of Department even when such an event takes place in a state which allows police officers from other jurisdictions to carry their weapons.

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# ADMINISTRATIVE GUIDE

| Section: General Regulations | | Procedure No: 304-14 |
|---|---|---|
| **GUIDELINES FOR ACCEPTANCE OF GIFTS AND OTHER COMPENSATION BY MEMBERS OF THE SERVICE** | | |
| DATE EFFECTIVE: 06/10/21 | LAST REVISION: I.O. 41 | PAGE: 1 of 2 |

**PURPOSE** To provide guidance to members of the service relating to acceptance of gifts and other compensation.

**POLICY** It is the policy of the Department that members of the service may not accept any reward, gratuity, gift or other compensation for any service performed as a result of or in conjunction with their duties as public servants. All exceptions must be in accordance with Chapter 68 of the New York City Charter and the Police Department Board of Ethics rulings. This policy applies regardless of whether the service was performed while said members of the Department were on or off duty. Members of the service also shall not solicit any gift, gratuity, loan, present, fee or reward for personal gain.

**SCOPE** Members of the service may be offered gifts, awards, and other things of value by private citizens, institutions, etc., in appreciation for their police service. It is not unethical or illegal for a member of the service to accept gifts that are commonly offered as tokens of appreciation, i.e., plaques, pen and pencil sets, etc. However, cash rewards and personal gifts, such as wristwatches, etc., are strictly forbidden. To ensure that the general public does not misinterpret the justification for accepting or refusing these gifts, the following procedure has been established.

**PROCEDURE** Whenever a member of the service is offered a gift or becomes aware that a gift will be offered in appreciation for police service:

**MEMBER CONCERNED**

1. Comply with Department regulations relating to financial restrictions and prohibited acts/prohibited interests.
2. Notify commanding officer, PRIOR to acceptance of gift.

**COMMANDING OFFICER CONCERNED**

3. Review circumstances regarding the offering of the gift.
   a. Review Department Board of Ethics rulings relating to acceptance of gifts.

***NOTE*** *Commanding officers are responsible to ensure command copies of Board of Ethics rulings are maintained in Command Reference Library as required by A.G. 325-18, "Command Reference Library."*

IF GIFT IS A REWARD OR PRESENT FOR POLICE SERVICE RENDERED IN DISCHARGE OF OFFICIAL DUTY:

**COMMANDING OFFICER CONCERNED**

4. Prepare a report, on **Typed Letterhead**, to the Police Commissioner, for review and final determination regarding acceptability of gift.

IF GIFT IS OFFERED BY A PERSON/FIRM WHICH IS, OR INTENDS TO ENGAGE IN BUSINESS DEALING WITH THE CITY OF NEW YORK:

**COMMANDING OFFICER CONCERNED**

5. Review City Charter, Section 2604 (B)5 to ensure that there is no conflict of interest.
6. Make final determination regarding the propriety of accepting gift and notify member concerned.
   a. Request ruling by Board of Ethics if circumstances of offering are peculiar in nature and not reflected in current rulings.
7. Prepare a report, on **Typed Letterhead**, to the Deputy Commissioner, Internal Affairs, through channels, for any member who receives two or more gifts, regardless of value or source of gift, within a calendar year.

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# ADMINISTRATIVE GUIDE

| Section: General Regulations | | Procedure No: 304-15 |
|---|---|---|
| **DEPARTMENT CONFIDENTIALITY POLICY** | | |
| DATE EFFECTIVE: 06/10/21 | LAST REVISION: I.O. 47 | PAGE: 1 of 1 |

**PURPOSE** To inform members of the service of the guidelines to be complied with when accessing, creating, receiving, disclosing or otherwise maintaining information from an information system:

**MEMBER OF THE SERVICE**

1. Access only those information systems to which authorization has been granted, and under circumstances required in the execution of lawful duty.
2. Abide by any security terms/conditions associated with the information system, including those governing user passwords, logon procedures, etc.
3. Disclose information to others, including other members of service, only as required in the execution of lawful duty.
4. Confirm identity and affiliation of requestor of information and determine that release of information is lawful, prior to disclosure.
5. Maintain confidentiality of information accessed, created, received, disclosed or otherwise maintained during course of duty.

***NOTE*** *The above guidelines also apply to the oral transmission of information contained in any Department information system. Additionally, these guidelines apply to members who directly access information, as well as members who, intentionally or not, allow third parties to access information. It is the "logged on" member's responsibility to prevent other persons from recording or transcribing information for the purposes of unauthorized use (e.g., taking a cell phone video of Body-Worn Camera footage). Members who observe, or become aware of such misconduct, are to comply with P.G. 207-21, "Allegations of Corruption and Other Misconduct Against Members of the Service."*

*Members may be held accountable when, due to their failure to safeguard information, a third party gains access. This includes access by other members of the service.*

*Members of the service who fail to adhere to the above guidelines may be subject to disciplinary and/or criminal action.*

# ADMINISTRATIVE GUIDE

| Section: General Regulations | | Procedure No: 304-16 |
|---|---|---|
| **PERSONAL INFORMATION VIA DEPARTMENT INTRANET** | | |
| DATE EFFECTIVE: 05/25/22 | LAST REVISION: I.O. 64 | PAGE: 1 of 3 |

**PURPOSE** To provide members of the service with the ability to review, verify and update personal information as necessary, as well as annually, during evaluation period.

**DEFINITION** PERSONAL INFORMATION - Data pertaining to a member of the service (uniformed or civilian), regarding name, gender, residence, social condition, ethnicity, emergency notification information, and any other relevant information.

**PROCEDURE** When a member of the service utilizes the Centralized Personnel Resource System via the Department Intranet to view and/or update personal information:

**MEMBER OF THE SERVICE**

1. Provide accurate and current personal information to the Department, and update immediately if a change occurs.
2. Access the Centralized Personnel Resource System when:
   a. A change in personal information occurs,
   b. Annually, during evaluation period, to review and update personal information, if necessary, and/or
   c. At anytime in order to review the accuracy of personal information, particularly if member of the service believes it to be compromised.
3. Select "My Profile" to view current information and verify.
   a. Select "Update Information" and edit necessary data, if changes are required.

***NOTE*** *Members must upload documentation (e.g., driver license, marriage certificate, birth certificate, court order, etc.) for changes of name, social condition, and date of birth. In addition, members of the service are reminded that they must adhere to the Department's residency requirements.*

4. Access the Centralized Personnel Resource System "Inbox" to view status of change requests.

**OPERATIONS COORDINATOR**

5. Ensure members of the service review and update personal information as follows:
   a. Whenever a change in personal information occurs,
   b. Annually, during evaluation periods, and/or
   c. At any other time deemed necessary.

**PERSONNEL DATA UNIT**

6. Review requested changes in the Centralized Personnel Resource System and approve or disapprove changes, as appropriate.

***NOTE*** *Personal information changes will be pending until approved or disapproved by the Personnel Data Unit. The Centralized Personnel Resource System will automatically send a notification indicating approval or disapproval to the member of the service who submitted the change request.*

**MEMBER OF THE SERVICE**

7. Check Department email for notification indicating requested change was approved or disapproved.

**OPERATIONS COORDINATOR**

8. Update all pertinent command records (e.g., **FORCE RECORD [PD406-1431]**, etc.), as necessary.
9. Access the Centralized Personnel Resource System, one month after submission of request, to verify member of the service's information has been changed.
10. Contact Personnel Data Unit, if changes have not been made after one month.
11. Ensure member of the service resubmits change request with appropriate information, via the Centralized Personnel Resource System, if previously requested change is disapproved.

***ADDITIONAL DATA***

*Members of the service officially assigned in an undercover capacity will be unable to access the Centralized Personnel Resource System and must notify their commanding officer of any change to their personal information. The commanding officer of the undercover members of the service will forward a* ***Typed Letterhead*** *with requested changes to the Commanding Officer, Personnel Orders Division.*

*Members of the service may update education information by forwarding an official transcript in a sealed envelope to the Candidate Assessment Division's Education, Training, Opportunities and Tracking Unit located at 235 East 20th Street, New York, NY, Room 833.*

*BENEFICIARY CHANGES*

*Uniformed and civilian members of the service are encouraged to access Employee Self-Service (ESS) to complete and update their designation of beneficiary form, which is used to pay out eligible time and leave balances. If not completed, this benefit is paid to the estate of the member.*

*Uniformed members of the service must file necessary forms at the Police Pension Fund located at 233 Broadway, New York, NY, 19th Floor.*

*Civilian members of the service must file necessary forms at the Human Resources Division located at One Police Plaza, New York, NY, 10th floor.*

*ADDITIONAL NOTIFICATIONS*

*Uniformed and civilian members of the service are encouraged to access Employee Self-Service (ESS) for time and leave balances, personal, payroll, tax and health benefits information and update as necessary.*

*Health Insurance Section: located at One Police Plaza, New York, NY, 10th floor.*

*Deferred Compensation Plan: located at 40 Rector Street, New York, NY, 3rd Floor.*

***ADDITIONAL DATA (continued)***

*Members of the service are reminded that it is in their best interests to notify their respective labor union whenever there is a change in name, gender, residence, or social condition.*

NYPD

1. Members of the service are reminded that the New York City Police Department is committed both to the impartial enforcement of law and to the protection of constitutional rights. To reinforce these commitments and to ensure that all members of the service engage only in constitutionally sound policing practices, the Department prohibits the use of racial and bias-based profiling in law enforcement actions. Conducting enforcement activities in an unbiased manner fosters and strengthens relationships between police officers and members of the community, and inspires confidence in, and support for, policing efforts.

2. Police-initiated enforcement actions, including, but not limited to, arrests, Level 3 Terry stops, frisks, searches, summonses, and motor vehicle stops, must be based on the standards required by the Fourth and Fourteenth Amendments of the U.S. Constitution, Sections 11 and 12 of Article I of the New York State Constitution, Section 14-151 of the New York City Administrative Code, and other applicable laws.

3. Race, color, ethnicity, or national origin may not be used as a motivating factor for initiating police enforcement action. When an officer's decision to initiate enforcement action against a person is motivated even in part by a person's actual or perceived race, color, ethnicity or national origin, that enforcement action violates Department policy unless the officer's decision is based on a specific and reliable suspect description that includes not just race, age, and gender, but other identifying characteristics or information.

4. The law confers on police officers the authority to stop, question, and if warranted, frisk an individual whom an officer reasonably suspects has committed, is committing, or is about to commit a felony or Penal Law misdemeanor. Police officers must be able to articulate the factors which led them to take enforcement action, in particular those factors leading to reasonable suspicion for stopping, questioning, and, if appropriate, frisking a person, or probable cause for arresting or issuing a summons to a person. Individuals may not be targeted for any enforcement action, including stops, because they are members of a racial or ethnic group that appears more frequently in local crime suspect data. Race, color, ethnicity, or national origin may only be considered when the stop is based on a specific and reliable suspect description that includes not just race, gender, and age, but other identifying characteristics or information. When an officer carries out a stop based on reasonable suspicion that a person fits such a description, the officer may consider the race, color, ethnicity, or national origin of the suspect, just as the officer may consider the suspect's height or hair color. In accordance with Department policy, when a stop is not based on a specific suspect description, however, race, ethnicity or national origin may not be used at all as a motivation or justification for the stop.

5. Section 14-151 of the New York City Administrative Code and Department policy prohibit bias-based profiling and include demographic categories in addition to race, color, and national origin. The Administrative Code and Department policy prohibit the Department and individual officers from intentionally engaging in bias-based profiling, which is defined as "an act of a member of the force of the police department or other law enforcement officer that relies on actual or perceived race, national origin, color, creed, age, immigration or citizenship status, gender, sexual

orientation, disability, or housing status as the determinative factor in initiating law enforcement action against an individual, rather than an individual's behavior or other information or circumstances that links a person or persons to suspected unlawful activity." With respect to race, color, ethnicity and national origin, the standards of conduct described in paragraphs "3" and "4" must always be met by the Department and its officers.

6. The Department complies with Federal civil rights laws and is committed to providing its programs and services without discrimination in accordance with:

- *Title VI of the Civil Rights Act of 1964,* which prohibits discrimination based on race, color, or national origin (including language),
- *Section 504 of the Rehabilitation Act of 1973,* which prohibits discrimination based on disability,
- *Title IX of the Education Amendments Act of 1972,* which prohibits discrimination based on sex in education programs or activities,
- *Age Discrimination Act of 1975,* which prohibits discrimination based on age, and
- *United States Department of Homeland Security regulation 6 C.F.R. Part 19,* which prohibits discrimination based on religion in social service programs.

7. Members of the service are reminded that it is impermissible to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by *Title VI of the Civil Rights Act of 1964,* or because the individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing.

8. Commanding officers will continue to ensure that self-inspections are conducted within their commands regarding stop, question, and frisk activity. The Quality Assurance Division will continue to monitor compliance with self-inspection protocols in all of its command inspections and will continue to audit stop, question, and frisk activity Department-wide.

9. Commanding officers will ensure that members of their command comply with the Department's policy regarding investigative encounters as per Patrol Guide 212-11, "Investigative Encounters: Requests for Information, Common Law Right of Inquiry and Level 3 Stops."

10. Under Local Law 47 of 2021, The Civilian Complaint Review Board's (CCRB) has the authority to investigate complaints of bias-based policing and racial profiling by members of the service. The law states:

a. CCRB must investigate past conduct by current and former members of the service when either the Department, CCRB, the Department of Investigation (DOI), a court, or any other body designated by CCRB has made a final determination that such member engaged in a severe act of bias, regardless of whether the act occurred on or off duty.

(1) Off-duty conduct may be the basis for initiating such investigation only if:

(a) Such conduct could have resulted in removal or discipline by the Police Department,

(b) The board reasonably believes such conduct has had or could have had a disruptive effect on the mission of the Police Department, and

(c) The Police Department's interest in preventing actual or potential disruption outweighs the member's free speech.

(2) Such investigation must commence less than five years from said determination.

b. CCRB may investigate past conduct of current or former members of the service if there has been a final determination of an act of bias that does not rise to the level of a severe acts of bias within the previous five years.

c. The legislation defines an "act of bias" as an act stemming from a specific incident that is motivated by or based on animus against any person on the basis of race, ethnicity, religion, gender, sexual orientation or disability.

(1) The definition of "severe act of bias" will be determined by CCRB.

NYPD

# ADMINISTRATIVE GUIDE

| Section: General Regulations | | Procedure No: 304-18 |
|---|---|---|
| **DEPARTMENT EMAIL POLICY** | | |
| DATE EFFECTIVE: 11/16/22 | LAST REVISION: I.O. 111 | PAGE: 1 of 3 |

**PURPOSE** To inform members of the service of the Department's rights and use policy pertaining to email usage.

**PROCEDURE** Duties of members of the service creating an email account and using the Department's email system:

**MEMBER OF THE SERVICE**

1. Review and comply with *A.G. 325-35, "Department Computer Use Policy and Monitoring Notice."*
2. Use Department email system for Department related purposes only.
   a. Use of other email systems (e.g., Gmail, Yahoo, etc.) to conduct Department business is prohibited.
3. Do not use Department email to access or transmit materials (other than those required for police business) that involve the use of obscene language, inappropriate images, jokes, sexually explicit materials, or messages that disparage any person, group, or classification of individuals.
4. Do not use the Department email system to create or distribute communications that are offensive, disruptive or unprofessional.
5. Do not use Department email system to conduct personal business.

***NOTE*** *Emails must be drafted with the same level of accuracy and professionalism as any other official Department communication.*

6. Notify integrity control officer/designated supervisor of unauthorized use or receipt of improper content.
7. Notify integrity control officer/designated supervisor of any password compromise or breach of security.
8. Members of the service must check their Department email at the beginning of their scheduled tour of duty, and as necessary for the remainder of their scheduled tour.

**INTEGRITY CONTROL OFFICER/ DESIGNATED SUPERVISOR**

9. Notify Information Technology Bureau (ITB) Service Desk upon notification by a member of command of a breach in password security.
10. Conduct an immediate investigation and take disciplinary action, if necessary, upon receipt of a complaint of misuse of Department email system.
11. Conduct an immediate investigation and comply with *A.G. 332-02, "Sexual, Ethnic, Racial, Religious, or Other Discriminatory Slurs Through Display of Offensive Material"* upon receipt of a complaint of improper content on Department email system.

**COMMANDING OFFICER/ DESIGNATED SUPERVISOR**

12. Ensure all members of command/unit are aware of the Department's email policy.
13. Notify the command integrity control officer of any unauthorized use or misuse of the Department's email system.

***ADDITIONAL DATA***

*DEPARTMENT EMAIL POLICY NOTICE*

*Members of the Service are advised that they do not maintain any right to privacy in email communications. All email communications sent or received by Department email are subject to review without notice to the user. Members of the service should understand that any email has the potential to be Rosario material, and may be reviewed by the Department, outside agencies, District Attorneys and Criminal Defense attorneys.*

*All emails and attachments forwarded from or received by an NYPD email address are agency records and may be disclosed, absent an exemption or privilege, pursuant to litigation, investigation, or freedom of information requests.*

*All email communications may be stored and retrieved by the Department, regardless of whether a user intends or attempts to delete sent or received messages from the user's mailbox.*

*Email communications offer benefits such as speed and efficiency. However, they also present substantial risks because they are frequently prepared and sent quickly and without supervisory review. The facts and information contained in emails may not be as complete or accurate as more formal reports. Emails may reflect a familiar or jovial tone, which may be misinterpreted. Members of the service should exercise the same care in generating emails as they exercise when drafting more formal reports and should only write and send email communications that they would feel comfortable being displayed to a jury or in the media. Members of the service should think about the content of any email before sending it; use appropriate language; and think about whether an email should be sent in the circumstances or whether an alternative form of communication is more appropriate.*

*All members of the service shall use a confidential password known only to the member of the service to access Department email systems. Members of the service must keep their password secure and not disclose it to another user.*

*Users are responsible for the transmission of emails from their assigned email accounts and must log off or otherwise secure their account when their workstations are unattended.*

*All members of the service must provide a signature block at the end of their emails. This signature block must provide name, rank/title and command.*

*While emails may be sent from shared accounts on an official basis (i.e., pct013desk@nypd.org), all such emails must contain a signature block identifying the sender, including name, rank/title and command.*

***ADDITIONAL DATA (continued)***

*In addition to the standard signature block, all emails must also contain this concluding banner:*

***CONFIDENTIALITY NOTICE: This email and any attachments may contain confidential and privileged information for the use of the designated recipient(s) named above. If you are not the intended recipient, you are hereby notified that you have received this communication in error and that any review, use or disclosure of it or its contents is prohibited and may violate laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of this communication***.

***Please treat this and all other communications from the New York City Police Department as LAW ENFORCEMENT SENSITIVE/FOR OFFICIAL USE ONLY.***

*For assistance with email login, including password reset or address name change, members of the service should contact the Information Technology Bureau Service Desk.*

*Confidential information, including information requiring compliance with the Federal Bureau of Investigation's (FBI) Criminal Justice Information System (CJIS), should not be shared via email. CJIS data includes, but is not limited to, biometric, identity history, biographic, property, and case/incident history data.*

*The electronic transmission of intelligence files and information containing sensitive tactical and undercover information is prohibited.*

*Shortened URLs are unauthorized in any part of an email message (i.e., hyperlinks shortened using a third party URL shortener, including tinyurl.com; bit.ly.; goo.gl, etc.). Members of the service should refer to A.G. 325-47, "Cyber Security Incidents" regarding suspected or actual cyber security incidents affecting NYPD information systems or electronic information assets. Questions regarding the security of Department email accounts and reports of security incidents (e.g., phishing, suspicious attachments) should be directed to the Information Technology Bureau, Information Security Office at infosec@nypd.org.*

*As a reminder, the Information Technology Bureau will never ask for any personal information or provide any links in a generic email. Emails claiming to be sent by the Information Technology Bureau Service Desk or administrators directing the user to a website or asking for specific information should not be answered. The security verification will be located at the very beginning of the message and shall contain the rank, command, name and last three digits of Tax ID number.*

# ADMINISTRATIVE GUIDE

| Section: General Regulations | | Procedure No: 304-20 |
|---|---|---|
| **PERSONAL SOCIAL MEDIA ACCOUNTS AND POLICY** | | |
| DATE EFFECTIVE: 06/10/21 | LAST REVISION: I.O. 41 | PAGE: 1 of 3 |

**PURPOSE** To provide guidelines to members of the service pertaining to the use of personal social media accounts.

**POLICY** The Department recognizes that personal social media accounts are utilized by members of the service. As such, members of the service who post, transmit, share, disseminate, and/or comment on content via their personal social media accounts, must do so in strict compliance with the provisions contained in this procedure and the rest of the Department Manual. Members of the service who violate this policy will be subject to disciplinary action, up to and including dismissal.

**DEFINITIONS** SOCIAL MEDIA – A category of internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites, photo and video sharing sites, wikis, blogs, and websites such as Facebook, Instagram, Flickr, YouTube, LinkedIn, Snapchat, and Twitter.

PERSONAL SOCIAL MEDIA ACCOUNT – A personal account established by a member of the service with a third party provider (e.g., Facebook, Instagram, Twitter, etc.) that is not officially affiliated with the Department. In addition, social media accounts established or administered by members of the service for fraternal or charity organizations, off-duty employment, civic or community organizations, etc., are also subject to the provisions of this procedure.

**PROCEDURE** When a member of the service uses a personal social media account:

**MEMBER OF THE SERVICE**

1. Do not post, transmit, share, and/or disseminate Department and/or command identifiers as part of a privately held social media moniker (e.g., @nypd_johndoe, @053Pct_janedoe, etc.).
2. Do not post, transmit, share, and/or disseminate Department affiliations of other individuals, including but not limited to, the individual posting, tagging and/or sharing pictures of other members of the service, without express consent of that individual.
3. Do not post, transmit, share, and/or disseminate photographs of themselves or others in uniform, and/or displaying official identification, patches or badges, marked/unmarked vehicles, Department facilities, buildings, and equipment without authorization from the Department (these prohibitions will not apply to photographs taken at official Department ceremonies).
4. Do not post, transmit, share, and/or disseminate nonpublic items (e.g., arrest/booking photographs, criminal records, witness statements, crime scene photographs, videos, etc.) that were gained as a result of their position with the Department.
5. Do not post, transmit, share, and/or disseminate any content involving discourteous or disrespectful remarks, in any form, pertaining to issues of age, ethnicity, race, religion, gender, gender identity/expression, sexual orientation, and/or disability.

**MEMBER OF THE SERVICE (continued)**

6. Do not post, transmit, share, and/or disseminate any content advocating harassment and violence.
7. Do not engage in any type of social media contact with any individual or organization advocating oppression, or prejudice based on ethnicity, race, religion, gender, gender identity/expression, sexual orientation, and/or disability.
8. Do not engage in any type of social media contact (e.g., "friending," "following," etc.) with a suspect, witness, crime victim, and/or attorney involved in same case, if that officer was either involved in the incident, or the officer became acquainted with that victim, or witness, during or because of the incident, and the matter is ongoing.
9. Do not engage in any type of social media contact (e.g., "friending," "following," etc.) with minors they interact with in the course of their employment with the Department.
10. Do not engage in any type of social media contact (e.g., "liking," "retweeting," "sharing," promoting, commenting on, or otherwise endorsing social media posts) with third parties whose content violates the provisions of this procedure.

***ADDITIONAL DATA***

*POLICY CONSIDERATIONS*

*Members of the service are to be cognizant of the fact that their social media activity, even on personal social media accounts, may be seen by the public as a statement on behalf of the Department. Any activity that can be linked to a member of the service, is a reflection on the Department as a whole.*

*Members of the service are reminded that they are strictly accountable for their conduct at all times, inside or outside of New York City, whether on or off duty, including the use of personal social media accounts. Activities and/or statements made on social media sites are done so in an online domain where no reasonable expectation of privacy exists. Members of the service creating "private" or "limited access" accounts, with customized "privacy settings," must know that any statements, photographs, video clips or information that are sent via the internet may still be viewed and disseminated by third parties, even after the content has been edited or deleted by the user.*

*Most importantly, information (including digital images) released on social media may endanger the safety of members of the service and/or their family members. Members of the service are urged not to disclose or allude to their status as a member of the Department. Divulging identifying information on social media could possibly compromise ongoing investigations, as well as, limit a member of the service's eligibility for certain assignments (e.g., work as an undercover, work in highly sensitive assignments, etc.).*

*LEGAL CONSIDERATIONS*

*The New York City Council enacted Local Laws 245 and 247 of 2017, announcing the "Identifying Information Law," which establishes guidelines regarding the collection, retention and disclosure of identifying information.*

***ADDITIONAL DATA (continued)***

*Members of the service who engage in the unauthorized disclosure of identifying information may be the subject of disciplinary action and may subject themselves and the Department to potential legal liability.*

*Members of the service may contact the Agency Privacy Officer assigned to the Legal Bureau for guidance regarding the disclosure of identifying information and "Identifying Information Law" compliance.*

NYPD

1. Individuals have a right to lawfully observe and/or record police activity including, but not limited to detentions, searches, arrests or uses of force. The right to lawfully observe and/or record police activity extends to individuals in public places, such as streets, sidewalks, and parks, as well as private property in which the individual has a legal right to be present, such as buildings, lobbies, workplaces or an individual's own property. This right to observe and/or record police action can be limited for reasons such as the safety of officers or other members of the public, or when a violation of law is committed by the individual(s) who are observing/recording. The following guidelines should be utilized by members of the service whenever the above situation exists:

a. DO NOT:
   (1) Intentionally prevent, or attempt to prevent, an individual from recording police activities,
   (2) Threaten, intimidate, or otherwise discourage an observer from recording police activities,
   (3) Command an individual to cease recording when an individual is authorized to do so under law,
   (4) Stop, seize, search, summons, or arrest an individual solely because such individual recorded police activities,
   (5) Seize property or instruments used by an individual to record police activities,
   (6) Delete or seize recorded images of police activity from an individual's recording device, unless authorized by law, and/or
   (7) Copy a recording of police activity without consent of the individual who made the recording.

b. Absent additional actions constituting a violation of law, an individual CANNOT be arrested for:
   (1) Taking photographs, videotaping, or making a digital recording,
   (2) Requesting or making note of shield numbers or names of members of the service,
   (3) Criticizing the police or objecting to police activity,
   (4) Refusing to leave the area, and/or
   (5) Using crude or vulgar speech.

2. An arrest for Obstruction of Governmental Administration (Penal Law section 195.05) requires probable cause to believe the person(s) is obstructing governmental administration. Actual interference with the performance of an official police function is required. Interference can include actual physical force (touching or physically interfering with the officer or the suspect, (e.g., using a camera so close to the officer's face that it intentionally obstructs their view), intruding into the physical space necessary to safely perform police operations and refusing to obey an order to move back, or purposefully engaging in passive behavior that prevents an officer from taking enforcement action (e.g., blocking a prisoner van, etc.). Members of the service are required by Administrative Code 14-189 to document instances in which an individual who was recording police activities is arrested or summonsed, as per P.G. 209-03, P.G. 209-09, and P.G. 209-12, by indicating "RTR" for "Right to Record" on the summons.

3. This procedure is not intended in any manner to limit the authority of the police to establish police lines (e.g., crowd control at scenes of fires, demonstrations, special events, etc.).

4. When probable cause exists that a recording device contains evidence of a crime:
   a. Inform the observer that there is probable cause to believe that the recording contains evidence of a crime,
   b. Request consent to view the recording in a manner that elicits a clear "yes" or "no" response. If possible, use Body-Worn Camera to record request and the individual's response. If consent is given, it may be possible for the individual to email the recording directly to the member of the service's Department-issued smartphone,
   c. If the observer refuses to give consent, inform them that a search warrant for the device will be requested. Inform the observer that deletion of the content of the recording may be considered tampering with physical evidence in violation of Penal Law section 215.40,
   d. If the member of the service reasonably believes that the observer will delete the recording, obtain approval from a supervisor to seize the device if feasible (or obtain approval from a supervisor either before or immediately after seizing a device). Seize the device only for the time necessary to secure a warrant,
   e. Do not view or delete the recording,
   f. Obtain a search warrant, and
   g. If there is probable cause to believe that an exigency exists and that the recording contains evidence of a crime, contact a supervisor to determine whether review of the recording absent a warrant is permitted.

5. A supervisor must be requested to respond where an observer is arrested for interference with police action or where the contents of a recording device are believed to contain evidence of a crime.

6. Members of the service may contact the Legal Bureau if they have any questions regarding an arrest for Obstruction of Governmental Administration or the seizure of a recording device that may contain evidence of a crime.

7. Members of the public are not allowed to photograph and/or record police activity within Department facilities. Members of the service may order any member of the public who is photographing or recording within Department facilities to stop such activity. If such person refuses to stop, they then should be ordered to leave the premises. If such person refuses to leave the premises, members of the service may take proper enforcement action under the trespass statutes (i.e., Penal Law sections 140.05 and 140.10).

**PURPOSE** To establish guidelines for fraternal organizations seeking official Department recognition, access to Department resources and/or permission to use the Department logo. Furthermore, to establish the requirements that are to be adhered to and maintained in order to remain recognized by the Department.

**DEFINITIONS**

FRATERNAL ORGANIZATION – Any ethnic, fraternal, religious, or the like organization that has a democratically elected board of governance, an official membership roster, and holds meetings in which minutes are taken.

BOARD OF GOVERNANCE – The democratically elected members of an organization who are given the title of, and/or responsibilities of, president, vice president, treasurer, secretary, and whatever other titles/roles in which the organization deems necessary. The president and vice president must be active members of the service.

FRATERNAL ORGANIZATION REVIEW BOARD – A panel of Department executives, consisting of, but not limited to, Deputy Commissioner, Employee Relations (Chairperson), Deputy Commissioner, Equity and Inclusion, Deputy Commissioner, Legal Matters, Chief of Personnel, and the Commanding Officer, Family Assistance Section. This board will convene as directed by the Deputy Commissioner, Employee Relations. It is within the scope of the Board's mandate to make recommendations to the Police Commissioner on matters concerning awarding or rescinding official Department recognition.

**PROCEDURE** When making application to become an officially recognized fraternal organization by the Department, the organization's board of governance shall:

**REQUESTING MEMBER OF THE SERVICE**

1. Complete **FRATERNAL ORGANIZATION APPLICATION FOR RECOGNITION/STATUS UPDATE (PD107-041)** along with **Typed Letterhead** addressed to the Deputy Commissioner, Employee Relations, requesting official recognition.
   a. The **FRATERNAL ORGANIZATION APPLICATION FOR RECOGNITION/STATUS UPDATE** must be signed by the president, vice president, and treasurer of the requesting organization, and the following necessary documents must also be attached:
      (1) A copy of organization's constitution or by-laws, notarized on the day of ratification, and signed by all board members; and
      (2) Minutes from at least six meetings that took place between the dates the by-laws were ratified, and the submission of the **APPLICATION** for recognition.

**REQUESTING MEMBER OF THE SERVICE (continued)**

b. Upon submission of the **APPLICATION**, forward a request on **Typed Letterhead** to Deputy Commissioner, Employee Relations requesting a subsequent meeting to ensure documentation of and compliance with the following criteria within the six month period prior to meeting with the Review Board. Specifically, organizations must:

(1) Be established for one year prior to submitting an **APPLICATION** for official Department recognition. The official date of creation for an organization will be the date that the organization's constitution or by-laws were ratified;

(2) Maintain a minimum membership of 150 active members of the service;

(3) Maintain and periodically update a complete and accurate list of names, tax numbers, and command codes of all active members of the service, as well as the names and employer information of all non-Department members;

(4) Have a board of governance responsible for settling policy, fiscal guidance, and its ongoing administration;

(5) Keep meeting minutes;

(6) Provide signed proof of acknowledgment of **Conflict of Interest Statement**.

***NOTE***

*In order to promote harmony within the Department, discourage rivalries between groups of employees and conserve the resources of the Department hierarchy in meeting with and supervising the activities of recognized organizations, the Department discourages the formation of multiple organizations which endeavor to serve the same or similar goals and missions. Therefore, if an already recognized organization has a similar purpose to the requesting organization, a statement addressing the distinctions between the groups must be included in the **APPLICATION**.*

*If an organization existed prior to February 28, 2017, it is requested that it submits a notarized letter stating the date that its constitution was ratified.*

**DEPUTY COMMISSIONER, EMPLOYEE RELATIONS**

2. Review **APPLICATION** for accuracy and completeness.

a. Upon receiving completed **APPLICATION**, record date of submission and schedule a date for the Review Board to convene within six months from date of receiving submission.

b. Return to requesting fraternal organization for further development, if **APPLICATION** is incomplete and does not conform to the requirements of this procedure.

**REVIEW BOARD**

3. Review completed **APPLICATIONS**.

4. Recommend approval/disapproval to the Police Commissioner, on a case by case basis.

***NOTE***

*The Review Board will only make recommendations to the Police Commissioner regarding approval/disapproval of official status to fraternal organizations, once the* ***APPLICATIONS*** *are complete and requirements are met. Conversely, if the requirements are not met, or the* ***APPLICATION*** *is incomplete, the Review Board may recommend disapproval. The Police Commissioner retains sole discretion regarding the approval of a fraternal organization's official Department status. Official Departmental recognition may also be rescinded, at any time, by the Police Commissioner.*

*Should an organization's application for official recognition be disapproved, said organization may submit an appeal, in writing, to the Police Commissioner.*

**RECOGNIZED FRATERNAL ORGANIZATION**

5. Once officially recognized by the Department, provide Deputy Commissioner, Employee Relations with the following items annually, by April 30, or the first business day thereafter:
   a. Completed **FRATERNAL ORGANIZATION APPLICATION FOR RECOGNITION/STATUS UPDATE**
   b. Updated constitution, if applicable. If not updated, a copy of existing constitution
   c. Written notification of any change in organization's tax status.

***ADDITIONAL DATA***

*The objectives and activities of an organization already recognized by the Department, as well as an organization seeking recognition, must be consistent with the goals and missions of the Department and the law. Therefore, any officially recognized organization may be decertified, with or without prior notice, at the sole discretion of the Police Commissioner, where the Police Commissioner has determined that the continued recognition of the organization is not in the best interests of the Department.*

*Failure to meet and/or retain these requirements may result in disapproval and/or suspension of official status, pending decertification. Organizations with a suspended status for one year or more may be decertified, at any time, by the Police Commissioner.*

*Fraternal organizations are reminded that they must be in compliance with relevant Department directives including, P.G. 203-10, "Public Contact – Prohibited Conduct," P.G. 203-13, "Financial Restrictions – Prohibited Acts," P.G. 203-15, "Off Duty Conduct – Attendance at Parades, Funerals, Memorial Services and Other Department-Oriented or Law Enforcement Events," P.G. 203-16, "Guidelines for Acceptance of Gifts and Other Compensation by Members of the Service," and P.G. 203-17, "Fund Raising Events." In addition, fraternal organizations will be in compliance with the Conflicts of Interest Laws in Chapter 68 of the City Charter and the rules of the Conflicts of Interest Board.*

*All newly-recognized organizations will be subject to a one year probationary period. This is intended to provide the organization with the opportunity to demonstrate the viability of the organization and its ability to recruit and maintain membership. At the discretion of the Police Commissioner, during the pendency of the probationary period, organizations will have the same access to Department resources as tenured fraternal organizations.*

***ADDITIONAL DATA (continued)***

*Subject to review by the Police Commissioner, organizations will be considered for removal from probationary status on a case by case basis. Organizations on probationary status may have official recognition rescinded, at any time, by the Police Commissioner.*

*If a recognized organization changes its officers, or adds, deletes, or changes any portion of its by-laws or constitution, it will, within 30 days, forward a complete copy of its by-laws or constitution to the Deputy Commissioner, Employee Relations, noting the changes/amendments.*

*If a recognized organization seeks to change its name, logo, primary goals, or mission, it must immediately notify the Deputy Commissioner, Employee Relations in writing. Proposed changes will be reviewed and forwarded to the Police Commissioner for a determination as to whether the continued recognition of the organization remains in the best interests of the Department. During the pendency of the Police Commissioner's determination, organizations may continue to use the previously approved name and logo.*

*Non-recognized organizations are not permitted to use the names, "New York City Police Department," "NYPD," or any other associated logos, etc. Organizations that are not officially recognized may request limited access to Department resources. These resources include, requests for the Ceremonial Unit for ceremonies/parades and Recruitment Section personnel for community related events. All requests for resources must be made at least 30 days in advance to the Deputy Commissioner, Employee Relations (through channels).*

*Permission to march in uniform may be granted to organizations that are not recognized/pending recognition; however, the organization must march under an authorized banner provided by the Ceremonial Unit. Organizations will not be permitted to march under their own banner until official recognition is attained.*

*Permission for Recruitment Section personnel to attend events by organizations that are not recognized/pending recognition may be granted, on a case by case basis, in an effort to assist in recruitment for the Department.*

*FINANCIAL RECORD KEEPING*

*Fraternal organizations must maintain accurate and up-to-date financial records. Financial record keeping shall include the following:*

*a. Maintain a financial log (i.e., electronic database or bound book) used to record all financial transactions*

*b. All transactions in the financial log must be recorded by the treasurer (or other designated member acting as financial record keeper)*

*c. Affix all receipts within the financial log, making reference to each transaction associated with the receipt. If using electronic database, maintain receipts via digital means*

*d. The fraternal organization's treasurer (or other designated member acting as financial record keeper) must keep and secure all bank statements, deposit slips, cancelled checks, and other banking correspondence*

*e. The financial log and all records must be readily available for inspection or review*

***ADDITIONAL DATA (continued)***

*f. Keep financial records on file for a period of no less than seven years and provide them to any investigative Department unit upon request within two business days from receipt of request*

*g. Each fraternal organization shall be responsible for preparing a monthly bank account reconciliation.*

*Any funds received (e.g., donations, fundraising proceeds, dues, fees, charitable bequests, etc.) must be used in furtherance of the fraternal organization. The fraternal organization's bylaws should state whether the board members are entitled to compensation or reimbursement from the fraternal organization. Fraternal organizations and individual board members, especially members acting as treasurers or financial record keepers, will be held strictly accountable for financial transactions. Fraternal organizations are strongly encouraged to incorporate in New York State and/or register as a non-profit entity with State and federal tax authorities.*

***RELATED PROCEDURES***

*Public Contact – Prohibited Conduct (P.G. 203-10)*
*Financial Restrictions – Prohibited Acts (P.G. 203-13)*
*Off Duty Conduct – Attendance at Parades, Funerals, Memorial Services and Other Department-Oriented or Law Enforcement Events (P.G. 203-15)*
*Guidelines for Acceptance of Gifts and Other Compensation by Members of the Service (P.G. 203-16)*
*Fund Raising Events (P.G. 203-17)*
*Function/Event Sponsored by a Department Religious, Line or Fraternal Organization (A.G. 304-07)*

***FORMS AND REPORTS***

***FRATERNAL ORGANIZATION APPLICATION FOR RECOGNITION/STATUS UPDATE (PD107-041)***
***Conflict of Interest Statement***
***Typed Letterhead***

NYPD

# ADMINISTRATIVE GUIDE

| Section: General Regulations | | Procedure No: 304-23 |
|---|---|---|
| **FUND RAISING EVENTS** | | |
| DATE EFFECTIVE: 12/02/22 | LAST REVISION: I.O. 116 | PAGE: 1 of 1 |

**PURPOSE** To provide specific information relative to fund raising activities affecting the Department or any person connected with the Department, and the posting of advertisements involving such events by members of the service.

**PROCEDURE** Prior to the fund raising event or posting of advertisements, concerning the event:

**COMMANDING OFFICER, MEMBER CONCERNED**

1. Prepare a request, on **Typed Letterhead**, addressed to the Chief of Internal Affairs, (through channels), containing the following information:
   a. The date, time and location of the fund-raiser, the identities of the organizers and the recipient of the proceeds after expenses.
   b. The results of inquiries made to the Intelligence Division and the Detective Bureau relative to the premises and the principals involved, and the State Liquor Authority, when appropriate.
   c. The results of a check of the respective precinct's Integrity Monitoring File.
   d. The specific manner by which funds will be raised, including the use of online fund raising sites (e.g., GoFundme, Kickstarter, etc.), and the method of compensation to the principals of the premises, including an assurance that the full retail price will be paid for all food, beverages and ancillary services, such as music, entertainment, etc.
   e. A statement indicating that no illegal gambling, raffles or 50-50 drawings will take place at the event.
   f. A statement and documentation indicating a specific accounting of funds collected and disbursed will be forwarded, within thirty days after the fund-raiser, to the Chief of Internal Affairs (i.e., copies of checks, bank deposit slips, or proof of payment for outstanding bills, etc.).
   g. A statement indicating that no conflict with Department procedures and/or guidelines was found to exist relative to the fundraiser.
   h. A concluding remark recommending approval of the request.
2. Forward completed request, through channels, to the Chief of Internal Affairs.

**MEMBER CONCERNED, INTERNAL AFFAIRS BUREAU**

3. Advise commanding officer submitting request of the IAB number assigned to the request, and whether the request was approved or disapproved by the Chief of Internal Affairs.
4. Return request, if approved, to the bureau chief/counterpart concerned for appropriate follow-up and event monitoring.

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# ADMINISTRATIVE GUIDE

| Section: General Regulations | | Procedure No: 304-24 |
|---|---|---|
| **FUNCTION/EVENT SPONSORED BY A DEPARTMENT RELIGIOUS, LINE OR FRATERNAL ORGANIZATION** | | |
| DATE EFFECTIVE: 06/24/21 | LAST REVISION: I.O 54 | PAGE: 1 of 2 |

**PURPOSE**

To provide guidance for members of the service concerning a function/event which is sponsored by a Department religious, line or fraternal organization.

**SCOPE**

Each year a number of annual functions or events are sponsored by each Department religious, line or fraternal organization. Information concerning the organization's event will be published in a Department Bulletin.

**PROCEDURE**

When an authorized religious, line or fraternal organization schedules a religious service, memorial service, breakfast or similar event:

**DESIGNATED REPRESENTATIVE OF ORGANIZATION**

1. Request approval of the Commanding Officer, Deputy Commissioner, Employee Relations, in writing, to hold the function/event.
   a. Include request that event details be published in a Department Bulletin.
2. Coordinate all ceremony requirements, if any, with Ceremonial Unit, which involve:
   a. Protocol
   b. Assembly location and reporting time
   c. Order of formation.

**MEMBERS OF THE SERVICE**

3. Request to be excused from duty after purchasing a ticket as follows:
   a. Those performing duty from 0001 to 0800 hours on the date of the function will be excused from duty at 0600 hours.
   b. Those regularly scheduled to perform duty from 0800 to 1600 hours on the date of the function will be excused unless an emergency exists.

***NOTE***

*No overtime is authorized. The uniform of the day is the Department's "dress uniform," as specified in A.G. 305-03, "Uniforms." If directed, a white shirt with a tie, and white gloves may be worn. Civilian members of the service shall be appropriately dressed in business attire.*

**COMMANDING OFFICER/ SUPERVISORY HEAD**

4. Give preference in determining excusals to:
   a. Trustees, board members and delegates of religious, line or fraternal organizations.
   b. Members of the religious, line or fraternal organization according to seniority.
   c. Other members of the service.

***NOTE***

*Commanding officers may authorize members performing similar duty to exchange tours, provided that two consecutive tours are not performed. All other members of the service who purchase tickets and want to attend must do so on their own time. The number of members of the service excused will be within the province of each command/unit commander who is responsible that sufficient members are available to ensure the self-sufficiency of the command.*

**COMMANDING OFFICER**

5. Submit report to borough commander/counterpart not later than five days prior to function listing:
   a. The number and names of command members excused.
   b. The number of members available to perform normal tours of duty.

**BOROUGH COMMANDER/ COUNTERPART**

6. Notify bureau chief concerned on **Typed Letterhead**, of the number and name of members who have been excused.
7. Assign ranking supervisory officer to verify excused members' attendance at the function.

**RANKING SUPERVISORY OFFICER**

8. Report excused members who were not present to borough commander/counterpart.

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**PURPOSE**

To inform members of the service (uniformed and civilian) of the Department's residence and telephone number requirements.

**MEMBER OF THE SERVICE**

1. Reside within City of New York or Westchester, Rockland, Orange, Putnam, Nassau or Suffolk Counties.
2. Provide operations coordinator with physical home address.
   a. Post Office Box addresses are not permitted.
3. Provide operations coordinator with a landline telephone number and/or cellular telephone number, at residence.
   a. Beeper/pager numbers are not permitted.
   b. Members of the service may, in addition to the above, provide the operations coordinator with their email address.

**OPERATIONS COORDINATOR**

4. Ensure that each member of the service reviews and updates their personal information via the Centralized Personnel Resource System.

**COMMANDING OFFICER**

5. Ensure members of the service comply with residence and telephone number requirements.

**PERSONNEL ORDERS DIVISION**

6. Ensure no uniformed member of the Housing Bureau is to be assigned to a police service area (PSA) that patrols public housing developments in a precinct in which the member resides.
7. Ensure no member of the service (uniformed or civilian) is to be assigned to his/her resident precinct, with the exception of school crossing guards.
   a. Civilian members of the service who were assigned to their resident precinct prior to July 29, 2009, will be able to continue to reside and work in the same precinct.

***NOTE***

*If the residence of a member of the service subsequently changes and results in a contradiction of any of the above residency requirements, the member must immediately notify his/her commanding officer.*

***ADDITIONAL DATA***

*New York City local law requires civilian members of the service, who entered City service on or after September 1, 1986, to become a City resident within ninety days of appointment. Civilian members of the service who were permanently appointed to City service before this date may reside outside the City; however, such civilian members who accept either provisional, non-competitive, or exempt positions must establish City residence within one year.*

*Notwithstanding the general requirement of City residency, Local Law No. 48 of 2009, allows civilian members of the service who have completed two years of service to reside, in addition to the five boroughs of New York City, in Westchester, Rockland, Orange, Putnam, Nassau or Suffolk Counties. However, civilian members of the service with special patrolman designation status must reside within the five boroughs of New York City regardless of years of service. Traffic Enforcement Agents Level IV, School*

***ADDITIONAL DATA (continued)***

*Safety Agents and Evidence/Property Control Specialists who have special patrolman status are exempt under the State Public Officers Law and after completing two years of employment with the City may reside, in addition to the five boroughs of New York City, in Westchester, Rockland, Orange, Putnam, Nassau or Suffolk Counties.*

*This amendment will not affect administrative or judicial actions taken to enforce residency requirements which were in effect prior to the change.*

*All allegations of non-compliance with this law will be referred to the Personnel Bureau's Investigations Unit, regardless of the civilian member's permanent assignment within the Department. Sole investigative responsibility will rest with the Investigations Unit. Results of the investigation will be reviewed by the Human Resources Division. If an investigation does identify a civilian member in violation of this requirement, the civilian member of the service will be given an opportunity to rebut the investigation's findings. Civilian members of the service, in fact, not in compliance with this requirement are subject to termination. A Department trial will not be conducted.*

*Employees with questions regarding civilian residency requirements may contact the Human Resources Division.*

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1. Command level peer support ensures that trained peers (uniformed members of the service of any rank and civilians of any title) in commands are available to assist and proactively check in with fellow members of the service experiencing stressful or difficult moments in their professional or personal lives by asking, listening, encouraging, and following up. Command level peer support is independent from similar Department units and personnel, including those that offer peer and crisis support (e.g., Employee Assistance Unit, Chaplains Unit, Psychological Evaluation Section, etc.). As such, it serves as an additional resource for members of the service, and it is not intended to replace any of the existing support services.

2. Peer support members help to bridge the gap by connecting those in need with both internal and external mental health resources. Peer support members are command level, readily available, and able to offer a co-worker confidential, informal support and guidance. The peer support member is guided by the "Ask, Listen, Encourage, and Follow Up" guidelines:

a. Ask: The peer support member engages the person by asking questions in a private, informal setting to gather a greater understanding of the issues the person is experiencing,
b. Listen: The peer support member utilizes active listening skills to demonstrate empathy, build rapport, and de-escalate negative emotions the person is experiencing. In addition, the peer support member does not judge, minimize, or tell the person what to do. Rather, the peer support member helps the person develop the best, positive course of action,
c. Encourage: When appropriate, the peer support member provides guidance on available internal and external resources, and encourages the person to seek further assistance, and
d. Follow Up: The peer support member follows up in the near future to see how the person is doing, if the support options (if offered) were used and were helpful, and if necessary, helps the person to explore other options.

3. Peer support members must work collectively with command training staff to ensure there is clear and consistent messaging regarding member health and wellness. If a peer support member is unavailable, the person/unit requesting may contact the Employee Assistance Unit via telephone at (646) 610-6730, 24 hours a day, seven days a week, for assistance. Communications between a peer support member and a member of the service must be treated as confidential, except for matters that involve:

a. Harm to self or others, and/or
b. Serious misconduct or crimes.

4. Any member of the service in good standing may apply to become a peer support member and will undergo a selection process. Peer support members serve on a voluntary basis, while maintaining their current positions and continually share information on mental and physical health, mental illness, suicide prevention, creating and maintaining resilience, handling the potential stigma associated with seeking help and/or treatment, and other related resources. Peer support members must have an interest in supporting others and must attend initial training and periodic refresher training from the Department while on-duty. Members of the service may also choose to end their participation as peer support members at any time, with or without prior notice, by notifying the Commanding Officer, Health and Wellness Section via Department email.

5. Commanding officers are responsible for ensuring that peer support members are provided with adequate resources to appropriately disseminate information pertinent to member health and well-being. In addition, commanding officers and supervisors may not make adverse personnel decisions against a peer support member (e.g., tour changes, denial of transfer, etc.) based solely on their participation as a peer support member.

6. The Health and Wellness Section provides administrative support and questions should be directed to the Commanding Officer, Health and Wellness Section via email at **wellness@nypd.org** or via telephone at (646) 610-4862.

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# ADMINISTRATIVE GUIDE

| Section: General Regulations | | Procedure No: 304-27 |
|---|---|---|
| **CRITICAL INCIDENT STRESS MANAGEMENT** | | |
| DATE EFFECTIVE: 06/10/21 | LAST REVISION: I.O.47 | PAGE: 1 of 4 |

**PURPOSE** To ensure members of the service who are involved in critical, traumatic, or high stress incidents receive proper stress management support, mental health education, and guidance.

**SCOPE** Members of the service who can benefit from prevention and early intervention following a critical and/or traumatic incident are encouraged to use all of the Department's available resources. The Department has implemented a critical incident stress management program that is administered by the Health and Wellness Section. In addition, ongoing support will be provided in a confidential environment by a Health and Wellness Section qualified mental health professional (QMHP), including peer support counselors from the Employee Assistance Unit (EAU). The program is supplemental to, and not intended to replace, the psychological services the Department currently provides under the auspices of the Medical Division.

**DEFINITIONS**

Critical Incident: For the purpose of this procedure, is an unusually challenging event that has the potential to create significant human distress and interfere with one's normal coping mechanisms.

Traumatic Incident: A mentally and emotionally distressing event that has the potential to overwhelm an individual's normal stress-coping mechanisms. A traumatic incident is defined by an individual's unique reaction to that event, not necessarily by the external magnitude of the event. This event may or may not be life-threatening.

Involved Member of the Service: Any individual that was directly or indirectly involved in the critical incident. This definition was expanded in an effort to recognize the prevalence of vicarious trauma in law enforcement work and provide involved members of the service with proper stress management support, mental health education, and guidance.

Qualified Mental Health Professional (QMHP): A licensed psychologist, licensed social worker, or licensed mental health counselor.

Critical Incident Stress Management (CISM): A formal, comprehensive, integrated, systematic, crisis intervention approach to manage critical incident stress after critical and/or traumatic incidents to promote healthy functioning and recovery. This approach involves coordinated supportive tactics that provide individual and group support, stress education, and coping strategies.

**DEFINITIONS (continued)**

Critical Incident Stress Management Debriefing: A mandatory confidential group discussion conducted by a QMHP and an EAU peer counselor that is designed to help members of the service achieve healthy recovery and functioning after involvement in a critical and/or traumatic incident. It aims at reduction of stress and to promote group cohesion. This process does not constitute any form of psychotherapy and it should never be utilized as a substitute for psychotherapy. This is not a stand-alone process. It will be provided along with crisis support services that may include pre-incident education, crisis management briefing, defusing, individual crisis intervention/wellness check-in, referrals for ongoing professional care, if indicated, and post incident support and psychoeducation.

Individual Critical Incident Stress Management Wellness Check: An individual appointment with a QMHP that is offered to all members of the service approximately one month after the critical incident stress management group debriefing. This voluntary follow up is part of the critical incident stress management continuum to provide additional crisis intervention support, referral assistance, and further psychoeducation or other resources as needed.

Crisis Management Briefing (CMB): A structured group meeting designed to provide information about the event, identify leadership support, educate about typical stress reactions, offer information regarding basic stress management, coping strategies and resources. This process typically starts with an introduction conducted by command leadership, fact phase, reaction phase, and teaching. This meeting may involve participation by command leadership, a QMHP, EAU peer counselor, and, if available, a member of the Chaplains Unit.

Critical Incident Stress Management Defusing: A confidential meeting to review the critical incident, and an overview of self-care strategies to enhance the healing process, promote resiliency and wellness. A defusing may be conducted by a QMHP and/or EAU peer counselor, and/or members of the Chaplains Unit. A defusing is typically conducted at the involved command immediately following a critical event.

**PROCEDURE**

When a critical incident has been identified by the health and wellness critical incident coordinator, director, or other member of the service:

**HEALTH AND WELLNESS CRITICAL INCIDENT COORDINATOR OR DESIGNEE**

1. Review incident details, identify involved member of the service, and notify the operations coordinator at member's command to schedule debriefing.

**OPERATIONS COORDINATOR**

2. Ensure critical incident stress management support is offered to member of the service involved, as close to the event as possible.
   a. Facilitate availability of involved member of the service for participation in the group debriefing.

***NOTE*** *EAU peer counselors will have already visited the command to provide crisis management briefing, defusing, or other stress management support prior to debriefing, in certain situations.*

**MEMBER OF THE SERVICE INVOLVED**

3. Report to Health and Wellness Section at 90 Church Street, Room 1231, New York, N.Y., 10007 for group stress management debriefing at assigned meeting time.

*NOTE* *Attendance at the mandatory preliminary critical incident stress management debriefing or any individual support is confidential. No information related to the debriefing, or other service, shall be conveyed to other members of the service, including members of the service assigned to disciplinary and/or investigative units, other than attendance records. Participation will in no way jeopardize the member of the service's job security, promotional opportunities, and/or career potential. The debriefing process is not a critique of any actions taken by the member of the service, but rather, it is an attempt to alleviate elevated levels of anxiety and/or emotional distress that a member of the service may be experiencing in response to a critical and/or a traumatic incident.*

**HEALTH AND WELLNESS TEAM**

4. Provide outreach to member of the service, approximately one month from the date of the group debriefing, to offer additional support and resources.
   a. Offer EAU supportive follow up, an individual critical incident stress management wellness check-in with QMHP, or resources, as requested.

***ADDITIONAL DATA*** *Common incidents that pose an increased potential for trauma include, but are not limited to:*

*a. An actual or perceived threat to one's life or of serious physical harm,*
*b. Suicide or suicide attempt,*
*c. Serious injury inflicted on, or death of a member of the service,*
*d. Serious injury or death of a non-member of the service, especially a child, under particularly tragic circumstances,*
*e. Cruelty/abuse to a child,*
*f. Line of duty contact with friend/relative during a tragic/traumatic event,*
*g. Death or injury of a person resulting from police action,*
*h. Large scale or prolonged disaster resulting in multiple serious injuries or mass casualties,*
*i. Perceived "failure" during a traumatic event,*
*j. Events with high media exposure,*
*k. Volatile interactions with the community, including riots, and/or*
*l. Any tragic event that may have private/personal emotional significance to a member of the service, particularly an event associated with intense negative emotion or perceived helplessness.*

***ADDITIONAL DATA (continued)***

*The services provided by the Health and Wellness Section are designed to be preventative in nature. The Health and Wellness Section proactively seeks to identify members of the service who are involved in critical and/or traumatic incidents. However, individual reactions to adverse incidents are often best assessed by command level personnel who have intimate, firsthand knowledge of the specific details of the incident and the members of the service involved. Therefore, any supervisor may refer a member of the service who they believe has been exposed to a critical and/or traumatic incident to the Health and Wellness Section by calling (646) 610-4862. In addition, if a member of the service feels they may benefit from critical incident stress management, the member may call the Health and Wellness Section for further support and/or follow up.*

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1. The Employee Assistance Unit (EAU) is the Department's primary resource for peer support. EAU is comprised of uniformed and civilian members of the service in various ranks and titles who have undergone specialized training/education in peer support, suicide prevention and education, and critical incident response. EAU assists members of the service with problems that may be causing concern, either at work or within their personal lives, and are available 24 hours a day, seven days a week, via telephone or in person. EAU peer counselors are not mental health practitioners and they are not intended to replace professional mental health counseling.

2. EAU serves to support members of the service who may be directly involved in an on or off duty critical incident. For the purpose of this procedure, a "Critical Incident" is defined as an unusually challenging event that has the potential to create significant human distress and interfere with one's normal coping mechanisms. In the event of a critical incident, any supervisory member of the service may request the immediate response of EAU to provide peer support and post-critical incident stress management. When an immediate response by EAU is necessary, EAU can be reached directly via phone at (646) 610-6730. A critical incident may include, but is not limited to, the following events:

a. Suicide or line of duty death of a member of the service,
b. Serious line of duty injury to a member of the service,
c. Officer involved shooting (including an accidental discharge that results in an injury),
d. Significant event involving children,
e. Any mass casualty incident or natural disaster, and/or
f. Any incident in which the circumstances are unusual or distressing, and that witnessing or participating in the event is likely to produce a significant emotional reaction.

3. EAU accepts referrals made by supervisors, coworkers, friends and family members. A supervisory referral to EAU does not relieve supervisory members of the service of their obligations, which are outlined elsewhere in the Department Manual. In addition, members of the service may seek peer assistance for themselves or someone else, and they may remain anonymous. Referrals should be made as a preemptive measure when a member of the service is experiencing stress and/or may benefit from peer assistance or appropriate professional referrals. EAU is not part of the disciplinary process or any investigative unit within the Department, and referrals will not be accepted for the purpose of disciplinary action.

4. Members of the service should be aware of behavioral indicators that suggest personal stress. Those who observe behavioral indicators may consult with EAU, or they may remain anonymous and refer a member of the service to EAU. Such indicators include, but are not limited to:

a) Excessive civilian complaints, particularly regarding use of force,
b) Excessive lateness or absenteeism,

c) Abnormal impatience, irritability, aggressiveness, or overreaction,
d) Irrational or bizarre thoughts/actions,
e) Changes in work habits,
f) Erratic mood swings,
g) Significant changes in hygiene, and/or
h) Indications of alcohol or drug use.

5. EAU does not maintain any records detailing information shared during peer support interactions, and will not disclose the content of conversations or interactions with peer counselors to the member of the service's command, supervisor, or other Department units/personnel. Exceptions to confidentiality include:

a. A member of the service who is a danger to themselves or others,
b. Suspected or actual child, elder or domestic abuse,
c. In other cases, where law or Department policy requires disclosure (e.g., criminal activity, employment discrimination, etc.), and/or
d. Where disclosure is requested by the member of the service seeking peer assistance.

6. Promotional and assignment opportunities will not be jeopardized by participation in or utilization of EAU peer counseling services or provided external resources.

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**UNIFORMS**

1. Maintain at own expense articles prescribed for rank, position or duty.
2. Do not modify prescribed uniforms in any manner except as specifically authorized.
3. Do not wear distinguishable items of the uniform with civilian clothes.
4. Do not wear uniform, shield or display **IDENTIFICATION CARD (PD 416-091)** while participating in a rally, demonstration or other public assemblage except as authorized by the Department.
5. Wear uniform of the day.
6. Wear uniform of the day, if regularly assigned to duty in uniform, when appearing in court, the Trial Room or at the office of a ranking officer above the rank of captain, except if off duty, on sick report, or if excused by competent authority.
7. Purchase all items of uniform which are sewn or attached to the uniform, from the Equipment Section or other authorized supplier.
8. Wear authorized breast bars at all times while in uniform, unless otherwise directed
9. Wear medals, decorations and authorized insignia at Department meetings, ceremonies and while marching in parades.

***ADDITIONAL DATA***

*Commanding officers or unit commanders may authorize a specialized uniform only after requesting and receiving approval from the Police Commissioner's Uniform and Equipment Review Committee.*

*a. Submit requests to the Office of the Chief of Department: Attn: Uniform and Equipment Sub-Committee.*

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**DRESS UNIFORM**

To be worn for ceremonies, promotions, funerals, etc.:

**SUMMER (CLASS A)**
8 POINT CAP
SUMMER BLOUSE
LONG SLEEVE SHIRT & TIE
DRESS TROUSERS
SHINY (HIGH GLOSS) SHOES
WHITE GLOVES
DUTY BELT (OPTIONAL)

**WINTER (CLASS A)**
8 POINT CAP
WINTER COAT
LONG SLEEVE SHIRT & TIE
DRESS TROUSERS
SHINY (HIGH GLOSS) SHOES
WHITE GLOVES
DUTY BELT (OPTIONAL)

***NOTE*** *A white shirt shall be worn by those uniformed members attending the funeral of a member assigned to the same command.*

**PATROL UNIFORM**

To be worn when on patrol:

**SUMMER (CLASS B)**
8 POINT CAP
LONG SLEEVE SHIRT
TIE (OPTIONAL)
DUTY TROUSERS
BLACK SHOES
BLACK BOOTS (OPTIONAL)
V-NECK SWEATER (OPTIONAL)

**WINTER (CLASS B)**
8 POINT CAP
WAIST/HIP LENGTH DUTY JACKET (OPTIONAL)
LONG SLEEVE SHIRT
TIE (OPTIONAL)
TURTLE NECK SHIRT (OPTIONAL - CANNOT BE WORN AS AN OUTER GARMENT)
V-NECK SWEATER (OPTIONAL)
BLACK SHOES
BLACK BOOTS (OPTIONAL)
BLACK GLOVES

**SUMMER (CLASS C)**
8 POINT CAP
SHORT SLEEVE SHIRT (NO TIE)
DUTY TROUSERS
BLACK SHOES
BLACK BOOTS (OPTIONAL)

**ADMINISTRATIVE UNIFORM**

To be worn when performing administrative duties in uniform:

**SUMMER (CLASS D)**
(NO CAP)
SHORT SLEEVE SHIRT (NO TIE)
DUTY TROUSERS
BLACK SHOES
DUTY BELT (OPTIONAL)

**WINTER (CLASS D)**
(NO CAP)
LONG SLEEVE SHIRT & TIE
DUTY TROUSERS
BLACK SHOES
DUTY BELT (OPTIONAL)
V-NECK SWEATER (OPTIONAL)

**PURPOSE** To ensure conformity for the duty uniform and training attire worn by members of the service, all items must conform in material/style to models sold/displayed at Equipment Section.

**POLICE OFFICER**

**CAP**
Navy blue, black strap and chrome cap device bearing shield number.

**DUTY JACKET**
Waist length, navy blue, knit wristlets and waistband, and zip side vents, or
Hip length, navy blue, concealed zipper front, gilt buttons, and zip side vents, or
Waist length, navy blue, with NYPD reflective lettering on the rear.

**NAMEPLATE**
Worn on outermost garment, centered below shield. Nameplates for police officers are white metal; ranking officers and detectives will wear yellow metal.

**NAMEPLATE HOLDER**
Black leather designed to affix shield and nameplate.

**SHIRT**
NYPD dark blue, military type, with appropriate service stripes/hash marks, similar to sample sold at the Equipment Section.

**TIE**
Navy blue, breakaway type (must be worn when wearing dress uniform, administrative uniform (as described in *A.G. 305-02, "Uniform Classifications*"), meetings, or as directed).

**TIE CLASP**
Regulation NYPD, to be worn with tie.

**BELT**
Black leather, with gunmetal buckle.

**DUTY TROUSERS**
Navy blue, (polyester and wool) with ½ inch braid attached.

**POLICE OFFICER (continued)**

**SHOES/SOCKS**

Black, plain, smooth leather with flat soles and raised heels, or black high gloss shoes, except that material other than leather or high gloss plastic may be used for portion of ankle support shoe that is not visible below the pants leg. In addition, shoes commonly referred to as the "secret sneaker" are also permissible, provided that they generally conform in appearance to the regular duty shoe. Black leather jogging shoes, sneakers or shoes with visible lettering are not authorized wear. Only black socks will be visible when performing duty in uniform.

**GLOVES**

| | |
|---|---|
| **Black** | With duty jacket or winter coat, |
| **Leather** | When safety may be jeopardized, or while in Department vehicle. |
| **White cotton** | Not to be worn with duty jacket or while carrying baton. |
| **Traffic Duty** | Plain white wool (not required to be worn while performing RMP duty but must be available for use). |

**INCLEMENT WEATHER GEAR**

Reversible raincoat with "NYPD" stenciled letters over the right breast and on the back of the jacket with reversible navy blue or lime green cap cover, hood and leggings. Shield and nameplate will be fastened on the raincoat over left breast, and cap device on the cap cover. (Wearing of leggings, cap cover, hood, solid black overshoes or solid black rubber boots is optional).

***NOTE*** *Regulation black rubber reflective or reversible black/orange raincoat with reversible black or orange cap cover remain authorized.*

**DRESS UNIFORM**

| | |
|---|---|
| **Winter** | Winter coat (navy blue fingertip length coat with regulation gilt [gold] buttons), uniform shirt and tie, **OR** |
| **Summer** | Summer blouse (navy blue with regulation gilt [gold] buttons and shoulder straps) worn with regulation uniform shirt and tie, **OR** blue long-sleeve regulation shirt with tie and tie clasp, when directed. |
| **Trousers** | Navy blue serge with appropriate braid on trouser leg. |
| **Shoes** | Black, high gloss lace type oxford shoes with flat soles and raised rubber heels, black socks. |
| **Gloves** | Black leather/white cotton, as appropriate. |
| **Cap** | Navy blue, black strap, chrome cap device. |

**DETECTIVE** Uniform is the same as required for police officer, **EXCEPT**:

**CAP**

Gilt (gold) cap device (without shield number).

**SERGEANT** Uniform is the same as required for police officer, **EXCEPT**:

**CAP**

Gilt (gold) cap device (without shield number) and gilt (gold) chinstrap.

**SERGEANT (continued)**

**TROUSERS**
1¼ inch braid attached.

**INSIGNIA OF RANK**
Three pointed chevrons, worn on sleeves of all outer garments except raingear and nylon windbreaker jacket. Gilt (gold) chevrons worn on the collar of the nylon windbreaker jacket.

**LIEUTENANT**

Uniform is the same as required for sergeant **EXCEPT**:

**CAP**
Frame is covered with black mohair braid.

**INSIGNIA OF RANK**
Gilt (gold) bar, worn on:
a. Shoulders of duty jacket, summer blouse and winter coat
b. Collar of regulation shirt and nylon windbreaker jacket.

**WINTER COAT**
Designated as follows:
a. Shoulder straps
b. 1¼ inch black mohair braid on sleeves
c. Three gilt (gold) buttons on cuffs.

**SUMMER BLOUSE**
Designated as follows:
a. 1¼ inch black mohair braid on sleeves
b. Three gilt (gold) buttons on cuffs.

**SHIRT, LONG SLEEVE**
White, long sleeve uniform shirt without chevrons. Miniature insignia of rank will be worn on collar.

**SHIRT, SHORT SLEEVE (OPTIONAL)**
White, short sleeve uniform shirt without chevrons. Miniature insignia of rank will be worn on collar.

**CAPTAIN**

Uniform is the same as required for lieutenant, **EXCEPT**:

**ALL WEATHER UNIFORM COAT**
**OPTIONAL -** Navy blue, double breasted trench coat. Authorized for use by captains and above. Garment must be converted for uniform use by adding insignia on the shoulder straps, two Police Department patches on the upper right and left sleeves, replace the eight buttons with eight large NYPD yellow metal buttons, and add two small yellow metal buttons to the shoulder straps.

**CAPTAIN (continued)**

**INSIGNIA OF RANK**
Two gilt (gold) bars, worn in the same manner as lieutenant's insignia.

**WINTER BLOUSE**
**OPTIONAL** - Navy blue, similar in appearance to the summer blouse; made of heavier material, affords access to service pistol and other items worn on equipment belt, may be used with a zip-in lining.

***NOTE*** *Captains and above will not affix service stripes/hash marks on their uniforms.*

**DEPUTY INSPECTOR**

Uniform is the same as required for captain, **EXCEPT**:

**INSIGNIA OF RANK**
Gilt (gold) oak leaf, to be worn with oak leaf stems pointing away from individual wearing them to the left and right.

**CAP**
Frame covered with black velvet.

**INSPECTOR**

Uniform is same as required for deputy inspector, **EXCEPT**:

**INSIGNIA OF RANK**
Gilt (gold) spread eagle.

**DEPUTY CHIEF**

Uniform is same as required for inspector, **EXCEPT**:

**INSIGNIA OF RANK**
One gilt (gold) star worn in the same manner as inspector's insignia.

**CAP**
Gilt (gold) spray design on cap visor.

**UNIFORM COAT**
Sleeves have two bands of black mohair braid.

**SUMMER BLOUSE**
Sleeves have two bands of black mohair braid.

**ASSISTANT CHIEF**

Uniform is same as deputy chief, **EXCEPT**:

**INSIGNIA OF RANK**
Two gilt (gold) stars, worn in same manner as deputy chief.

**EXECUTIVE NYLON WINDBREAKER JACKET**
Navy blue, sport collar style jacket with front snap closures. The front of the jacket is divided into two parts by reflective tape. The jacket will have gold

**ASSISTANT CHIEF (continued)**

letters "POLICE" affixed on the front. The rank of the executive will be in gold letters on the rear. The Department patch will be affixed to each sleeve below the shoulder seam. The shield on the front left breast of the jacket will be rank specific. Executives will wear insignia of rank on the collar.

**BUREAU CHIEFS**

Uniform is same as assistant chief, **EXCEPT**:

**INSIGNIA OF RANK**
Three gilt (gold) stars worn in the same manner as assistant chief's insignia.

**CHIEF OF DEPARTMENT**

Uniform is same as required for assistant chief, **EXCEPT**:

Four gilt (gold) stars worn in the same manner as assistant chief's insignia.

TRAINING ATTIRE FOR UNIFORMED MEMBERS OF THE SERVICE

**MEMBERS OF THE SERVICE**

**BUSINESS ATTIRE**
Post-arraignment court or job interview appropriate attire (suit, dress shirt and tie, dress, skirt, blouse, dress shoes, etc.).

**BUSINESS CASUAL ATTIRE**
Office appropriate attire (slacks, button down shirt/blouse, polo shirt, dress, skirt, sweater, flat shoes, closed toe shoes, etc.).

**PLAIN CLOTHES/TACTICAL TRAINING ATTIRE**
Long pants (that extend all the way to the top of the shoe), solid color plain polo shirt, t-shirt or long sleeve shirt (no graphics), shoes or sneakers with no visible markings, solid color jacket or coat.

***NOTE*** *The following clothing items are prohibited when attending firearm qualification: shorts, skirts or capris; tank tops, sleeveless shirts or blouses; no low cut necklines or deep v-neck shirts; open toed shoes, sandals or shoes that expose the top of the feet.*

**PHYSICAL TRAINING ATTIRE**
Solid colored t-shirt, shorts, sweatpants, sweatshirt (with no markings or visible emblems) and any color sneakers.

***NOTE*** *All members of the service are reminded to present themselves in a professional manner. Members are expected to be well groomed and wear clean clothing free of holes and tears. Clothing that contains offensive of inappropriate designs, stamps or messages are not permissible. Wear Department Identification Card on outermost garment when not in uniform.*

## INSIGNIA OF RANK AND SHIELD

***RANK AND INSIGNIA*** | ***SHIELD***

**CHIEF OF DEPARTMENT**

**BUREAU CHIEF**

**ASSISTANT CHIEF**

**DEPUTY CHIEF**

**INSPECTOR**

**DEPUTY INSPECTOR**

NYPD

**CAPTAIN**

**LIEUTENANT**

**SERGEANT**

**DETECTIVE**

**<u>No Insignia</u>**

**POLICE OFFICER**

**<u>No Insignia</u>**

NYPD

**PURPOSE** To outline uniform items that are optional to wear by uniformed members of the service. The optional uniform items that are weather related (i.e., winter hat, winter knit hat, summer cap, etc.), are to be worn only during appropriate weather conditions. All items must be ordered through the Equipment Section or an authorized dealer.

**BLOUSE** Navy blue, lightweight, tropical worsted conforming to design of regulation summer blouse. Authorized for ranking officers.

**NYPD PATROL TACTICAL PANTS** NYPD Patrol Tactical Pants may be worn by ALL ranks of uniformed members of the service on patrol, during court appearances and details, and by members permanently or temporarily assigned to Headquarters Security.

The following 5.11 Tactical Pants are also authorized:

- Style #74484NYPD-Stryke – 762 NYPD Navy Blue. NYPD Men's Uniform Pant – Twill
- Style #64421NYPD-Stryke – 762 NYPD Navy Blue. NYPD Women's Uniform Pant – Twill
- Style #74485NYPD-Stryke – 762 NYPD Navy Blue. NYPD Men's Uniform Pant – Ripstop
- Style #64422NYPD-Stryke – 762 NYPD Navy Blue. NYPD Women's Uniform Pant – Ripstop

**UNIFORM SHIRT STYLE OUTER VEST COVER** An optional outer vest which covers the existing bullet resistant vest carrier and is designed to resemble a uniform shirt. The vest panels must be properly inserted inside the existing bullet resistant vest carrier prior to being inserted into the uniform shirt style outer vest cover. The uniform shirt style outer vest cover may not be worn without both the panels and the existing vest carrier fastened with the existing Velcro straps. Available in navy blue or white (outer vest color must match color of uniform shirt) and authorized for all ranks over the long or short sleeved uniform shirt only. The uniform shirt style outer vest cover will be worn as the outermost garment.

**EYEGLASS SAFETY STRAPS** Uniformed members of the service who wear glasses and are assigned to enforcement duty are strongly urged to utilize black eyeglass safety straps.

**BLACK BOOTS** Plain black smooth leather with plain or lugged soles and raised heel. Grommets and laces will be black, and no buckles or hooks will be visible below the pants leg. May be worn by all uniformed members of the service on patrol.

**SUMMER CAP** Navy blue, tropical worsted, with lightweight perforated frame, for all uniformed members of the service.

**SHIRT, SHORT SLEEVE** Tie may **not** be worn with this shirt and undershirt must not be exposed at collar or sleeves.

**GOLF TYPE SHIRT** Navy blue pullover; shield patch affixed to the left side of chest; name/shield number patch affixed to the right side of chest; letters "NYPD" printed across the back and Department patches on both sleeves. Authorized for wear by members of the service assigned to the Harbor Unit or to precinct bicycle patrol duty and other members as authorized by the Police Commissioner, as part of the summer uniform. A name/shield patch will be sewn on the right side of each shirt purchased and will be ordered through the Equipment Section, or authorized dealer.

**TROUSERS** Navy blue.

**TURTLENECK SHIRT** Navy blue pullover; N.Y.P.D. emblem embroidered on the left side of chest; letters "N.Y.P.D." embroidered on the collar. Authorized for uniformed members of the service of all ranks.

White pullover; N.Y.P.D. emblem embroidered on the left side of chest; letters "N.Y.P.D." embroidered on the collar. Authorized for lieutenants and above.

The turtleneck shirt shall not be used as an outer garment but may be worn under the duty jacket.

Not to be worn when representing the Department at any function or when attending administrative meetings.

Turtleneck shirt may be worn under the long sleeve uniform shirt as follows:

- Members of the service in the rank of sergeant and below: navy blue turtleneck shirt
- Members of the service in the rank of lieutenant and above: white turtleneck shirt.

The top button only of the long sleeve uniform shirt is to be left unbuttoned. No tie is to be worn. This combination may be worn with or without the duty jacket, it may be worn to court and to detail assignments. This uniform option may not be worn by members assigned to administrative positions.

**WINTER HAT** Black soft vinyl with black mouton trimming for use by ALL uniformed members of the service. It is only to be worn with duty jacket.

**WINTER KNIT HAT** Navy blue knitted wool hat, which must fit close to the head, without bulk. Must have "NYPD" embroidered in white lettering thread on the front, with no other visible wording or logos. To be worn squarely on head with "NYPD" lettering centered across the forehead. It is only to be worn with duty jacket.

**COLD WEATHER HOOD** Black, made of a thin fabric, which fits close to the head, fully exposing the face and presents a trim appearance, without bulk, when the uniform hat is worn over it. This hood (known as a "balaclava") is authorized for members of all ranks performing patrol duties outdoors. It is only to be worn with duty jacket.

**EAR MUFFS** Black, headband type.

**TRANSIT OFFICER SAFETY VEST** Fluorescent orange with reflective silver trim with the word "POLICE" on the front and back, manufactured with a break away safety feature. To be worn by uniformed members of the service performing duties in areas that are deemed to be hazardous or that may require them to enter roadbeds or track areas within the New York City Transit System.

**NYLON WINDBREAKER JACKETS** Navy blue 100% nylon, sport collar style jacket with front snap closures. The front and back of the jacket must each be divided into two parts by one inch reflective tape. The jacket will have reflective letters "POLICE" affixed on the front, below the reflective tape. On the rear of the jacket, the letters "NYPD" and "POLICE," both made of a reflective material, above the reflective tape. A reflective tape shall be set on the center of both sleeves. The Department patch will be affixed to each sleeve, on top of the reflective tape. Supervisors/executives will have gold letters and wear insignia of rank on the collar (members of the service in the rank of sergeant will wear yellow metal insignia on the collar in lieu of chevrons on the sleeves).

***NOTE*** *The nylon windbreaker jacket will only be worn by authorized specialized units at police incidents. The nylon windbreaker jacket is never to be worn off duty or in conjunction with the regulation uniform as an outermost garment and is not to be adorned with unauthorized patches. Commanding officers wishing to obtain permission for their members to be allowed to wear approved nylon windbreaker jackets will prepare a* ***Typed Letterhead****, addressed to bureau chief/counterpart, through channels, stating reasons for requiring jackets.*

**BASEBALL CAP** Navy blue with white letters "NYPD" embroidered on front, worn by on-duty uniformed members of the service performing duty in civilian clothes.

**V-NECK SWEATER** Navy blue, acrylic or wool, waist length, vertical ribbed weave knit sweater with navy blue poly/cotton twill or corduroy patch material over elbows, left breast and epaulets. Gold buttons on pointed epaulets. The Department patch will be affixed to each sleeve.

***ADDITIONAL DATA*** *Police officers and detectives performing subway patrol duties in uniform during warm weather shall have the option of wearing the uniform cap.*

*Transit Bureau police officers and detectives who are assigned to subway patrol duty for their entire tour during warm weather shall have the option of wearing the summer uniform:*

*a. Regulation NYPD blue short sleeve uniform shirt.*
*b. Cargo style shorts, as available in the Equipment Section. Shorts will be hemmed to a length to the top of the knee.*

***ADDITIONAL DATA (continued)***

*c. Black leather uniform athletic shoe, lace-up style ONLY, with no visible logos or markings. Either high-cut or low-cut style is authorized, however, the shoe should have no more than five shoelace grommets/attachments.*

*d. Black cotton crew socks, worn fully extended, length at least three inches but no more than five inches above outermost anklebone. Socks must be visible.*

NYPD

# ADMINISTRATIVE GUIDE

| Section: Uniforms and Equipment | | Procedure No: 305-05 |
|---|---|---|
| **LOST OR DAMAGED UNIFORM** | | |
| DATE EFFECTIVE: 06/24/21 | LAST REVISION: I.O 63 | PAGE: 1 of 3 |

**PURPOSE** To reimburse uniformed members of the service for uniforms or equipment damaged or lost in the performance of police duty as well as personal clothing or prescription eyeglasses/contact lenses damaged or lost during extraordinary police action (e.g., pursuit or physical altercation with a suspect, rescues, etc.).

**PROCEDURE** When an article of uniform or equipment is damaged or lost in the performance of police duty or personal clothing or prescription eyeglasses/contact lenses are damaged or lost during extraordinary police action:

**UNIFORMED MEMBER OF THE SERVICE**

1. Prepare report on **Typed Letterhead**, addressed to the Deputy Commissioner, Management and Budget, within **thirty days** from the date of incident and state:
   a. How and when loss or damage occurred
   b. Date of purchase and cost of article
      (1) Attach copy of receipt if available.
2. Attach statement of witnesses, if any.
3. Ascertain if article can be repaired.
   a. Obtain copy of estimated cost for repair, OR
   b. Copy of statement determining that item is damaged beyond repair.
4. Present damaged article, <u>unrepaired</u>, to the commanding officer with report and appropriate documentation from steps 1 through 3 above.

***NOTE*** *Report must be signed and submitted within thirty days by member requesting reimbursement, unless member is incapacitated, in which case, supervisory officer will state so in report, sign and submit within thirty days.*

**COMMANDING OFFICER**

5. Investigate and endorse report, including:
   a. Facts are as stated in application.
   b. Whether damage or loss was incurred in the performance of police duty, or for personal clothing, occurred during an extraordinary police action.
   c. Statement that damaged article has been inspected by commanding officer.
   d. Statement that article is repairable or beyond repair.
   e. Statement that member was authorized to be attired in civilian clothing at the time of incident, if the request involves personal clothing.
   f. Recommendation to approve or disapprove request.
6. Forward report to Deputy Commissioner, Management and Budget:
   a. Direct – if cost of repair or replacement is less than $100.
   b. Through channels – if cost of repair or replacement is $100 or more.

**C.O., NEXT HIGHER COMMAND (If applicable)**

7. Review report.
8. Indicate recommendation to approve/disapprove request.
9. If approved, forward report through channels to Deputy Commissioner, Management and Budget.

**DEPUTY COMMISSIONER, MANAGEMENT AND BUDGET**

10. Review report and recommendations.

FOR ITEMS WHICH CANNOT BE PURCHASED AT THE EQUIPMENT SECTION:

**DEPUTY COMMISSIONER, MANAGEMENT AND BUDGET**

11. Forward report to Director, Audits and Accounts Unit.

**AUDITS AND ACCOUNTS UNIT**

12. Review the report for necessary documentation and required approvals.
13. Determine the reimbursement amount to be paid to the member based upon current cost, less depreciation for age or wear.
    a. Forward a check to the member of the service who initiated the claim.

FOR ITEMS SOLD IN THE EQUIPMENT SECTION:

**DEPUTY COMMISSIONER, MANAGEMENT AND BUDGET**

14. Prepare report on **Typed Letterhead** stating items authorized to be replaced.
15. Forward report as follows:
    a. Original to member of the service concerned
    b. Copy to Equipment Section
    c. Copy to Audits and Accounts Unit
    d. Copy to Deputy Commissioner, Management and Budget for file.

**UNIFORMED MEMBER OF THE SERVICE**

16. Upon receipt of report authorizing replacement of lost or damaged uniform or equipment, telephone the Equipment Section to determine whether item(s) is in stock.
17. Present report to Equipment Section personnel and obtain replacement item(s).

**EQUIPMENT SECTION**

18. Issue the authorized item(s) to member concerned.
19. Submit a detailed report to the Director, Audits and Accounts Unit of replacement item(s) disbursed for the previous month, by the fifth day of the succeeding month.

***ADDITIONAL DATA***

*All settlements are non-transferable and MUST be executed within one hundred and eighty days of approval by the Deputy Commissioner, Management and Budget.*

*The Department does not reimburse members of the service for loss of, or damage to, personal articles, e.g., jewelry, rings, bracelets, etc., with the exception of watches. While uniformed members of the service performing patrol duty must be equipped with a serviceable watch, such members should be aware that a maximum of $75.00 has been established as a reasonable amount for reimbursement, if the watch is lost or damaged.*

*Uniformed members of the service may require prescription eyeglasses/contact lenses in order to optimally perform their duties. In those instances where prescription eyeglasses/contact lenses are lost or damaged in the performance of extraordinary police duties, members should be aware that a maximum of $100.00 has been established as a reasonable amount for reimbursement.*

*Uniformed members authorized to perform duty in civilian clothes who sustain damage to their personal clothing in the furtherance of extraordinary police action should be aware that the following limits (in consideration of depreciation) have been established as reasonable for reimbursement.*

| | |
|---|---|
| *Jacket/Coat* | *$100.00* |
| *Suit Jacket* | *$100.00* |
| *Dress* | *$100.00* |
| *Dress pants* | *$75.00* |
| *Footwear* | *$75.00* |
| *Skirt* | *$50.00* |
| *Other pants (jeans, shorts, etc.)* | *$45.00* |
| *Dress shirt/blouse* | *$40.00* |
| *Other shirts (sweat shirt, t-shirt, etc.)* | *$20.00* |
| *Other* | *As determined by Audits and Accounts Unit* |

# ADMINISTRATIVE GUIDE

| Section: Uniforms and Equipment | | Procedure No: 305-06 |
|---|---|---|
| **INSPECTION OF UNIFORMS PRIOR TO PROMOTION** | | |
| DATE EFFECTIVE: 06/10/21 | LAST REVISION: I.O. 45 | PAGE: 1 of 1 |

**PURPOSE** To ensure proper uniform and appearance for uniformed members of the service reporting for promotion.

**PROCEDURE** When a uniformed member of the service is notified for promotion:

**UNIFORMED MEMBER OF THE SERVICE**

1. Present uniform and **UNIFORM PROMOTION CHECKLIST (PD469-090)** to commanding officer upon notification of promotion.

**COMMANDING OFFICER**

2. Immediately conduct a uniform inspection of promotee using **UNIFORM PROMOTION CHECKLIST** and return to promotee.

**UNIFORMED MEMBER OF THE SERVICE**

3. Present the completed **UNIFORM PROMOTION CHECKLIST** to the Commanding Officer, Leadership Training Section, when assigned to the leadership training course.

**COMMANDING OFFICER, LEADERSHIP TRAINING SECTION**

4. Conduct a second uniform inspection a day or two prior to promotion.

**UNIFORMED MEMBER OF THE SERVICE**

5. Submit the signed **UNIFORM PROMOTION CHECKLIST** to a member of the Personnel Bureau on the day of scheduled promotion.

**MEMBER OF PERSONNEL BUREAU**

6. Inspect promotee prior to promotion ceremony.

***ADDITIONAL DATA*** *Pregnant uniformed members of the service are permitted to wear appropriate business attire.*

*Any member not properly groomed or attired according to Department Regulations will not be promoted until the member is in compliance with these regulations.*

NYPD

**PROCEDURE** All uniformed members of the service performing patrol duty in uniform are required to carry, or wear, the following equipment as authorized, or indicated:

**REQUIRED EQUIPMENT**

1. Firearms(s), Body Worn-Camera (BWC) and less than lethal device (e.g., batons, Conducted Electrical Weapons [CEW], etc.) will only be carried when a member of the service is properly trained by the Department.
2. Regulation holster as authorized by Firearms and Tactics Section, designed with safety lock, for use with service 9mm pistol (see Firearms and Tactics Section page on Department intranet for more details).
3. Three magazines for authorized service 9mm pistol.
   a. One magazine filled with 15 cartridges in firearm, with one additional cartridge in the chamber.
   b. Two magazines filled with 15 cartridges each in a double magazine pouch.
   c. Maintain the maximum number of rounds in other magazines carried (e.g., off duty, special weapons, etc.).
4. Double magazine pouch with flap and snap closure, black in color, and affixed to equipment belt in vertical position.
5. Belts (Two):
   a. Trouser belt: black leather, with gunmetal buckle, and:
   b. Equipment belt: black leather or nylon, with gunmetal or black buckle
      (1) Equipment belt will cover trouser belt, both to be worn firmly around the waist, and secured with an adequate amount of black belt keepers.
6. Regulation handcuffs carried in black handcuff case attached to equipment belt with key available.
7. Assigned portable radio carried in assigned radio case, attached to equipment belt.
8. Assigned Department smartphone, charged.

***NOTE*** *Uniformed members of the service are reminded that all Activity Log inserts are available via the digital Activity Log application.*

9. Expandable baton carried in a black nylon, polycarbonate or plastic holder attached to belt, if qualified.
10. Baton, to be readily available on all tours with baton holder to be worn on equipment belt.
11. Department issued flashlight.
12. Properly set, serviceable timepiece.
13. Personal radiation detection pager, when issued.
14. Regulation traffic whistle and belt whistle holder (when performing traffic related duties).

**REQUIRED EQUIPMENT (continued)**

15. Reflective traffic safety vest (when performing traffic related duties or at the discretion of a supervisor).
16. Transit Officer Safety Vest: Fluorescent orange with reflective silver trim with the word "POLICE" on the front and back, manufactured with a break away safety feature, when performing duties in areas that are deemed hazardous or that may require entering roadbeds, or track areas within the New York City Transit System.
17. Dual-purpose personal protection/scooter helmet with face shield, as indicated in *A.G. 304-05, "Performance on Duty."*
18. Oleoresin Capsicum pepper spray device and holder attached to equipment belt.
19. Department issued belt-worn trauma kit, if trained.
20. Tactical response hood and personal protective equipment:
21. Protective vest, as indicated in *A.G. 305-15, "Protective Vests."*
22. An appropriate amount of **RIGHT TO KNOW BUSINESS CARDS (PD142-012)** and **RIGHT TO KNOW BUSINESS CARDS – GENERAL (PD142-013)**.
23. Department issued opioid antagonist (e.g., Narcan, Naloxone, etc.), if trained and issued by the Department.
24. Carry a sufficient amount of summonses, if below the rank of captain and assigned to enforcement duties.

CIVILIAN CLOTHES ENFORCEMENT

**REQUIRED EQUIPMENT**

25. Authorized firearm(s).
26. A minimum of one extra fully loaded magazine.
27. Regulation handcuffs with key.
28. Assigned Department smartphone, charged.
29. An appropriate amount of **RIGHT TO KNOW BUSINESS CARDS** and **RIGHT TO KNOW BUSINESS CARDS – GENERAL**.
30. "Color of the Day" head/arm band on their person.
31. Oleoresin Capsicum pepper spray device.
32. Assigned Department BWC.
33. Nylon windbreaker jacket, to be worn when present at a police incident.
34. CEW, if available and trained.

***ADDITIONAL DATA***

*Commanding officers in the Detective Bureau and Internal Affairs Bureau have the authority to allow members of their respective commands to be armed with an* ***authorized off duty firearm*** *in lieu of a service weapon (as described in A.G. 305-11, "Authorization for Special Weapons") if they believe it is more suitable for a particular assignment.*

# ADMINISTRATIVE GUIDE

| Section: Uniforms and Equipment | | Procedure No: 305-09 |
|---|---|---|
| **HANDGUN ACQUISITION/DISPOSITION** | | |
| DATE EFFECTIVE: 01/23/23 | LAST REVISION: R.O. 3 | PAGE: 1 of 4 |

**PURPOSE** To record the acquisition/disposition of handguns (i.e., purchasing, acquiring, disposing, etc.) by uniformed members of the service.

**PROCEDURE** When acquiring or disposing of a handgun:

**UNIFORMED MEMBER OF THE SERVICE**

1. Conduct transaction with New York State (NYS) licensed firearms dealer.
2. Ensure NYS licensed firearms dealer initiates a background check through the National Instant Criminal Background Check System (NICS).
3. Obtain NICS number and bill of sale from NYS licensed firearms dealer.

***NOTE*** *All acquisitions/dispositions of handguns must be done in the presence of a NYS registered firearms dealer, unless the acquisition/disposition is conducted with an immediate family member. The New York State Safe Act defines an immediate family member as a spouse, domestic partner, child or step-child. However, a transaction with an immediate family member does require the completion and processing of the* ***ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE (PD424-150)*** *as described in this procedure.*

4. Prepare **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE**.
5. Deliver **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE** and bill of sale to desk officer/counterpart of permanent command.

**DESK OFFICER**

6. Compare make, model, caliber and serial number listed on bill of sale with handgun.
7. Query New York State Police Information Network (NYSPIN) and National Crime Information Center (NCIC), via appropriate Department computer applications or Stolen Property Inquiry Unit, to determine if an alarm for firearm exists.
8. Review **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE** for completeness and accuracy, and bill of sale.
9. Make Command Log entry, including:
   a. Member's name,
   b. Tax registry number,
   c. Date acquired/purchased handgun,
   d. Name of individual handgun was purchased from, and
   e. Make, model, caliber, type, and serial number of handgun.
10. Enter Command Log page number on **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE**.
11. Sign and return **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE** and bill of sale to uniformed member of the service.

**UNIFORMED MEMBER OF THE SERVICE**

12. Make appropriate entries on **FORCE RECORD (PD406-143)**.
13. Hand deliver, personally, original copy of **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS – REPORT TO N.Y. STATE POLICE** with bill of sale, and acquired firearm, unloaded, in a box or appropriate container, to FTS, Acquisition Desk, located at Rodman's Neck, Building 8, Monday through Friday, from 0700 to 1700 hours, within three business days

**FIREARMS AND TACTICS SECTION**

14. Review **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE** and assign FTS log number.

**UNIFORMED MEMBER OF THE SERVICE**

15. Submit copy of **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE** with FTS log number to desk officer.

**DESK OFFICER**

16. Make Command Log entry of FTS log number in margin of original entry.

**CLERICAL MEMBER**

17. File bill of sale and copy of **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE** in member's personnel folder.

***ADDITIONAL DATA***

*When a uniformed member of the service is selling, purchasing or disposing of a handgun to or from another person, the transaction must be made through a NYS Licensed Firearms dealer. In addition, when a handgun is being transferred to or from a person who has been issued a firearm license by the NYPD License Division, the uniformed member of the service must notify the License Division at least three business days prior to the transfer. Notifications must be made via email to DG_LIC-Incidents@NYPD.org and include:*

*a. Name and tax number of the uniformed member of service,*
*b. Make, caliber, type, model and serial number of handgun,*
*c. Handguns transferred on previous occasions: dates, to whom sold, including address, make, caliber, type, model and serial numbers,*
*d. Name, address, age and sex of other person involved in transaction,*
*e. Handgun license number and date issued, and*
*f. Reason for transaction.*

*FTS log numbers will not be assigned or issued until the FTS is in possession of a properly completed, original ink signature copy of the **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE**. Any questions regarding the completion of an **ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE** can be directed to the FTS, Acquisitions Desk at (718) 885-0261, Monday to Friday, 0700 x 1900 hrs.*

*All handguns that are purchased for use as authorized service or off-duty firearms must be brand new and purchased from a NYS Licensed Firearms Dealer. No previously used firearms will be authorized for use as service or off-duty firearms. A uniformed member of the service may sell a handgun to another uniformed member of the service. However, a uniformed member of the service who purchases a handgun from another uniformed member of the service may not use the handgun as a service pistol or authorized off-duty firearm. Furthermore, any handgun*

***ADDITIONAL DATA (continued)***

*that is purchased to be used as a service pistol or authorized off-duty firearm must be tested by the Department gunsmith prior to authorization.*

*New York state Penal Law Section 400.00 (12-c) requires police officers to report the acquisition or disposition of a handgun to the New York State Police within ten business days of date of acquisition/disposition. To ensure compliance, uniformed members of the service who acquire or dispose of a handgun must deliver the completed* ***ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE*** *to FTS, Acquisitions Desk within three business days. Violation of Penal Law Section 400 (12-c) is an "A" misdemeanor.*

*Uniformed members of the service who possess required federal and New York State licenses to work as a gun dealer in New York State, and who have obtained permission from the Department to engage in off-duty employment as a gun dealer, in accordance with P.G. 205-40, "Off Duty Employment," are not required to file an* ***ACQUISITION OR DISPOSITION OF FIREARMS BY POLICE OFFICERS - REPORT TO N.Y. STATE POLICE*** *for handguns that are acquired or disposed of pursuant to their gun dealer business and are not for personal use.*

*A routine request for information concerning handguns belonging to a uniformed member of the service will be directed to the member's permanent command. The Police Academy, FTS, will supply information on a 24 hour basis concerning the firearms of a uniformed member of the service to an investigating supervisor in an emergency, if the permanent command of the member is closed, OR during an investigation, if a telephone inquiry to the member's command may compromise an investigation. If a handgun comes into the possession of a uniformed member of the service and the owner of the firearm is unknown, a request for the identity of the owner will be directed to the Stolen Property Inquiry Unit.*

*Since November 1, 1994, the Equipment Section has issued 9mm service weapons to uniformed members of the service. Since Police Department funds have been used to purchase and/or make reimbursements for the 9mm weapons that are the subject of this program, the Department retains the right to repossess and permanently retain these weapons under certain circumstances as follows:*

*a. When a recruit officer or probationary police officer resigns or is terminated from the Department, OR*

*b. When any other member of the service resigns or is terminated from the Department under less than honorable conditions, as determined by the Chief of Department.*

*Weapons in the above categories will be vouchered for safekeeping with the following statement in the "Remarks" section of the* ***PROPERTY CLERK INVOICE (PD521-141)****:*

***WEAPON IS NOT TO BE RELEASED WITHOUT WRITTEN AUTHORIZATION OF THE CHIEF OF DEPARTMENT.***

*The Commanding Officer, Property Clerk Section will forward a report to the Chief of Department for any 9mm service weapon vouchered from a recruit or probationary police officer who resigns or who may be terminated, and from other officers who resigned or terminated employment under less than honorable conditions.*

*a. Chief of Department will notify the Property Clerk Section to forward to the Outdoor Range the 9mm service weapon vouchered from recruit officers and probationary officers.*

***ADDITIONAL DATA (continued)***

*b. Chief of Department will determine and then notify the Property Clerk Section whether the 9mm service weapons vouchered from other officers, who resigned or terminated employment under less than honorable conditions, are to revert back to the Department, and sent to the Outdoor Range, or released to the member concerned.*

NYPD

# ADMINISTRATIVE GUIDE

| Section: Uniforms and Equipment | | Procedure No: 305-10 |
|---|---|---|
| **REPAIR/REPLACEMENT OF AUTHORIZED FIREARMS** | | |
| DATE EFFECTIVE: 09/20/22 | LAST REVISION: I.O. 99 | PAGE: 1 of 1 |

**PURPOSE** To borrow or repair authorized firearms.

**PROCEDURE** When an authorized firearm is stolen, lost, requires repair, or held as evidence by a court, District Attorney or safeguarded by the Property Clerk:

TO OBTAIN REPLACEMENT FIREARM:

**UNIFORMED MEMBER OF THE SERVICE**

1. Notify commanding officer of facts.

**COMMANDING OFFICER**

2. Direct preparation of report on **Typed Letterhead**, addressed to Commanding Officer, Firearms and Tactics Section outlining facts and requesting that the member concerned be loaned an authorized firearm.

**UNIFORMED MEMBER OF THE SERVICE**

3. Deliver report to Department armorer, Firearms and Tactics Section on weekdays, 0700 to 1500 hours, Outdoor Range, Rodman's Neck.
4. Report to commanding officer make, model and serial number of authorized firearm obtained from Firearms and Tactics Section.

**COMMANDING OFFICER**

5. Have entry of above data made on member's **FORCE RECORD (PD406-143)**.

**UNIFORMED MEMBER OF THE SERVICE**

6. Deliver borrowed firearm to Firearms and Tactics Section when firearm is returned or repaired.
   a. Obtain receipt for borrowed firearm from Firearms and Tactics Section and deliver to commanding officer.

**COMMANDING OFFICER**

7. Have entry made on member's **FORCE RECORD** indicating return of borrowed firearm to Firearms and Tactics Section and file receipt in member's Personal Folder.

***ADDITIONAL DATA***

*Department procedures prohibit modification of an authorized off duty or on-duty firearm without the prior permission of the Commanding Officer, Firearms and Tactics Section. Firearms that become defective in any manner, including water saturation, will be delivered to the Department gunsmith at Outdoor Range, Rodman's Neck for repair/inspection prior to use.*

*Under some conditions, uniformed members of the service may find it necessary to have authorized firearms repaired by the manufacturer or a licensed gunsmith for repairs that the Department gunsmith is unable to make. In these instances, firearms will be shipped to the manufacturer by armory personnel. If the authorized firearm requires repair, uniformed member of the service will obtain a replacement firearm at the Firearms and Tactics Section by complying with the procedure above. In addition, if a member's authorized firearm is repaired by other than the Department gunsmith, such firearm must be inspected by the Department gunsmith prior to being carried on or off duty.*

# ADMINISTRATIVE GUIDE

| Section: Uniforms and Equipment | | Procedure No: 305-11 |
|---|---|---|
| **AUTHORIZATION FOR SPECIAL WEAPONS** | | |
| DATE EFFECTIVE: 06/24/21 | LAST REVISION: I.O. 52 | PAGE: 1 of 1 |

**PURPOSE** To authorize qualification and carrying of weapons other than regulation service firearms.

**PROCEDURE** When a commanding officer of a unit within Detective Bureau or Internal Affairs Bureau determines it necessary for a uniformed member of the service to carry weapons other than a Department authorized firearm.

**COMMANDING OFFICER**

1. Submit report on **Typed Letterhead**, to Commanding Officer, Firearms and Tactics Section, requesting:
   a. Approval of weapon to be used.
   b. Qualification of member concerned.

**COMMANDING OFFICER, FIREARMS AND TACTICS SECTION**

2. Approve or disapprove request.
3. Have authorization and qualification recorded in file maintained at the Firearms and Tactics Section.

**COMMANDING OFFICER, UNIT CONCERNED**

4. Enter special authorization and qualification on **FORCE RECORD (PD 406-143)**, or **FORCE RECORD SUPPLEMENT (PD406-143A)**.
   a. Have member deliver request for renewal of authorization to Commanding Officer, Firearms and Tactics Section, at each shooting cycle.

***NOTE*** *Those uniformed members of the service authorized to carry special weapons will ensure that the maximum number of rounds are loaded in the weapon and magazines where applicable. Semi-automatics are to be carried with a round in the chamber.*

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**UNIFORMED MEMBER OF THE SERVICE**

1. Wear shield, nameplate and nameplate holder at all times while in uniform on the outermost garment, except if outermost garment has sewn shield patch (i.e., golf type shirt, etc.).

***NOTE***

*Uniformed members of the service are reminded that when performing official duties in uniform, their shield number or rank designation must be visible at all times. A refusal to make a shield number or rank designation visible to a requesting individual may subject them to legal action.*

2. Carry shield and **IDENTIFICATION CARD (PD416-091)** at all times, when in uniform or civilian clothes, and present both when necessary to establish identification.
   a. Uniformed members utilizing the option of not carrying firearms off duty as described in *A.G. 305-07, "Firearms General Regulations,"* may also elect not to carry their shield.
3. Display shield on the outermost garment when wearing civilian clothes at the scene of an emergency.
4. Present shield and **IDENTIFICATION CARD**, when wearing either uniform or civilian clothes, when delivering or withdrawing evidence from Property Clerk Section or whenever obtaining Department property, (i.e., vehicles, radios, etc.) for temporary use from another command.
5. Display **IDENTIFICATION CARD** prominently on outermost garment when wearing civilian clothes in any Department facility.

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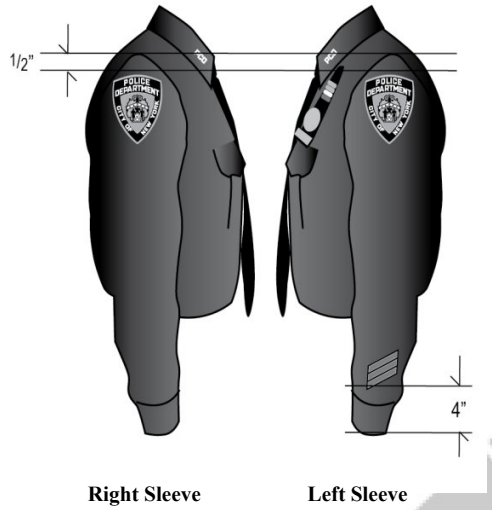
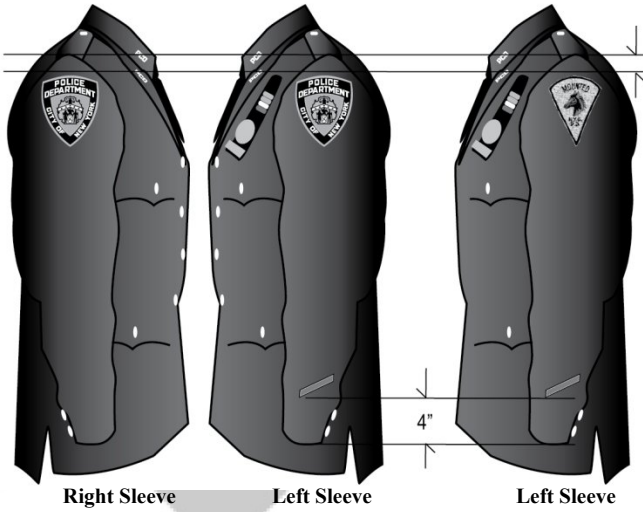
## GRAPHIC OF UNIFORMS SHOWING LOCATION OF PATCHES, EMBLEMS, ETC.

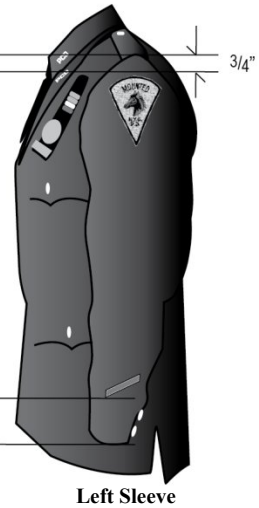
Police Officer's Uniform Shirt



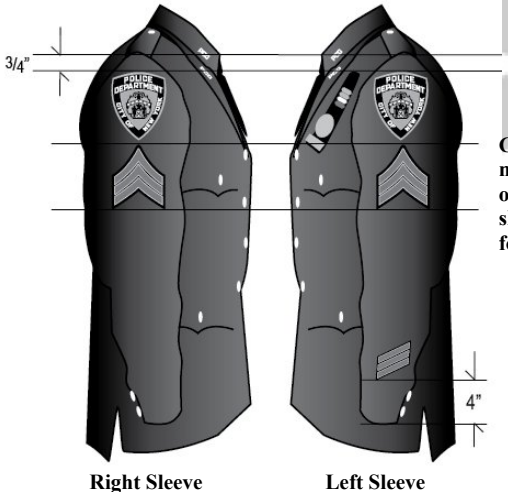

Police Officer's Uniform Blouse




Police Officer's Uniform Blouse with Command Emblem

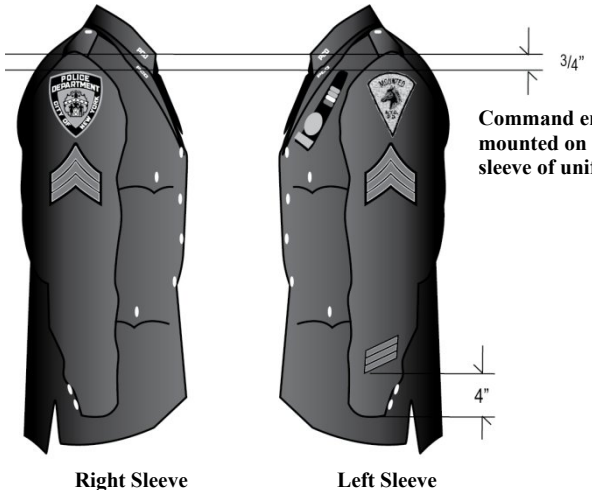



Sergeant's Uniform Blouse



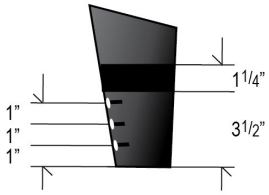

**Chevrons are mounted midway on right and left sleeve of uniform for sergeants**

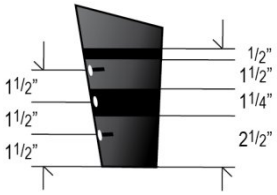
Sergeant's Uniform Blouse with Emblem



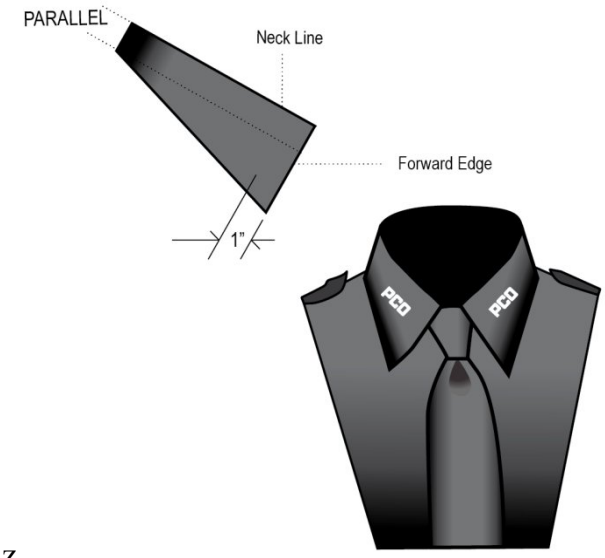

**Command emblem mounted on left sleeve of uniformed**

Lieutenant
Captain
Deputy Inspector
Inspector




Deputy Chief
Assistant Chief
Bureau Chief
Chief of Department

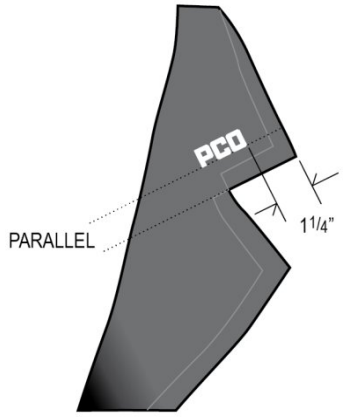


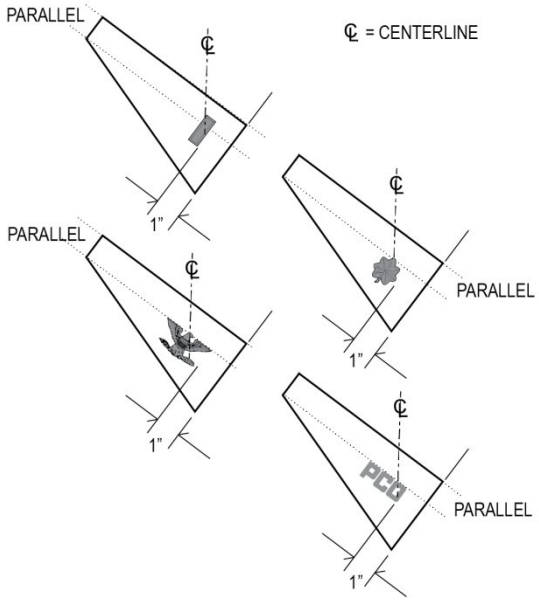

**Uniform Shirt** – Center command designation on collar points one inch from forward edge of collar and affix parallel to neckline.

**Note:** A command insignia is worn in place of the numerical or letter command designation on the left collar of uniforms of Communications Division, Life-Safety Systems Division, Harbor Unit and Aviation Unit personnel. Members assigned to the Mounted Unit will wear a horses head insignia facing in on both sides of the collar on the outermost garment, excluding raincoat.

z

**Summer Blouse** – Affix command designation one and one quarter inch up and in from collar as shown.



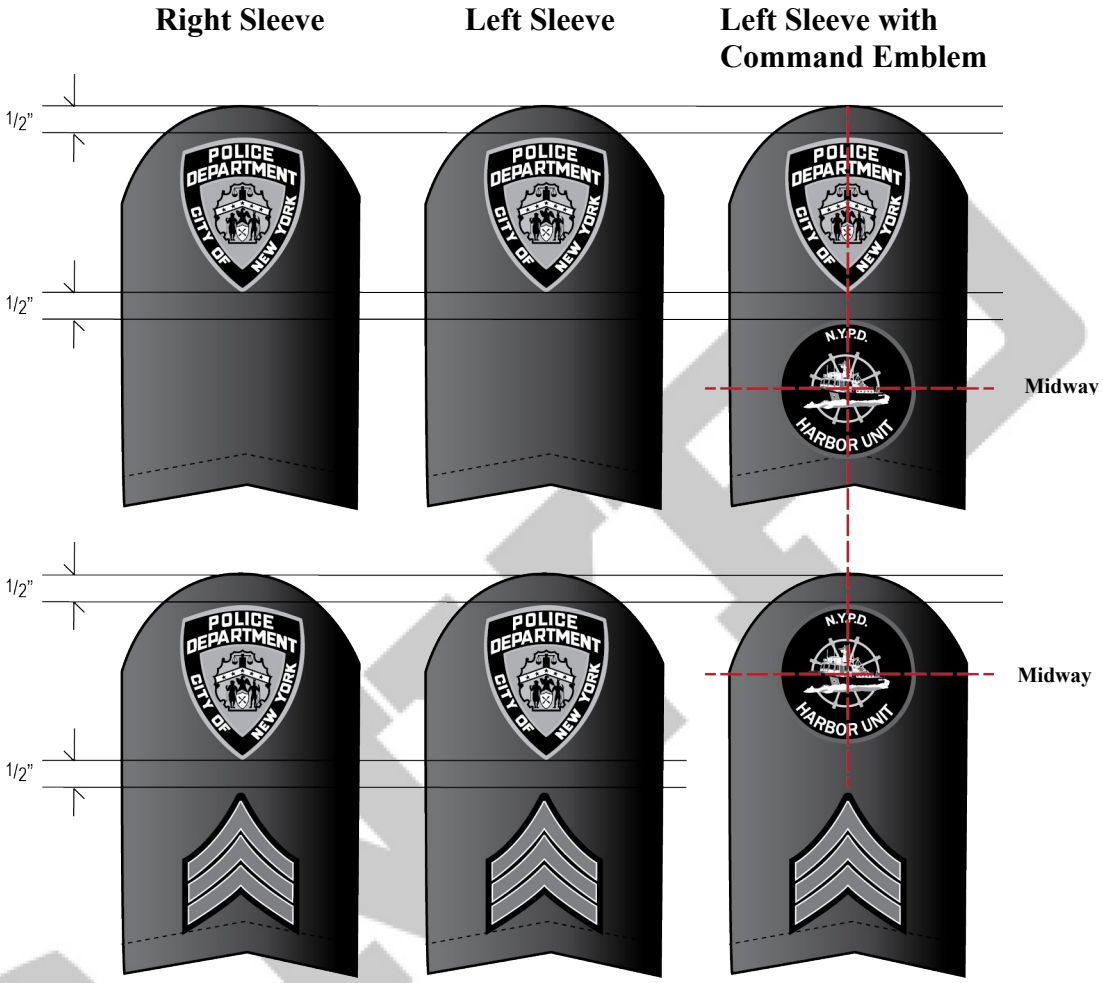

For lieutenants and above, insignia designating rank shall be centered on collar points one inch from the forward edge.

For the rank of deputy inspector, affix with oak leaf stem parallel to the forward edge.

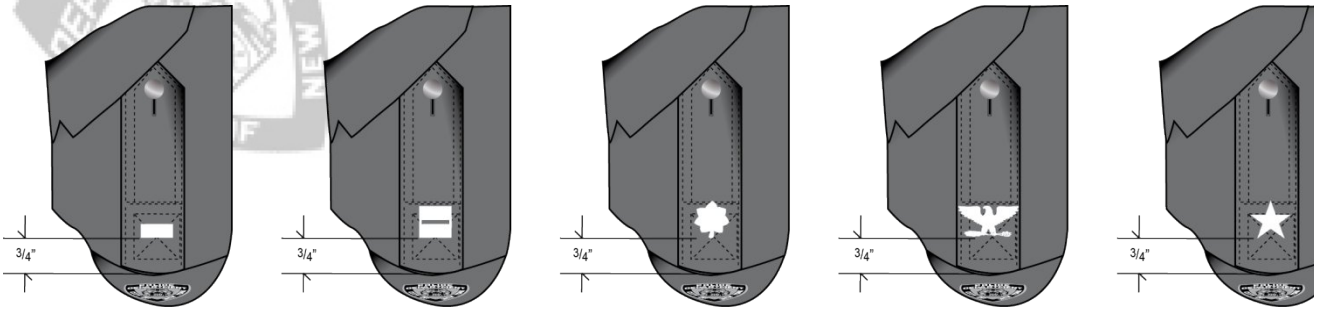
For the rank of inspector, affix with eagle's head facing forward edge.

Sergeants, police officers and detectives in uniform will wear appropriate command designation (numerals, letter, or insignia) on both sides of collar on the outermost garment except raincoat.

## SHORT SLEEVE SHIRT AND DEPARTMENT EMBLEMS




## SHOULDER STRAP (Lieutenants and Above)



## UNIFORM INSIGNIA (Lieutenants and Above)

CHIEF OF DEPARTMENT

BUREAU CHIEF

ASSISTANT CHIEF

DEPUTY CHIEF

INSPECTOR

DEPUTY INSPECTOR

CAPTAIN

LIEUTENANT

**DEPARTMENT AND COMMAND EMBLEMS (SHOULDER PATCHES)**

1. The Department logo will be worn on both left and right sleeves of all regulation uniform garments except the turtleneck shirt.
2. Uniformed members of the service assigned to Aviation, Emergency Service, Harbor, Mounted, Scuba, Strategic Response Group, Transit Bureau Canine Team or Highway District units shall continue to display the Department emblem on the right sleeve only and their command emblem on the left shoulder.
3. Uniformed members of the service assigned to the Communications Division, Life-Safety Systems Division and the Citywide Traffic Task Force will display their authorized command emblem on the left sleeve ½ inch beneath the Department emblem except: sergeants assigned to this unit shall continue to display the Department emblem on the right sleeve only and their command emblem on the left sleeve (centered midway between the crest of the chevrons and the top of the sleeve).

**COLLAR INSIGNIA AND COMMAND DESIGNATIONS**

1. Wear only yellow metal command insignia (except commands authorized to wear cloth insignia [white lettering] on work uniforms).
2. Sergeants, uniformed detectives, and police officers will wear appropriate insignia on both sides of collar of both inner and outer garments, except turtleneck.

**SERVICE STRIPES/ HASH MARKS**

1. Each stripe represents five years of service.
2. Service stripes/hash marks are to be affixed to all outer garments, **except** short sleeve shirts, leather and raingear, of lieutenants, sergeants, detectives and police officers (left sleeve **only**).
3. Service stripes/hash marks may be worn six months prior to the five year period represented, if the wearer so desires.

**BREAST BARS/ PINS**

**PRECINCT, POLICE SERVICE AREA, TRANSIT DISTRICT COMMANDING OFFICER RECOGNITION PIN**

*The Precinct, Police Service Area, Transit District Commanding Officer Recognition Pin, with designated precinct, police service area, transit district numerals displayed, will be worn above the right breast pocket of the outermost garment by the commanding officer when performing duty in uniform. If another bar (e.g., Medal of Honor breast bar) is worn, the Commanding Officer Recognition Pin will be worn above.*

**BREAST BARS**

**Department Medal of Honor**

*A second award of this medal is identified by a gold leaf placed in the center of the bar. The Department Medal of Honor breast bar, at the discretion of the recipient, may be worn over the right breast uniform pocket. When so worn, all other bars will be displayed on the left side, above the member's shield. If uniform has no breast pockets, all bars will be worn on the left, above the shield.*

**BREAST BARS/PINS (continued)**

**Police Combat Cross**

*A second award of this medal is identified by a gold leaf placed in the center of the bar.*

**Medal For Valor**

*A second award of this medal is identified by a gold leaf placed in the center of the bar.*

**Police Purple Shield Medal**

*The Police Purple Shield Medal breast bar, at the discretion of the recipient, may be worn over the right breast uniform pocket. When so worn, all other bars will be displayed on the left side, above member's shield. If uniform has no breast pockets, all bars will be worn on the left, above the shield.*

**Honorable Mention (Silver Star) (<u>Shown Below</u>)**
**Exceptional Merit (Light Green Star)**
**Commendation (Bronze Star)**
**Commendation – Community Service (Light Blue Star)**

- *1st Award* — ➢ *Appropriate star in white area*
- *2nd Award (same type)* — ➢ *Appropriate stars in green and blue areas*
- *2nd Award (different types)* — ➢ *Appropriate stars, highest in green area*
- *3rd Award (same type)* — ➢ *Appropriate stars in green, white and blue areas*
- *3rd Award (different types)* — ➢ *Appropriate stars, highest in white, next highest in green, lowest in blue area.*

*Upon receipt of a fourth award, a second bar will be worn with appropriate star(s) affixed. If fourth award duplicates any of the previous three, the duplication will be reflected on the second bar.*

*The Commendation - Community Service bar is worn by recipient of Line Organization - Community Service Medal.*

**BREAST BARS/PINS (continued)**

**Meritorious Police Duty**

**Excellent Police Duty**

*Only one breast bar in the grade of Meritorious Police Duty or Excellent Police Duty may be worn at one time, however, members who have been awarded Meritorious Police Duty or Excellent Police Duty numbering more than 25, 30, 40, 50 or 60 are authorized to wear an additional breast bar. One breast bar will be number 25, 30, 40, 50 or 60 and when combined with the number indicated on the second bar will designate the total number of awards received in that category. Members are not authorized to wear more than two bars.*

**World Trade Center Memorial Breast Bar**

*May be worn by all uniformed members of the service, at their discretion, in tribute to the members of the New York City Police Department who valiantly lost their lives on September 11, 2001, and in recognition of the incredible heroism that was exhibited by all active uniformed members. The WTC Memorial breast bar will be worn above all other medals, breast bars and Unit Citation, with the exception of the American Flag breast bar, when worn, will always be the top most bar above the shield.*

**Unit Citation**

*Designated members of the service may wear a Unit Citation. The Unit Citation breast bar will be left bare to indicate the receipt of a single Unit Citation. The receipt of additional Unit Citations will be indicated by the number "2", "3", etc. on the bar. The Unit Citation breast bar may be worn during entire police career regardless of subsequent assignments within the Department.*

*The Unit Citation breast bar is worn above the shield and immediately below individual recognition awards. (Eligible civilian members may wear the Unit Citation lapel pin).*

**Anniversary Breast Bars**

**150th Anniversary Bar**

**BREAST BARS/ PINS (continued)**

**175th Anniversary Bar**

*All uniformed members of the service who were employed during the 150th anniversary of the New York City Police Department, 1995, may wear the 150th Anniversary breast bar and all uniformed members of the service who were employed during the 175th anniversary of the New York City Police Department, 2020, may wear the 175th Anniversary breast bar. The Anniversary breast bar is to be worn above the shield, immediately below Unit Citation, if worn, and below individual recognition awards.*

**Military Service Breast Bars**

*United States Army*

*United States Marine Corps*

*United States Navy*

*United States Air Force.*

*United States Coast Guard*

*Members of the service who are currently active in any branch of the United States Armed Forces or have been honorably discharged are authorized to wear the Military Service breast bar. The Military Service breast bar is to be worn above shield, immediately below Unit Citation, if worn, or below individual recognition awards.*

**BREAST BARS/ PINS (continued)**

### Police Cadet Breast Bar

*All uniformed members of the service who previously served as police cadets are authorized to wear the Police Cadet breast bar. The Police Cadet breast bar is to be worn immediately below Military Service breast bars, if worn, and below individual recognition awards.*

### Hurricane Katrina Rescue and Recovery Mission Commemorative Breast Bar

*Those members of the service who have participated in the Katrina Rescue and Recovery Mission are granted permission to wear the commemorative breast bar. The Katrina breast bar is to be worn above shield, immediately below Unit Citation, if worn, or below individual recognition awards.*

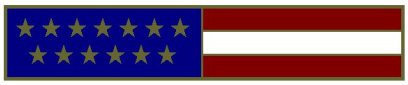
### Longevity Bar

*Uniformed members of the service below the rank of captain authorized to wear the regulation short sleeve shirt must wear the longevity bar. The bar will be worn over the right breast pocket. If the Department Medal of Honor breast bar is worn on the right side, the longevity bar will be worn over the shield. If there is no right breast pocket on the outer garment, the longevity bar will be worn over the shield (as indicated under ADDITIONAL DATA).*

### Emergency Medical Technician Pin

*All uniformed members of the service who have been trained and certified or re-certified by this Department are authorized to wear the Emergency Medical Technician Pin.*

### American Flag Breast Bar



*The American Flag breast bar may be worn and is the only emblem authorized. The cloth American Flag emblem, the Flag "pin" and any other specialty pins such as those depicting the American Flag along with fraternal organization insignia or flags of other nations are not authorized and will not be worn. The American Flag breast bar may be worn ¼ inch above the center of the shield or breast bars. If worn, it will be the top most bar above the shield.*

**BREAST BARS/ PINS (continued)**

**Roosevelt Award Breast Bar**

*The Roosevelt Award breast bar is to be worn above the shield, immediately above the Firearms Proficiency breast bar, if worn, or below individual recognition awards.*

**Peer Support Breast Bar**

*All uniformed members of the service who have undergone training in the Department's Peer Support Member Program are authorized to wear the Peer Support breast bar. The Peer Support breast bar is to be worn above the shield, immediately above the Firearms Proficiency breast bar, if worn, and below individual recognition awards.*

**Firearms Proficiency Breast Bar**

*A uniformed member of the service who receives a perfect score of one hundred percent during semi-annual re-qualification or during the Police Academy basic firearms training course, is authorized to wear the Firearms Proficiency breast bar.*

*Firearms Proficiency breast bar will be worn directly over the shield and below all other breast bars. Only one Firearms Proficiency breast bar may be worn regardless of the number received. If member fails to attain the required score at subsequent qualification cycle, the breast bar must be removed. No promotional points will be granted for such Department recognition.*

**Mourning Pin**

*Civilian members of the service of all ranks and titles who do not wear uniforms or shields are authorized to wear the mourning pin. The mourning pin should be worn on the left lapel in accordance with the provisions of A.G. 305-14, "Mourning Bands."*

***ADDITIONAL DATA***

*A breast bar is horizontally centered ¼ inch above the center of the shield, when authorized. Additional bars, awards, or wings, when authorized, are worn with ¼ inch space between each award.*

*Aviation Unit members qualified as pilots and/or aircrew are authorized to wear appropriate metal breast wings and will place them ¼ inch above the shield.*

*Members of the service qualified to rappel from Department aircraft may wear rappel wings placed ¼ inch above the shield.*

*Wings may be worn during entire police career regardless of subsequent assignments within the Department.*

***ORGANIZATION OF BREAST BARS (Left Side)***

- ***U.S. FLAG BAR or EMT Pin***
- ***WORLD TRADE CENTER MEMORIAL BREAST BAR***
- ***DEPARTMENT MEDAL OF HONOR***
- ***POLICE COMBAT CROSS***
- ***MEDAL FOR VALOR***
- ***POLICE PURPLE SHIELD MEDAL***
- ***HONORABLE MENTION (Silver Star)***
- ***EXCEPTIONAL MERIT (Light Green Star)***
- ***COMMENDATION (Bronze Star)***
- ***COMMENDATION - COMMUNITY SERVICE (Light Blue Star)***
- ***MERITORIOUS POLICE DUTY***
- ***EXCELLENT POLICE DUTY***
- ***UNIT CITATION***
- ***ANNIVERSARY BREAST BAR***
- ***MILITARY SERVICE BREAST BAR***
- ***POLICE CADET BREAST BAR***
- ***HURRICANE KATRINA RESCUE AND RECOVERY MISSION COMMEMORATIVE BREAST BAR***
- ***ROOSEVELT AWARD BREAST BAR***
- ***PEER SUPPORT BREAST BAR***
- ***LONGEVITY BAR/FIREARMS INSTRUCTOR/FIREARMS PROFICIENCY BREAST BAR***
- ***RIFLE EXPERT***
- ***AVIATION WINGS***
- ***RAPPEL WINGS***
- ***SHIELD***
- ***NAME PLATE***

***ORGANIZATION OF BREAST BARS (Right Side)***

- ***PRECINCT/POLICE SERVICE AREA/TRANSIT DISTRICT COMMANDING OFFICER RECOGNITION PIN***
- ***DEPARTMENT MEDAL OF HONOR***
- ***LONGEVITY BAR***

***ADDITIONAL DATA (continued)***

*Uniformed members of the service who have earned Departmental recognition from the Transit or Housing Police Departments, must purchase and display an existing New York City Police Department breast bar that is awarded for actions equivalent to that honored by the former department.*

*Uniformed members of the service, having earned recognition from their former department, will convert their awards to the following New York City Police Department equivalents:*

***FORMER TRANSIT POLICE DEPARTMENT MEMBERS:***

| ***Transit Police Department*** | ***New York City Police Department*** |
|---|---|
| ***Medal of Honor*** | ***Medal of Honor*** |
| ***Combat Cross*** | ***Combat Cross*** |
| ***Exceptional Duty Medal*** | ***Medal For Valor*** |
| ***Distinguished Duty Medal*** | ***Commendation*** |
| ***Honorable Mention*** | ***Meritorious Police Duty*** |
| ***Meritorious Police Duty*** | ***Excellent Police Duty*** |

***FORMER HOUSING POLICE DEPARTMENT MEMBERS:***

| ***Housing Police Department*** | ***New York City Police Department*** |
|---|---|
| ***Authority Medal of Honor*** | ***Medal of Honor*** |
| ***Police Combat Cross*** | ***Combat Cross*** |
| ***Authority Medal of Exceptional Merit*** | ***Exceptional Merit*** |
| ***Authority Commendation*** | ***Commendation*** |
| ***Meritorious Police Duty*** | ***Meritorious Police Duty*** |
| ***Excellent Police Duty*** | ***Excellent Police Duty*** |

REVISED

# ADMINISTRATIVE GUIDE

| Section: Uniforms and Equipment | | Procedure No: 305-14 |
|---|---|---|
| **MOURNING BANDS** | | |
| DATE EFFECTIVE: 07/13/23 | LAST REVISION: R.O. 37 | PAGE: 1 of 1 |

**UNIFORMED MEMBER OF THE SERVICE**

1. May wear black elastic mourning band, ½ inch wide, on the shield, covering the seal of the city, but leaving the shield number or rank designation visible, upon the death of a member.

***NOTE*** *Uniformed members of the service are reminded that when performing official duties in uniform, their shield number or rank designation must be visible at all times. A refusal to make a shield number or rank designation visible to a requesting individual may subject them to legal action.*

2. Wear band, regardless of rank of the deceased as follows:
   a. Active member of the service - line of duty death
      (1) Members of the concerned member's command – from time of death until 2400 hours on the tenth day after their death.
      (2) Other members - from the time of death until 2400 hours on the day of the funeral.
   b. Active member of the service - not line of duty
      (1) Members of the concerned member's command – from 0001 hours until 2400 hours on the day of the funeral.
      (2) Other members - while attending funeral services.
   c. Retired members of the service - while attending funeral services.
   d. Police Memorial Day
      (1) MANDATORY for all members of the service attending the Headquarters ceremony in uniform.
      (2) OPTIONAL for all uniformed members of the service between 0001 hours and 2400 hours.
   e. National Peace Officers' Memorial Day
      (1) OPTIONAL for all uniformed members of the service between 0001 and 2400 hours on May 15th annually.

***NOTE*** *Civilian members of the service of all ranks and titles who do not wear uniforms or shields are authorized to wear the mourning pin. The mourning pin should be worn on the left lapel and same duration as outlined in step "2."*

RESCINDED

# ADMINISTRATIVE GUIDE

| Section: Uniforms and Equipment | | Procedure No: 305-16 |
|---|---|---|
| **DUAL PURPOSE PERSONAL PROTECTION/SCOOTER HELMETS – REPLACEMENT PARTS** | | |
| DATE EFFECTIVE: 09/10/21 | LAST REVISION: I.O. 81 | PAGE: 1 of 1 |

**PURPOSE** To replace parts of a Dual Purpose Personal Protection/Scooter Helmet.

**PROCEDURE** When necessary to replace a part of a Dual Purpose Personal Protection/Scooter Helmet.

**UNIFORMED MEMBERS OF THE SERVICE**

1. Bring helmet and damaged part(s) to immediate supervisor.

**IMMEDIATE SUPERVISOR**

2. Examine helmet and damaged part(s).
3. Ascertain details regarding damaged part(s).
4. Take appropriate action if inquiry reveals that the circumstances causing damage to the helmet or parts were due to individual carelessness, misuse or abuse.
5. Contact the Quartermaster Section's, Chemical, Biological, Radiological, and Nuclear (CBRN) Unit and be guided by their instructions.

NYPD

**PURPOSE** To ensure conformity for the uniform worn by members of the service assigned to the Neighborhood Safety Team.

**SCOPE** Uniformed members of the service assigned to Neighborhood Safety Teams will wear, as their outermost garment, a polo shirt, ¼ zip sweatshirt, Neighborhood Safety Jacket, or the Neighborhood Safety vest carrier as described in the procedure below. Uniformed members of the service will also wear NYPD Patrol Tactical Pants and Black Boots as described in *A.G. 305-04 "Optional Uniform Items."*

Additionally, Uniformed members of the service assigned to the Neighborhood Safety Teams will have the option of wearing a baseball cap or knit hat as described in *A.G. 305-04 "Optional Uniform Items."*

**POLO SHIRT** Plain long-sleeved or short-sleeved navy blue polo shirt.

On the back of the shirt, there must be a navy blue patch with embroidered white letters "NYPD" on the top line and "POLICE" on the bottom line.

On the front of the shirt, a shield patch corresponding to the member's rank must be sewn on the left breast directly above a navy blue patch. The navy blue patch will have the member's rank and name on the top line and shield number on the bottom line embroidered in white. On the right breast, there will be a navy blue patch with "NYPD" on the top line, "POLICE" on the second line, and the member's command (For example, "67 PRECINCT").

No patches or reflective stripes will be sewn on the sleeves.

***NOTE*** *Polo shirts worn by Lieutenants assigned to the Neighborhood Safety Teams will be navy blue.*

**¼ ZIP SWEATSHIRT** Plain long-sleeved navy blue ¼ zip sweatshirt.

On the back of the shirt, there must be a navy blue patch with embroidered white letters "NYPD" on the top line and "POLICE" on the bottom line.

On the front of the shirt, a shield patch corresponding to the member's rank must be sewn on the left breast directly above a navy blue patch. The navy blue patch will have the member's rank and name on the top line and shield number on the bottom line embroidered in white. On the right breast, there will be a navy blue patch with "NYPD" on the top line, "POLICE" on the second line, and the member's command (For example, "67 PRECINCT").

No patches or reflective stripes will be sewn on the sleeves.

***NOTE*** *Department Body-Worn Cameras must be attached securely to the front of the polo shirt, sweatshirt, or Neighborhood Safety Vest Carrier using a holder designed for that purpose, if worn as an outermost garment. The polo shirt or sweatshirt may be worn as an outermost garment, with the regulation ballistic vest in the regulation carrier underneath, or under the Neighborhood Safety Jacket.*

**NEIGHBOR-HOOD SAFETY VEST CARRIER**

An outer vest carrier designed to hold Department-issued ballistic inserts, made by the manufacturer of the inserts, Point Blank Enterprises, Inc. The carrier is navy blue, with laser-cut webbing on the bottom designed to hold equipment pouches attached to the webbing. The following required equipment may be attached to the outer vest carrier, using pouches specifically designed to hold equipment:

a. Department-issued radio
b. Department-issued cellular telephone
c. Department-issued opioid antagonist (i.e., Naloxone)
d. Flashlight
e. Gloves
f. Handcuffs, and/or
g. Department-issued trauma kit.

All other equipment (e.g., firearm, Conducted Electrical Weapon, magazines, expandable baton, O.C. spray, etc.) must remain attached to the duty belt.

On the back of the carrier, attached with Velcro, there must be a navy blue patch, with embroidered white letters "NYPD" on the top line and "POLICE" on the bottom line.

On the front of the carrier, attached with Velcro, a shield patch corresponding to the member's rank must be sewn on the left breast directly above a navy blue patch. The navy blue patch will have the member's rank and name on the top line and shield number on the bottom line embroidered in white. On the right breast, attached with Velcro, there will be a navy blue patch with "NYPD" on the top line, "POLICE" on the second line, and the member's command (For example, "67 PRECINCT").

Carriers must be purchased through the Point Blank Enterprises NYPD-Specific website, where uniformed members of the service can enter their tax number to confirm their identity and the size of the ballistic panels.

The Neighborhood Safety Vest Carrier may be worn as an outermost garment over a navy blue tee-shirt.

***NOTE*** *A plain navy blue short-sleeved or long-sleeved tee-shirt, with no insignia, logos, or printing may be worn under the Neighborhood Safety Vest Carrier or the Neighborhood Safety Jacket. If worn under the Neighborhood Safety Jacket either the Neighborhood Safety Vest Carrier or the regulation vest carrier may be worn.*

**NEIGHBOR-HOOD SAFETY JACKET**

Navy blue polyester jacket, worn with or without a polyester fleece lining, with a covered front zipper, zippered side seams, zippered front hand pockets, mic loops, and a camera loop.

On the back of the jacket, there must be a navy blue patch, with embroidered white letters "NYPD" on the top line and "POLICE" on the bottom line.

On the front of the jacket, a shield patch corresponding to the member's rank must be sewn on the left breast directly above a navy blue patch. The navy blue patch will have the member's rank and name on the top line and shield number on the bottom line embroidered in white. On the right breast, there will be a navy blue patch, with "NYPD" on the top line, "POLICE" on the second line, and the member's command (For example, "67 PRECINCT").

All patches must be sewn on the jacket.

***NOTE***

*The use of "covert" flaps is not authorized. Department-issued Body-Worn Cameras must be attached securely to the front of the jacket using a holder designed for that purpose. The jacket may be worn over the polo shirt, or ¼ zip sweatshirt, or the tee-shirt.*

***ADDITIONAL DATA***

*Uniformed members of the service may not affix unit designations, unauthorized patches (e.g. flags, blood type patches, etc.) or any other letters or insignia to any of the items described above.*

*The Neighborhood Safety Vest Carrier, Neighborhood Safety Jacket, polo shirt, and ¼ zip sweatshirt may not be worn by members of the service when not directly assigned to the Neighborhood Safety Team (e.g., patrol coverage, details, etc.).*

*The size of all patches and lettering must conform to the specifications kept by the Equipment Section.*

**PURPOSE** To inform members of the service (uniformed and civilian) types of Command Disciplines (CD) and the penalties that may be imposed.

**SCOPE** There are three types of CDs: Schedule A; Schedule B; and Schedule C. The Schedule A and Schedule B permit the commanding/executive officer of the unit involved to address minor misconduct/rule violations and set the penalty within the established ranges for each type of CD as described in the ***NYPD Disciplinary System Penalty Guidelines*** (available on the Department Intranet). The Schedule C is only issued by the Department Advocate for certain enumerated offenses and utilized in lieu of Charges and Specifications.

**DEFINITIONS** SCHEDULE A COMMAND DISCIPLINE - A Schedule A is non-judicial discipline that can be issued by a commanding/executive officer for any minor violation, not specifically listed as a Schedule A, in order to correct deficiencies. Examples of minor violations (i.e., absence from post or assignment, improper uniform, etc.) are listed in the ***NYPD Disciplinary System Penalty Guidelines***, available on the Department Intranet.

Penalties for a Schedule A may be one of the following:

a. Warning and admonishing verbally
b. Warning and admonishing in writing, copy to be filed with the papers
c. Changing assignment within the command either for a fixed period or indefinitely
d. Revocation of permission to engage in outside employment for a fixed period of time, not to exceed thirty days, if the violation is related to the outside employment
e. Restrict out-of-command assignments, which pay "portal-to-portal" and overtime for a fixed period, not to exceed five such assignments
f. Forfeiture of up to five days vacation or accrued time.

SCHEDULE B COMMAND DISCIPLINE - A Schedule B is a non-judicial punishment that can be issued by a commanding/executive officer for the following violations:

a. Loss of shield
b. Failure to safeguard prisoner
c. Loss of Department property, except **IDENTIFICATION CARD (PD416-091)** and Department issued smartphone
d. Failure to respond, report disposition promptly or acknowledge radio calls directed to member's unit
e. Bringing alcoholic beverages into a Department facility or vehicle unless it is within the scope of an assignment
f. Loss of **ACTIVITY LOG (PD112-145)**
g. Failure to give name and shield number to person requesting

**DEFINITIONS (continued)**

h. Unauthorized radio transmissions
i. Unauthorized use of a Department vehicle
j. Any Force, Abuse of Authority, Discourtesy, and Offensive Language (FADO) violation that, in the opinion of the CCRB or NYPD is appropriate
k. Any other violation, which, in the opinion of the commanding/executive officer and after notification to the patrol borough adjutant and consultation with the Department Advocate is appropriate.

Penalties for a Schedule B may be one of the following:

a. Warning and admonishing verbally
b. Warning and admonishing in writing, copy to be filed with the papers
c. Changing assignment within the command either for a fixed period or indefinitely
d. Revocation of permission to engage in outside employment for a fixed period of time, not to exceed thirty days, if the violation is related to the outside employment
e. Restrict out-of-command assignments, which pay "portal-to-portal" and overtime for a fixed period, not to exceed five such assignments
f. Forfeiture of up to ten days vacation or accrued time.

SCHEDULE C COMMAND DISCIPLINE - A Schedule C is adjudicated by the Department Advocate in lieu of Charges and Specifications for situations in which there are no significant aggravating factors or additional misconduct. A Schedule C carries a penalty of up to 20 days.

***ADDITIONAL DATA***

*When it has been determined that disciplinary action should be taken for the loss of or failure to safeguard a firearm, a consultation with the Department Advocate's Office will be made to determine appropriate disciplinary action.*

*A commanding/executive officer must confer with the patrol borough/bureau adjutant, prior to adjudicating a third command discipline for the same member within a six month period, to determine if charges and specifications should be instituted. If charges are appropriate, do not adjudicate the command discipline, a consultation with the Department Advocate will be necessary for final approval of charges and specifications.*

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-02 |
|---|---|---|
| **ISSUANCE OF SCHEDULE A AND SCHEDULE B COMMAND DISCIPLINES** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 15 | PAGE: 1 of 4 |

**PURPOSE** To empower a commanding/executive officer to maintain discipline, without resorting to formal charges.

**SCOPE** A supervisor observing or becoming aware of a violation of the rules and procedures by a member of the service must be at least one rank above the violator in order to recommend a command discipline.

**PROCEDURE** When a supervisory member of the service observes or becomes aware of a violation of the rules or procedures by a member of the service in a lower rank:

**SUPERVISORY MEMBER**

1. Conduct investigation.
2. Prepare **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)**, if necessary.
3. Notify violator if preparing **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT**.
4. Notify desk officer of member's command and obtain next serial number from the **COMMAND DISCIPLINE LOG (PD468-102)**.
   a. Serial numbers commence with number one each year.

**DESK OFFICER**

5. Make required entries in **COMMAND DISCIPLINE LOG**.

**SUPERVISORY MEMBER**

6. Submit **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** to the commanding officer of the subject member.
7. Provide copy of **SUPERVISOR'S COMPLAINT REPORT/ COMMAND DISCIPLINE ELECTION REPORT** to commanding officer for informational purposes and file if subject member is from different command.

**COMMANDING/ EXECUTIVE OFFICER**

8. Investigate to determine if allegation is substantiated.
9. Determine if the violations, when substantiated, may be disposed of under command discipline as described in *A.G. 318-01, "Command Disciplines and Authorized Penalties."*
10. Indicate findings on **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT**, if allegation is not substantiated and:
    a. For actions described in violations subject to a Schedule A command discipline file the report in back of Command Discipline Log.
    b. For actions described in violations subject to a Schedule B command discipline file original in back of Command Discipline Log and forward copy to next higher command for informational purposes.

**COMMANDING/ EXECUTIVE OFFICER (continued)**

11. Confer with supervisor who prepared **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT**, if necessary.
12. Schedule interview, if possible, with member concerned on a date when supervisor who prepared **SUPERVISOR'S COMPLAINT REPORT/ COMMAND DISCIPLINE ELECTION REPORT** is available.
13. Advise member that one local representative of a line organization may be present at the interview.
14. Inform member of alleged violations and conduct interview.
    a. Do not record minutes.
    b. Interview will be informal and non-adversarial.
15. Give member an opportunity to make a statement in rebuttal.
16. Conduct further investigation, if necessary.
17. Inform supervisor who prepared **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** of the results of the investigation and any proposed penalty.
18. Inform member of results of investigation and proposed penalty.
19. Advise member that they are entitled to:
    a. Accept finding and proposed penalty, or
    b. Accept finding but appeal proposed penalty to Command Discipline Review Panel, or
    c. Decline to accept the finding and proposed penalty and have the matter resolved through formal charges and specifications.
20. Inform member that the decision of the Command Discipline Review Panel is final and not subject to review, and that the Panel has the authority to:
    a. Approve proposed penalty, or
    b. Reduce proposed penalty to any corrective measure the commanding officer was authorized to impose, or
    c. Increase proposed penalty to not more than double that proposed by the commanding officer.
21. Give member copy of **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** at close of interview.

***NOTE*** *Absent exigent circumstances (e.g., extended sick, leave of absence, etc.) the commanding/executive officer shall ensure that the above steps are completed within sixty days of the date of issuance.*

**UNIFORMED MEMBER OF THE SERVICE**

22. Notify commanding officer, in writing, on **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** of the option elected within three working days of the commanding/executive officer's decision.

IF MEMBER ACCEPTS FINDINGS AND PROPOSED PENALTY

**COMMANDING /EXECUTIVE OFFICER**

23. Enter disposition on **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** and forward report to integrity control officer.

**INTEGRITY CONTROL OFFICER**

24. Ensure that timekeeper makes and verifies adjustments made to member's time records with Payroll Management System, as necessary.

***NOTE***

*Command disciplines generated by investigative unit/Department Advocate's Office will not require command timekeeper to make adjustment in the Payroll Management System. The Department Advocate's Office will make the adjustment to member's time with the Leave Integrity Management Section.*

25. File **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** in subject member's personnel folder in all cases where a Schedule B command discipline has been substantiated and disposed of.
    a. Immediately forward one copy of **REPORT** to the Department Advocate's Office.

IF MEMBER ACCEPTS FINDINGS AND DECLINES PROPOSED PENALTY

**COMMANDING/ EXECUTIVE OFFICER**

26. Enter disposition on **SUPERVISOR'S COMPLAINT REPORT/ COMMAND DISCIPLINE ELECTION REPORT**.
27. Forward to the next higher command, **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT**, and facts of incident on **Typed Letterhead** with member's disciplinary history.

**NEXT HIGHER COMMAND**

28. Assemble a Command Discipline Review Panel and adjudicate the matter, if necessary.
    a. Inform member's commanding officer of findings relative to the penalty.

**COMMANDING/ EXECUTIVE OFFICER**

29. Forward a copy of **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** and a copy of the Command Discipline Review Panel's decision to the Department Advocate's Office for all Schedule B violations.

IF MEMBER ELECTS FORMAL CHARGES

**COMMANDING/ EXECUTIVE OFFICER**

30. Enter disposition on **REPORT** and file.
31. Confer with the Department Advocate's Office regarding the preparation of charges and specifications.

**DEPARTMENT ADVOCATE'S OFFICE**

32. Prepare and forward **CHARGES AND SPECIFICATIONS (PD468-121)**, after conferral with member's commanding officer/executive officer, if appropriate.
33. Record all substantiated Schedule B command disciplines in member's Central Personnel Index.

WHEN A SUBSTANTIATED COMMAND DISCIPLINE IS RENDERED AS A RESULT OF AN INTERNAL AFFAIRS BUREAU OR ANY OTHER INVESTIGATIVE UNIT'S INVESTIGATION:

**COMMANDING/ EXECUTIVE OFFICER**

34. Offer member concerned the three election options.
    a. An investigation of the stated misconduct or determination of whether the allegation(s) are substantiated is not required.
    b. Do not change the stated findings without conferral with and approval of the investigating entity.
    c. Do not change the recommended disciplinary action (if noted), without conferral with and approval of the Deputy Commissioner, Department Advocate.

***NOTE***

*The ICO/Asst. ICO/other authorized member is required to create a new command discipline record for each command discipline issued by entering all relevant information into the Citywide Command Discipline System within five working days of the issuance of a command discipline.*

*Within five working days of the adjudication of a command discipline, the ICO/Asst. ICO/other authorized member shall complete all system entries pertaining to the adjudication of the command discipline.*

*Within five working days of the completion of the adjudication entries by the ICO/Asst. ICO/other authorized member, the commanding officer/executive officer shall be responsible to review the command discipline record and finalize (sign-off) the record in the Citywide Command Discipline System to verify that it is accurate and complete.*

*Supervisors will enter all relevant information concerning each case into the appropriate Department databases, as necessary.*

***ADDITIONAL DATA***

*If the subject of command discipline is transferred, the commanding/executive officer of the former command is responsible for the completion of the case. Upon adjudication of command discipline, all relevant records shall be forwarded to the member's new commanding officer. If the commanding/executive officer is transferred, the new commanding/executive officer will complete the case.*

*Remove and destroy records and dispositions of convictions listed under Schedule A on the anniversary date of each entry, provided the member has no subsequent disciplinary violations. Additionally, remove and destroy all unsubstantiated command disciplines from the* ***Command Discipline Log*** *on the anniversary date of entry.*

**PURPOSE** To ensure that **CHARGES AND SPECIFICATIONS (PD468-121)** or a **SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT (PD468-123A)**, and/or related documents, are prepared expeditiously, accurately and completely.

**PROCEDURE** When a violation is inappropriate for a Schedule A or Schedule B command discipline, or, the Department Advocate's Office determines that a Schedule C command discipline may be suitable or, when a command discipline is declined:

TO REQUEST CHARGES AND SPECIFICATIONS

**COMMANDING OFFICER/ SUPERVISOR PREFERRING CHARGES**

1. Confer with the Department Advocate's Office regarding the alleged misconduct and to obtain verbal approval for the preparation of **CHARGES AND SPECIFICATIONS**.
2. Provide the Department Advocate's Office with:
   a. Request for charges and specifications on a **Typed Letterhead**, addressed to the First Deputy Commissioner, describing the basis for all charges and specifications and include:
      (1) Original Internal Affairs Bureau log number
      (2) Duty schedule of complainant and respondent
      (3) Name of attorney consulted with from Department Advocate's Office.
   b. Two copies of the investigative file that the charges and specifications are to be based on and any other additional documentation and/or reports that are requested by the Department Advocate's Office.

**DEPARTMENT ADVOCATE'S OFFICE**

3. Review case and determine if violation is suitable for preparation of **CHARGES AND SPECIFICATIONS**, or a Schedule C command discipline.
   a. When a Schedule A or Schedule B command discipline has been declined, a Schedule C command discipline will not be issued.

IF VIOLATION IS SUITABLE FOR A SCHEDULE C COMMAND DISCIPLINE

**DEPARTMENT ADVOCATE'S OFFICE**

4. Prepare a report on **Typed Letterhead** addressed to the investigative unit concerned indicating that a Schedule C command discipline is suitable.

**INVESTIGATIVE UNIT CONCERNED**

5. Prepare **SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT**.
   a. Forward **SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT** and a **Typed Letterhead** to patrol borough or bureau adjutant for adjudication.
6. Notify member that they are the subject of a Schedule C command discipline.

**PATROL BOROUGH/ BUREAU ADJUTANT**

7. Notify member of the service concerned of the date they are scheduled for processing of the Schedule C command discipline.
8. Advise member of the service that one local representative of a line organization may be present for the adjudication process.
9. Inform member of the service of alleged violation, finding and penalty.
   a. Penalty cannot be adjusted without consultation with, and approval of, the Commanding/Executive Officer, Deputy Commissioner, Department Advocate's Office.
10. Advise member of the service that they are entitled to:
    a. Accept the finding and penalty; OR
    b. Decline to accept the finding and penalty, and have the matter resolved through formal charges and specifications.

**MEMBER OF THE SERVICE**

11. Inform patrol borough/bureau adjutant of option elected, in writing, on **SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT**.

**PATROL BOROUGH/ BUREAU ADJUTANT**

12. Notify Department Advocate's Office and investigative unit concerned immediately, of the option elected by the member of the service, and the outcome of adjudication.

<u>IF SUBJECT MEMBER ACCEPTS SCHEDULE C COMMAND DISCIPLINE AND FINDING AND PENALTY</u>

**PATROL BOROUGH/ BUREAU ADJUTANT**

13. Enter the disposition on **SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT**.
14. Forward original **SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT** immediately to Department Advocate's Office, and a copy, to each of the following:
    a. Investigative unit concerned
    b. Office of the First Deputy Commissioner
    c. Member's permanent command, for entry in their personal folder.

**DEPARTMENT ADVOCATE'S OFFICE**

15. Record all adjudicated Schedule C command disciplines in member's Central Personnel Index.
16. Notify Leave Integrity Management Section of penalty and confirm that appropriate adjustments are made to the member's time records.

IF VIOLATION IS SUITABLE FOR CHARGES AND SPECIFICATIONS OR THE SUBJECT MEMBER DECLINES SCHEDULE C COMMAND DISCIPLINE AND ELECTS FORMAL CHARGES:

**PATROL BOROUGH/ BUREAU ADJUTANT**

17. Complete appropriate caption on **SCHEDULE C COMMAND DISCIPLINE ELECTION REPORT** and forward to investigative unit concerned and Department Advocate's Office.

**DEPARTMENT ADVOCATE'S OFFICE**

18. Direct the preparation of an original set of **CHARGES AND SPECIFICATIONS**, as necessary.
    a. Date stamp **CHARGES AND SPECIFICATIONS**.
    b. Enter Department Advocate's Office serial number on the **CHARGES AND SPECIFICATIONS**.
    c. Forward **CHARGES AND SPECIFICATIONS** to commanding officer of the originating command, along with original report on **Typed Letterhead**.

AFTER CHARGES AND SPECIFICATIONS HAVE BEEN APPROVED BY DEPARTMENT ADVOCATE'S OFFICE

**COMMANDING OFFICER/ SUPERVISOR PREFERRING CHARGES**

19. Review **CHARGES AND SPECIFICATIONS** for completeness and accuracy.
20. Telephone Internal Affairs Bureau Command Center to obtain a new log number for each member receiving charges and specifications, and enter on **CHARGES AND SPECIFICATIONS**.
21. Obtain a bureau/command serial number, if applicable, and enter on **CHARGES AND SPECIFICATIONS**.
22. Advise the respondent that they are the subject of charges and specifications.
    a. Obtain the name, address and telephone number of the respondent's attorney and provide it to the Department Advocate's Office.
23. Have member of the service preferring charges and specifications sign original **CHARGES AND SPECIFICATIONS**.
24. Date stamp and forward original **CHARGES AND SPECIFICATIONS**, and original **Typed Letterhead**, to the next higher command within forty-eight hours.

WITHIN THREE BUSINESS DAYS OF CHARGES AND SPECIFICATIONS

**COMMANDING OFFICER, NEXT HIGHER COMMAND**

25. Endorse original set of **CHARGES AND SPECIFICATIONS**.
26. Date stamp and forward the original set of **CHARGES AND SPECIFICATIONS**, and **Typed Letterhead**, to the Department Advocate's Office.

**COMMANDING OFFICER, NEXT HIGHER COMMAND (continued)**

27. Forward copy of **CHARGES AND SPECIFICATIONS** to:
    a. Chief of Personnel,
    b. Respondent's command, and
    c. Originating command/investigative unit concerned.
28. Retain copy of **CHARGES AND SPECIFICATIONS**.

UPON RECEIPT OF CHARGES AND SPECIFICATIONS FROM C.O., NEXT HIGHER COMMAND OR C.O./SUPERVISOR PREFERRING CHARGES

**DEPARTMENT ADVOCATE'S OFFICE**

29. Review for completeness and accuracy and date stamp.
30. Ensure assigned attorney completes review and assessment of the **CHARGES AND SPECIFICATIONS** in a timely manner.

***ADDITIONAL DATA***

*DEPARTMENT ADVOCATE'S OFFICE – PREPARATION OF CHARGES AND SPECIFICATIONS*

*The Internal Affairs Bureau, investigative units/commands and the Department Advocate's Office will notify the Professional Standards Bureau, and provide appropriate information of all members on probationary status where disciplinary recommendations are being made. The Professional Standards Bureau will refer, and make recommendations to the First Deputy Commissioner and Police Commissioner's Office relative to the discipline or the member's probationary status.*

*The Department Advocate's Office shall ensure that a sufficient legal basis exists for each charge and specification approved and that all necessary steps associated with the investigation have been completed. The Internal Affairs Bureau and investigative units/commands will comply with directions received from the Department Advocate's Office. In appropriate cases, the Department Advocate's Office may direct the issuance of a command discipline in lieu of charges and specifications.*

*Commanding officers are directed to fully complete the **COMMANDING OFFICER'S REVIEW OF MOS INVOLVED IN A DISCIPLINARY MATTER (PD468-153)**, relating to evaluation and whether or not member is on dismissal probation. This form must be completed and forwarded within five days of receipt to the Department Advocate's Office.*

*CHARGES AND SPECIFICATIONS AGAINST SUSPENDED MEMBER*

*When a member of the service has been suspended, a copy of the report on **Typed Letterhead** prepared by the commanding officer/supervisor must immediately be forwarded to the Department Advocate's Office DIRECT. The report will also be emailed to the Department Advocate's Office, Attn: Department Advocate's Office, Charges Unit.*

*When a member of the service has been suspended, the Department Advocate's Office will forward the completed **CHARGES AND SPECIFICATIONS** to the requesting supervisor, upon completion. The **CHARGES AND SPECIFICATIONS** will ordinarily be forwarded within two business days from the time the request for charges is received.*

**PURPOSE** To ensure that the formal disciplinary process is commenced (service of charges and specifications) and concluded (disposition of charges and specifications) in a coordinated, timely and efficient manner.

**PROCEDURE** Upon receipt of **CHARGES AND SPECIFICATIONS (PD468-121)** from the borough commander/next higher command:

**COMMANDING OFFICER, DEPARTMENT ADVOCATE'S OFFICE**

1. Forward copy of **CHARGES AND SPECIFICATIONS** to respondent's attorney within two weeks along with the underlying explanatory memorandum prepared by the supervisor/investigator preferring the charges and specifications.

***NOTE*** ***CHARGES AND SPECIFICATIONS*** *will be served upon a suspended member of the service expeditiously. (Exception may be made, with the approval of the First Deputy Commissioner, when extenuating circumstances exist). A suspended probationary member of the service will not be served, <u>except</u> as directed by the First Deputy Commissioner.*

2. Serve original and copy of **CHARGES AND SPECIFICATIONS** upon member of the service.
   a. If personal service <u>cannot</u> be made, see "*ADDITIONAL DATA*" below.

***NOTE*** *Absent exigent circumstances, service of charges and specifications shall be within six weeks after receipt by the Department Advocate's Office. However, in disciplinary cases where the statute of limitations and/or other matters require expeditious attention, the Department Advocate's Office will have the authority to direct whatever actions are deemed necessary to effectuate the timely service of charges and specifications.*

**RESPONDENT**

3. Sign and return the original copy to the person serving the **CHARGES AND SPECIFICATIONS**.
4. Have available and provide to Department Advocate's Office personnel:
   a. Chart/squad, vacation and military schedule, <u>and</u>
   b. Any other leave/absences.
      (1) Advise the Department Advocate's Office of any changes of the aforementioned.
5. Retain copy of **CHARGES AND SPECIFICATIONS**.

**MEMBER CONCERNED, DEPARTMENT ADVOCATE'S OFFICE**

6. Sign original copy of **CHARGES AND SPECIFICATIONS** as a witness.

**COMMANDING OFFICER, DEPARTMENT ADVOCATE'S OFFICE**

7. Provide the respondent with an opportunity to accept a penalty disposition in disciplinary case(s), when appropriate.
8. Schedule Department trial date the day of service of **CHARGES AND SPECIFICATIONS**, when disciplinary case(s) are not otherwise disposed of, absent exigent circumstances.

***NOTE*** *When Department charges and specifications relate to outstanding criminal charges, the disciplinary case may only be set for trial or otherwise disposed of with the prior approval of the First Deputy Commissioner.*

**DEPARTMENT ADVOCATE**

9. Ensure that all disciplinary decisions are accurately and promptly recorded.
10. Review all disciplinary cases for trends or patterns and policy implications.
    a. Confer regularly with First Deputy Commissioner concerning Departmental disciplinary policy.

***ADDITIONAL DATA***

*If personal service of the **CHARGES** cannot be made, service may be effected:*

*a. By mailing the **CHARGES AND SPECIFICATIONS** to the person to be served at his last known residence by registered or certified mail, return receipt requested, OR delivering the **CHARGES AND SPECIFICATIONS** to a person of suitable age and discretion at his place of business, dwelling or usual place of abode of the person to be served. Proof of service will be filed with the Deputy Commissioner - Trials or the Commanding Officer, Operations Unit.*
*(1) Service is complete three days after filing.*

*b. By delivering a copy of the **CHARGES AND SPECIFICATIONS** to the agent of the person to be served.*

*c. Where service under subdivisions "a" and "b" cannot be made, affix **CHARGES AND SPECIFICATIONS** either to the door of the actual place of business, dwelling or usual place of abode, of the person to be served and by mailing (registered or certified, return receipt requested) the **CHARGES AND SPECIFICATIONS** to the person at his last known residence.*
*(1) Proof of such service will be filed with the Deputy Commissioner - Trials or the Commanding Officer, Operations Unit.*
*(2) Service is complete three days after filing.*

*d. In such manner as the Deputy Commissioner-Trials directs, upon motion without notice, if service is impractical under subdivisions "a," "b" or "c."*

**PURPOSE** To describe those actions for which uniformed or civilian members of the service may be suspended or, for which uniformed members of the service may be placed on modified assignment.

***NOTE*** *Civilian members of the service may NOT be placed on modified assignment.*

1. The Police Commissioner, a deputy commissioner, a hearing officer assigned to the Office of Deputy Commissioner - Trials, the Chief Surgeon, Deputy Chief Surgeon, a civilian director, or a uniformed member of the service in the rank of captain or higher may suspend a member of the service (uniformed or civilian) or place a uniformed member of the service on modified assignment when, in their opinion, such action is necessary.
2. A ranking officer (uniformed member of the service in rank of sergeant or above) in-charge or in-command MUST SUSPEND a member of the service when the member:
   a. Refuses to perform assigned duties at roll call or during tour of duty,
   b. Refuses an order of a ranking member to answer questions specifically directed and narrowly related to the performance of official duties, after being informed of member's rights as specified in *A.G. 318-11, "Interrogation of Members of the Service"*
   c. Is absent without leave for five consecutive tours,
   d. Refuses to obey a lawful order by a ranking member,
   e. Refuses to submit to a drug-screening test,
   f. Has an interest in, or association with, or patronizes premises (licensed or unlicensed) engaged in illegal gambling operations, use of drugs, smoke shops, social clubs, or after hours clubs, except in the performance of duty,
   g. Is arrested for a New York State Penal Law crime (or analogous federal crime or criminal statute of another state), or
   h. Is arrested for New York State Vehicle and Traffic Law 1192, subdivisions "2" through "4-a" (or analogous statute of another state).

***NOTE*** *When determining whether an out of state interaction is an arrest for the purposes of this procedure, the presumptive factor is whether the member of the service was fingerprinted.*

*Traffic Managers and above, and School Safety Deputy Directors and above, are authorized to suspend civilian personnel under their commands for violations listed in step "2" (The principal of the school where the school safety agent is assigned will be notified of the suspension). Suspension by a ranking officer (other than a captain and above), Traffic Manager and above, or School Safety Deputy Director and above, is by authority of the First Deputy Commissioner. Prior conferral or approval of the First Deputy Commissioner is NOT required.*

3. A captain or above may place a uniformed member of the service on modified assignment or suspension when a member:

**PURPOSE (continued)**

a. Is indicted by a grand jury,
b. Is charged with an offense,
c. Is served with **CHARGES AND SPECIFICATIONS (PD468-121)**, alleging serious misconduct,
d. Is unfit for duty due to the effects of an intoxicant or drug, or after effects thereof,
e. Patronizes an unlicensed premises (neighborhood tavern or restaurant with an expired/suspended license) where the only apparent illegal activity is the sale of alcoholic beverages, except in the performance of duty, or
f. Has participated in an act of serious misconduct, and the ranking officer in-charge of investigation determines that disciplinary action will be taken, or is being contemplated.

***ADDITIONAL DATA***

*Uniformed members of the service who are suspended or modified due to being unfit for duty as the result of a drug that is legally prescribed will be subject to an immediate post suspension/modification evaluation conducted by the Medical Division.*

*A member of the service (uniformed or civilian) presently on suspension, or a uniformed member of the service on modified assignment pursuant to either steps "2" or "3" above, MUST be re-suspended or suspended, as applicable, for any subsequent violation of the subject steps.*

*The Department will commence an investigation immediately upon becoming aware of misconduct, or an allegation of misconduct, that includes a serious physical injury, or allegation of a serious physical injury, caused by a member of the service. The Internal Affairs Bureau will evaluate each allegation and assign the investigation to the appropriate investigative authority, or ranking officer in the rank of captain or above. Members of the service may be suspended during the course of a Departmental investigation prior to a hearing and final determination of the charges. A captain or above may suspend a member of the service, or place a uniformed member of the service on modified assignment, when they deem it necessary given the nature of the misconduct alleged, and because disciplinary action is being taken or contemplated. The captain or above in-charge will make an initial determination as to the member of the service's duty status upon completion of the preliminary investigation, typically within 24 hours, but no more than 48 hours, of the Department becoming aware of the incident. Given the complexity of some investigations, a duty status determination may be deferred until such time as sufficient evidence is gathered supporting the conclusion to suspend or modify the member concerned.*

*In all cases in which the investigating commanding officer/duty captain is contemplating changing the duty status of a member of the service (i.e., suspension, modification or restricted duty pending evaluation of duty status), they should confer with the Internal Affairs Bureau Command Center to ascertain any relevant information pertaining to the member(s) of the service, PRIOR to making this decision. This conferral is to obtain background information that may assist in the investigation. All decisions regarding the investigation, as well as any resulting determination regarding the member's duty status, remain the responsibility of the commanding officer/executive officer/duty captain concerned.*

***ADDITIONAL DATA (continued)***

*In appropriate cases, a captain or above may assign a uniformed member of the service to administrative duties in the next higher command without placing the member on suspension or modified assignment, when there is no disciplinary action contemplated and facts or circumstances indicate such assignment would be in the best interests of the Department.*

*The borough commander/counterpart will review the assignment within three days and determine further appropriate action. A report of this review and results, including the anticipated date member will be returned to command, will be prepared on* ***Typed Letterhead*** *and forwarded to the First Deputy Commissioner.*

*In all cases where the decision to suspend a member of the service (uniformed or civilian) or to place a uniformed member of the service on modified assignment is based on the discretion of the captain or above (steps "1" and "3" of this procedure), they will, prior to making that decision, confer with the borough commander/counterpart or executive officer.*

*The Office of Deputy Commissioner - Legal Matters will be available for questions related to law and the Department Advocate's Office will be available for advice on procedures for suspension or modified assignment. However, the decision to suspend or place a uniformed member of the service on modified assignment will rest with the field commander.*

NYPD

**PURPOSE** To temporarily prohibit a uniformed member of the service from performing assigned duties.

**PROCEDURE** When a uniformed member of the service is suspended:

**RANKING OFFICER IN CHARGE**

1. Inform member concerned of suspension from duty and the reason.
2. Direct member to surrender all Department property, including Department issued smartphone, tablet, Body-Worn Camera, portable radio and all revolvers or pistols owned or possessed.
3. Direct member to report in person, if not on sick report, each Monday, Wednesday and Friday to resident precinct, at 0900 hours (captain and above will report to resident borough command).
   a. Members of the service who reside in Westchester, Rockland, Orange, or Putnam Counties will report to the 50th Precinct.
   b. Members of the service who reside in Nassau or Suffolk Counties will report to the 105th Precinct.
4. Inform suspended member that they may request waiver of reporting requirement by submitting **AGREEMENT TO ACCEPT SERVICE OF NOTICE (PD468-126)** at resident precinct or Department Advocate's Office.

***NOTE*** *If suspended member prepares form in resident precinct, the commanding officer will ensure a copy of the form is sent to the Department Advocate's Office. Additionally, the desk officer, resident precinct must telephone the Department Advocate's Office, Trial Calendar Unit at (646) 610-5147 for approval of the request and make an entry in the Telephone Record. Under no circumstances will* ***AGREEMENT TO ACCEPT SERVICE OF NOTICE*** *be granted without prior approval from the Department Advocate's Office. If the form is prepared in the Department Advocate's Office, Department Advocate personnel will notify the desk officer, resident precinct that the suspended member no longer has to report.*

**UNIFORMED MEMBER OF THE SERVICE**

5. Surrender, promptly, all Department property as directed in step "2" above.
6. Do not wear uniform while suspended.

**RANKING OFFICER IN CHARGE**

7. Enter facts concerning suspension in Command Log.
8. Notify supervisor on duty at Operations Unit, member's command, and member's resident precinct, if below rank of captain, or resident borough command if captain or above.
   a. Notify Internal Affairs Bureau Command Center.
9. Follow procedure for removal of property as outlined in *A.G. 318-13, "Removal and Restoration of Firearms."*
   a. Property other than firearms, shield and **IDENTIFICATION CARD (PD416-091)** will be retained at member's command.

**RANKING OFFICER IN CHARGE (continued)**

10. Immediately forward report (DIRECT) to First Deputy Commissioner, Deputy Commissioner - Trials, Chief of Department, Chief of Personnel, Department Advocate, Internal Affairs Bureau Command Center and member's commanding officer.
    a. Forward an additional copy of report to First Deputy Commissioner (THROUGH CHANNELS).

**SUPERVISOR ON DUTY, OPERATIONS UNIT**

11. Inform ranking officer in charge that **CHARGES AND SPECIFICATIONS (PD468-121)** must be forwarded within forty-eight hours of the suspension.

**MEMBER'S COMMANDING OFFICER**

12. Prefer **CHARGES AND SPECIFICATIONS** for suspended member.

IF SUSPENDED MEMBER ELECTS NOT TO SUBMIT, OR IS NOT GRANTED, THE WAIVER (AGREEMENT TO ACCEPT SERVICE OF NOTICE)

**UNIFORMED MEMBER CONCERNED**

13. Report to resident precinct each Monday, Wednesday and Friday at 0900 hours.

**DESK OFFICER, RESIDENT PRECINCT**

14. Direct member to prepare **REPORT OF SUSPENDED MEMBER'S VISIT (PD408-061)** in your presence.
15. Complete appropriate captions under section entitled "Witnessed By."
16. Make entry in Command Log and deliver **REPORT** to integrity control officer.

**INTEGRITY CONTROL OFFICER, RESIDENT PRECINCT**

17. Maintain a list of uniformed members of the service who are suspended and are required to report to their resident precinct.
18. Check Telephone Record and FINEST messages each day to ensure that uniformed members who are required to report are added to the list as required.

***NOTE*** *If doubt exists regarding reporting by uniformed members of the service, contact Department Advocate's Office, Trial Calendar Unit.*

19. Monitor appearances of suspended uniformed members of the service.
20. Inform commanding officer when suspended member fails to report as required.

**COMMANDING OFFICER, RESIDENT PRECINCT**

21. Prepare **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)**, if member fails to report as required.
22. Forward **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** to member's commanding officer for further disciplinary action, if required.

**MEMBER'S COMMANDING OFFICER**

23. Confer with Department Advocate's Office prior to adjudication of command discipline to determine if suspended member should instead receive additional **CHARGES AND SPECIFICATIONS**.

***ADDITIONAL DATA***

*A uniformed or civilian member of the service under suspension who desires to be restored to duty or a uniformed member under suspension who desires to be placed on modified assignment will submit a request to the First Deputy Commissioner through the Department Advocate's Office.*

*When a uniformed member of the service, in the rank of sergeant and above, is being suspended the following provisions shall be applied. The member shall be suspended with pay until the following Sunday. Commencing at 0001 hours on that Sunday, the member shall be on suspension without pay. The suspension without pay will continue in full week (Sunday to Saturday) increments. The minimum suspension without pay shall be for one full week. The maximum time shall be four full weeks. The member shall always be returned to duty on a Sunday at 0001 hours.*

*Uniformed members of the service who are on "Suspended With Pay" status must submit a **Digital Leave of Absence Request** when required to appear in court as a defendant in a criminal case on a date they were scheduled to report to the Internal Affairs Bureau. Such court appearances shall be made on regular days off or with an approved **Digital Leave of Absence Request**.*

NYPD

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-07 |
|---|---|---|
| **SUSPENSION FROM DUTY - CIVILIAN MEMBER OF THE SERVICE** | | |
| DATE EFFECTIVE: 03/07/23 | LAST REVISION: R.O. 11 | PAGE: 1 of 2 |

**PURPOSE** To temporarily prohibit a civilian member of the service from performing duty and to complete disciplinary procedures within thirty days.

**PROCEDURE** When a civilian member of the service is suspended:

**RANKING OFFICER IN CHARGE**

1. Inform member concerned of suspension from duty and reason.
2. Direct member to surrender all Department property.
   a. Have **IDENTIFICATION CARD (PD416-091)** and shield, when applicable, hand delivered with **Typed Letterhead** to the Shield, ID and Uniformed Services Unit by next business day and obtain receipt for file in command.
   b. Have other Department issued property safeguarded at command (e.g., Department issued smartphone, tablet, radio, keys, headsets, etc.), as applicable.
3. Direct civilian member of the service not to wear uniform or part of uniform while under suspension.
4. Notify member concerned that charges are to be preferred and will be processed in normal manner.
   a. Supervise preparation of charges.
5. Notify the following:
   a. Operations Unit
   b. Internal Affairs Bureau Command Center
   c. Civilian member's commanding officer/counterpart, if not present.
6. Enter facts concerning suspension in Command Log.

**SUPERVISOR ON DUTY, OPERATIONS UNIT**

7. Inform ranking officer in charge that **CHARGES AND SPECIFICATIONS (PD468-121)** must be forwarded within forty-eight hours of suspension.

**RANKING OFFICER IN CHARGE**

8. Submit report on **Typed Letterhead** within twenty-four hours to:
   a. First Deputy Commissioner
   b. Chief of Department
   c. Deputy Commissioner -Trials
   d. Department Advocate's Office
   e. Internal Affairs Bureau Command Center
   f. Civilian member's commanding officer.

**COMMANDING OFFICER**

9. Notify next higher command.

**COMMANDING OFFICER, NEXT HIGHER COMMAND**

10. Contact Department Advocate's Office.
11. Ascertain if every effort is being made to complete disciplinary process within thirty days.
12. Notify Department Advocate of all relevant facts, if circumstances indicate case may not be disposed of within thirty days.

IF CIVILIAN HAS BEEN ARRESTED

**COMMANDING OFFICER, NEXT HIGHER COMMAND**

13. Advise civilian of the following available options prior to arranging conference concerning charges:
    a. May request conference be held in usual manner, OR
    b. May request, in writing, an adjournment of all department action pending final determination of criminal case.
14. Instruct civilian member of the option of signing a waiver for any pay due to them, if they are continued on suspension past thirty days.
    a. Waiver does not apply to lost wages if civilian is ultimately found not guilty.
        (1) Civilian is entitled to full pay during period of suspension beyond thirty days, less any amount of compensation earned during same period in such case.

***NOTE***

*If civilian member has criminal charges pending and refuses to sign waiver, the commanding officer next higher command of civilian must hold informal conference within thirty days of date of suspension.*

IF CIVILIAN IS AWOL

**COMMANDING OFFICER OF CIVILIAN**

15. Prepare and forward **CHARGES AND SPECIFICATIONS**.
    a. If Department property is not accounted for, have **COMPLAINT REPORT (PD313-152)** prepared.

**DEPARTMENT ADVOCATE**

16. Have civilian member report to the Shield, ID and Uniformed Services Unit for **IDENTIFICATION CARD** and shield, when applicable, if suspension is rescinded.
    a. Commanding officer will be responsible for the return of any other Department property removed.

***ADDITIONAL DATA***

*The Department Advocate will have **CHARGES AND SPECIFICATIONS** served as provided in A.G. 318-04, "Service and Disposition of Charges and Specifications" and after service, a trial will be held before Deputy Commissioner - Trials, in absentia if necessary. Civilian member may request a formal conference at next higher command at any time prior to holding a formal trial.*

*A civilian member of the service under suspension who desires to be restored to duty will submit a written request to the First Deputy Commissioner through the Department Advocate's Office.*

**PURPOSE** To assign a uniformed member of the service to non-enforcement duties pending determination of fitness to perform police duties.

**SCOPE** Firearms may be removed from a uniformed member of the service for disciplinary as well as non-disciplinary reasons. In incidents where there is no misconduct and no disciplinary action is anticipated, the member will not be placed on modified assignment. When a firearms removal is based on non-disciplinary factors, the ranking officer directing the removal will comply with the applicable provisions of *A.G. 330-11, "Temporary Removal of Firearms in Non-Disciplinary Cases*."

**PROCEDURE** When placing a uniformed member of the service on modified assignment.

**RANKING OFFICER IN CHARGE**

1. Inform uniformed member that modified assignment is contingent upon being available for prompt Departmental disciplinary trial.
2. Remove firearms, shield, **IDENTIFICATION CARD (PD416-091)** and other Department property as directed in *A.G. 318-13, "Removal and Restoration of Firearms."*
3. Make a clear photocopy of member's **IDENTIFICATION CARD** and provide the photocopy to member concerned.
4. Direct the member to utilize the photocopy of their **IDENTIFICATION CARD** to gain access to One Police Plaza for modified assignment processing to avoid waiting in line with non-members of the Department.
5. Ensure that shield and **IDENTIFICATION CARD** are hand delivered to the Shield, ID and Uniformed Services Unit with appropriate copy of **REMOVAL/RESTORATION OF FIREARMS REPORT (PD524-152)** on the next business day and obtain receipt.
6. Direct uniformed member to report direct, in **appropriate business attire**, at 0900 hours on the next **business day** they are scheduled to work, to the Personnel Orders Division, Assignment Section.

***NOTE*** *Uniformed members placed on modified assignment will report direct to the Personnel Orders Division, Assignment Section and will NOT be permitted to begin their tour at their command. Members on regular day off (RDO), sick report or scheduled vacation will report on the first business day upon return to work. Members will not perform an extended tour and no overtime is authorized.*

*When a uniformed member is scheduled to return to work on a non-business day (Saturday, Sunday, holiday, etc.), direct the member to report, in appropriate business attire, to their assigned command for non-enforcement duty. Uniformed member will report direct to the Personnel Orders Division, Assignment Section the next business day he/she is scheduled to work.*

7. Enter facts concerning modified assignment in Command Log and notify:
   a. Supervisor on duty at Operations Unit <u>immediately</u>
   b. Internal Affairs Bureau, Command Center and obtain log number.

**RANKING OFFICER IN CHARGE (continued)**

8. Immediately submit report on **Typed Letterhead** (DIRECT) to:
   a. First Deputy Commissioner (forward additional copy of report THROUGH CHANNELS)
   b. Deputy Commissioner, Department Advocate
   c. Deputy Commissioner, Trials
   d. Chief of Department
   e. Chief of Personnel
   f. Internal Affairs Bureau Command Center
   g. Commanding Officer, Personnel Orders Division
   h. Commanding officer of member concerned.
9. Email **Typed Letterhead** to the Personnel Orders Division.

**UNIFORMED MEMBER OF THE SERVICE CONCERNED**

10. Report direct to the Personnel Orders Division, Assignment Section, at 0900 hours on the next **business day** scheduled to work, in **appropriate business attire**.

***NOTE***

*Uniformed members of the service will report to One Police Plaza, first floor employee entrance gate and present photocopy of their **IDENTIFICATION CARD** to Headquarters Security personnel to be issued an access pass for entry into One Police Plaza.*

11. Report to the Shield, ID and Uniformed Services Unit for a new **IDENTIFICATION CARD**, when directed by Personnel Orders Division personnel.

***NOTE***

*Modified members of the service are not authorized to possess any firearms or their shield. Modified members will be issued a "NO FIREARMS" **IDENTIFICATION CARD** by the Shield, ID and Uniformed Services Unit during processing. Members who are restored from modified assignment and placed on restricted duty or remain on restricted duty for psychological or alcohol related reasons, may possess their shield and will retain their "NO FIREARMS" **IDENTIFICATION CARD** until their restricted duty status is revoked by the Psychological Evaluation Section or Counseling Services Unit, as appropriate. Upon restoration to full duty and approval for the return of firearms, the member's shield and full duty **IDENTIFICATION CARD** will be returned. The Personnel Orders Division will provide an official letterhead to members restored to full duty for retrieval of firearms from the Property Clerk Section.*

***ADDITIONAL DATA***

*The First Deputy Commissioner MUST approve the return of firearms, shield and **IDENTIFICATION CARD** to a uniformed member of the service on modified assignment unless the Police Commissioner directs the return of such property.*

*A uniformed member of the service on modified assignment who desires to be restored to full duty will submit a request to the First Deputy Commissioner's Office through the Deputy Commissioner, Department Advocate.*

*A uniformed member continues to accrue vacation and is permitted to take vacation or authorized leave if there is no conflict with an appearance at a criminal or disciplinary trial.*

***ADDITIONAL DATA (continued)***

*Members who are defendants in a criminal action shall not appear in court on these cases while on duty. Such appearances shall be made on regular days off (RDOs) or with authorized excusals.*

*Uniformed members of the service placed on modified assignment may be transferred as per the needs of the Department. If the uniformed member on modified assignment does not carry out his/her duties in a satisfactory manner, the commanding officer of the unit may recommend to the First Deputy Commissioner, through channels, that the member be suspended.*

*Uniformed members being restored to full duty will be notified by the Deputy Commissioner, Department Advocate and will report, when directed, to the Department Advocate's Office. The Department Advocate's Office will direct member to report to the Personnel Orders Division, Assignment Section, for restoration processing.*

*Uniformed members of the service are placed on modified assignment for a number of reasons. The vast majority of these members will be restored to full duty and continue to have successful careers with the Department. When a modified member, who has been temporarily assigned to an administrative/support command, has performed in an exemplary manner, the commanding officer may request permanent assignment upon member's restoration to full duty, needs of the service permitting. Transfer requests must be forwarded, through channels, to the Police Commissioner for approval prior to restoration from modified assignment.*

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-09 |
|---|---|---|
| **MEMBER OF THE SERVICE ARRESTED(UNIFORMED OR CIVILIAN)** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 13 | PAGE: 1 of 3 |

**PURPOSE** To record and investigate cases when members of the service, both uniformed or civilian, are arrested.

**PROCEDURE** When a member of the service is arrested:

**DEFINITION** CRIMINAL VIOLATION - For the purpose of this procedure, means any violation of law, rule or regulation, whether committed within New York State or outside of the State, for which a penalty of a term of imprisonment may be imposed, but shall not include parking violations, traffic infractions (other than leaving the scene of an incident without reporting and driving while ability impaired) and violations of law, rule or regulation when a personal service summons received contemplates a civil penalty only.

ARRESTED WITHIN CITY

**MEMBER OF THE SERVICE ARRESTED**

1. Immediately notify arresting authority of position as a member of the New York City Police Department.
2. Promptly notify desk officer, precinct of arrest, of details if arrest effected by law enforcement agency other than New York City Police Department.

***NOTE*** *All members of the service (uniformed or civilian), who receive a personal service summons for a criminal violation, are required to immediately notify their commanding officer, and provide the commanding officer with a copy of the summons.*

**DESK OFFICER**

3. Notify and provide all information regarding arrest to:
   a. Internal Affairs Bureau Command Center,
   b. Commanding officer/executive officer/duty captain, and
   c. Operations Unit.
4. Make entry of notification in Telephone Record and include identity of precinct commander/executive officer/duty captain notified.

**COMMANDING OFFICER/ EXECUTIVE OFFICER/DUTY CAPTAIN**

5. Make certain arrested member's commanding officer is notified.
6. Notify patrol borough commander, borough of arrest.

**PATROL BOROUGH COMMANDER CONCERNED**

7. Assign captain or above to conduct investigation.

**RANKING OFFICER CONDUCTING INVESTIGATION**

8. Commence immediate investigation and interview arrested member and witnesses, if any.
9. Submit report on **Typed Letterhead** to Chief of Department within twenty-four hours.
10. Ascertain status of case no later than twenty-four hours after each court appearance of member.
11. Prepare a report on **Typed Letterhead** indicating status of case and adjournment dates and forward to:
    a. First Deputy Commissioner
    b. Chief of Department
    c. Chief of Personnel
    d. Deputy Commissioner, Internal Affairs
    e. Department Advocate's Office
    f. Patrol borough commander concerned.
12. Direct arrested member to immediately notify his commanding officer if charges are dismissed.

ARRESTED OUTSIDE CITY

**MEMBER OF THE SERVICE ARRESTED**

13. Immediately notify arresting authority of position as a member of the New York City Police Department.
14. Immediately notify:
    a. Operations Unit and commanding officer

***NOTE*** *Commanding officer will contact arrested member within twenty-four hours of court appearance and ascertain status of case.*

**SUPERVISOR, OPERATIONS UNIT**

15. Immediately notify Internal Affairs Bureau Command Center, and the following:

| ARREST MADE IN | NOTIFY |
|---|---|
| • Westchester, Rockland Orange or Putnam | Commanding Officer, Patrol Borough Bronx |
| • Nassau or Suffolk | Commanding Officer, Patrol Borough Queens North or South, as appropriate |

16. Notify commanding officer of arrested member.
    a. If command is closed, make notification at 0900 hours, next business day.

**PATROL BOROUGH COMMANDER OR DEPUTY COMMISSIONER, INTERNAL AFFAIRS**

17. Assign a captain or above, to conduct investigation.

**RANKING OFFICER CONDUCTING INVESTIGATION**

18. Communicate by telephone with arresting authorities to determine if there are witnesses to the incident.

***NOTE*** *Ranking officer assigned is authorized to use a Department vehicle within city and the six residence counties without prior permission.*

19. Advise the supervising officer, Operations Unit, of facts.
20. Submit report on **Typed Letterhead** to the Chief of Department within twenty-four hours.
21. Ascertain status of case no later than twenty-four hours after each court appearance of member.
22. Prepare and forward a report, indicating status and adjournment date, to First Deputy Commissioner, Chief of Department, Chief of Personnel, Deputy Commissioner, Internal Affairs, Department Advocate's Office and patrol borough commander responsible for the investigation.
    a. Include arrest number, docket number, and jurisdiction in this report.

<u>IN ALL CASES</u>

**MEMBER OF THE SERVICE ARRESTED**

23. Keep commanding officer informed of status of case at least once every thirty days and include:
    a. Adjournment dates
    b. Final disposition
    c. If appeal made
    d. Disposition of appeal.
24. Notify commanding officer as soon as possible if charges are dismissed.

**COMMANDING OFFICER, ARRESTED MEMBER**

25. Telephone the Department Advocate and the borough commander responsible for the investigation of the disposition of all criminal charges, if Department charges have been preferred.
26. Provide the Deputy Commissioner, Internal Affairs with a final disposition of all criminal charges involving the arrest of a member of their command.

**DEPARTMENT ADVOCATE**

27. Obtain a "Certificate of Disposition" from the appropriate jurisdiction and verify conviction (or plea) of the member of the service, with special attention to crimes involving domestic violence, upon receipt of notification.

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | Procedure No: 318-10 |
|---|---|

## REMOVAL OF FIREARMS FROM INTOXICATED UNIFORMED MEMBER OF THE SERVICE

| DATE EFFECTIVE: | LAST REVISION: | PAGE: |
|---|---|---|
| 02/16/22 | I.O. 13 | 1 of 2 |

**PURPOSE**

To determine if an on/off duty uniformed member of the service is unfit for duty due to intoxication.

**DEFINITION**

INTOXICATION - Unfitness for duty due to the influence of alcohol, narcotics, or other drug, or under circumstances in which surrounding events of a timely nature indicate that the member may have been intoxicated during an earlier period directly related to the incident in question.

**PROCEDURE**

Upon observing a uniformed member of the service who appears unfit for duty due to intoxication:

**SUPERVISORY MEMBER**

1. Direct that member remain at Department facility or other location pending the arrival of commanding officer/duty captain.
2. Prepare, immediately, **SUPERVISOR'S FITNESS FOR DUTY REPORT (PD469-150)** based upon observations of member of the service.
3. Notify commanding officer/executive officer/duty captain to respond.

**COMMANDING OFFICER/ EXECUTIVE OFFICER/ DUTY CAPTAIN**

4. Prepare, immediately, **SUPERVISOR'S FITNESS FOR DUTY REPORT** based upon observations of member of the service.
5. Conduct an investigation to determine if member is unfit for duty due to intoxication at the time of the alleged misconduct.

***NOTE***

*Common sense standards will be applied to determine whether a member of the service is unfit for duty due to intoxication. Commanding officers/executive officers/duty captains will examine the totality of the circumstances and will consider all credible relevant information when determining a member's fitness for duty. Such information will include all* ***SUPERVISOR'S FITNESS FOR DUTY REPORTS*** *prepared, any witness statements made by civilians or members of the service, and any available scientific evidence (Breathalyzer, blood test, etc.). On the basis of all available information, viewed in light of the time elapsed since any alleged acts of misconduct or since the first supervisory observation of the member, the commanding officer/executive officer/duty captain will conclude whether the member was unfit for duty at the time of the alleged misconduct.*

6. Remove firearms when it is determined that member is intoxicated (see *A.G. 318-13, "Removal and Restoration of Firearms"*).
7. Place member on modified assignment or suspend from duty, as appropriate.
8. Advise member of availability of Counseling Service Programs.

***NOTE***

*A supervisory officer is mandated in all cases to contact the Counseling Services Unit on behalf of a member who is placed on modified assignment, suspended, or has their firearms removed due to being unfit for duty. The services of the Counseling Service Program are not available to personnel for illegal drug use and/or abuse problems.*

**COMMANDING OFFICER/ EXECUTIVE OFFICER/ DUTY CAPTAIN (continued)**

9. Have supervisory officer contact Counseling Services Unit DIRECT, during normal business hours. At other times, conferral with a counselor may be requested by contacting the Sick Desk supervisor.
10. Notify Internal Affairs Bureau Command Center and obtain a log number.
11. Prepare five copies of all completed **SUPERVISOR'S FITNESS FOR DUTY REPORTS** (commanding officer/executive officer/duty captain's and referring supervisor's).
12. Prepare eight copies of a report on **Typed Letterhead** detailing observations and circumstances that led to determination that member was unfit for duty and forward each, with copies of all **SUPERVISOR'S FITNESS FOR DUTY REPORTS,** as follows:
    a. First Deputy Commissioner - Original (DIRECT)
    b. First Deputy Commissioner (THOUGH CHANNELS)
    c. Chief of Department (DIRECT)
    d. Chief of Personnel (DIRECT)
    e. Deputy Commissioner, Internal Affairs (DIRECT)
    f. Deputy Commissioner, Trials (DIRECT)
    g. Department Advocate's Office (DIRECT)
    h. Member's commanding officer (DIRECT).

***ADDITIONAL DATA***

*Prior to the final adjudication of a disciplinary matter, in all misconduct cases in which the use of alcohol is indicated, a conferral with the Employee Assistance Unit must be made, and an assessment and/or referral by the Counseling Services Unit must be conducted. The Department Advocate's Office will ensure that these steps are taken.*

NYPD

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-11 |
|---|---|---|
| **INTERROGATION OF MEMBERS OF THE SERVICE** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 18 | PAGE: 1 of 3 |

**PURPOSE** To protect the rights of the member of the service (uniformed or civilian) in an official Department investigation.

**PROCEDURE** Prior to questioning a member of the service (uniformed or civilian) who is the subject or a witness in an official investigation:

**INTERROGATING OFFICER**

1. Permit member to obtain counsel if:
   a. A serious violation is alleged, OR
   b. Sufficient justification is presented although the alleged violation is minor.

***NOTE*** *All members of the service who are the subject of an official investigation or are a witness in an official investigation, shall be given a reasonable period of time to obtain and confer with counsel prior to questioning. Interrogations of members in routine, non-critical matters should be scheduled during business hours on a day when the member is scheduled to work.*

*Interrogations in emerging investigation, where there is a need to gather timely information, should usually be done after all preliminary steps and conferrals have been completed and the member to be questioned has been afforded a reasonable time to obtain and confer with counsel. In determining what is a reasonable period of time, consideration should be given to the nature of the investigation, the need for the Department to have the information possessed by the member in a timely manner, and the stage the investigation is at when the need to question the member has been determined. The emergent nature and exigent circumstances of each investigation will determine the length of time afforded the member before questioning is conducted. However, in all cases the determination as to what is a reasonable time will be made by the captain (or above) in charge of the investigation.*

2. Inform member concerned of:
   a. Rank, name and command of person in charge of investigation
   b. Rank, name and command of interrogating officer
   c. Identity of all persons present
   d. Whether he is subject or witness in the investigation, if known
   e. Nature of accusation
   f. Identities of witnesses or complainants (address need not be revealed) except those of confidential source or field associate unless they are witnesses to the incident
   g. Information concerning all allegations.
   h. The Department's policy regarding making false, misleading, and inaccurate statements, as per *A.G. 304-10, "False or Misleading Statements."*
3. Permit representative of department line organization to be present at all times during interrogation.
4. Conduct interrogation at reasonable hour, preferably when member is on duty during daytime hours.

**INTERROGATING OFFICER (continued)**

5. Ensure that interrogation is recorded either mechanically or by a department stenographer.
   a. The Department Advocate will determine if a transcript is required in non-criminal or minor violation cases.
6. DO NOT use:
   a. "Off the record" questions
   b. Offensive language or threats (transfer, dismissal or other disciplinary punishment)
   c. Promises of reward for answering questions.
7. Regulate duration of question periods with breaks for meal, personal necessity, telephone call, etc.
8. Record all recesses.

***NOTE*** *Interrogations may be conducted before or after* ***CHARGES AND SPECIFICATIONS (PD468-121)*** *have been served. An interrogation conducted after service of charges must be completed at least ten days prior to the date of Department trial except as directed by the Deputy Commissioner - Trials.*

9. Conduct interrogation within a reasonable time after disposition of criminal matter, when member was arrested, indicted or under criminal investigation.

**DEPARTMENT ADVOCATE**

10. Furnish member with copy of tape of interrogation no later than twenty days after service of charges.
    a. If interrogation was conducted after service of charges, tape must be furnished to member no later than five days after interrogation
    b. Furnish transcript, if one was prepared, by 1000 hours on trial date, in all cases.

***NOTE*** *When the Department trial date is scheduled immediately after* ***CHARGES AND SPECIFICATIONS*** *are served, the Deputy Commissioner - Trials will grant the Department reasonable time to conduct an interrogation. In any event, a copy of the tape and a copy of the transcript must be furnished as indicated above, if appropriate.*

**COMMANDING OFFICER OF MEMBER**

11. Assign member to 2nd Platoon, if possible.

**MEMBER OF THE SERVICE**

12. Answer questions specifically directed and narrowly related to official duties. (Refusal shall result in suspension from duty).
13. Submit **OVERTIME REPORT (PD138-064)** if lost time accrues as result of investigation.

**SUPERVISOR IN CHARGE OF INVESTIGATION**

14. Notify the desk officer immediately when member of the service is directed to leave his post or assignment to report for an official investigation.

**SUPERVISOR IN CHARGE OF INVESTIGATION (continued)**

15. Ensure that notifications concerning official investigations are properly recorded in appropriate Department records when made to or recorded from:
    a. Complainants
    b. Witnesses
    c. Lawyers
    d. Respondents
    e. Other interested parties.

**DESK OFFICER**

16. Record in appropriate department records and notify the investigating command immediately of notifications or messages received from:
    a. Lawyers
    b. Witnesses
    c. Complainants
    d. Other interested parties involved in the subject investigation.

***ADDITIONAL DATA***

*If a member of the service (uniformed or civilian) is under arrest or is the subject of a criminal investigation or there is a likelihood that criminal charges may result from the investigation, the following warnings shall be given to the member concerned prior to commencement of the interrogation:*

*"I wish to advise you that you are being questioned as part of an official investigation by the Police Department. You will be asked questions specifically directed and narrowly related to the performance of your duties. You are entitled to all the rights and privileges guaranteed by the laws of the State of New York, the Constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate yourself and the right to have legal counsel present at each and every stage of this investigation.*

*I further wish to advise you that if you refuse to testify or to answer questions relating to the performance of your official duties, you will be subject to departmental charges, which could result in your dismissal from the Police Department. If you do answer, neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any subsequent criminal proceedings. However, these statements may be used against you in relation to subsequent departmental charges."*

*The questions and answers resulting from the interrogation conducted pursuant to this procedure are confidential. They are not to be revealed nor released to any person or agency outside the department without prior written approval of the Deputy Commissioner - Legal Matters. If a subpoena duces tecum is received for any such questions and answers, the Legal Bureau should be contacted immediately.*

*Members of the service (uniformed and civilian) working in an official capacity, whose actions result in the death or serious physical injury of a member of the public, may only return to a fully-duty status pending a Department administrative review.*

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-12 |
|---|---|---|
| **SEALING DISCIPLINARY RECORDS** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 18 | PAGE: 1 of 1 |

**PURPOSE** To ensure that disciplinary records regarding Schedule "B" command disciplines and certain corruption/misconduct allegations are sealed in a member's Central Personnel Index file.

**DEFINITION** SEALED - Information is suppressed on member's Central Personnel Index whenever background inquiry is made, including promotion and transfer requests.

**PROCEDURE** When a member of the service wishes to seal all records pertaining to a Schedule "B" command discipline:

**MEMBER OF THE SERVICE**

1. Prepare a **Typed Letterhead** addressed to commanding officer requesting the sealing of Schedule "B" command discipline on the 3rd anniversary from the date of disposition.

**COMMANDING OFFICER/ EXECUTIVE OFFICER**

2. Determine if requesting member received charges and specifications and/or additional Schedule "B" command discipline(s) during the above time frame.
3. Expunge **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)** from member's command folder, endorse original request and forward to Human Resources Division, if no additional violations.
   a. If member has been the subject of an additional violation(s), advise member by endorsement on original request and file copy in member's command folder.
   b. Advise member that he/she may resubmit request three years after the disposition of the most recent disciplinary violation.

UPON RECEIPT OF ENDORSED REQUEST

**HUMAN RESOURCES DIVISION**

4. Seal Schedule "B" command discipline on member's Central Personnel Index if satisfied clemency requirement has been met.
5. Endorse original request and return to member concerned.
6. Forward a copy of endorsed request to:
   a. Office of the First Deputy Commissioner
   b. Department Advocate's Office.

***ADDITIONAL DATA*** *Allegations of misconduct ("M" Cases) or corruption ("C" Cases) which result in a final disposition of exonerated or unfounded will be sealed in the member's Central Personnel Index by the Internal Affairs Bureau. Sealed allegations and command disciplines will only be available to the Internal Affairs Bureau for statistical evaluations and internal investigations. Additionally, these records will be made available to the Legal Bureau and the Employee Assistance Unit as necessary to enable those commands to perform their respective responsibilities.*

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-13 |
|---|---|---|
| **REMOVAL AND RESTORATION OF FIREARMS** | | |
| DATE EFFECTIVE: 03/07/23 | LAST REVISION: R.O. 11 | PAGE: 1 of 2 |

**PURPOSE** To remove firearms from a uniformed member of the service at the direction of a ranking officer or other competent authority.

***NOTE*** *This procedure does not pertain to members whose firearms removal is based on non-disciplinary factors, or who voluntarily surrender firearms solely for safekeeping while experiencing a current personal problem off-duty, (e.g. potential domestic violence accusations). See A.G. 330-11, "Temporary Removal of Firearms In Non-Disciplinary Cases."*

**SCOPE** Firearms may be removed from a uniformed member of the service for disciplinary as well as non-disciplinary reasons. In incidents where there is no misconduct and no disciplinary action is anticipated, the member will not be placed on modified assignment. When a firearms removal is based on non-disciplinary factors, the ranking officer directing the removal will comply with the applicable provisions of *A.G. 330-11, "Temporary Removal of Firearms in Non-Disciplinary Cases."*

**DEFINITION** RANKING OFFICER - For the purposes of this procedure, a ranking officer is a uniformed member of the service in the rank of sergeant or above.

**PROCEDURE** When a uniformed member of the service is suspended or placed on modified assignment, or when a police surgeon, ranking officer or other competent authority believes a uniformed member of the service is unable to properly safeguard his firearms.

**SURGEON/ COMPETENT AUTHORITY**

1. Request Communications Section to send a ranking officer to scene if necessary.
2. Direct member concerned to surrender all pistols, revolvers, **IDENTIFICATION CARD (PD416-091)** and shield.

**RANKING OFFICER**

3. Obtain member's pistols, revolvers, shield and **IDENTIFICATION CARD**.
4. Deliver property to precinct where the order to surrender was given.
5. Direct member who is assigned to restricted duty to report to the Shield, ID and Uniformed Services Unit for new **IDENTIFICATION CARD**.
6. Question member to determine if he possesses additional pistols or revolvers.

**DESK OFFICER PRECINCT OF SURRENDER**

7. Notify member's permanent command and request a check of member's **FORCE RECORD (PD406-143)** to determine if all weapons listed have been surrendered.
8. Arrange to obtain other pistols and revolvers if necessary.
   a. The precinct/command where any of the member's pistols or revolvers are located may be directed to retrieve the weapons and deliver them to either the member's command or to the command in which the investigation is being conducted, if appropriate.
9. Notify Medical Division - Sick Desk and obtain a Firearms Removal serial number.

**DESK OFFICER PRECINCT OF SURRENDER (continued)**

10. Have **PROPERTY CLERK INVOICE (PD521-141)** prepared for firearms obtained, including notation "PROPERTY OF SUSPENDED/ MODIFIED ASSIGNMENT MEMBER - NOT TO BE RETURNED UNLESS APPROVED COPY OF **REMOVAL/RESTORATION OF FIREARMS REPORT (PART B) (PD524-152)** IS PRESENTED."
11. Prepare **REMOVAL/RESTORATION OF FIREARMS REPORT (PD524-152)** and distribute according to instructions on form.
12. Send firearms with **PROPERTY CLERK INVOICE** by messenger to borough office of Property Clerk.
    a. Forward to Firearms Analysis Section if circumstances warrant.
13. Forward **IDENTIFICATION CARD** and shield with one copy of **REMOVAL/RESTORATION OF FIREARMS REPORT** by messenger to the Shield, ID and Uniformed Services Unit by next business day and obtain receipt for file in command.

TO RESTORE FIREARMS TO A MEMBER WHEN REASON FOR REMOVAL NO LONGER EXISTS:

**MEMBER CONCERNED**

14. Obtain from desk officer the three copies of the appropriate **REMOVAL/RESTORATION OF FIREARMS REPORT** which have been retained in command.
15. Sign request statement in Part B and submit to commanding officer.

**COMMANDING OFFICER**

16. Indicate APPROVAL or DISAPPROVAL on Part B and forward two copies to the Medical Division.

***NOTE*** *If DISAPPROVED, state reason in Part B.*

**C.O., MEDICAL DIVISION**

17. Recommend approval or disapproval and forward both copies to the First Deputy Commissioner.

**FIRST DEPUTY COMMISSIONER**

18. APPROVE or DISAPPROVE request.
    a. Return both copies of **REMOVAL/RESTORATION OF FIREARMS REPORT** indicating action taken to command of member concerned through the Medical Division.

**COMMANDING OFFICER**

19. Return both copies of approved **REMOVAL/RESTORATION OF FIREARMS REPORT** to member concerned.
    a. Return one copy of disapproved **REPORT** to member concerned and file second copy.

**MEMBER CONCERNED**

20. Present one approved copy of **REMOVAL/RESTORATION OF FIREARMS REPORT** to:
    a. Shield, ID and Uniformed Services Unit for return of shield and **IDENTIFICATION CARD**.
    b. Property Clerk's borough office for return of firearms. (Shield and **IDENTIFICATION CARD** must be shown).

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-14 |
|---|---|---|
| **CITYWIDE COMMAND DISCIPLINE SYSTEM** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 13 | PAGE: 1 of 1 |

**PURPOSE** To ensure authorized members of the service enter command discipline data into the Command Discipline System.

**DEFINITION** COMMAND DISCIPLINE SYSTEM - A confidential database for information regarding command disciplines that is maintained at the command level by commanding officers, or other personnel specifically authorized by the commanding officer (i.e., executive officer, integrity control officer, assistant integrity control officer, etc.).

**PROCEDURE** To grant access and properly maintain the Command Discipline System at the command level:

**COMMANDING OFFICER**

1. Forward report on **Typed Letterhead** to Deputy Commissioner, Department Advocate requesting access to the Command Discipline System for authorized uniformed members of the service, and include:
   a. Rank, name, tax registry number, command code and assignment of uniformed member of the service who is to be granted access,
   b. Reason access is required if requested uniformed member of the service is not assigned as commanding officer, executive officer, integrity control officer or assistant integrity control officer, and
   c. Rank, name, tax registry number, command code and assignment of authorized uniformed member of the service to be removed from Command Discipline System, if necessary.
2. E-mail copy of signed report on **Typed Letterhead** to CCDS@nypd.org.

**AUTHORIZED UNIFORMED MEMBER OF THE SERVICE**

3. Create new command discipline record for each command discipline issued by entering all relevant information into the Command Discipline System within five working days of the issuance of command discipline.
4. Complete all relevant entries in the Command Discipline System pertaining to adjudication of the command discipline within five working days of adjudication of command discipline.

**COMMANDING OFFICER/ EXECUTIVE OFFICER**

5. Review and verify command discipline record in the Command Discipline System for completeness and accuracy within five working days of completion of adjudication entries.

**PURPOSE** To inform members of the service of the procedure to follow when notified that they are the respondent/defendant of any Order of Protection.

**SCOPE** All uniformed members of the service are required as a condition of employment to remain qualified to possess firearms for the duration of their tenure with the Department. Members who are the respondent/defendant of an Order of Protection that limits firearms possession may be subject to a change in duty status and/or disciplinary action up to and including termination.

**PROCEDURE** When a uniformed member of the service is notified that they are the subject of <u>any</u> Order of Protection:

**UNIFORMED MEMBER OF THE SERVICE**

1. Notify commanding officer immediately.
   a. If command is not open, notify Internal Affairs Bureau, Command Center and obtain log number, and Operations Unit.

**OPERATIONS UNIT**

2. Direct appropriate patrol borough duty captain to respond to member's current location within residence counties, if member's command is not open.

<u>INITIAL INVESTIGATION OF AN ORDER OF PROTECTION SERVED ON MEMBER</u>

**COMMANDING OFFICER/ DUTY CAPTAIN**

3. Notify Internal Affairs Bureau to obtain log number and request the response of the appropriate Investigations Unit:
4. Conduct investigation to determine if there is a basis for firearms removal.
   a. Place member on modified assignment if Order of Protection prohibits firearms possession at all times, or if otherwise appropriate.
   b. If Order of Protection prohibits firearms possession off-duty only, and member is not to be placed on modified assignment, member will be required to safeguard all firearms at command while off-duty. (See *A.G. 318-16, "Orders of Protection Prohibiting Off-Duty Firearms Possession by Uniformed Members of the Service."*)
5. Prepare a report on **Typed Letterhead** to the Chief of Internal Affairs and include:
   a. Details of investigation
   b. Decision regarding member's duty status
   c. Specifics of the Order of Protection.
6. Forward additional copies of report to:
   a. First Deputy Commissioner
   b. Chief of Personnel
   c. Commanding Officer, Employee Resources Section
   d. Commanding Officer of member concerned, if applicable
   e. Commanding Officer, Performance Analysis Section.

MEMBER IS THE SUBJECT OF A FINAL ORDER OF PROTECTION PROHIBITING FIREARMS POSSESSION AT ALL TIMES

**COMMANDING OFFICER/ DUTY CAPTAIN**

7. Notify:
   a. Internal Affairs Bureau to obtain log number and request the response of the appropriate Investigations Unit.
   b. Commanding Officer, Employee Resources Section, if Final Order of Protection will continue for greater than six months.
8. Place member on modified assignment if member is currently full-duty.
9. Prepare a report on **Typed Letterhead** to the Chief of Personnel and include:
   a. Details of investigation
   b. Specifics of the Order of Protection.
10. Forward additional copies of report to:
   a. First Deputy Commissioner
   b. Deputy Commissioner, Department Advocate
   c. Deputy Commissioner, Legal Matters
   d. Chief of Internal Affairs
   e. Commanding Officer, Employee Resources Section
   f. Commanding Officer of member concerned, if applicable
   g. Commanding Officer, Performance Analysis Section.
11. Direct member to report to the Employee Resources Section, if the Final Order of Protection will continue for greater than six months.

***ADDITIONAL DATA***

*REPORTING TO THE EMPLOYEE RESOURCES SECTION*

*When a member is ordered to report to the Employee Resources Section, the member will report immediately or between the hours of 0900 and 1800 hours on the next business day member is scheduled to work, as appropriate.*

*FINAL ORDERS OF PROTECTION*

*Members who are the recipients of Final Orders of Protection prohibiting firearms possession at all times (on and off-duty) will be given the opportunity to apply to the issuing court for a modification of the Order to allow the member to possess firearms while on-duty.*

*If the member is unable to have the Final Order of Protection modified, or declines to seek such modification within six months from the date of issuance, the member will be subject to termination from the Department if the member has not retired, vested, or resigned.*

*CIVILIAN MEMBER OF THE SERVICE RESPONDENT/DEFENDANT OF ORDER OF PROTECTION*

*Whenever a civilian member of the service becomes aware that they are the respondent/defendant of any Order of Protection, they must immediately notify their commanding officer/supervisory head. The commanding officer/supervisory head will*

***ADDITIONAL DATA (continued)***

*notify the Internal Affairs Bureau, Command Center, and obtain log number. The member will be interviewed and an investigation will be conducted to determine if the member should continue to perform duty. The commanding officer/supervisory head will prepare a report to the Chief of Internal Affairs and forward additional copies to the Commanding Officer, Employee Resources Section and Commanding Officer, Performance Analysis Section.*

*MEMBER OF THE SERVICE COMPLAINANT ON ORDER OF PROTECTION*

*In cases where the member of the service is a petitioner/complainant on an Order of Protection, for safety reasons the member* ***must*** *notify their commanding officer. If necessary, those affected should comply with the provisions of P.G. 221-19, "Threats Against Members of the Service."*

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# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-16 |
|---|---|---|
| **ORDERS OF PROTECTION PROHIBITING OFF-DUTY FIREARMS POSSESSION BY UNIFORMED MEMBERS OF THE SERVICE** | | |
| DATE EFFECTIVE: 03/07/23 | LAST REVISION: R.O. 11 | PAGE: 1 of 4 |

**PURPOSE** To inform members of the procedures to follow when a uniformed member of the service is served with an Order of Protection prohibiting firearms possession off-duty only, and the member is to be continued on full-duty status.

**SCOPE** A uniformed member of the service who is served with an Order of Protection prohibiting off-duty firearms possession only, may continue on full-duty status if there is no basis for placing the member on modified assignment. The member will be required to safeguard all firearms while off-duty.

**PROCEDURE** When a uniformed member is served with an Order of Protection prohibiting off-duty firearms possession only, and the member is to be continued on full-duty status:

**COMMANDING OFFICER/ EXECUTIVE OFFICER/ DUTY CAPTAIN**

1. Request that member concerned complete **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION (PD424-010)** form.
   a. Place member on modified assignment if member fails or refuses to complete this form.
2. Ensure <u>all</u> firearms (including handguns, rifles, and shotguns) owned or possessed by member have been accounted for.
   a. Question member concerning firearms ownership and possession
   b. Notify desk officer/supervisor, member's permanent command, and request a check of appropriate records.
3. Designate a location at member's command where member's service weapon, authorized off-duty weapon (if applicable), "FULL DUTY" **IDENTIFICATION CARD**, and shield are to be safeguarded while member is off-duty.

**DESK OFFICER/ SUPERVISOR, MEMBER'S PERMANENT COMMAND**

4. Assist commanding officer/executive officer/duty captain in determining if all firearms owned or possessed by member have been surrendered.
   a. Check member's **FORCE RECORD (PD406-143)**
   b. Notify Police Academy, Firearms and Tactics Section, and request a check of records maintained regarding member's firearms ownership
   c. Arrange to obtain additional firearms as necessary.
5. Have firearms, other than service weapon and authorized off-duty weapon, vouchered for safekeeping (see *P.G. 218-23, "Processing Firearms and Firearm-Related Evidence,"* "ADDITIONAL DATA" statement).
   a. Ensure "Remarks" section of **PROPERTY CLERK INVOICE (PD521-141)** includes the following statement: "Property of a uniformed member of the service – not to be returned without written authorization of Commanding Officer, Employee Resources Section"
   b. Ensure member receives copy of **INVOICE**.

**DESK OFFICER/ SUPERVISOR, MEMBER'S PERMANENT COMMAND (continued)**

6. Notify the Internal Affairs Bureau (IAB) Command Center of Order of Protection and limited firearm possession and obtain log number.
   a. Enter log number in "IAB Log No." caption on the **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION**.
7. Forward a copy of **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION** and copy of **PROPERTY CLERK INVOICE** to commanding officer/executive officer/duty captain.

**COMMANDING OFFICER/ EXECUTIVE OFFICER/ DUTY CAPTAIN**

8. Prepare a report on **Typed Letterhead** with related details (i.e., IAB log number, **PROPERTY CLERK INVOICE** number, status of Order of Protection, etc.) and deliver to desk officer.

**DESK OFFICER/ SUPERVISOR, MEMBER'S PERMANENT COMMAND**

9. Forward copies of the report on **Typed Letterhead** prepared by commanding officer/executive officer/executive officer/duty captain and the **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION** to IAB Command Center for uploading/inclusion in the IAB log.
10. Direct member to report to the Employee Resources Section.

**UNIFORMED MEMBER OF THE SERVICE**

11. Report to the Employee Resources Section as directed, with all of the following:
    a. "FULL DUTY" **IDENTIFICATION CARD**
    b. Original copy of **ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION**
    c. Copy of report prepared by commanding officer/executive officer/duty captain
    d. Copy of **PROPERTY CLERK INVOICE** for vouchered firearms, if applicable.
12. Report to the Shield, ID and Uniformed Services Unit as directed and obtain a "NO FIREARMS" **IDENTIFICATION CARD**.

GUIDELINES FOR SAFEGUARDING DESIGNATED ITEMS

**UNIFORMED MEMBER OF THE SERVICE**

13. Deliver service weapon, authorized off-duty weapon (if applicable), "FULL DUTY" **IDENTIFICATION CARD**, and shield to desk officer/supervisor prior to signing out at the end of each tour.
    a. Retrieve "NO FIREARMS" **IDENTIFICATION CARD** from desk officer/supervisor.

**UNIFORMED MEMBER OF THE SERVICE (continued)**

14. Retrieve service weapon, authorized off-duty weapon (if applicable), "FULL DUTY" **IDENTIFICATION CARD**, and shield from desk officer/supervisor when reporting for duty each day.
    a. Deliver "NO FIREARMS" **IDENTIFICATION CARD** to desk officer/supervisor.

**DESK OFFICER/ SUPERVISOR, MEMBER'S PERMANENT COMMAND**

15. Make a Command Log entry when safeguarding or returning member's service weapon, authorized off-duty weapon (if applicable), "FULL DUTY" or "NO FIREARMS" **IDENTIFICATION CARD**, and shield.
    a. Safeguard items in designated location.

WHEN ORDER OF PROTECTION IS EXPIRED OR VACATED

**UNIFORMED MEMBER OF THE SERVICE**

16. Notify commanding officer.

**COMMANDING OFFICER**

17. Verify that Order of Protection is expired or has been vacated, and that there are no active Orders of Protection against member concerned.
    a. Contact court of issuance
    b. Telephone Central Records Section, Identification Unit
    c. Conduct an Order of Protection inquiry via the FINEST system.
18. Prepare a report on **Typed Letterhead** to the Commanding Officer, Employee Resources Section with status of Order of Protection.
    a. Forward copy to Commanding Officer, Performance Analysis Section.
19. Instruct member not to carry any firearms while off-duty until authorization is received from Commanding Officer, Employee Resources Section.
20. Direct member to report to the Employee Resources Section.

**UNIFORMED MEMBER OF THE SERVICE**

21. Report to the Employee Resources Section as directed, with all of the following:
    a. "NO FIREARMS" and "FULL DUTY" **IDENTIFICATION CARDS**
    b. Copy of expired or vacated Order of Protection
    c. Copy of report prepared by commanding officer/executive officer/duty captain
        (1) Member concerned will not be permitted to carry any firearms while off-duty until commanding officer receives authorization from Commanding Officer, Employee Resources Section.
22. Report, when directed, to Property Clerk Office with:
    a. "FULL DUTY" **IDENTIFICATION CARD**
    b. Copy of **PROPERTY CLERK INVOICE**
    c. Original report from Commanding Officer, Employee Resources Section, authorizing return of all firearms.

***ADDITIONAL DATA***

*REPORTING TO THE EMPLOYEE RESOURCES SECTION*

*When a member is ordered to report to the Employee Resources Section, the member will report immediately or between the hours of 0900 and 1800 hours on the next business day member is scheduled to work, as appropriate.*

*OPERATIONAL CONSIDERATIONS*

*Personnel Bureau Investigations Unit members will make unannounced visits to commands where Departmental property is safeguarded under the provisions of this procedure. Command Log inspections will be performed to ensure that entries are made documenting the safeguarding of weapons,* ***IDENTIFICATION CARDS****, and shields for affected members of the service.*

*Commanding officers of affected commands will ensure that Personnel Bureau Investigations Unit members have access to these items during their visits.*

*LEGAL CONSIDERATIONS*

*The* ***ACKNOWLEDGEMENT OF RESPONSIBILITIES CONCERNING COURT ORDER LIMITING FIREARMS POSSESSION*** *form includes the member's obligation to safeguard all firearms with the Department at all times while off-duty, and advises the member that no new firearms may be purchased. Failure to comply with the court order may result in criminal charges and court sanctions, as well as Departmental charges, which can lead to termination.*

*Failure or refusal to complete the form will result in the member being placed on modified assignment and subject the member to disciplinary action.*

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-17 |
|---|---|---|
| **INVESTIGATION OF CIVILIAN COMPLAINTS** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 13 | PAGE: 1 of 3 |

**PURPOSE** To investigate civilian complaints received from the Office of the Chief of Department.

**SCOPE** Civilian complaints made against members of the service (uniformed and civilian), which do not fall under the purview of the Civilian Complaint Review Board (CCRB), are referred to the Office of the Chief of Department for processing and assignment. The Office of the Chief of Department, Investigation Review Section, records such complaints, assigns an OCD number, forwards the complaint to the appropriate command for investigation and/or information, and tracks the complaint for dispositional data.

**PROCEDURE** Upon receipt of a civilian complaint against a member of the service (uniformed or civilian) for investigation, the commanding officer of the borough/bureau wherein member is assigned will be responsible for the investigation, except as follows:

a. If a member is temporarily assigned to a strike, parade, public assemblage, or other similar event, the borough commander wherein the event took place will be responsible for the investigation.

b. If members complained of are assigned or detailed to different boroughs or bureaus of the Department, the commanding officer of each member's respective borough or bureau will be responsible for the investigation of their members, and will submit a report on **Typed Letterhead**, if required.

c. If a member is off-duty or on sick report, and the incident occurs within or outside New York City, the commanding officer of the borough or bureau of the member concerned will be responsible for the investigation. However, if the duty captain has responded to the incident, the investigation will be the responsibility of the commanding officer, borough of occurrence.

***NOTE*** *A supervisor who was present during an occurrence that results in a civilian complaint against a member of the service will NOT be assigned to investigate that particular complaint.*

**RANKING OFFICER CONDUCTING INVESTIGATION**

1. Acknowledge complaint received by mail or telephone, advising complainant on **OFFICIAL LETTERHEAD (PD158-151)**, using sample below.
2. Interview complainant, witnesses and member concerned.
   a. Contact complainant within five days of receiving investigation or, if contact is not possible, document reasons in final report.
3. Conduct hearing without delay, if required.
4. Notify member(s) concerned and complainant of final recommendation in person, by telephone, or by mail and include in final report.
5. Prepare **DISPOSITION AND PENALTY REPORT FOR CIVILIAN COMPLAINTS INVESTIGATED BY NYPD (PD468-152)** within ninety days from date received report.

**RANKING OFFICER CONDUCTING INVESTIGATION (continued)**

6. Distribute copies of the completed form, as follows:
   a. White copy - Forward to Office of the Chief of Department, Investigation Review Section (through channels)
   b. Blue copy - To borough/overhead command file
   c. Pink copy -To subject member's command file.

***ADDITIONAL DATA***

*SAMPLE LETTER OF NOTIFICATION TO COMPLAINANT*

*Civilian Complaint Serial Number_____*
*Chief of Department Number_____*

*Date_____*

*Mr. John Smith*
*123 Main Street*
*New York, New York 10101*

*Dear Mr. Smith:*

*Your complaint against Police Officer William Jones has been referred to me for investigation. If a hearing is to be scheduled, it will be arranged after you have been consulted and have indicated a time and date suitable to your convenience.*

*Yours truly,*

*John Brown*
*Inspector*
*Patrol Borough Bronx*

*Members of the service are reminded to address the public using pronouns, titles of respect, and preferred name appropriate to the individual's gender identity/expression as expressed by the individual.*

*The Office of the Chief of Department, Investigation Review Section, will indicate on the paperwork accompanying the civilian complaint, whether a final report on* ***Typed Letterhead*** *is required. If required, attach the report to the white copy of the* ***DISPOSITION AND PENALTY REPORT FOR CIVILIAN COMPLAINTS INVESTIGATED BY NYPD****, and forward to the Office of the Chief of Department, Investigation Review Section, within ninety days from the date of occurrence. If a final report is submitted, a record of hearing will also be attached to the completed form.*

*If, for any reason, an investigation is not completed within ninety days from the date of occurrence, the commanding officer responsible for the investigation will prepare* ***DISPOSITION AND PENALTY REPORT FOR CIVILIAN COMPLAINTS INVESTIGATED BY NYPD****, check caption "Investigation Not Completed," and indicate the expected date of completion on the line provided. The completed form will be forwarded to the Office of the Chief of Department, Investigation Review Section, through channels.*

***ADDITIONAL DATA (continued)***

*A separate* ***DISPOSITION AND PENALTY REPORT FOR CIVILIAN COMPLAINTS INVESTIGATED BY NYPD*** *will be prepared for each member of the service concerned.*

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# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-18 |
|---|---|---|
| **DISPOSITION OF DISCIPLINARY CHARGES** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 18 | PAGE: 1 of 1 |

**PURPOSE** To impose and record penalties resulting from disciplinary actions.

**PROCEDURE** Upon the approval of the Police Commissioner of the disposition of disciplinary **CHARGES AND SPECIFICATIONS (PD468-121)** involving a member of the service:

**COMMANDING OFFICER, DEPUTY COMMISSIONER TRIALS**

1. Forward a copy of approved **DISPOSITION OF CHARGES (PD468-142)** to the Commanding Officer, Department Advocate's Office.
2. Forward an additional copy of approved **DISPOSITION OF CHARGES** to the commanding officer of the member concerned.

**COMMANDING OFFICER, DEPARTMENT ADVOCATE'S OFFICE**

3. Forward a copy of approved **DISPOSITION OF CHARGES** in which a time reduction is necessary to the Leave Integrity Management Section.
4. Forward an additional copy of approved **DISPOSITION OF CHARGES** to the commanding officer of the member of the service concerned.

**COMMANDING OFFICER, LEAVE INTEGRITY MANAGEMENT SECTION**

5. Proceed as follows when a penalty requires the forfeiture of vacation and/or time:
   a. Ensure that the appropriate penalty is deducted from the member's time/leave balance as indicated on approved **DISPOSITION OF CHARGES**.
   b. Prepare a **Typed Letterhead** to the Commanding Officer, Department Advocate's Office verifying that the appropriate penalty has been deducted from the member's time/leave balance.

**COMMANDING OFFICER, MEMBER CONCERNED**

6. Review copy of approved **DISPOSITION OF CHARGES** received from the Commanding Officer, Department Advocate's Office.
7. Advise member of the service concerned and member's timekeeper that the penalty will be deducted by the Leave Integrity Management Section.
8. Maintain **CHARGES AND SPECIFICATIONS RECORD (PD468-146)** to record disciplinary charges initiated within own command and each subordinate command.

***NOTE*** *If member of the service is transferred prior to penalty deduction, notify member's new commanding officer of imposed penalty.*

*The Quality Assurance Division will perform audits to ensure that disciplinary penalties levied are deducted from members' leave balances.*

**PURPOSE** To review appropriateness of disciplinary action proposed by commanding/ executive officer.

**PROCEDURE** When a member indicates on **SUPERVISOR COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT (PD468-123)**, acceptance of command discipline, but seeks review of proposed disciplinary action.

**COMMANDING /EXECUTIVE OFFICER**

1. Notify and forward all related papers to next higher command.

**NEXT HIGHER COMMAND**

2. Select a review panel composed of three line officers in rank of captain or above.
   a. Designate senior supervisor as chairman.
   b. Exclude from panel membership, a supervisor who is a party or witness to matter being reviewed.

**BOROUGH/ BUREAU PERSONNEL OFFICER**

3. Present case to review panel.
   a. Exercise no authority over panel, nor act as prosecutor.
   b. Do not participate in decision vote.

***NOTE*** *Presence of member concerned shall be at the discretion of the panel and not a matter of right. If such presence is directed, member may have local line organization representative or other member accompany them.*

**COMMAND DISCIPLINE REVIEW PANEL**

4. Conduct proceedings in an informal and non-adversarial manner.
5. Review only the question of appropriateness of proposed disciplinary action and by majority vote:
   a. Approve proposed disciplinary action, or
   b. Reduce proposed disciplinary action to any corrective measure member's commanding officer was authorized to take, or
   c. Increase disciplinary action to not more than double that proposed by commanding officer.
6. Indicate decision by endorsement, on **SUPERVISOR COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT**.

***NOTE*** *The decision of the panel is final and not subject to review. Panel members may not be polled.*

7. Return **SUPERVISOR COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** and other related papers to member's commanding officer.

**COMMANDING /EXECUTIVE OFFICER OF MEMBER**

8. File **SUPERVISOR'S COMPLAINT REPORT/COMMAND DISCIPLINE ELECTION REPORT** in command.

***ADDITIONAL DATA***

*Command Discipline Review Panels will be established by borough/bureau commanders as follows:*

*All supervisors in the rank of captain or above assigned to commands within the jurisdiction of the borough/bureau concerned will be assigned to the review panel pool.*

*Panels will be installed when necessary.*

*Panel members will be at least one rank above that of the respondent.*

*No panel member will serve two consecutive terms.*

*Panel member will not review case involving a respondent from his/her immediate unit.*

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# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | Procedure No: 318-20 |
|---|---|

## RETURN OF PROPERTY TO MEMBER RELIEVED FROM SUSPENSION OR MODIFIED ASSIGNMENT

| DATE EFFECTIVE: | LAST REVISION: | PAGE: |
|---|---|---|
| 02/16/22 | I.O. 13 | 1 of 1 |

**PURPOSE** To return shield, **IDENTIFICATION CARD (PD416-091)** and firearms to a member restored to duty from suspension or modified assignment.

**PROCEDURE** When a member of the service is relieved from suspension or modified assignment:

**COMMANDING OFFICER**

1. Have report prepared containing:
   a. Order number, or time and date of telephone message restoring member to duty, and
   b. Authorization for return of shield, **IDENTIFICATION CARD** and firearms to member.
2. Direct member to deliver report to:
   a. Employee Management Division for return of shield and **IDENTIFICATION CARD**
   b. Property Clerk's facility concerned for return of firearms.

***ADDITIONAL DATA*** *If a member is dismissed from the Department, member's commanding officer will forward a report of such fact to the Employee Management Division and Property Clerk's facility concerned.*

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# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-21 |
|---|---|---|
| **DISMISSAL PROBATION GUIDELINES** | | |
| DATE EFFECTIVE: 01/17/23 | LAST REVISION: R.O. 2 | PAGE: 1 of 4 |

**PURPOSE** To monitor instruct, and guide uniformed and civilian members of the service during dismissal probation periods.

**DEFINITION** DISMISSAL PROBATION – A period of employment probation of one year imposed by the Police Commissioner pursuant to Section 14-115 of the New York City Administrative Code in conjunction with a penalty of dismissal after a member is found guilty or after trial. During the dismissal probation period the penalty of dismissal is held in abeyance. The Police Commissioner may impose the penalty of dismissal against the member during the dismissal probation period at any time without a hearing. The duration of dismissal probation is extended by the number of days that the member of the service does not perform the duties of his or her position, including but not limited to, any of the following leaves or changes in duty status:

a. Vacation or other authorized leave of absence
b. Sick report/restricted duty/limited capacity
c. Modified assignment/suspension
d. Jury duty.

**PROCEDURE** Upon notification that a member of the service has been placed on dismissal probation:

**COMMANDING OFFICER, DEPARTMENT ADVOCATES OFFICE**

1. Give written notification to Central Personnel Index and Performance Analysis Section, that member has been placed on dismissal probation.

**COMMANDING OFFICER, PERFORMANCE ANALYSIS SECTION**

2. Give written notification to member that dismissal probation has been imposed.
   a. Member will sign notification and be provided with a copy.
3. Instruct member concerned on terms of probation and standards of performance necessary for satisfactory completion of probation.
   a. Provide member with copy of terms of probation and standards of performance.
   b. Immediately notify commanding officer concerned that member of his/her command has been placed on dismissal probation.

***NOTE*** *Commanding Officer, Performance Analysis Section will, in all cases, provide a list to Chief of Internal Affairs Bureau, with the names and assignments of all members placed on dismissal probation, the reason for such action, and the expected duration.*

**COMMANDING OFFICER, MEMBER CONCERNED**

4. Assign member to enforcement duties, if applicable.
5. Schedule member to attend relevant Department training courses, if indicated.
6. Direct member's immediate supervisor to closely observe performance.
7. Submit **UNIFORMED DISMISSAL PROBATION PERFORMANCE PROFILE (PD439-1523)** or **CIVILIAN DISMISSAL PROBATION PERFORMANCE PROFILE (PD439-1525)**, to Performance Monitoring Unit by the 15th of each month for the prior month, during the term of dismissal probation.
8. Notify Performance Monitoring Unit immediately of any negative performance indicators involving member (i.e., suspension, modified assignment, negative performance evaluations, issuance of **CHARGES AND SPECIFICATIONS (PD468-121)**, or disciplinary action, including command discipline).
9. Forward copy of **Typed Letterhead** describing incident, if prepared, DIRECT to Commanding Officer, Performance Analysis Section.
   a. Forward additional copy through channels.
10. Notify Performance Monitoring Unit immediately if member is transferred and complete appropriate **PROBATION PERFORMANCE PROFILE** documenting performance to the date of transfer.

**INVESTIGATING UNIT/ REPORTING COMMAND**

11. Notify Performance Monitoring Unit if conducting any investigation of a member of the service on Dismissal Probation.

<u>IF MEMBER ENGAGES IN NEGATIVE PERFORMANCE OR MISCONDUCT WHILE ON DISMISSAL PROBATION</u>

**INVESTIGATING UNIT/ REPORTING COMMAND**

12. Notify the Department Advocate's Office when a member of the service is the subject of any disciplinary action while on dismissal probation.
    a. Disciplinary action shall include command discipline.

**COMMANDING OFFICER, DEPARTMENT ADVOCATE'S OFFICE/ PERFORMANCE MONITORING UNIT**

13. Prepare form **NOTIFICATION OF NEGATIVE PERFORMANCE/ MISCONDUCT – DISMISSAL PROBATION (PD439-1524)**, attach copies of all forms and reports prepared in conjunction with incident or performance, and forward to Commanding Officer, Performance Analysis Section, within five business days of incident.
    a. If member is a civilian who was placed on dismissal probation by the Deputy Commissioner, Labor Relations, also forward a copy of the **NOTIFICATION** to that office.

**COMMANDING OFFICER, PERFORMANCE ANALYSIS SECTION**

14. Review the negative performance indicators received from the Performance Monitoring Unit or the charges or command discipline received from the Department Advocate's Office to determine if it renders the member's performance unsatisfactory and may merit the member's immediate dismissal.
15. Endorse **NOTIFICATION** and forward to Professional Standards Bureau (through channels).

**COMMANDING OFFICER, PROFESSIONAL STANDARDS BUREAU**

16. Review **NOTIFICATION** and, if appropriate, endorse and forward to First Deputy Commissioner.
    a. If notification is not forwarded to First Deputy Commissioner, return **NOTIFICATION** to Commanding Officer, Performance Analysis Section for further processing.

**FIRST DEPUTY COMMISSIONER**

17. Recommend the appropriate action to the Police Commissioner.

***NOTE***

*Nothing in this procedure shall limit the authority of the Police Commissioner to dismiss any member on dismissal probation anytime during the probationary period without a hearing.*

***ADDITIONAL DATA***

*Civilians who have completed probation, or a provisional employee with 2 years of service, may be placed on dismissal probation in one of two ways:*

*1. A civilian member who has been served with **CHARGES AND SPECIFICATIONS** and elects to proceed before the Deputy Commissioner, Trials may agree as part of a negotiated penalty at the Department Advocate's Office to be placed on dismissal probation for one year subject to approval by the Police Commissioner. Members placed on dismissal probation shall be subject to all of the provisions of this order.*

*Pursuant to certain collective bargaining agreements, the Deputy Commissioner, Labor Relations, as the Police Commissioner's designee, may upon agreement, place a civilian member of the service on dismissal probation. When a civilian member has been placed on dismissal probation in this manner, charges or other misconduct/negative performance will be reviewed at a Step II Hearing at the Deputy Commissioner, Labor Relations. The Deputy Commissioner, Labor Relations may impose the penalty of dismissal. Civilian members placed on dismissal probation pursuant to this order will be subject to the monitoring provisions contained in this procedure.*

*2. An unsatisfactory PROBATION PERFORMANCE PROFILE or Performance Evaluation that documents poor performance, excessive absence/tardiness, or disciplinary problems during the probationary period may result in the dismissal of the member.*

*If charges are preferred against a member who has been placed on dismissal probation, the specifications will be prefaced with the words "While on dismissal probation…"*

***ADDITIONAL DATA (continued)***

*Members are advised that substantiated misconduct on an unrelated matter which occurred prior to the imposition of the penalty of dismissal probation can be the predicate for dismissal without a hearing.*

*A command discipline issued during the period of dismissal probation shall be imposed only after consultation with the Department Advocate's Office. The Department Advocate's Office MUST be advised that the member is on dismissal probation.*

*This procedure does NOT apply to a member who is on entry-level probation.*

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# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-22 |
|---|---|---|
| **ABSENCE CONTROL** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 18 | PAGE: 1 of 1 |

**PURPOSE** To evaluate conditions affecting absence and general performance and take positive corrective action.

**PROCEDURE** When notice is received by FINEST indicating that a member of the command has reported sick for the second time within a twelve month period:

**DESK OFFICER/ COUNTERPART**

1. Make entry in **SICK LOG (PD429-143)**.
2. Notify commanding officer/operations coordinator.

**COMMANDING OFFICER/ OPERATIONS COORDINATOR**

3. Telephone sick member as soon as practicable after notification received. (DO NOT CALL BETWEEN 2100 AND 0900).
4. Inquire regarding:
   a. Member's health and condition.
   b. Does member require other assistance from Medical Division, Human Resources Division, etc.
   c. Does sick condition cause any unusual family hardship (childcare, etc.).
5. Ascertain if member knows address and office hours of district surgeon.
6. Take necessary action to assist member as circumstances indicate.
7. Review member's absence record for previous twenty-four months and any other relevant data.

UPON MEMBER'S RETURN TO DUTY

**COMMANDING OFFICER/ DESIGNEE**

8. Interview member.
9. Ascertain if medical or personal problem exists which may contribute to member's absence record or affect general performance.
10. Assist member to correct any such condition by utilizing the services of:
    a. Chief Surgeon
    b. Medical Division
    c. Psychological Evaluation Section
    d. Human Resources Division
    e. Borough/Bureau Personnel Officers

***ADDITIONAL DATA*** *Commanding officers of patrol commands will delegate return from sick interviews to platoon commander concerned.*

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# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-23 |
|---|---|---|
| **SUSPENSION/MODIFIED ASSIGNMENT MONITORING PROGRAM** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 18 | PAGE: 1 of 2 |

**PURPOSE**

To ensure that members of the service (uniformed and civilian) who have been placed on suspension or uniformed members who have been placed on modified assignment are returned to full duty as expeditiously as possible.

**PROCEDURE**

When a uniformed member of the service is suspended or placed on modified assignment or a civilian member is suspended:

***NOTE***

*Civilian members of the service may not be placed on modified assignment.*

**RANKING OFFICER**

1. Comply with provisions of *A.G. 318-06, "Suspension From Duty Uniformed Member of the Service,"* *A.G. 318-07, "Suspension From Duty – Civilian Member of the Service,"* and *A.G. 318-08, "Modified Assignment."*

**EMPLOYEE RESOURCES SECTION**

2. Coordinate Suspension/Modified Assignment Monitoring Program.
3. Contact Operations Unit daily to ascertain members who are suspended or modified. Members of the service who are removed from suspension or modified assignment are provided by the Department Advocate's Office in a memorandum for the Chief of Personnel.
4. Prepare case folders for each member subsequently placed on modified assignment. Folders consist of the following:
   a. Information from Operations Unit along with Operations Unit serial number, placing member in status.
   b **UNUSUAL OCCURRENCE REPORT (PD370-152)** and any related report that resulted in the member being suspended or placed on modified assignment.
   c. Any follow-up reports prepared.
   d. Personnel Data Unit printout.
   e. Central Personnel Index printout.
   f. Civilian Complaint Review Board printout, if applicable.
   g. Other related forms, reports, etc.
5. Maintain a computerized file of all members suspended or on modified assignment indicating the current status of each case.
6. Schedule meeting to consider cases of members who are on modified assignment.

***NOTE***

*Cases of members who are newly modified are presented to the Suspended/Modified Assignment Review Committee meeting the following month. Thereafter, these cases are brought before the Committee on a quarterly basis. However, all cases are reviewed on a monthly basis in order to determine their next scheduled presentation.*

*Members of the service who are on suspension must be subsequently placed on modified assignment in order to be reviewed by the Committee.*

**EMPLOYEE RESOURCES SECTION (continued)**

7. Prepare a list of members who are scheduled to appear before the Suspended/Modified Assignment Committee and deliver prior to the meeting.
8. Provide a resource person for each committee meeting, along with the case folders on each member up for review and any additional material deemed necessary.
9. Prepare a report for the Chief of Personnel's signature, after the board has met, addressed to the First Deputy Commissioner, indicating the recommendation of the board.
   (1) Upon approval of the Chief of Personnel, forward copy to the Commanding Officer, Personnel Orders Division.
   (2) Include a recapitulation of the current number of members suspended or on modified assignment and the number of members added or removed from such status since the last report.
10. Reestablish all cases where members have not been recommended for full duty status for further review at the next appropriate Committee meeting.
11. Establish a system to monitor the performance of all members on modified assignment.

NYPD

**PURPOSE** To control, document, report and monitor unscheduled absences and tardiness for civilian members of the service.

**DEFINITIONS**

UNSCHEDULED LEAVE - For the purpose of this procedure, defined as:

a. All sick absences of civilian members of the service whether paid or unpaid
b. All other leaves without pay.

DOCUMENTED SICK ABSENCE - For the purpose of this procedure, occurs when a civilian member of the service presents a completed **CIVILIAN SICK LEAVE REPORT (PD429-123)** signed by a licensed health practitioner, or a doctor's note indicating a prognosis and diagnosis upon return to duty.

**PROCEDURE** When a civilian member of the service takes unscheduled leave or reports late for duty:

**COMMANDING OFFICER/ SUPERVISORY HEAD**

1. Designate a member of the command to maintain **ABSENCE AND TARDINESS RECORD (PD433-145)** for each civilian member of the command.

**DESIGNATED MEMBER**

2. Prepare **ABSENCE AND TARDINESS RECORD** for each civilian member of command.
3. Enter required information on top two lines of **RECORD**.
   a. In box captioned "HOURS/WEEK:"
      (1) Enter "35, 37 ½ or 40," as appropriate.
4. Indicate all paid civilian holidays for the entire year by inscribing a square within the appropriate date box on the calendar portion of the **RECORD**, for each member concerned.

WHENEVER A CIVILIAN MEMBER OF THE SERVICE TAKES UNSCHEDULED LEAVE OR IS LATE:

**DESIGNATED MEMBER**

5. Enter on calendar portion of **ABSENCE AND TARDINESS RECORD**, the date that member takes unscheduled leave or is late, utilizing one of the following codes:
   a. S For sick not line of duty
   b. SD For sick line of duty (old or new).
   c. SN For sick no pay
   d. T For tardiness.
      (1) In addition to the code letter "T" being entered on the calendar portion of the **ABSENCE AND TARDINESS RECORD**, indicate number of minutes late on the rear of **RECORD** under caption "No. of Days."

***NOTE*** *Line of duty absences for civilian members will be determined as follows:*

*(1) Notify Employee Benefits Section immediately by telephone during business hours or at 0900 the following business day and include:*

*a) Name and title of civilian member*

*b) Date, time, place, nature and cause of injury*

*c) Name(s) of witnesses*

*d) If removed to hospital, name and location of hospital and attending physician*

*e) Diagnosis*

*If a civilian member is late, see A.G. 319-19, "Civilian Member - Lateness Policy."*

**DESIGNATED MEMBER (continued)**

6. Enter the code letter "X," indicating member's last and next regular days off (RDO's) immediately prior and subsequent to the unscheduled leave, in appropriate dates on calendar portion of **ABSENCE AND TARDINESS RECORD**.

WHEN MEMBER RETURNS FROM UNSCHEDULED LEAVE:

**COMMANDING OFFICER/ SUPERVISORY HEAD**

7. Review member's attendance record for previous twelve months, prior to conducting interview.
8. Interview member who has returned from unscheduled leave as follows:
   a. After each sick absence (see *A.G. 319-07 "Civilian Member - Reporting Sick"*).

***NOTE*** *Commanding officer/supervisory head may designate a supervisor to conduct interview except if sub-managerial civilian member of the service has four undocumented sick leave absences occurring immediately before or after a regular day off/holiday/vacation or a fifth undocumented sick leave absence at any time within period January 1 through June 30 or July 1 through December 31.*

9. Indicate on rear of **ABSENCE AND TARDINESS RECORD**:
   a. Dates and number of days civilian member is on unscheduled leave under caption "ABSENCES"
   b. Reason for unscheduled leave
   c. "YES" or "NO" as to whether documentation for unscheduled leave was presented on return to duty, by civilian member, under caption "Doctor's Note"
   d. Results of interview under caption "INVESTIGATION - INTERVIEW Details & Action Taken"
   e. Indicate appropriate absence control step ("O" through "IV") for sub-managerial civilian members of the service only in the last column utilizing the following guidelines when such member utilizes more than one undocumented sick leave for the period January 1 through June 30 or July 1 through December 31:

| UNDOCUMENTED SICK LEAVE ABSENCES | ALL SICK ABSENCES OCCUR IMMEDIATELY BEFORE OR AFTER RDO/HOLIDAY/VAC. | | ALL SICK ABSENCES DO NOT OCCUR IMMEDIATELY BEFORE OR AFTER RDO/HOLIDAY/VAC. | |
|---|---|---|---|---|
| 1 | O | No action | O | No action |
| 2 | I | Conduct 1st discussion | O | No action |
| 3 | II | Conduct 2nd discussion | I | Conduct 1st discussion |
| 4 | III | 3rd discussion <u>MUST BE CONDUCTED BY COMMANDING OFFICER/SUPERVISORY HEAD AND WRITTEN WARNING GIVEN</u> | II | Conduct 2nd discussion |
| 5 | IV | Sanction status. Impose restrictions and penalties | III | 3rd discussion <u>MUST BE CONDUCTED BY COMMANDING OFFICER/ SUPERVISORY HEAD AND WRITTEN WARNING GIVEN</u> |
| 6 | IV | Sanction status. Impose restrictions and penalties | IV | Sanction status. Impose restrictions and penalties |

**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

f. If designated supervisor conducts interview, designated supervisor indicates that the interview was conducted by initialing and dating under caption "Investigation - Interview" on rear of **ABSENCE AND TARDINESS RECORD** (see step 14).

(1) Designated supervisor who conducts interview should also sign bottom of **CIVILIAN SICK LEAVE REPORT**.

<u>IF SUB-MANAGERIAL CIVILIAN MEMBER IS ELIGIBLE FOR ABSENCE CONTROL STEPS I THROUGH III:</u>

**COMMANDING OFFICER/ SUPERVISORY HEAD**

10. Complete top two lines of **CIVILIAN RECORD OF SUPERVISORY CONFERENCES (SUB-MANAGERIAL) (PD433-1411)** if form being utilized for the first time, <u>and:</u>

a. If member is eligible for Step I:

(1) Enter date(s) absent and reason.

**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

(2) Remind member of rules regarding undocumented sick leave.
(3) Caution member that failure to supply documentation when required will result in absence being charged to leave without pay.
(4) Sign and have member sign in appropriate space.

b. If member is eligible for Step II:
(1) Enter date(s) absent and reason.
(2) Warn member that next undocumented sick leave will result in member being given a written warning.
(3) Sign and have member sign in appropriate space.

c. If member is eligible for Step III (commanding officer/supervisory head MUST conduct interview).
(1) Enter date(s) absent and reason
(2) Give member the following warning:
"Your attendance is unsatisfactory and you will not be paid for future sick leave unless you furnish a Certificate of Physician or Licensed Practitioner for each future sick absence until you have gone for the next entire sick leave period (January 1 to June 30 or July 1 to December 31) without reporting sick more than two times. In addition, excessive sick absences without acceptable documentation may require disciplinary action and may result in separation from the Department."

***NOTE*** *Approval of sick leave is discretionary. If abuse of sick leave is suspected, the commanding officer/supervisory head concerned may request proof of illness/injury (i.e., doctor's note) from sick/injured member after any sick leave occurrence.*

*Commanding officer/supervisory head MUST conduct interview.*

11. Record interview and step number on **ABSENCE AND TARDINESS RECORD** and **CIVILIAN RECORD OF SUPERVISORY CONFERENCES (SUB-MANAGERIAL)** of sub-managerial civilian members eligible for Steps I through III.
a. Initial and have member initial appropriate box.

***NOTE*** *At the conclusion of the six month period, member concerned is removed from Steps I through III and returned to Step O.*

IF SUB-MANAGERIAL CIVILIAN IS ELIGIBLE FOR ABSENCE CONTROL STEP IV (SANCTION STATUS):

**COMMANDING OFFICER/ SUPERVISORY HEAD**

12. Charge additional undocumented absences as leave without pay.
13. Impose disciplinary action for each additional undocumented sick leave occurrence (see *A.G. 319-11, "Civilian Employee - Discipline"*) if circumstances warrant.

***NOTE***

*A sub-managerial civilian will be removed from sanction status and returned to step O, if member completes the next sick leave period, not including the current sick leave period (January 1 to June 30 or July 1 to December 31) with two or fewer documented sick leave absences. Example: An individual in step IV in March must not report sick more than two times between July and December (the next six month period) before the member concerned may be removed from step IV the following January.*

*In addition to the warning given to civilian members of the service, commanding officers/supervisory heads may warn a member that member's attendance record is considered to be unacceptable when the facts surrounding the attendance record indicate unacceptable absenteeism. Every time a warning is given, it must be entered on the "INTERVIEW" portion of the* ***ABSENCE AND TARDINESS RECORD*** *and initialed by both the interviewer and member concerned.*

**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

14. Verify that interview/review of all unscheduled leave absences was conducted by initialing and dating the entry under caption "C.O." on rear of **ABSENCE AND TARDINESS RECORD**.
    a. Have civilian member concerned initial and date under caption "EMPL."

***ADDITIONAL DATA***

*The current year* ***ABSENCE AND TARDINESS RECORD*** *and* ***CIVILIAN RECORD OF SUPERVISORY CONFERENCES (SUB-MANAGERIAL)*** *will be forwarded to member's new command, if member is transferred.*

*Completed* ***ABSENCE AND TARDINESS RECORDS*** *and* ***CIVILIAN RECORD OF SUPERVISORY CONFERENCES (SUB-MANAGERIAL)*** *for the entire year will be filed in member's Personal Folder.*

*Commanding officers/supervisory heads will report quarterly the number of sub-managerial civilian members who have been referred to counseling as a result of civilian absence control stepping procedure on* ***CIVILIAN ABSENCE STEPPING REPORT (PD408-158)*** *in March, June, September and December.*

*Whenever a commanding officer/supervisory head makes a telephone inquiry as to the nature of a member's illness and expected date of return (see A.G. 319-07, "Civilian Member – Reporting Sick") a notation will be entered under "INTERVIEW" caption on rear of* ***ABSENCE AND TARDINESS RECORD*** *that said inquiry was made.*

**PURPOSE** To control, document, report and monitor unscheduled absences and tardiness of uniformed members of the service.

**DEFINITIONS** UNSCHEDULED LEAVE **-** For the purpose of this procedure is defined as:

a. All line of duty (old and new) and non-line of duty sick absences of uniformed members of the service.

b. All other leaves without pay.

**PROCEDURE** When a uniformed member of the service takes unscheduled leave or reports late for duty:

**COMMANDING OFFICER/ SUPERVISORY HEAD**

1. Designate a member of the command to maintain **ABSENCE AND TARDINESS RECORD (PD433-145)** for each uniformed member of the command.

**DESIGNATED MEMBER**

2. Prepare **ABSENCE AND TARDINESS RECORD** for each uniformed member of the command.
3. Enter required information on top two lines of **RECORD**.
   a. In box captioned "HOURS/WEEK:"
      (1) Enter "8:15, 8:23, 8:35, etc.," as appropriate.

WHENEVER A UNIFORMED MEMBER OF THE SERVICE TAKES UNSCHEDULED LEAVE OR IS LATE:

**DESIGNATED MEMBER**

4. Enter on calendar portion of **ABSENCE AND TARDINESS RECORD**, the date that member takes unscheduled leave or is late, utilizing one of the following codes:
   a. S For sick not line of duty
   b. SD For sick line of duty (old or new).
   c. SN For sick no pay
   d. T For tardiness
      (1) In addition to the code letter "T" being entered on the calendar portion of the **ABSENCE AND TARDINESS RECORD**, indicate number of minutes late on the rear of **RECORD** under caption "No. of Days."

***NOTE*** *Line of duty absences for uniformed members will be determined as follows:*
*(1) As indicated on daily FINEST Message of members reporting sick.*

5. Enter the code letter "X," indicating member's last and next regular days off (RDO's) immediately prior and subsequent to the unscheduled leave, in appropriate dates on calendar portion of **ABSENCE AND TARDINESS RECORD**.

WHEN MEMBER RETURNS FROM UNSCHEDULED LEAVE:

**COMMANDING OFFICER/ SUPERVISORY HEAD**

6. Review member's attendance record for previous twelve months, prior to conducting interview.
7. Interview uniformed member who has returned from unscheduled leave as follows:
   a. After the second and each succeeding sick absence during any twelve month period (see *A.G. 318-22, "Absence Control"*).

***NOTE*** *Commanding officers of patrol commands will designate the platoon commander concerned to conduct interview.*

8. Indicate on rear of **ABSENCE AND TARDINESS RECORD**:
   a. Dates and number of days uniformed member is on unscheduled leave under caption "ABSENCES"
   b. Reason for unscheduled leave
   c. Results of interview under caption "INVESTIGATION - INTERVIEW Details & Action Taken."

UNIFORMED MEMBERS OF THE SERVICE WITH POOR ATTENDANCE RECORDS:

**COMMANDING OFFICER/ SUPERVISORY HEAD**

9. Give the following warning to a uniformed member of the service who has reported sick for a third time in a twelve month period excluding initial line of duty absence or hospitalization:
   "Continued sick absences will not meet the Department's attendance requirements, and abuse of sick leave may result in disciplinary action and/or separation from the Department. In addition, if you report sick again within a twelve month period for other than line of duty absence or hospitalization, it may result in your being designated 'chronic absent' as outlined in *A.G. 330-05, "Chronic Absence Control Program."*
10. Give the following warning to a uniformed member of the service who has reported sick for a fourth time or more in a twelve month period excluding initial line of duty absence or hospitalization:
    "You have been designated chronic absent (Category A or B, as appropriate). Continued sick absences will not meet the Department's attendance requirements and may result in disciplinary action and/or separation from the Department."
    AND:
    a. Serve member concerned with **CHRONIC ABSENT NOTIFICATION (PD433-148)** (as required by *A.G. 330-05, "Chronic Absence Control Program."*)
    b. Enter under "INTERVIEW" caption of **ABSENCE AND TARDINESS RECORD** that **NOTIFICATION** was served.

***NOTE***

*In addition to the warnings given to uniformed members of the service, commanding officers/supervisory heads may warn a member that member's attendance record is considered to be unacceptable when the facts surrounding the attendance record indicate unacceptable absenteeism. Every time a warning is given, it must be entered on the "INTERVIEW" portion of the* ***ABSENCE AND TARDINESS RECORD*** *and initialed by both the interviewer and member concerned.*

**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

11. Verify that interview/review of all unscheduled leave absences was conducted by initialing and dating the entry per caption "C.O." on rear of **ABSENCE AND TARDINESS RECORD**.
    a. Have uniformed member concerned initial and date under caption "EMPL."

***ADDITIONAL DATA***

*The current year* ***ABSENCE AND TARDINESS RECORD*** *will be forwarded to member's new command, if member is transferred.*

*Completed* ***ABSENCE AND TARDINESS RECORD*** *for the entire year will be filed in member's Personal Folder.*

*Whenever a commanding officer/supervisory head makes a telephone inquiry to member's district surgeon (see A.G. 330-01, "Regular Sick"), if member has been on sick report for five workdays, ascertain estimated date of return, and enter information on* ***ABSENCE AND TARDINESS RECORD****.*

NYPD

**PURPOSE** To ensure restoration of time, pay and benefits to members of the service entitled to such benefits upon completion of the disciplinary process.

**PROCEDURE** When the Department Advocate's Office is notified that a member of the service is entitled to restoration of time, pay and benefits previously denied while on suspension:

**COMMANDING OFFICER, DEPARTMENT ADVOCATE'S OFFICE**

1. Upon notification of the disposition of a respondent's disciplinary matter, designate a member to verify if the respondent is entitled to a restoration of time, pay and benefits.
2. Prepare a request on **Typed Letterhead**, for the restoration of time, pay and benefits forfeited while on suspension and include:
   a. Name of member of the service
   b. Tax registry number
   c. Department Advocate's Office case number
   d. Amount of time that should be reimbursed
   e. Date of final disposition
   f. All pertinent documentation to support request for reimbursement.
3. Forward request directly to the First Deputy Commissioner.

**FIRST DEPUTY COMMISSIONER**

4. Review request for restoration of time, pay and benefits.
5. Forward approved request for restoration of time, pay and benefits to Deputy Commissioner of Management and Budget.
   a. Forward a copy to Commanding Officer, Department Advocate's Office.
6. Forward disapproved request for restoration of time, pay and benefits to the Commanding Officer, Department Advocate's Office.

**COMMANDING OFFICER, DEPARTMENT ADVOCATE'S OFFICE**

7. Notify respondent's legal representative in writing of approval/disapproval.

**DEPUTY COMMISSIONER, MANAGEMENT AND BUDGET**

8. Forward request for restoration of time, pay and benefits with comments to Director, Payroll Section by endorsement.
   a. Forward copy of request to Membership Services Section, Police Pension Fund.

**DIRECTOR, PAYROLL SECTION**

9. Process request for restoration.
   a. Credit appropriate time and benefits and restore member accordingly.
   b. Verify that appropriate adjustments are made to CityTime, as necessary.

**DIRECTOR, PAYROLL SECTION (continued)**

10. Notify First Deputy Commissioner, in writing through channels, detailing action taken.
    a. Forward a copy to the Police Pension Fund.

NYPD

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-27 |
|---|---|---|
| **DISCIPLINARY PROCESS RECUSAL GUIDELINES** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 18 | PAGE: 1 of 1 |

**PURPOSE**

To provide members of the service with guidelines regarding recusal from involvement in a Department disciplinary proceeding, or its investigatory process, when there is an actual or perceived conflict of interest due to a personal or familial relationship with a subject.

**DEFINITIONS**

FAMILIAL RELATIONSHIP – A relationship with a respondent, including a spouse, sibling, child, parent, cousin, aunt or uncle, close relation by marriage, or a past/present romantic relationship, that requires recusal from involvement in a Department investigation or disciplinary proceeding.

PERSONAL RELATIONSHIP – A close and substantial connection normally viewed as likely to induce partiality (e.g., friend, neighbor, business/financial, close colleague, etc.). Whether such relationships should result in recusal from a Department investigation or disciplinary proceeding are determined on an individual basis.

**PROCEDURE**

When a member of the service identifies an actual or perceived conflict of interest from involvement in a subject's investigation or disciplinary proceeding due to a familial or personal relationship:

**MEMBER OF THE SERVICE CONCERNED**

1. Notify, immediately, commanding officer or executive officer upon discovery of a familial or personal relationship with a subject of an investigation or disciplinary matter that may cause an actual or perceived conflict of interest.
   a. If uncertainty exists as to whether recusal is appropriate, member concerned should consult with the Legal Bureau.

**COMMANDING OFFICER/ EXECUTIVE OFFICER**

2. Notify bureau chief or deputy commissioner for determination of whether recusal is necessary.

**BUREAU CHIEF/DEPUTY COMMISSIONER**

3. Make final determination regarding recusal, and indicate in appropriate Department record (e.g., case folder, etc.).

***ADDITIONAL DATA***

*All members of the service involved in the operation of a disciplinary process are reminded to be aware of the applicable portions of the New York City Conflicts of Interest Law, New York City Charter, New York City Administrative Code and Annual Disclosure Laws of the City of New York.*

*All attorneys involved in the operation of a disciplinary process are reminded of their obligations under the New York Lawyer's Code of Professional Responsibility, and ethical rules governing the practice of law.*

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-28 |
|---|---|---|
| **INTEGRITY MONITORING FILE** | | |
| DATE EFFECTIVE: 12/02/22 | LAST REVISION: I.O. 116 | PAGE: 1 of 4 |

**PURPOSE** To identify locations where there is potential for members of the service to engage in corrupt practices or misconduct.

**DEFINITIONS** DESIGNATED OFF-LIMITS LOCATION - a location operating legitimately that a commanding officer may place off-limits because of some police misconduct related activity, and the need to avoid the appearance of impropriety by members of the command (see Additional Data).

UNLAWFUL LOCATIONS - premises, whether in a member's command or elsewhere, that are involved in illegal activities which would preclude the presence of a member of the service, except in the line of duty (see Additional Data).

COOPING PRONE LOCATIONS - locations or premises where members of the service may engage in unauthorized interrupted patrol (see Additional Data).

**PROCEDURE** When a premises or location has been identified as a "Designated Off-Limits Location", "Unlawful Location", or a "Cooping Prone Location" in a command under the jurisdiction of the Patrol Services, Housing, or Transit Bureaus:

**COMMANDING OFFICER**

1. Direct integrity control officer to maintain an Integrity Monitoring File.
2. Document and have on file for review the reason(s) for including a location in the Integrity Monitoring File.

***NOTE*** *Documentation should include, but not be limited to criminal history, arrests, summonses, reports to the State Liquor Authority, organized crime information, corruption, Civilian Complaint Review Board/community complaints, etc. Dates of reports and serial numbers should be included. For further information to be maintained for off-limits and unlawful locations see "Additional Data."*

3. Determine schedule to be utilized by commanding officer, executive officer, and integrity control officer when making visits to Designated Off-Limits Locations.
   a. Patrol supervisors will make observations, but not visits, to all locations as directed by the integrity control officer.
4. Direct preparation and maintenance of an Integrity Monitoring Log for the recording of observations and visits to subject locations.

**INTEGRITY CONTROL OFFICER**

5. Maintain Integrity Monitoring File.
6. Maintain Integrity Monitoring Log and record all visits and observations, as well as police action directed at identified locations.

***NOTE*** *The Integrity Monitoring Log will be in a Department record book divided equally into three separate sections entitled:*

*a. "Designated Off-Limits Locations"*
*b. "Unlawful Locations"*
*c. "Cooping Locations."*

***NOTE (continued)***

*Each section will be captioned across a double page as follows:*

*FIRST PAGE*

| *DATE* | *TIME* | *LOCATION* | *ACTIVITY OBSERVED (IF ANY)* |
|---|---|---|---|

*SECOND PAGE*

| *MEMBER MAKING OBSERVATION* | *ACTION TAKEN* | *REMARKS* |
|---|---|---|
| | *(Summons, arrest, Intelligence Division notification, etc)* | |

**COMMANDING OFFICER**

7. Evaluate, every six months, the command's Integrity Monitoring File for accuracy and relevance.
8. Add/delete locations by forwarding a report, on **Typed Letterhead**, to overhead bureau concerned, through channels.
   a. Indicate reason for addition/deletion.
   b. Include an updated Integrity Monitoring File with report.
9. Prepare three copies of updated Integrity Monitoring File on March 1st each year, and forward to overhead bureau concerned, through channels.
   a. An accompanying report will be prepared indicating that the commanding officer concerned has reviewed the file and the locations on each list are in conformance with this procedure.

**BUREAU COMMAND**

10. Review reports (both interim and annual) submitted by subordinate commands.
    a. Forward copy of report to the Investigation Review Section, Office of the Chief of Department.
    b. Forward copy of report to the Internal Affairs Bureau.

***ADDITIONAL DATA***

*The Investigation Review Section will act as the central repository for Designated Off-Limits Locations, Unlawful Locations, and Cooping Prone Locations. Annually, the Investigation Review Section shall forward an updated citywide list of these locations to the Operations Unit and the Office of the Chief of Department. Furthermore, the Quality Assurance Division shall conduct audits of precincts, transit districts, police service areas and borough command counterparts to ensure updated lists are maintained in accordance with the provisions of this procedure.*

*If it becomes necessary for a uniformed member of the service to enter a location listed in the Integrity Monitoring File because of assignment by competent authority, i.e., radio dispatcher/serious police emergency, the member concerned will immediately notify the patrol supervisor. The patrol supervisor will respond and make a digital* ***Activity Log*** *entry of the circumstances.*

*The duties performed by units in the Transit Bureau, the Chief of Transportation and the Special Operations Division may present integrity hazards that are unique to their specialties, i.e., marinas, riding academies, parking garages, etc.*

***ADDITIONAL DATA (continued)***

*Therefore, commanding officers of each unit will identify such locations and, using the criteria below, compile a Designated Off-Limits Location list for their unit's Integrity Monitoring File. Furthermore, they will obtain, and personally review off-limits locations within other commands where their members perform patrol. These locations will be included in their own lists of locations considered integrity hazards for their personnel.*

*CRITERIA FOR INCLUSION IN INTEGRITY MONITORING FILE*

*DESIGNATED OFF-LIMITS LOCATION*

*a. Some documented police misconduct-related activity, such as:*

*(1) Any substantial acts of misconduct, or*
*(2) The failure of integrity tests, or*
*(3) The commanding officer's professional judgment after review of corruption allegations, or*
*(4) Intelligence from Detective Bureau or Intelligence and Counterterrorism Bureau, particularly at locations involving organized crime, or*
*(5) The location's past history of repeated crimes or violations.*

*PLUS*

*b. Illegal conditions associated with locations, or the inference or appearance of preferential treatment.*

*Conditions listed in paragraphs a or b above are both required in order for a location to be included in the "Designated Off-Limits Locations" portion of the Integrity Monitoring File.*

*Members of the service are prohibited from entering all Designated Off-Limits Locations within their command of assignment, whether on or off duty. Because of these limitations, commanding officers will be very judicious when designating a location off-limits. In addition, they must be able to articulate the reasonable basis used for selecting each location. Additionally, they should avoid listing general areas such as entire streets, plazas, parks, etc., unless there are some extraordinary circumstances that would justify the off-limits provisions of this procedure.*

*The following information should be included in interim or annual reports regarding Designated Off-Limits Locations:*

*(1) Date declared off-limits*
*(2) Number of visits/observations by commanding/executive/integrity control officers or other supervisors*
*(3) Notifications to investigations unit concerned*
*(4) Any disciplinary/criminal action taken against members of the service re: location concerned (including results)*
*(5) Date location closed or business sold*
*(6) Date removed from list and reason (passed integrity test, etc.)*

*UNLAWFUL LOCATIONS*

***ADDITIONAL DATA (continued)***

*a. Premises (licensed or unlicensed) where a member of the service MUST be suspended for having an interest in, associating with or patronizing as indicated in A.G. 318-05, "Cause for Suspension or Modified Assignment"*

*b. Unlicensed premises (neighborhood tavern or restaurant with an expired/suspended license) where the sale of alcohol is the only apparent illegal activity and a member of the service may be suspended or placed on modified assignment for patronizing such a location as per A.G. 318-05, "Cause for Suspension or Modified Assignment."*

*The following information should be included in interim or annual reports regarding Unlawful Locations:*

*(1) Date declared unlawful*
*(2) Number of visits/observations by commanding/executive/integrity control officers or other supervisors*
*(3) Any notifications made to Internal Affairs Bureau or any unit/agency relative to vice enforcement, narcotics, civil enforcement, etc.*
*(4) Any disciplinary/criminal action taken against members of the service re: location concerned (including results)*
*(5) Date business sold*
*(6) Date location closed and reason (civil enforcement, vacated business, fire, etc.)*

*If a member of the service becomes involved in an incident in an Unlawful Location outside of their command, and upon investigation it is discovered that the location has been previously deemed unlawful, and is still carried as such in the command's Integrity Monitoring File, the commanding officer/duty captain will determine whether or not the member involved should have been aware of the unlawful status of the location in question.*

*COOPING PRONE LOCATIONS*

*Consideration for designating a location as cooping prone should be based on past history of allegations of cooping, or locations where, in the commanding officer's judgment, there is likelihood that member(s) will engage in interrupted patrol. Cooping prone locations apply to on-duty members only. However, members will not be prohibited from performing authorized patrol within such locations, when necessary.*

**COMMANDING OFFICER, PERSONNEL BUREAU INVESTIGATIONS UNIT**

1. Maintain a listing (including duty charts, vacation selections and complete information such as home phone numbers, cellular phone numbers and e-mail addresses) of all uniformed members who have been placed on Dismissal Probation, or have been the subject of other disciplinary action, and have agreed to submit to ordered breath testing for the presence of alcohol as a result of a negotiated penalty in a Department disciplinary proceeding.

***NOTE*** *Subject members have signed a Negotiated Settlement which contains the following wording: "I agree to submit to and to make myself available, on or off duty, for ordered breath testing for the presence of alcohol during a probationary period or other agreed upon time period pursuant to A.G 304-04, "Fitness for Duty." I understand that this will entail unannounced visits to my personal residence. In addition, I am fully aware that if said testing of my blood alcohol level is .04 or more that I shall be presumed unfit for duty. I also understand that should I be found unfit for duty or should I refuse such testing I will be subject to further disciplinary action up to and including summary termination. I acknowledge that I have received and understand the provisions within A.G 304-04, "Fitness for Duty." and A.G. 318-29, "Conducting Ordered Breath Testing of Uniformed Members of the Service for the Presence of Alcohol."*

2. Schedule each member whose name appears on the listing to be periodically tested during each quarterly period during which the member is subject to ordered breath testing. For the purposes of this procedure, the calendar year will be divided into four quarterly periods as follows: January through March, April through June, July through September and October through December. Nothing in this procedure shall preclude a subject member from being tested more than once during a quarter. <u>However, at least one of the tests conducted during the year must be conducted during the subject member's off duty hours</u>.

***NOTE*** *If the period that the member is subject to ordered breath testing begins on February 15th, for example, the initial testing of the subject member will commence during the quarterly period that runs from January 1st through March 31st.*

3. Ensure that all supervisors assigned to the Personnel Bureau Investigations Unit and the Medical Division's Absence Control & Investigations Unit have been trained by the Highway District in the operation of the hand-held Portable Breath Test (PBT) device.
4. Arrange for a supervisor assigned to the Personnel Bureau Investigations Unit or the Medical Division's Absence Control & Investigations Unit to conduct a breath test using a PBT device whenever a subject member is scheduled to be tested. Both units will assist each other in the testing process as necessary.

***NOTE*** *If the subject member is a ranking member of the Department, a supervisor of an appropriate rank assigned to one of the sub-units of the Personnel Bureau will be designated to assist with the administration of the breath test.*

**COMMANDING OFFICER, PERSONNEL BUREAU INVESTIGATIONS UNIT (continued)**

5. Maintain a database that tracks the results of all on duty as well as all off duty ordered breath tests and the number of members tested.
6. Submit a quarterly report to the Chief of Personnel listing all subject members, the starting and ending dates during which they are subject to ordered breath testing, the dates on which they were tested, whether they were tested on duty or off duty, and the results.

***NOTE*** *The probationary period will be extended by any period of time that the subject member is on suspension, modified assignment, restricted duty, limited duty, sick leave, leave of absence (military, educational, etc.) or annual leave. As such, the Performance Analysis Section will be contacted to ascertain the exact date that the probationary period ends.*

**ON DUTY ORDERED BREATH TESTING (Steps 7-14)**

**DESIGNATED SUPERVISOR, PERSONNEL BUREAU INVESTIGATIONS UNIT/MEDICAL DIVISION'S ABSENCE CONTROL & INVESTIGATIONS UNIT**

7. After being designated to conduct an ordered breath test of an on duty member of the service, the breath test will be conducted at the Medical Division or at the Personnel Bureau Investigations Unit, on a date and time when the subject member is regularly scheduled to work.

***NOTE*** *The Medical Division's Drug Screening Unit must ensure that the records maintained in regard to random drug testing do not in any manner include members who were notified to appear for ordered breath testing.*

8. Notify the commanding officer/desk officer at the subject member's command to have the subject member transported by a higher-ranking member to the Medical Division or the Personnel Bureau Investigations Unit in an expeditious fashion.
9. Respond to the Medical Division, or the Personnel Bureau Investigations Unit, as appropriate, on the date and time that the subject member was notified to appear.

***NOTE*** *All times relating to the testing process will be carefully documented.*

10. Advise the subject member that he or she may be tested by a number of different means, such as the PBT device and the Intoxilyzer.
11. Direct the subject member to prepare an **Ordered Breath Test Questionnaire** form.
    a. The **Ordered Breath Test Questionnaire** form will be retained in the subject member's file maintained at the Personnel Bureau Investigations Unit office. As some of the information contained on the form may be considered medical records under the Americans with Disabilities Act, the form must be handled and maintained in a confidential manner.

***NOTE*** *If the subject member answers "YES" to either of the following two questions listed on the form: "Do you require medical treatment now?" or "Do you desire an ambulance to be summoned?" or is unable to answer these questions, the supervisor concerned shall summon an ambulance.*

**DESIGNATED SUPERVISOR, PERSONNEL BUREAU INVESTIGATIONS UNIT/MEDICAL DIVISION'S ABSENCE CONTROL & INVESTIGATIONS UNIT (continued)**

12. Conduct a breath test using a PBT device in a private setting at the Medical Division or at the Personnel Bureau Investigations Unit.

***NOTE*** *The supervisor concerned must observe the subject member for at least 20 minutes prior to initiating the test to ensure that the subject member does not engage in any activities that may skew the test results (e.g., eating, drinking, smoking, vomiting, regurgitating, belching).*

13. If the reading on the PBT device is less than .02 and there are no related indicia of intoxication (see *Additional Data* statement for a listing), no further action is required at this time.
    a. If the reading on the PBT device is less than .02 and the subject member appears to be intoxicated (i.e., there are related indicia of intoxication) or under the influence of a prohibited substance, the supervisor concerned will confer with the Commanding Officer, Personnel Bureau Investigations Unit who will notify the Office of the Personnel Bureau in regard to obtaining authorization to test the subject member using the Intoxilyzer, or to conduct a drug screening test for cause under the procedures contained in *P.G. 332-06, "Drug Screening Tests for Cause for Uniformed and Civilian Members of the Service."*
14. If the reading on the PBT device is .02 or greater, immediately notify Highway I.D.T.U. to respond to the Medical Division to test the subject member using the Intoxilyzer that is maintained at the Medical Division facility. (It should be emphasized that the Intoxilyzer test at the Medical Division will be conducted by an I.D.T.U. technician.) In the event that alternate arrangements must be made, the Intoxilyzer test will be conducted at the closest I.D.T.U. facility. In such a case, the subject member will not be permitted to transport themselves to the I.D.T.U. facility. Depending upon circumstances, the supervisor concerned may be aided by one or more members of the service in transporting the subject member to the I.D.T.U. facility.

**DESIGNATED SUPERVISOR, PERSONNEL BUREAU INVESTIGATIONS UNIT/MEDICAL DIVISION'S ABSENCE CONTROL & INVESTIGATIONS UNIT (continued)**

a. The I.D.T.U. technician will utilize a specially developed form, entitled **Ordered Breath Test Instruction Sheet** to interview the subject member and a specially developed checklist, entitled **Intoxilyzer Operational Checklist** to conduct the test. The entire Intoxilyzer testing process, including the reading of the test results, will be videotaped by a member of the Highway District. In cases in which there is an Intoxilyzer reading of .02 or greater, a copy of the videotape will be provided to the supervisor concerned, who will follow all applicable Departmental procedures to safeguard the tape for evidentiary purposes.

***NOTE*** *The I.D.T.U. technician conducting the test must observe the subject member for at least 20 minutes prior to initiating the test to ensure that the member does not engage in any activities that may skew the test results.*

b. The supervisor concerned shall carefully record and then take into account the Intoxilyzer reading along with any other related indicia of intoxication in coming to a conclusion that the subject member is apparently unfit for duty. As part of this process, the supervisor should use a blood alcohol level of .04 or greater on the Intoxilyzer as the threshold for a presumption of lack of fitness for duty.

c. If the supervisor concerned has reason to conclude that the subject member is apparently unfit for duty, the supervisor will notify the Commanding Officer, Personnel Bureau Investigations Unit, who will notify the Office of the Personnel Bureau. In addition, the supervisor will be guided by the procedures contained in *A.G. 318-10, "Removal of Firearms from Intoxicated Uniformed Member of the Service."*

***NOTE*** *If the subject member is determined to be unfit for duty, the I.A.B. Command Center will be notified and a log number will be obtained.*

**OFF DUTY ORDERED BREATH TESTING (Steps 15-23)**

***NOTE*** *Home visits related to off duty ordered breath testing will be conducted in a similar fashion to home visits by the Medical Division to uniformed members of the service who are on sick leave. Breath testing of off duty members of the service will normally be conducted from 0900 hours to 2100 hours, including weekends. However, subject members who are tested off duty will be entitled to overtime compensation.*

**DESIGNATED SUPERVISOR, PERSONNEL BUREAU INVESTIGATIONS UNIT/MEDICAL DIVISION'S ABSENCE CONTROL & INVESTIGATIONS UNIT (continued)**

15. After being designated to conduct an ordered breath test of an off duty member of the service, ascertain whether the subject member is on sick report. If the member is not on sick report, respond to the member's residence to conduct the breath test. (If the member is on sick report, the breath test will not be conducted until the member is no longer on sick report.)

***NOTE*** *The designated supervisor will be accompanied by at least one other supervisor/member of the Personnel Bureau Investigations Unit or the Medical Division's Absence Control & Investigations Unit.*

a. If the subject member does not answer the door, leave a **Notification Card** under the door with instructions that the member is to immediately contact you upon his/her receipt of the card.

***NOTE*** *All times relating to the testing process will be carefully documented.*

b. Attempt to contact the subject member via alternative means, if necessary.

***NOTE*** *Attempts by the subject member to evade contact may result in further disciplinary action and possible termination.*

c. Once the subject member is located, direct the member to remain at his/her current location pending your arrival. The subject member will neither be requested nor permitted to drive until the breath testing has been completed and the member's fitness for duty has been determined.

16. Once personal contact is made with the subject member on an initial visit, request member's identification card in order to confirm member's identity.
17. Proceed to conduct the testing process in a private setting (e.g., subject member's residence, Department auto being used by the supervisor concerned) in a dignified, respectful fashion. The subject member's input should be solicited in regard to where he/she would feel most comfortable having the test conducted.
18. Advise the subject member that he or she may be tested by a number of different means, such as the PBT device and the Intoxilyzer.
19. Direct the subject member to prepare an **Ordered Breath Test Questionnaire** form.

**DESIGNATED SUPERVISOR, PERSONNEL BUREAU INVESTIGATIONS UNIT/MEDICAL DIVISION'S ABSENCE CONTROL & INVESTIGATIONS UNIT (continued)**

a. The **Ordered Breath Test Questionnaire** form will be retained in the subject member's file maintained at the Personnel Bureau Investigations Unit office. As some of the information contained on the form may be considered medical records under the Americans with Disabilities Act, the form must be handled and maintained in a confidential manner.

***NOTE*** *If the subject member answers "YES" to either of the following two questions listed on the form, "Do you desire medical treatment now?" or "Do you desire an ambulance to be summoned?" or is unable to answer these questions, the supervisor concerned shall summon an ambulance.*

20. Conduct a breath test using a PBT device.

***NOTE*** *The supervisor concerned must observe the subject member for at least 20 minutes prior to initiating the test to ensure that the subject member does not engage in any activities that may skew the test results (e.g., eating, drinking, smoking, vomiting, regurgitating, belching).*

21. If the reading on the PBT device is less than .02 and there are no related indicia of intoxication (see *Additional Data* statement for a listing) no further action is required at this time.
    a. If the reading on the PBT device is less than .02 and the subject member appears to be intoxicated (i.e., there are related indicia of intoxication) or under the influence of a prohibited substance, the supervisor concerned will confer with the Commanding Officer, Personnel Bureau Investigations Unit who will notify the Office of the Personnel Bureau in regard to obtaining authorization to test the subject member using the Intoxilyzer, or to conduct a drug screening test for cause under the procedures contained in *A.G. 332-06, "Drug Screening Tests for Cause for Uniformed and Civilian Members of the Service."*
22. If the reading on the PBT device is .02 or above, the subject member will be transported expeditiously to the Medical Division's Lefrak City facility and an immediate notification will be made to Highway I.D.T.U. to respond to the Medical Division to test the subject member using the Intoxilyzer that is maintained at the Medical Division. (It should be emphasized that the Intoxilyzer test at the Medical Division will be conducted by an I.D.T.U. technician.) In the event that alternate arrangements must be made, the Intoxilyzer test will be conducted at the closest I.D.T.U. facility.

**DESIGNATED SUPERVISOR, PERSONNEL BUREAU INVESTIGATIONS UNIT/MEDICAL DIVISION'S ABSENCE CONTROL & INVESTIGATIONS UNIT (continued)**

a. The I.D.T.U. technician will utilize a specially developed form, entitled **Ordered Breath Test Instruction Sheet** to interview the subject member and a specially developed checklist, entitled **Intoxilyzer Operational Checklist** to conduct the test. The entire Intoxilyzer testing process, including the reading of the test results, will be videotaped by a member of the Highway District. In cases in which there is an Intoxilyzer reading of .02 or greater, a copy of the videotape will be provided to the supervisor concerned, who will follow all applicable Departmental procedures to safeguard the tape for evidentiary purposes.

***NOTE*** *The I.D.T.U. technician conducting the test must observe the subject member for at least 20 minutes prior to initiating the test to ensure that the member does not engage in any activities that may skew the test results.*

b. The supervisor concerned shall carefully record and then take into account the Intoxilyzer reading along with any other related indicia of intoxication in coming to a conclusion that the subject member is apparently unfit for duty. As part of this process, the supervisor should use a blood alcohol level of .04 or greater on the Intoxilyzer as the threshold for a presumption of lack of fitness for duty.

c. If the supervisor concerned has reason to conclude that the subject member is apparently unfit for duty, the supervisor will notify the Commanding Officer, Personnel Bureau Investigations Unit, who will notify the Office of the Personnel Bureau. In addition, the supervisor will be guided by the procedures contained in *A.G. 318-10, "Removal of Firearms from Intoxicated Uniformed Member of the Service."*

***NOTE*** *If the subject member is determined to be unfit for duty, the I.A.B. Command Center will be notified and a log number will be obtained.*

23. Ensure that the subject member is transported back to his/her residence after all testing, administrative and related matters have been completed.

***ADDITIONAL DATA*** *Since most members of the service who will be subject to the provisions of this procedure will be on full duty status with no driving restrictions, the Performance Monitoring Unit will institute procedures to remind the concerned members' Commanding Officers of the importance of remaining particularly alert to the members' fitness for duty during the members' dismissal probation period or the agreed upon period during which the member will be subject to ordered breath testing.*

***ADDITIONAL DATA (continued)***

*INDICIA OF INTOXICATION*

*Face to face observation and interaction with the subject member allows the supervisor concerned to use his or her senses to obtain "evidence" of alcohol intoxication:*

* *The sense of sight*
* *The sense of hearing*
* *The sense of smell*

*SIGHT*

* *Bloodshot eyes*
* *Flushed face*
* *Soiled, mussed, disarrayed clothing*
* *Fumbling (e.g., dropping paperwork, keys etc.)*
* *The presence of alcohol containers*
* *Physical coordination (e.g., swaying, staggering, unsteady, falling, wobbling, sagging knees, using a wall or furniture as a prop)*
* *Unusual actions (e.g., hiccupping, belching, vomiting, fighting, sleepy, urinating)*

*HEARING*

* *Slurred speech*
* *Admission of drinking*
* *Inconsistent responses*
* *Incoherent*
* *Abusive language, profanity*
* *Antagonistic*
* *Unusual statements*

*SMELL*

* *Odor of alcohol on breath*
* *"Cover Up" odors (e.g., breath spray, mints)*
* *Open alcoholic beverages*
* *Unusual odors*

*These traits are illustrative; this is not meant to be a complete list of indicia.*

NYPD

# ADMINISTRATIVE GUIDE

| Section: Disciplinary Matters | | Procedure No: 318-30 |
|---|---|---|
| **MISUSE OF NYPD ISSUED RESTRICTED PARKING PERMIT** | | |
| DATE EFFECTIVE: 02/16/22 | LAST REVISION: I.O. 18 | PAGE: 1 of 2 |

**PURPOSE** To instruct members of the service in regard to when an NYPD Restricted Parking Permit is subject to revocation.

**SCOPE** Three or more convictions in regard to New York City Traffic Rules 4-08(o)(3), "Misuse and Fraudulent Use of Parking Permits" will result in the revocation of an NYPD Restricted Parking Permit.

**DEFINITION** NYPD Restricted Parking Permit (Misc. 23-N): Cardboard, approximately four inches by ten inches with serial number, command code, space for vehicle license plate number and an expiration date (permit color, design and expiration date will change each year).

**PROCEDURE** When a Notice of Parking Violation has been issued to a vehicle in which an NYPD Restricted Parking Permit is displayed for violating New York City Traffic Rules 4-08(o)(3), "Misuse and Fraudulent Use of Parking Permits":

IN ALL CASES:

**MEMBER CONCERNED**

1. Issue summons and comply with *P.G. 209-07, "Parking Summons – General Procedure."*
2. Notify Traffic Management Center and include details pertaining to the Notice of Parking Violation.

**TRAFFIC MANAGEMENT CENTER**

3. Obtain details of violation (e.g., summons number, parking permit number, license plate number, violation observed, etc.) from member of the service issuing Notice of Parking Violation and enter information into appropriate database.
4. Conduct database query to ascertain if license plate and/or permit number is subject of prior misuse.

IF VEHICLE AND/OR PERMIT IS FOUND TO HAVE PREVIOUSLY BEEN ISSUED A NOTICE OF PARKING VIOLATION FOR VIOLATING NEW YORK CITY TRAFFIC RULES 4-08(o)(3), "MISUSE AND FRAUDULENT USE OF PARKING PERMITS" ON THREE OR MORE OCCASIONS:

**TRAFFIC MANAGEMENT CENTER**

5. Notify Chief of Department's Vehicle Identification Unit between 0800 hours and 1600 hours, Monday through Friday.
   a. Notify Operations Unit, if the Chief of Department's Vehicle Identification Unit is unavailable.

**CHIEF OF DEPARTMENT'S VEHICLE IDENTIFICATION UNIT**

6. Conduct investigation to determine if NYPD Restricted Parking Permit has been the subject of three or more convictions for violating New York City Traffic Rules 4-08(o)(3), "Misuse and Fraudulent Use of Parking Permits."
   a. Notify integrity control officer, member concerned, if parameter for revocation is met.
   b. Inform integrity control officer, member concerned, that NYPD Restricted Parking Permit must be revoked and delivered to the Chief of Department's Vehicle Identification Unit.

**INTEGRITY CONTROL OFFICER, MEMBER CONCERNED**

7. Direct member of the service to immediately surrender NYPD Restricted Parking Permit.
8. Ensure NYPD Restricted Parking Permit is delivered to the Chief of Department's Vehicle Identification Unit.
9. Inform member of the service that they are ineligible to receive an NYPD Restricted Parking Permit for the remainder of the current calendar year, and for the next calendar year.

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# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-01 |
|---|---|---|
| **SCHOOL CROSSING GUARD - GENERAL REGULATIONS** | | |
| DATE EFFECTIVE: 11/18/21 | LAST REVISION: I.O. 105 | PAGE: 1 of 2 |

**PURPOSE** To ensure the proper performance and supervision of school crossing guards.

**PROCEDURE** When a school crossing guard is assigned to a precinct:

**COMMANDING OFFICER**

1. Designate a uniformed member of the service to coordinate daily activities and record keeping of school crossing guards assigned to command.
2. Designate a supervisor, other than the patrol supervisor, to oversee designated uniformed member of the service.

**DESIGNATED UNIFORMED MEMBER OF THE SERVICE**

3. Coordinate daily activities and record keeping of school crossing guards assigned to command.
4. Visit and inspect school crossing guards on assigned post.
5. Inform designated supervisor of any discrepancies regarding attendance and performance of school crossing guards.

***NOTE*** *In the absence of the designated uniformed member of the service, the commanding officer will designate an alternate to perform the above listed duties.*

**DESIGNATED SUPERVISOR**

6. Investigate any discrepancies regarding attendance and performance of school crossing guards and take appropriate action.

**SCHOOL CROSSING GUARD**

7. Report punctually for duty in proper uniform as per *A.G. 319-03, "Civilian Member - Uniforms/Equipment"* and cover assigned crossing during designated times.
   a. Notify desk officer prior to first crossing if unable to report for duty for any reason.
8. Communicate with precinct each work day prior to reporting for first crossing as directed by precinct commanding officer.
9. Maintain **MEMORANDUM PAD (PD112-141)**.
   a. Obtain replacement **MEMORANDUM PAD** from designated supervisor, when necessary.
10. Do not leave assigned crossing except in discharge of duty or for personal necessity.
11. Notify desk officer or designated member when leaving crossing for any reason and make entry in **MEMORANDUM PAD** of time leaving, premises entered and reason.
12. Request response of uniformed members immediately via precinct or 911 whenever police services are required, as necessary.
13. Comply with *A.G. 304-20, "Personal Social Media Accounts and Policy,"* as appropriate.
14 Submit a report on **Typed Letterhead** when requesting a transfer and submit to commanding officer.

**DESK OFFICER**

15. Make appropriate notifications and ensure proper documentation is prepared if school crossing guard is unable to report for duty.
16. Comply with *A.G. 326-01, "School Crossings"* if school crossing guard is unable to report for duty.

**COMMANDING OFFICER**

17. Approve/disapprove school crossing guard transfer requests and forward to Chief of Personnel for final determination, as necessary.

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# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-02 |
|---|---|---|
| **SCHOOL CROSSING GUARD – CERTIFICATE OF RECOGNITION** | | |
| DATE EFFECTIVE: 11/18/21 | LAST REVISION: I.O. 110 | PAGE: 1 of 1 |

**PURPOSE** To recognize the efforts and dedication of school crossing guards.

**DEFINITIONS** CERTIFICATE OF SERVICE **-** Awarded to school crossing guards at the completion of every five years of continuous satisfactory service to the Department.

CERTIFICATE OF MERIT - Awarded to school crossing guards in recognition of actions performed above and beyond routine duty, which reflect intelligence and alertness on the part of the school crossing guard and bring credit to all school crossing guards, as well as the Department.

**PROCEDURE** When a school crossing guard qualifies for a Certificate of Service or Certificate of Merit:

**PRECINCT COMMANDER**

1. Prepare **Typed Letterhead** to patrol borough commander indicating school crossing guard's eligibility and request appropriate certificate.

**PATROL BOROUGH COMMANDER**

2. Review request and if approved, sign certificate and return to precinct commander.

**PRECINCT COMMANDER**

3. Sign certificate and issue to school crossing guard at appropriate ceremony.

***ADDITIONAL DATA*** *Certificates will be presented by precinct commanders during local community board meetings. Members of the public safety committee, local school board and District Council 37 will be invited to attend.*

**PURPOSE** To prescribe uniforms/equipment for certain civilian members of the service.

**PROCEDURE** When performing duty:

**MOTOR VEHICLE OPERATOR**

1. Wear and maintain the following regulation uniform:
   a. Baseball cap with motor vehicle operator (MVO) insignia patch
   b. Regulation gray long and short sleeve shirts
   c. Regulation gray jacket
   d. Emblem – the MVO and NYPD patches will be worn on the left shoulder of regulation gray jacket and shirt
   e. Regulation gray trousers
   f. Regulation shield
   g. Navy blue, breakaway tie with NYPD tie clip (worn with long sleeve shirt).

***NOTE*** *Motor vehicle supervisors do not wear uniforms but are issued and must carry a shield.*

**FLEET SERVICES SECTION PERSONNEL**

2. Wear coveralls when assigned as:
   a. Mechanic
   b. Repairman
   c. Lubricator
   d. Gasoline dispenser.

**SCHOOL CROSSING GUARD**

3. Wear and maintain the following regulation uniform:
   a. Cap with school crossing guard patch
   b. School Crossing Guard reflective safety vest
   c. White cotton or wool gloves
   d. Shoes of type suitable for duty performed
   e. Traffic whistle
   f. Appropriate clothing
   g. Regulation yellow raincoat and cap with school crossing guard patch in inclement weather
   h. Optional uniform items:
      (1) Shirt – medium blue, military type long/short sleeve with NYPD patches and School Crossing Guard rockers ½ inch below shoulder seam on both sleeves and "SCG" collar brass on the right collar and command designation on the left collar
      (2) Navy blue, breakaway tie with NYPD tie clip (worn with long sleeve shirt)
      (3) Regulation blue duty trousers or optional cargo pants or shorts
      (4) Black socks

**SCHOOL CROSSING GUARD (continued)**

(5) Black shoes, boots or sneakers (with no visible markings)

(6) Neon yellow gloves

(7) Jacket – navy blue duty jacket with NYPD patches and School Crossing Guard rockers ¾ inch below shoulder seam on both sleeves

i. Optional winter items:

(1) Winter hat – white soft vinyl with black mouton trimming, to be worn only when the temperature is expected to fall below 32 degrees Fahrenheit

(2) Winter Knit Hat – ANSI safety yellow knitted wool hat, with "NYPD" embroidered in navy blue block letters across the front. To be worn with duty jacket, when the temperature is expected to fall below 32 degrees Fahrenheit.

(3) Ear muffs – black wool headband type, to be worn in conjunction with authorized cap.

***NOTE*** *School Crossing Guards Level II will wear the above described uniform except silver chevrons on duty shirt if worn, below the patches; white 8-point hat with silver unnumbered cap device; cargo shorts are not authorized.*

**POLICE ATTENDANT**

4. Wear and maintain the following regulation uniform:

a. Shirt (long and short sleeve) – medium blue, military type with NYPD patches on each sleeve, and the police attendant patch will be worn and centered one half inch below the standard patch on both sleeves

b. Navy blue, breakaway tie with NYPD tie clip (worn with long sleeve shirt)

c. Regulation blue duty trousers

d. Black socks

e. Black shoes: plain, smooth leather with flat soles and raised heels

***NOTE*** *In addition, shoes commonly referred to as the secret sneaker are also permissible, provided that they generally conform in appearance to the regular duty shoes (these shoes will be on display at the Equipment Section). Black leather jogging shoes, sneakers or shoes with visible lettering are NOT AUTHORIZED foot wear.*

f. Optional winter item:

(1) V–neck sweater – navy blue, acrylic or wool, waist length, vertical ribbed weave knit sweater with navy blue poly/cotton twill or cordura patch material over elbows, left breast, and epaulets. Gold buttons on pointed epaulets. The Department logo (patch) will be affixed to each sleeve. The police attendant patch will be affixed and centered one half inch below the Department logo on both sleeves.

**POLICE ATTENDANT (continued)**

g. NYPD Patrol Tactical Pants are optional

h. Command insignia will be worn on the collar of the uniform shirt

i. Regulation handcuffs carried in handcuff case with key available for use.

**TRAFFIC ENFORCEMENT AGENT/ PARKING ENFORCEMENT SPECIALIST**

5. Wear and maintain the following regulation uniform/equipment:

a. Cap – white vinyl eight point with chrome unnumbered cap device and black chinstrap. Summer mesh style white eight point cap optional during applicable months, when so directed

b. Shirt – medium blue, military type long/short sleeve with NYPD patches and Traffic rockers ½ inch below shoulder seam on both sleeves, with appropriate service stripes/hash marks affixed

c. Blazer – navy blue (summer blouse) with silver (white metal) buttons, NYPD patches and Traffic rockers ¾ inch below shoulder seam on both sleeves, with appropriate service stripes/hash marks affixed

d. Trousers – navy blue with ½ inch wide navy blue braid down both leg seams

e. Skirt (optional) – navy blue knee length

f. Shoes – black, plain, smooth leather, lace type shoes with flat soles and raised rubber heels (no patent leather). Black leather sneakers with no visible lettering

Boots – lace–up plain toe with no markings

Pumps – black, plain leather pumps with heel no higher than one inch (optional with skirt)

g. Socks – Only black cotton socks are authorized

h. Optional inclement weather items:

(1) Raincoat – international orange with matching hat. International orange pants are optional

(2) Two piece, high visibility, yellow waterproof jacket and pants with detachable hood. Black reflective lettering "NYPD TRAFFIC" on rear of jacket with NYPD patches on both shoulders. 3M reflective material on pants and jacket.

i. Overcoat – navy blue (winter coat) wool fingertip length with silver (white metal) buttons. NYPD patches and Traffic rockers ¾ inch below shoulder seam on both sleeves

j. Optional summer uniform for agents assigned to street enforcement duties for their entire tour of duty:

(1) Regulation medium blue, short sleeve uniform shirt

(2) Cargo style shorts, as available in the Equipment Section. Shorts will be hemmed to a length to the top of the knee

(3) Black leather uniform athletic shoes, lace–up style ONLY, with no visible logos or markings. Either high–cut or low–cut style is authorized; however, the shoe should have no more than five shoelace grommets/attachments

**TRAFFIC ENFORCEMENT AGENT/ PARKING ENFORCEMENT SPECIALIST (continued)**

(4) Black cotton crew socks, worn fully extended, length at least three inches but no more than five inches above outermost anklebone. Socks must be visible

(5) Regulation eight point white uniform hat

(6) White cotton gloves

(7) Reflective safety vest, as required.

k. Optional winter items:

(1) Winter hat – white soft vinyl with black mouton trimming and chrome unnumbered cap device, to be worn only when the temperature is expected to fall below 32 degrees Fahrenheit

(2) Winter Knit Hat – ANSI safety yellow knitted wool hat, with "NYPD" embroidered in navy blue block letters across the front. To be worn with duty jacket, when the temperature is expected to fall below 32 degrees Fahrenheit.

(3) Turtleneck – medium blue turtleneck with NYPD markings worn only during winter season with duty jacket

***NOTE*** *The turtleneck shirt shall not be worn as an outer garment but may be worn under the duty jacket. If during the course of the tour an agent removes the duty jacket, whether due to change of assignment or other reasons, the regulation shirt and tie must be worn.*

(4) Sweater – navy blue commando V–neck sweater with PD patches and Traffic rockers ¾ inch below shoulder seam on both sleeves

(5) Ear muffs – black wool headband type

(6) Gloves – black (white for intersection duty)

(7) Jacket – navy blue duty jacket with NYPD patches and Traffic rockers ¾ inch below shoulder seam on both sleeves.

l. Reflective traffic safety vest – fluorescent yellow with a permanent label that states "APPROVED BY NYPD EQUIPMENT SECTION SPEC #983." To be worn while performing traffic related duties

m. Shield – worn on left breast of outermost garment affixed to a leather shield holder

n. Nameplate – white metal with last name printed in black letters. Worn directly below shield affixed to leather holder

o. Patches – NYPD patches and Traffic rockers on both sleeves must be affixed to all garments except rain gear. NO UNIT PATCHES PERMITTED

p. Longevity bar – white enamel bar with gold colored trim and roman numeral. Mandatory for all traffic enforcement agents with over five years of service and will only be worn on short sleeve shirt

**TRAFFIC ENFORCEMENT AGENT/ PARKING ENFORCEMENT SPECIALIST (continued)**

q. Belt – black leather 1 ½ inches wide with gunmetal buckle. Utility belt and summons pouch may also be worn. No other belt buckles or fanny packs of any kind are permitted

r. Tie – navy blue breakaway type with NYPD tie clip. Worn with long sleeve shirt

s. Collar brass – White metal with unit designation on both collars

t. Watch – working wristwatch must be worn at all times

u. Regulation traffic whistle and belt whistle holder

v. Serviceable traffic wand, light–emitting diode (LED), battery operated, 18 to 22 inches in length, push button operation, with steady and flashing red light capability

(1) To be carried while performing traffic control duties between the hours of sunset and sunrise

w. Other jewelry – Only wedding bands are authorized.

***NOTE*** *The Special Patrolman Patch is unauthorized and will not be worn by any member of the Department.*

**TRAFFIC SUPERVISOR LEVEL I**

6. Traffic supervisor level I regulation uniform/equipment is same as traffic enforcement agent EXCEPT:

a. Cap – navy blue 8–point, gilt (gold) unnumbered hat device and gilt (gold) chinstrap

b. Blazer (summer blouse) – with gold (yellow metal) buttons

c. Trousers – 1 ¼ inch wide navy blue braid down both leg seams

d. Overcoat – with gold (yellow metal) buttons

e. Optional winter items:

(1) Winter hat – black soft vinyl with black mouton trimming and gilt (gold) unnumbered hat device, to be worn only when the temperature is expected to fall below 32 degrees Fahrenheit

(2) Winter Knit Hat – Navy blue knitted wool hat. Must have "NYPD" embroidered in white 1 inch block lettering thread on the front, with no other visible wording or logos. It is only to be worn with duty jacket, when the temperature is expected to fall below 32 degrees Fahrenheit.

f. Nameplate – yellow metal with last name printed in black letters. Worn directly below shield affixed to shield holder.

***NOTE*** *Traffic supervisor level I will wear appropriate silver colored three pointed chevrons on sleeves of all outer garments except raingear.*

**TRAFFIC SUPERVISOR LEVEL II**

7. Uniform is the same as required for traffic supervisor level I EXCEPT:

a. Cap – Frame is covered with black mohair braid

b. Rank insignia – Silver (white metal) bar to be worn on both collars of shirt as well as both shoulder straps of blazer/coat

**TRAFFIC SUPERVISOR LEVEL II (continued)**

c. Shirt – white, long/short sleeve uniform shirt with NYPD patches and Traffic rockers ½ inch below shoulder seam on both sleeves.

d. Optional winter items:

(1) Turtleneck – white turtleneck with NYPD markings worn only during winter season with duty jacket.

***NOTE*** *The turtleneck shirt shall not be worn as an outer garment, but may be worn under the duty jacket. If during the course of the tour an agent removes the duty jacket, whether due to change of assignment or other reasons, the regulation shirt and tie must be worn.*

**TRAFFIC SUPERVISOR LEVEL III**

8. Uniform is the same as required for traffic supervisor level II EXCEPT:

a. Rank insignia – Two silver (white metal) bars to be worn on both collars of shirt as well as both shoulder straps of blazer/coat.

***NOTE*** *Traffic supervisors level III and above will not affix service stripes/hash marks on their uniforms.*

**TRAFFIC MANAGER**

9. Uniform is the same as required for traffic supervisor level III EXCEPT:

a. Cap – Frame is covered with black velvet

b. Rank insignia – Silver (white metal) oak leaf (with oak leaf stems pointing away from individual wearing them to the left and right), to be worn on both collars of shirt as well as shoulder straps of blazer/coat in the same manner as traffic supervisor level II and III insignia

c. Coat – navy blue double–breasted trench coat. Garments must be converted for uniform use by adding insignia on shoulder straps, two NYPD patches and Traffic rockers on upper right and left sleeves, replace eight buttons with eight large NYPD yellow metal buttons and add two small yellow metal buttons to the shoulder straps.

***NOTE*** *Deputy director and director will wear the same uniform as traffic manager except deputy director will wear silver (white metal) spread eagle insignia and director will wear silver (white metal) star insignia. Additionally, director will wear the traffic manager hat with gilt (gold) spray design on visor.*

TRAFFIC ENFORCEMENT AGENT – SPECIALIZED UNITS

**TRAFFIC ENFORCEMENT AGENT, BICYCLE PATROL**

10. Wear and maintain the following regulation uniform/equipment:

a. Helmet – white with the word TRAFFIC AGENT affixed on both sides in one and a half inch high black letters. Helmets must be ANSI and Snell certified, weighing approximately ten ounces. Helmets are required for ALL members of the service on bicycle patrol

***NOTE*** *Baseball cap with Department logo (patch) on front of cap is authorized for use when not riding the bicycle and coming in contact with members of the community. The baseball cap will not be worn underneath the bicycle helmet.*

**TRAFFIC ENFORCEMENT AGENT, BICYCLE PATROL (continued)**

b. Jacket – two tone NYPD blue and yellow, waist length, with NYPD patch twelve inches wide on top, eight and a half inches in height, sixteen inches wide on the bottom with three and a half inch white letters NYPD TRAFFIC sewn on the back. A two and one quarter inch by nine inch wide patch with one and one half inch white letters TRAFFIC affixed below the right breast parallel to the reflective piping. Grommets on the right breast and Traffic rockers above both patches

c. Shirt – light blue Coolmax polo shirt with the letters TRAFFIC printed in three and a half inch high gray reflective letters on the back, Traffic rockers above each sleeve patch, and embroidered shield patch on the left breast. Shirts are available in both long and short sleeve. The long sleeve turtleneck shirt is authorized to be worn during inclement weather months underneath the long sleeve bicycle polo shirt

d. Shield and Nameplate – traffic enforcement agents will affix shield and nameplate to the grommets over the left breast and are not authorized to use a name and shield patch

e. Pants – Navy blue, supplex material, with an elastic drawstring waist, velcro belt holders, right back pocket with velcro closure, two front bellow pockets with velcro closure, with right and left side pockets, one zipper and velcro snap on the bottom of each pant leg. Patrol Tactical pants may be worn by ALL ranks of uniformed members of the service on patrol, during court appearances and details, and by members permanently or temporarily assigned to headquarters security

f. Shorts – NYPD blue, with drawstring waist, velcro belt holders, two hip pockets, and two bellow/cargo pockets with pleats down center of the pockets. (Members of the service may utilize black spandex biking shorts with padding, underneath the uniform pants and shorts. The spandex shorts cannot be visible)

g. Shoes/Socks – black leather sneakers with no visible lettering. Only black cotton socks are authorized

h. Gloves – black gloves may be worn

i. Reflective traffic safety vest – Same as required for traffic enforcement agent

j. Eye gear – shatterproof protective.

***NOTE*** *Under no circumstances will the bicycle or bicycle uniform be modified without proper authority. Any recommendations related to the changing of the uniform will be submitted through channels to the Chief of Patrol, Operational Development Unit, for consideration and presentation to the Chief of Department and the Uniform Committee.*

***NOTE (continued)*** *A member of the service claiming damage of a bicycle uniform, which occurred during the performance of police duty, will follow the appropriate Patrol Guide procedure.*

**TOW TRUCK OPERATOR (WORK UNIFORM)**

11. Wear and maintain the following regulation uniform/equipment:
    a. Hat – navy blue baseball cap with NYPD patch on front
    b. Shirt – navy blue Dickey style with NYPD patches and Traffic rockers ½ inch below shoulder seam on both sleeves. One to two inch silver reflective tape across back and on each front pocket flap
    c. Jacket – navy blue duty jacket with NYPD patches and Traffic rockers ¾ inch below shoulder seam on both sleeves. One to two inch silver reflective tape across back, on each front pocket flap, and around each cuff
    d. Trousers – navy blue Dickey style work pants with one to two inch silver reflective tape along each leg seam
    e. Coverall – navy blue with one or two inch silver reflective tape across back and on each front pocket. NYPD patches and Traffic rockers ¾ inch below shoulder seam on both sleeves. One to two inch silver reflective tape along each leg seam
    f. Shoes/boots and socks – same as required for traffic enforcement agent
    g. Rain gear – yellow jacket with NYPD on back and matching yellow pants
    h. Optional winter items:
        (1) Winter hat – white soft vinyl with black mouton trimming and chrome unnumbered hat device, to be worn only when temperature is expected to fall below 32 degrees Fahrenheit
        (2) Turtleneck – navy blue to be worn only under duty jacket or coverall.
    i. Shield – worn on left breast of outermost garment affixed to a leather shield holder
    j. Patches – same as required for traffic enforcement agent
    k. Longevity bar – same as required for traffic enforcement agent
    l. Reflective traffic safety vest – same as required for traffic enforcement agent; to be worn when performing towing–related duties or other traffic related duties outside the tow truck.

**HIGHWAY EMERGENCY LOCAL PATROL (HELP) OPERATOR**

12. Wear and maintain the following regulation uniform/equipment:
    a. Hat – orange baseball cap with NYPD logo in dark blue on front
    b. Shirt – orange T–shirt with HELP logo on front pocket
    c. Coverall – orange with NYPD patches and Traffic rockers ¾ inch below shoulder seam on both sleeves. HELP reflective logo across back and one or two inch silver reflective tape around sleeves and ankles
    d. Rain gear – yellow jacket with NYPD on back and matching yellow pants

**HIGHWAY EMERGENCY LOCAL PATROL (HELP) OPERATOR (continued)**

e. Boots – black military style leather plain front lace up with steel toe

f. Reflective traffic safety vest – Same as required for traffic enforcement agent

g. Optional winter items:

(1) Turtleneck – orange turtleneck or dickey

(2) Winter hat – orange soft vinyl with orange mouton trimming. To be worn only when temperature is expected to fall below 32 degrees Fahrenheit.

**SCHOOL SAFETY AGENT LEVEL I AND II**

13. Wear and maintain the following regulation uniform/equipment:

<u>DUTY UNIFORM</u>

a. Cap – navy blue regulation eight point cap with chrome unnumbered cap device and black chinstrap

b. Shirt – medium blue, military type long/short sleeve with NYPD/School Safety patches ½ inch below shoulder seam on both sleeves, with appropriate service stripes/hash marks affixed

c. Trousers – navy blue with ½ inch braid down both leg seams

d. Skirt (optional) – navy blue knee length

e. Shoes – black, plain, smooth leather, lace type shoes with flat soles and raised rubber heels. Secret sneaker is authorized

f. Boots – lace–up plain toe with no markings

g. Pumps – black plain leather pumps with heel no higher than one inch (optional with skirt)

h. Socks – black

i. Raincoat – international orange with matching rain hat. International orange pants are optional

j. Duty Jacket – waist length, navy blue, nylon with zip–out thinsulate lining, knit wristlets and waistband, zip side vents with NYPD/School Safety patches ¾ inch below shoulder seam on both sides

k. Optional winter items:

(1) Turtleneck – medium blue turtleneck with NYPD markings worn only during winter season with duty jacket

***NOTE*** *The turtleneck shirt shall not be worn as an outer garment but may be worn under the duty jacket. If during the course of the tour an agent removes the duty jacket, whether due to change of assignment or other reasons, the regulation shirt and tie must be worn.*

(2) Sweater – navy blue commando V–neck sweater with NYPD/School Safety patches ¾ inch below shoulder seam on both sleeves

(3) Ear muffs – black wool headband type

(4) Gloves – black leather spectra–lined

**SCHOOL SAFETY AGENT LEVEL I AND II (continued)**

(5) Winter Knit Hat – Navy blue knitted wool hat. Must have "NYPD" embroidered in white 1 inch block lettering thread on the front, with no other visible wording or logos. It is only to be worn with duty jacket, when the temperature is expected to fall below 32 degrees Fahrenheit.

l. Shield – worn on left breast of outermost garment affixed to a leather shield holder

m. Nameplate – white metal with last name printed in black letters. Worn directly below shield affixed to leather shield holder

n. Longevity bar – white enamel bar with gold colored trim and roman numeral. Mandatory for all school safety agents level I and II with over five years of service and will only be worn on short sleeve shirt

o. Belt – black leather 1½ inches wide with gun–metal buckle. Second belt for equipment is optional. Equipment belt if worn will cover the trouser belt and be worn firmly around the waist. No other belt buckles or fanny packs of any kind are permitted

p. Tie – navy blue break–away type with NYPD tie clip. Tie worn with long sleeve shirt

q. Insignia – to be worn on the collar of the uniform shirt, as well as the collar of the outermost garment, as follows:

(1) School safety agent level I will wear yellow metal "School Safety" collar brass

(2) School safety agent level II will wear appropriate yellow metal, borough task force collar brass (e.g., BXTF, MNTF, MSTF, SSTF, etc.).

***NOTE*** *Level II agents will not wear chevrons on sleeves.*

r. **MEMORANDUM PAD (PD112–141)** in regulation binder with the following required inserts:

(1) **COMPILATION OF SPANISH PHRASES (PD167–090)**

(2) **COURTESY, PROFESSIONALISM AND RESPECT (PD439–111)**

(3) Any other insert, as required.

s. Utility belt – black leather 1 ½ inches wide with gun metal buckle. Equipment belt will cover trouser belt and be worn firmly around the waist

t. Handcuffs – regulation handcuffs carried in handcuff case with key available for use (members with special patrolman status only)

u. Serviceable flashlight – In appropriate holder attached to utility belt flashlight not to exceed 12 ½ inches in length. Tubular design (without attachments that alter the size, shape or weight of the device) powered by a maximum of three "D" and a minimum of two "C" batteries

**SCHOOL SAFETY AGENT LEVEL I AND II (continued)**

v. Pen and pencil holder – attached to the utility belt with two ink pens (black or blue)

w. Watch – working wristwatch must be worn at all times

x. Other jewelry – only wedding band is authorized.

<u>DRESS UNIFORM – (Same as duty uniform EXCEPT):</u>

a. Summer Blouse – navy blue with regulation gilt (gold) buttons and shoulder straps. NYPD/School Safety patches to be affixed ¾ inch below shoulder seam on both sleeves, with appropriate service stripes/hash marks affixed

b. Shoes – black, high gloss (manufactured using the poromeric or clarino process) lace type oxford shoes with flat soles and raised heels.

***NOTE*** *Summer blouse is to be worn as dress uniform only. It is not authorized for everyday use. Duty jacket may be worn as an outer garment at ceremonies, only at the direction of the Commanding Officer, School Safety Division.*

**SCHOOL SAFETY AGENT LEVEL III**

14. Wear and maintain the same uniform as Level I and II except the following items:

a. Insignia – Level III agents will wear the appropriate silver colored cloth chevrons on both sleeves, in addition to yellow metal "School Safety" insignia on both collars of shirt

b. Trousers – navy blue with 1 ¼ inch wide navy blue braid down both leg seams

c. Nameplate – yellow metal with last name printed in black letters.

**SUPERVISOR OF SCHOOL SECURITY/ ASSOCIATE SUPERVISOR OF SCHOOL SECURITY**

15. Wear and maintain the same uniform as Level III (without chevrons) except for the following items:

a. Cap – blue eight point cap, gilt (gold) chinstrap and gold unnumbered cap device. No baseball cap is authorized

b. Shirt – white, long/short sleeve uniform shirt with NYPD/School Safety patches ½ inch below shoulder seam on both sleeves, with appropriate service stripes/hash marks affixed

(1) Associate supervisor of school security will NOT wear service stripes/hash marks

c. Insignia – supervisors will wear silver (white metal) rank insignia, as appropriate (i.e. silver (white metal) bar for supervisor of school security, and two silver (white metal) bars for associate supervisor of school security, both to be worn on the collar of the shirt as well as the shoulder straps of the duty jacket and summer blouse).

**SCHOOL SECURITY MANAGER/ DEPUTY DIRECTOR AND DIRECTOR OF PATROL OPERATIONS**

16. Wear and maintain the same uniform as supervisor of school security/associate supervisor of school security except for the following items:
    a. Optional coat – navy blue double–breasted trench coat. Garments must be converted for uniform use by adding insignia on shoulder straps, two NYPD/School Safety patches on upper right and left sleeves, replace the eight buttons with eight large NYPD yellow metal buttons and add two small yellow metal buttons to the shoulder straps
    b. Insignia – Silver (white metal) insignia of rank, to be worn on collar of shirt as well as shoulder straps of duty jacket and summer blouse:
        (1) School security manager will wear silver (white metal) oak leaf (with oak leaf stems pointing away from individual wearing them to the left and right)
        (2) Deputy director will wear silver (white metal) spread eagle insignia
        (3) Director of patrol operations will wear silver (white metal) star insignia. Additionally, director of patrol operations will wear the supervisor of school security hat with gilt (gold) spray design on visor.

***ADDITIONAL DATA***

*All civilian uniformed members of the service will make seasonal changes as indicated by the Patrol Guide regarding the wearing of duty jackets and short sleeve shirts.*

*During January and July of each year, each civilian member of the service who is authorized to operate a Department vehicle, will present a valid New York State driver's license to their commanding officer.*

*The provisions of A.G. 304–07, "Personal Appearance" regarding grooming and personal appearance will be followed by all uniformed civilian members of the service except those assigned to Fleet Services Section, civilian members in the title of motor vehicle operator (MVO), and in cases of legitimate medical conditions or religious observances.*

*Civilian members of the service are strictly prohibited from wearing the nylon windbreaker jacket, on or off duty, unless specifically authorized (e.g., civilian Trauma Counseling Team members).*

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-04 |
|---|---|---|
| **ANNUAL LEAVE BALANCE (SUB-MANAGERIAL)** | | |
| DATE EFFECTIVE: 12/14/22 | LAST REVISION: I.O. 121 | PAGE: 1 of 5 |

**PURPOSE** To regulate annual leave of sub-managerial civilian members of the service.

**DEFINITION** ANNUAL LEAVE ALLOWANCE - Combined vacation, personal business and religious holiday leaves. (Civilian members of the service may not use their annual leave allowance until they have completed four months of service, with the exception of religious holiday observances).

**PROCEDURE** When a civilian member submits a **Digital Leave of Absence Request** using the Centralized Personnel Resource (CPR) System.

**COMMANDING OFFICER/ SUPERVISORY HEAD**

1. Render a decision within seven working days of submission, except:
   a. Requests which cannot be approved at the local level.
   b. Requests for leave during summer peak vacation period.
   c. Requests for any leave when a schedule has been established for submission and approval of leave requests.

***NOTE***

***Digital Leave of Absence Requests*** *may not be submitted more than ten working days in advance of the requested leave, except for scheduled leaves. Once a leave request has been approved, the approval may not be rescinded, except in writing by the Chief of Personnel, or in an emergency, by direction of the Chief of Department.*

*In addition, civilian members of the service with the capability to enter leave of absence requests direct into CityTime, are also required to prepare a* ***Digital Leave of Absence Request****.*

2. Grant leave to members of the service working regularly scheduled standard work week of five seven hour or five eight hour work days, as follows:

| YEARS IN SERVICE | ANNUAL LEAVE* ALLOWANCE | MONTHLY ACCRUAL |
|---|---|---|
| At the beginning of member's 1st year | 15 work days | 1 and ¼ days per month |
| At the beginning of member's 2nd year | 15 work days | 1 and ¼ days per month |
| At the beginning of member's 3rd year | 15 work days | 1 and ¼ days per month |
| At the beginning of member's 4th year | 15 work days | 1 and ¼ days per month |
| At the beginning of member's 5th year | 20 work days | 1 and 2/3 days per month |
| At the beginning of member's 8th year | 25 work days | 2 and 1/12 of a day per month |
| At the beginning of member's 15th year | 27 work days | 2 and ¼ days per month |

*TOTAL AFTER ONE FULL YEAR AT MONTHLY ACCRUAL RATE.

**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

3. Grant leave for part-time, per annum, hourly, per diem, per session, and seasonal civilian members, who work at least one half the regular hours of full time members, as follows:

| YEARS IN SERVICE | ACCRUAL |
|---|---|
| At the beginning of the member's 1st year | 1 hour for 15 hours worked |
| At the beginning of the member's 5th year | 1 hour for 11 hours worked |

***NOTE*** *Civilian members of the service, whose leave entitlements are controlled by wage determination (i.e., Section 220 employees), are not covered by this Administrative Guide procedure. Any questions relative to their leave eligibility should be directed to the Deputy Commissioner, Labor Relations.*

*For purposes of calculating annual leave, the VACATION YEAR is interpreted to begin May 1st and end April 30th for sub-managerial personnel.*

4. Approve use of annual leave as it accrues, in units of one hour or more, (minutes are only authorized for tardiness), needs of the service permitting.
5. Give annual leave credit to civilian personnel receiving Worker's Compensation, although absent for first 6 months.
6. Give full month credit to member in full pay status for at least 15 calendar days in a month.
7. Deduct full month credit for every 30 days accumulated leave without pay during the year.
8. Credit civilian member of the service with month for each 30 days worked, even though member worked fewer than 15 days per month.
9. Have annual audit conducted on April 30th for sub-managerial civilian personnel.
10. Carry over, until it can be liquidated, any portion of member's annual leave which is postponed, in any year, at the written request of the Chief of Personnel.
11. Request approval of Chief of Personnel to carry over unused vacation allowance from previous year to present year.

***NOTE*** *A civilian member's leave balance may not exceed a two year total as of April 30th each year. However, an exception to this policy may be granted when a member of the service makes written application to the Chief of Personnel requesting postponement of annual leave.*
*A civilian member's annual leave balance may exceed the two year total as the adjustment will only be made on April 30th of each year.*

**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

12. Transfer all vacation days in excess of a two year accrual to the member's sick leave balance each April 30th, except when postponement is granted by the Chief of Personnel.
13. Charge use of smaller units (minutes) against annual leave for time due to tardiness.
    a. Lateness caused by verified major failure of public transportation, widespread power failure or other reason of similar severity will be excused.
14. Charge use of smaller units against annual leave for civilian members of the service, designated by employee organizations, engaged in the following types of union activity:
    a. Organization and recruiting
    b. Solicitation of members
    c. Attendance at meetings or conventions
    d. Collection of dues
    e. Distribution of pamphlets, circulars and other literature
    f. Administration of welfare, security or annuity funds
    g. Appearance before or conference with members or committees of State Legislature or Congress
    h. Holding of press conferences and preparation and distribution of press releases
    i. Appearance in court
    j. Pension counseling
    k. Administrative or office work
    l. Any other activity inconsistent with provisions of the Mayor's Executive Order may be approved by Commissioner of Labor Relations.

***NOTE*** *A civilian member of the service may also select leave without pay for activities as outlined above.*

15. Direct civilian members take annual leave allowance at times convenient to Department.
16. Request written approval from the Chief of Personnel which will permit a permanent member of the service, in an exceptional and unusual circumstance, to use up to two weeks annual leave before it is earned.
17. Assure that sick leave and annual leave balances of a permanent member are transferred when member of the service is transferred or appointed to a new position.
18. Request Chief of Personnel to restore unused sick leave and vacation balances of reinstated civilian member who resigned or was laid off.

***ADDITIONAL DATA***

*The following five subdivisions shall apply to civilian members who work seven hour, seven and one-half or eight hour days:*

*(1) A "holiday leave bank" shall be established for each member covered under this section. The bank shall be credited with holiday leave time equal to one-fifth the number of hours in the respective member's work week as each of the twelve holidays listed in A.G. 319-06, "Civilian Member - Holidays (Sub-Managerial)" occurs.*

*(2) The total holiday leave credits granted per annum shall be based on the number of hours in the respective civilian member's work week and shall not exceed the following schedule:*

| *Number of Hours in Work Week* | *Maximum Annual Holiday Leave Credits* |
|---|---|
| *35* | *84 Hours* |
| *37 ½* | *90 Hours* |
| *40* | *96 Hours* |

*(3) Except as provided in Section 3 (b) below, when a civilian member does not work on one of the regular holidays, a number of hours equal to the number of hours in the member's regularly scheduled work day shall be subtracted from the member's "holiday leave bank."*
*(a) A civilian member of the service who works on any of the regular holidays shall be compensated in accordance with the "Regulations Governing Compensatory Time Off, Compensation of Overtime, and Meal Allowance for City Employees", or the "Regulations Governing Payment for Work on Differential Shifts by Employees Subject to the Career and Salary Plan," whichever is applicable.*
*(b) When either the holiday or the day designated for observance occurs on a member's scheduled day off and the civilian member does not work on such day, the member of the service shall accrue credits pursuant to paragraph 10 of these regulations but no credits shall be deducted from the member's "holiday leave bank."*

*(4) A civilian member of the service may be advanced holiday leave credits consistent with the maximum set forth in Section (2) above. Any resulting negative leave balance shall be charged against subsequent holiday accruals. If as of May 1, of any year, a civilian member's "holiday leave bank" has a negative balance, said balance shall be charged against the member's annual leave.*

*(5) The "Annual Leave Allowance" shall accrue on an hourly basis only for those civilian members of the service who work other than a regularly scheduled standard work week consisting of five seven hour, seven and one-half hour or eight hour days. The rate of accrual shall be based on the number of hours in the work week and the number years of service of the respective civilian members of the service as follows:*

| *WORK WEEK* | *YEARS SERVICE* | *ALLOWANCE* | *MONTHLY ACCRUAL* |
|---|---|---|---|
| *40 hours* | *Beginning with 15* | *216 hours* | *18 hours* |
| *40 hours* | *Beginning with 8* | *200 hours* | *16 2/3 hours* |
| *40 hours* | *Prior to Beginning with 8* | *160 hours* | *13 1/3 hours* |
| *37.5 hours* | *Beginning with 15* | *202.5 hours* | *16 ¾ + 1 ½ hours at end of vacation year* |
| *37.5 hours* | *Beginning with 8* | *187.5 hours* | *15 ½ + 1 ½ hours at end of vacation year* |
| *37.5 hours* | *Beginning with 5* | *150 hours* | *12 ½ hours* |
| *35 hours* | *Beginning with 15* | *189 hours* | *15 ¾ hours* |
| *35 hours* | *Beginning with 8* | *175 hours* | *14 ½ + 1 hour at end of vacation year* |
| *35 hours* | *Prior to Beginning 8* | *140 hours* | *11 2/3 hours* |

*The 1995 Municipal Coalition Memorandum of Economic Agreement amended sections of the 1990-1992 Citywide Agreement. Specifically, Lincoln's Birthday was designated a floating holiday, and members of the service are authorized two days per year from their sick leave balances for the care of ill family members. Sections dealing with maximum sick leave for newly hired civilian personnel, night shift differential, and overtime were also modified.*

*Civilian members in the following titles will also receive the annual leave allowance as stated above:*

*Assistant Purchasing Agent*
*Associate Quality Assurance Specialist*
*Bookbinder*
*Buyer*
*Fingerprint Technician*
*Fingerprint Technician Trainer*
*Latent Print Examiner*
*Principal Fingerprint Technician*
*Purchasing Agent*
*Quality Assurance Specialist*
*Senior Fingerprint Technician*

**PURPOSE** To grant civilian members of the service leave with pay for miscellaneous reasons.

**PROCEDURE** When a civilian member submits satisfactory evidence for request of time off with pay without charge to sick leave or annual leave.

**MEMBER OF THE SERVICE**

1. Prepare **Digital Leave of Absence Request** using the Centralized Personnel Resource (CPR) System and submit to commanding officer/supervisory head.
   a. Civilian members must complete all captions in "Location During Absence" section on **Digital Leave of Absence Request** including each country, with the city/town or province where the member will be staying, date(s) of departure and date of return
   b. If remaining at residence, enter 'residence' and include location and dates.

***NOTE*** *Civilian members of the service with the capability to enter leave of absence requests direct into CityTime, are also required to prepare a* ***Digital Leave of Absence Request****.*

**COMMANDING OFFICER/ SUPERVISORY HEAD**

2. Grant leave to attend court under subpoena or court order when neither member of the service, nor any relative, has a personal interest in case and attendance at court is not related to member or other employment.
3. Grant leave to member affected by Health Department quarantine ruling.
4. Grant leave for attendance at New York City Civil Service examination, investigation interview, or appointment interview, IF:
   a. Civil Service title is one utilized by this Department, and
   b. The appointment interview is conducted by this Department or the Department participates in the hiring pool, and
   c. Such appearance is required during member's working hours, OR scheduled working hours do not allow sufficient travel time to appear at testing/interview site at designated time.
      (1) Excusal will be limited to actual time necessary for appearance and/or reasonable travel to and from location.

***NOTE*** *Excusals for examinations/interviews for Civil Service titles NOT UTILIZED by this Department will be charged to annual leave or compensatory time.*

5. Grant leave to delegates and alternates for attendance at State or National conventions of veterans and volunteer firefighter organizations.
6. Grant leave to member organization representatives negotiating with and appearing before Department and other City officials, including:
   a. City Council
   b. Department of Citywide Administrative Services
   c. Appeals boards dealing with career and salary plan matters.
7. Grant any other leave of absence with pay required by law.

**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

8. Ensure CityTime entries reflect actual hours worked by each civilian member of the service.
9. Ensure that all Department property is surrendered on last tour of duty and indicate such on **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE (PD520-013)**, for all Department approved leave grants and leave of absence without pay of thirty days or more.
10. Ensure the distribution of **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE**, as follows:
    a. Original - Military and Extended Leave Desk
    b. First copy - member requesting leave
    c. Second copy - command file
    d. Remaining copies - member's Personal Folder.

**INTEGRITY CONTROL OFFICER**

11. Forward **NYPD Restricted Parking Permits (Misc. 23-N)** and **Headquarters Annex Parking Permits (Misc. 814HQ-Annex)**, by messenger, to the Chief of Department's Vehicle Identification Unit.
12. Forward shield, if applicable, and/or **IDENTIFICATION CARD (PD416-091)**, by messenger, to Shield, ID and Uniformed Services Unit, and obtain receipt.

***NOTE***

*Members on military leaves of absence of thirty days or more may retain their **IDENTIFICATION CARD**.*

*Prior notice to and authorization by the Chief of Personnel is required in all cases except death in family and quarantine.*

***ADDITIONAL DATA***

*(1) Civilian members of the service covered by the Citywide contract may use three days per year from their sick leave balance for the care of ill family members. For the purpose of Article V, Section (a) (ii) family member shall be defined as: spouse; natural, foster or step parent; child, brother or sister; father-in-law; mother-in-law; any relative residing in the household; and domestic partner, provided such domestic partner registered pursuant to the terms set forth in Executive Order No. 48, dated January 7, 1993. Approval of such leave is discretionary with the Department and proof of illness or disability of the family member must be provided by the member concerned, satisfactory to the Department, within five working days of the member's return to work.*

*(2) Leaves without pay may be granted to permanent civilian members of the service by the Chief of Personnel, i.e., maternity, educational, etc.*

*(3) An additional extended leave without pay, not to exceed one year, may be granted.*

*(4) The New York City Personnel Director may grant further extension.*

*(5) The following terminal leave provisions effective for all civilian members except as provided in paragraphs "b" and "c" below shall be as follows:*

*(a) After ten years of service terminal leave with pay shall be granted members on the basis of one day terminal leave for each two days of accumulated sick leave up to a maximum of one hundred-twenty days of terminal leave. Such leave shall be computed based on workdays rather than calendar days.*

***ADDITIONAL DATA (continued)***

*(b) In a case where a member of the service has exhausted all or most of their accrued sick leave due to a major illness, two and one-fifth work days for each year of paid service as the basis for computing terminal leave in lieu of any other terminal leave may be applied at the Chief of Personnel's discretion.*

*(c) Managerial and Executive members of the service upon retirement shall be granted in lieu of terminal leave a lump sum payment.*

NYPD

**PURPOSE** To excuse with pay and/or compensate full time, sub-managerial civilian member working a legal holiday.

**DEFINITION** LEGAL HOLIDAY: a day on which civilian members are excused by contract.

**PROCEDURE** When a civilian member is entitled to be excused on legal holidays:

**COMMANDING OFFICER/ SUPERVISORY HEAD**

1. Excuse civilian members on the following legal holidays:
   a. New Year's Day - January 1
   b. Martin Luther King Day - Third Monday in January

***NOTE*** *Civilian members with the title of staff nurse, oiler, and senior stationary engineer are not eligible to receive Martin Luther King Day as a holiday.*

   c. Lincoln's Birthday - February 12
   d. President's Day - Third Monday in February
   e. Memorial Day - Last Monday in May
   f. Independence Day - July 4
   g. Labor Day - First Monday in September
   h. Columbus Day - Second Monday in October
   i. Veteran's Day - November 11 - or other date established by New York State Legislature
   j. Election Day - First Tuesday following first Monday in November
   k. Thanksgiving Day - Fourth Thursday in November
   l. Christmas Day - December 25.
2. Assign civilian member to work on above holidays on a regular scheduled work day if:
   a. Essential work is required AND
   b. Prior approval is received, in writing, from the Office of the Chief of Department.
3. Grant compensatory time and 50% cash premium pay when a civilian member, entitled to be excused on a legal holiday, is required to work, on a regularly scheduled work day.
   a. The cash premium applies ONLY when a civilian member works on the legal holiday date on a regularly scheduled workday.
   b. To process holiday compensatory time and premium pay, timekeepers will enter the appropriate event code on **Electronic Timesheet.**

***NOTE*** *Prevailing rate civilian members of the service will be compensated as per individual wage determinations.*

**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

4. Grant one compensatory day off only in lieu of the holiday when the holiday occurs on a civilian member's scheduled day off AND the civilian member does NOT work on that day.
5. Schedule civilian member to take one compensatory day off EITHER prior to or after the actual holiday when a holiday falls on a Saturday or Sunday, AND it is necessary to keep facilities open on BOTH Monday and Friday, AND member is scheduled to be off Saturday and Sunday OR have member work both Friday and Monday and grant one compensatory day.

***NOTE***

*A civilian member (other than prevailing rate) will NOT be ordered to work a regularly scheduled day off which is also an actual holiday unless there is an extreme emergency AND ONLY with the approval, in writing, from the Office of the Chief of Department.*

***ADDITIONAL DATA***

*Any civilian member (other than prevailing rate) scheduled for a regular day off on an actual holiday, who is required to work with the approval, in writing, from the Office of the Chief of Department will receive at his or her option either:*

*a. Two days compensatory time and one half day's pay, OR*

*b. One day compensatory time and five hours pay at the straight time rate and two hours pay at the time and one half rate for thirty five hour members. Forty hour members will receive one day compensatory time AND eight hours pay at the time and one half rate.*

*Commanding officers are permitted to assign Police Administrative Aides to perform telephone switchboard and/or command clerk and SP9 operator duties on all holidays, EXCEPT as provided in NOTE following step 5 above.*

*To insure these essential assignments are manned on holidays, commanders will:*

*a. Determine the number of Police Administrative Aides required to maintain the operational level of command.*

*b. Utilize total precinct complement of Police Administrative Aides, to equalize the distribution of holiday assignments.*

*c. Obtain approval, in writing, from Office of the Chief of Department.*

*The 1995 Municipal Coalition Memorandum of Economic Agreement (MCMEA) designated Lincoln's Birthday as a floating holiday. A civilian member shall be entitled to one floating holiday in each calendar year during which the civilian member is in active pay status with the employer prior to Lincoln's Birthday of such calendar year, subject to the following conditions:*

*a. The floating holiday shall be taken at the member's discretion, subject to the needs of the employing agency. Members must request to use their floating holiday in writing at least thirty days in advance on a* ***Digital Leave of Absence Request****. Approval or disapproval of the request shall be made on the same form by a supervisor authorized to do so by the agency. Decisions shall be made within ten working days of submission.*

*b. Civilian members wishing to use their floating holiday to observe Lincoln's Birthday shall file such requests prior to January 15th. Approval shall not be unreasonably denied.*

***ADDITIONAL DATA (continued)***

*c. Once a floating holiday request has been approved, the approval may not be rescinded except in writing by the Chief of Personnel. If a civilian member is required to work on a floating holiday once the request for it has been approved, the member shall receive a fifty percent cash premium for all regularly scheduled hours worked on the floating holiday and shall, in addition, receive compensatory time off at the member's regular rate of pay.*

*d. The floating holiday must be used in the calendar year in which it is earned and may not be carried over to a succeeding year or cashed out upon separation of service. If the Chief of Personnel calls upon a member not to take the floating holiday by the end of the calendar year, the floating holiday shall be carried over to the following calendar year only.*

*Since civilians assigned on holidays will receive premium pay, the normal prohibition against rescheduling of tours IS NOT applicable.*

*Civilian members hired on or before July 14, 1996, and who are covered by the Citywide contract are entitled to receive night shift differential between the hours of 1800 and 0800. Civilian members hired after July 14, 1996, and who are covered by the Citywide contract are entitled to receive night shift differential between the hours of 2000 and 0800.*

NYPD

**PURPOSE** To maintain confidentiality of civilian employee medical records and process sick reports of civilian members.

**DEFINITIONS**

SICK LEAVE PERIODS - Six month periods - January 1st to June 30th and July 1st to December 31st.

DOCUMENTED SICK LEAVE - Sick leave which requires a state licensed health practitioner to provide a written note. Only original document(s) are accepted unless extenuating circumstances as determined by commanding officer or designee.

LICENSED HEALTH PRACTITIONER - One who is licensed by the state in which they practice to diagnose and certify illness or disability.

**PROCEDURE** When personal illness or injury prevents the proper performance of duty:

**CIVILIAN MEMBER**

1. Notify commanding officer/supervisory head in person, by competent messenger or telephone, two hours prior to scheduled tour, if possible, but no later than start of tour, when reporting sick or returning from sick report.
   a. If command is closed, report illness/injury before next business day.
2. Complete a **CIVILIAN SICK LEAVE REPORT (PD429-123)**, sign and attach all medical documentation to the form and submit to the commanding officer/supervisory head immediately upon return to duty.

***NOTE*** *If sick leave is for an approved Family and Medical Leave Act (FMLA) condition, indicate whether leave is for personal or family illness. In accordance with citywide guidelines on the Family and Medical Leave Act, any approved FMLA leave must be used concurrently with paid leave balances. Guidelines pertaining to FMLA may be obtained from your personnel officer or from the Military and Extended Leave Desk.*

3. Notify commanding officer/supervisory head once every five working days when on sick report.
4. Request attending licensed health practitioner to furnish written note after twelve working days, and every thirty calendar days thereafter and submit to commanding officer/supervisory head.
5. Civilian member must provide a written note from a health practitioner when:
   a. On sick leave more than three consecutive work days
   b. On undocumented sick leave more than five times in any sick leave period
   c. On undocumented sick leave more than four times in a sick leave period on the day before or following a holiday or scheduled day-off
   d. All accrued leave has been used and leave without pay is now requested due to illness/injury

***NOTE*** *Civilian members covered by the citywide contract may elect to take sick leave without pay after all accrued sick leave is exhausted, while retaining their accrued annual leave balance.*

**CIVILIAN MEMBER (continued)**

e. Informed that a series of three or more medical appointments for one day or less are required. Treatment schedule MUST be listed. (Such visits are considered documented sick leave)

f. Member is under the Absence Stepping Procedure.

***NOTE*** *A civilian member who is required to have an original written note as per step 5, items "b" and "c" above, will continue to submit documentation each time reporting sick until the member has completed a sick leave period without reporting sick more than two times.*

**SUPERVISOR ACCEPTING SICK REPORT**

6. Inquire of civilian member as to their well-being and if member is presently confined to a hospital or will be so confined.
   a. Place civilian member of the service on sick report via Medical Division Sick Reporting System.

***NOTE*** *Civilian member's answers to the supervisor's inquiries as to hospitalization are strictly voluntary. Information received is to be treated in a confidential manner, in the same manner as medical records. Members with any questions concerning the above should contact the Legal Bureau.*

7. Notify the Medical Division's Sick Desk supervisor immediately of the following, if civilian member of the service is hospitalized:
   a. Member's name,
   b. Title,
   c. Tax number,
   d. Any condition that interferes with member's ability to perform functions of position, if known,
   e. Anticipated return-to-work date,
   f. Hospital of confinement,
   g. Date of admission.
8. Direct member to notify their command upon release from hospital, if applicable.

**MEDICAL DIVISION SICK DESK SUPERVISOR**

9. Enter information of civilian member listed in step "7" above in Medical Division's Hospitalization Log.

**COMMANDING OFFICER/ SUPERVISORY HEAD**

10. Notify sick member by telephone or have notification made by radio motor patrol car, if member concerned is delinquent in complying with steps 3 and 4 above.
    a. Have entry made of notification in appropriate Department record.
    b. Have registered letter forwarded to member, return receipt requested, if unable to notify by telephone or radio motor patrol car.
    c. Include in notification statement that failure to report as required may result in termination of employment.

**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

11. Have report prepared on **Typed Letterhead**, requesting termination of member who fails to communicate with commanding officer/supervisory head within twenty consecutive workdays after being notified of delinquency, including:
    a. Title, full name
    b. Date of appointment
    c. Date assigned to present command
    d. Date of current sick leave and prior sick leave
    e. Dates and times of documented attempts to advise civilian member of Department's reporting requirements.
12. Forward report to Commanding Officer, Professional Standards Bureau (through channels) and notify the Performance Analysis Section, Civilian Monitoring/Evaluation Unit.
13. Notify Commanding Officer, Medical Division when a civilian member on sick leave is suspected of malingering.
14. Investigate illness/injury claimed or location of civilian member during sick leave when circumstances warrant or when requested by Chief of Personnel.
15. Report results of investigation to Chief of Personnel.

**COMMANDING OFFICER, MEDICAL DIVISION**

16. Have police surgeon examine member suspected of malingering when requested by commanding officer concerned or Chief of Personnel.

***NOTE*** *The police surgeon will visit the sick member, verify the illness/injury claimed and location of member during sick leave, and report condition of civilian member to Commanding Officer, Medical Division.*

**COMMANDING OFFICER, MEDICAL DIVISION**

17. Report results of surgeon's visit, on **Typed Letterhead**, to Chief of Personnel if surgeon finds after examination, that:
    a. Member is malingering.
    b. Member is NOT malingering but was examined at direction of Chief of Personnel.

**COMMANDING OFFICER/ SUPERVISORY HEAD**

18. Interview member after return to duty regardless of duration of sick leave.

***NOTE*** *Approval of sick leave is discretionary. If abuses of sick leave provisions are indicated, the commanding officer concerned may request the sick/injured member to submit proof of such illness/injury. The commanding officer may then approve/disapprove the leave based on the documentation provided.*

19. Enter the results of absence interview on reverse side of **ABSENCE AND TARDINESS RECORD (PD433-145)**. Both member and supervisor must initial back of absence and tardiness record and enter the word "sick" under reasons.

**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

20. Have rear of **ABSENCE AND TARDINESS RECORD** duplicated if member was warned and admonished during interview process.
    a. Give member duplicated copy.
21. Confer with Civilian Monitoring/Evaluation Unit and Department Advocate's Office prior to:
    a. Preparing disciplinary charges when a member has exhausted sick leave allowance, alleges an illness/injury, and takes other leave without prior approval, with or without pay, and fails to document such illness/injury.
    b. Instituting an action for medical incompetence when member has an excess of absences for various medical reasons over a prolonged period of time and member is unable to perform regularly.
22. Forward original **CIVILIAN SICK LEAVE REPORT** with all medical documents attached to the commanding officer. Forward only the second copy (without medical documentation) to the timekeeper.

**COMMANDING OFFICER**

23. Ensure 1st copy of the **CIVILIAN SICK LEAVE REPORT** is filed by authorized personnel with any related medical documentation attached, in chronological order, in a confidential sick documentation folder within the command.
    a. Maintain a separate confidential sick documentation folder for each member of the command.

**TIMEKEEPER**

24. Determine the proper event code, enter it on the **CIVILIAN SICK LEAVE REPORT**, and make appropriate entries on the **Electronic Timesheet.**
25. File only the 2nd copy of the **CIVILIAN SICK LEAVE REPORT**, in chronological order in the member's personal folder, next to their **ABSENCE AND TARDINESS RECORD** and **CIVILIAN RECORD OF SUPERVISORY CONFERENCES (SUB-MANAGERIAL) (PD433-1411)**.

**COMMANDING OFFICER/ SUPERVISORY HEAD**

26. Ensure that all Department property is surrendered on last tour of duty and indicate such on **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE (PD520-013)**, for all Department approved leave grants and leave of absence without pay of thirty days or more.
27. Ensure the distribution of **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE**, as follows:
    a. Original - Military and Extended Leave Desk
    b. First copy - member requesting leave
    c. Second copy - command file
    d. Remaining copies – member's Personal Folder.

**INTEGRITY CONTROL OFFICER**

28. Forward **NYPD Restricted Parking Permits (Misc. 23-N)** and **Headquarters Annex Parking Permits (Misc. 814HQ-Annex)**, by messenger, to the Chief of Department's Vehicle Identification Unit.
29. Forward shield, if applicable, and/or **IDENTIFICATION CARD (PD416-091)**, by messenger, to Shield, ID and Uniformed Services Unit, and obtain receipt.

***NOTE***

*Members on military leaves of absence of thirty days or more may retain their **IDENTIFICATION CARD**.*

***ADDITIONAL DATA***

*The Confidential Sick Documentation Folder will only be accessible to the commanding officer, executive officer, integrity control officer, operations coordinator, principal administrative associate or other members authorized by the commanding officer to have access to the records for the proper discharge of their duties.*

*The medical documentation submitted by civilian employees contains confidential medical information and therefore will be maintained separately from the personnel folder. The commanding officers will maintain all sick documentation/records for each civilian employee assigned to the command in a separate medical folder and store such folders in a locked file cabinet. This information may not be kept with other personnel information.*

*The supervisory head of each command will interview civilian members after return to duty regardless of duration of sick leave. The supervisory head will instruct the timekeeper to make the appropriate entries on the front and back of the **ABSENCE AND TARDINESS RECORD** ensuring that no medical information is listed. The **ABSENCE AND TARDINESS RECORD** will contain the results of the interview conducted regarding the employee's use of sick leave, compliance with Department regulations and any required entries under A.G. 318-24, "Absence and Tardiness Record (Civilian Members of the Service)."*

*The Confidential Sick Documentation Folder of every civilian member of the service remains confidential even if they resign, retire, or are terminated. All employees who possess or have access to medical information, or who become aware of medical information, are prohibited from discussing or disclosing such information except as necessary for official purpose(s). The Personnel Bureau and Deputy Commissioner, Legal Matters and their sub-units may release confidential medical information upon request. This prohibition applies to disclosures to other members of the service as well as members of the public. Anyone who violates the confidentiality requirements for medical records/information will be subject to discipline.*

*In the event that an employee transfers, retires or resigns, or is otherwise separated from service, their sick documentation folder will be forwarded to the proper command in a confidential envelope addressed to the commanding officer of the new command.*

*If an employee is transferred to the Military and Extended Leave Desk, their sick documentation folder and personal folder will remain at the permanent command.*

*Commanding officers will ensure that all members of the service assigned to their command are made aware of the manner in which sick leave records for civilian members are to be maintained in accordance with this procedure.*

***ADDITIONAL DATA (continued)***

*Civilian members are granted one day sick leave for each month of service. Sick leave may be used as it accrues. Some civilian employees hired on or after July 1, 2004 may accrue sick leave at a lesser rate. Sick leave is granted to permanent, provisional or temporary members who work a regularly scheduled, standard work week of seven, and seven and one half or eight hour days and can only be used for personal illness of member (see exceptions below regarding care of ill family members).*

*The normal minimal unit of sick leave which may be charged against the member is one half day. However, sick leave, which is approved by the commanding officer, may be taken in units of one hour. In such case, a member will be considered sick "one time" when the units accumulated amount to one half day.*

*When a civilian member has been recommended for relief from duty by a medical practitioner acting on behalf of the Medical Division, the time granted shall be considered documented sick leave for the day of the relief from duty only, unless otherwise specified by the Medical Division.*

*Commanding officers are required to requisition a sufficient number of* ***CIVILIAN SICK LEAVE REPORT*** *forms from the Quartermaster Section and ensure that each civilian member assigned to his command receives several copies of the form for subsequent use.*

*The following section shall apply only to civilian members who work OTHER THAN a regularly scheduled standard work week consisting of five days, seven hours, seven and one-half hour or eight hours per day:*

| *WORK WEEK* | *MONTHLY ACCRUAL* | *CONVERSION RATE* |
|---|---|---|
| *40 hours* | *8 hours* | *7 hours per day* |
| *37 ½ hours* | *7 ½ hours* | *7 ½ hours per day* |
| *35 hours* | *7 hours* | *8 hours per day* |

*All requests for leave shall be in terms of hours.*

*All part time, per annum, per diem, per session, hourly and seasonal members who regularly work at least one half the hours in the required work for full-time members in the same title, shall accrue sick leave credits of one hour of leave for every twenty hours actually worked with no maximum sick leave balance.*

*Sick leave may be granted by the Chief of Personnel provided civilian members submit proof of disability.*

*A civilian member's annual leave shall be changed to sick leave during a period of verified hospitalization. In addition, if a member is seriously disabled, but not hospitalized while on annual leave, the Chief of Personnel may, at his discretion, approve a change of such leave to sick leave.*

*Sick leave credits cannot be earned for the period a civilian member is on leave of absence without pay. For the earning of sick leave credits, the time recorded on the payroll at the full rate of pay and the first six months of absence while receiving Worker's Compensation payments shall be considered as time "served" by the member.*

***ADDITIONAL DATA (continued)***

*In the calculation of sick leave credits, a full months credit shall be given to a member who has been in full pay status for at least fifteen calendar days during that month, provided however that:*

*(a) Where a member has been absent without pay for an accumulated total of more than thirty calendar days in the vacation year, the member shall lose the sick leave credits earnable in one month for each thirty days of such accumulated absence even though in full pay status for at least 15 calendar days in each month during this period and:*

*(b) If a member loses sick leave credits under this duty for several months in the vacation year because the member has been in full status for fewer than 15 days in each month, but accumulates during said months a total of thirty or more calendar days in full pay status, the member shall be credited with the sick leave credits earnable in one month for each thirty days of such full pay status.*

*At the discretion of the Chief of Personnel, civilian members, except provisional and temporary members who have exhausted all earned sick leave and annual leave balances due to personal illness may be permitted to use unearned sick leave allowance up to the amount earnable in one year of service, chargeable against future earned sick leave. Such requests must be forwarded to the Chief of Personnel, through channels and approved prior to advancement.*

*At the discretion of the Chief of Personnel, permanent civilian members may also be granted sick leave with pay for three months after ten years of city service after all credits have been used. In special instances sick leave with pay may be further extended, with the approval of the Chief of Personnel, who shall be guided in this matter by the nature and extent of illness and the length and character of service. Such requests must be forwarded to the Chief of Personnel through channels. If this type of leave is approved, the member DOES NOT earn any annual or sick leave while on this special leave. In cases of protracted illness, a health practitioner's certificate shall be presented at the end of each month of continued absence.*

*The commanding officer/supervisory head of members who have exhausted all sick and vacation leave and who will be on sick leave for thirty days or more will contact the Military and Extended Leave Desk for instructions relative to transferring such members to that unit.*

*The commanding officer/supervisory head of members requesting the advancement of sick leave or the discretionary sick leave with pay grant should contact the Employee Resources Section, Civilian Employee Services Unit for instructions relative to these procedures.*

*Article V, Section 5(a)(ii) of the 1990-92 Citywide Agreement is amended as follows:*

*Notwithstanding the provision of Section 5 (a) (I), members may use three days per year from their sick leave balances for the care of ill family members. Approval of such leave is discretionary with the agency, and proof of disability (illness or injury) must be provided by the member satisfactory to the agency within five days of the member's return to work.*

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-08 |
|---|---|---|
| **CIVILIAN MEMBER - INJURY** | | |
| DATE EFFECTIVE: 11/18/21 | LAST REVISION: I.O. 106 | PAGE: 1 of 1 |

**PURPOSE** To report injury of a civilian member while on duty.

**PROCEDURE** When a civilian member is injured while on duty:

**CIVILIAN MEMBER OF THE SERVICE**

1. Report injury to supervisor at time of incident.
   a. Injury must be reported no later than seven days after incident.

**INVESTIGATING SUPERVISOR**

2. Investigate circumstances of injury and ensure preparation of:
   a. **Employee Statement Form (FISA Form WCS-110)**,
   b. **Supervisor's/Agency Form – "Report of Injury" (FISA Form WCS-100)**,
   c. **Witness Statement Form (FISA Form WCS-120)**,
   d. **Employee Option Form (DP2002),** and
   e. **Time Usage 49 (Time Used Due to Job Injury – Workers Compensation)**.
3. Notify Civilian Employee Services Unit immediately by telephone during business hours or at 0900 hours following business day.
   a. Forward copies to Civilian Employee Services Unit within 24 hours of notification.

***ADDITIONAL DATA***

***Employees Notice of Injury*** *and* ***Employee Option Form*** *may be obtained from Civilian Employee Services Unit.*

*The Chief of Personnel is empowered to grant leave with pay for first week's absence of a member covered by Workers Compensation who is physically disabled in performance of official duties.*

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-09 |
|---|---|---|
| **CIVILIAN MEMBER EXTENDED SICK LEAVE FOR LINE OF DUTY INJURY** | | |
| DATE EFFECTIVE: 03/07/23 | LAST REVISION: R.O. 11 | PAGE: 1 of 2 |

**PURPOSE** To grant extended sick leave to a civilian member injured while performing duty.

**PROCEDURE** Upon determining that a civilian member of the service has been physically disabled in the course of employment through no fault of the member concerned:

**CHIEF OF PERSONNEL**

1. Grant extended sick leave with pay, not to exceed three months when:
   a. Member's sick leave and accrued annual leave balance have been exhausted, and
   b. The additional leave must be taken immediately after leave balances have been exhausted.
2. Grant extended sick leave with pay, not to exceed eighteen months to a member who is physically disabled as the result of an assault arising out of and in the course of employment when:
   a. Notified in writing that such injury has been accepted as compensable under the Worker's Compensation Law.
      (1) Advance up to forty-five calendar days of paid leave to a permanent member with five or more years of service who does not have sufficient leave credit to cover absence, pending a determination by Worker's Compensation Division of the Law Department. If the injury is not accepted as compensable, the member shall reimburse the city for the paid leave advance.

***NOTE*** *Benefits are not paid while a member is suspended pending disciplinary action, or if the member is subsequently found culpable of having started the assault or unnecessarily continued the assault.*

3. Grant extended sick leave with pay only when a written notice is received from the Worker's Compensation Division of the Law Department, stating that the injury is compensable.
4. Pay member on extended sick leave the difference between member's weekly salary and compensation rate.
5. Have member, as a condition for receiving such benefits, execute assignment of proceeds of any judgment or settlement in any third party action, in amount of pay and medical disbursements received, but:
   a. Sum is not to exceed amount of such proceeds, and
   b. Assignment will be in form prescribed by Corporation Counsel.
6. Direct injured member to undergo such medical examinations as are required by Worker's Compensation Division of the Law Department, or as directed by a competent authority.

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***ADDITIONAL DATA***

*It should be noted that for all Department approved leave grants and leaves of absence without pay of 30 or more days, with the exception of military leave, commands MUST ensure that employees surrender Department property including the ID card, and shield for those civilian titles that are issued shields. Commands must hand deliver property to the Shield, ID and Uniformed Services Unit, and obtain a receipt.*

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# ADMINISTRATIVE GUIDE

| Section: General Information | | Procedure No: 319-10 |
|---|---|---|
| **CIVILIAN MEMBER - RESIGNATION** | | |
| DATE EFFECTIVE: 11/18/21 | LAST REVISION: I.O. 107 | PAGE: 1 of 2 |

**PURPOSE** To process the resignation of a civilian member.

**PROCEDURE** When a civilian member indicates an intention to resign:

**COMMANDING OFFICER/ SUPERVISORY HEAD**

1. Prepare **RESIGNATION AND EXIT INTERVIEW (PD452-151)**.
   a. Request member to sign form.
   b. Inform member that final paycheck will not be issued until an audit of member's time is completed.

***NOTE*** *A civilian member of the service may resign in person or personal letter to their commanding officer/supervisor head, or to the Human Resources Division. If a member attempts to resign via telephone, the command should obtain written confirmation. The command will send a certified letter containing the* ***RESIGNATION AND EXIT INTERVIEW*** *form for the resigning member to complete and return. If the member resigns other than in person, the member receiving the resignation will prepare* ***RESIGNATION AND EXIT INTERVIEW*** *as completely as possible. Attach to the form any written communication received from resignee and contact resignee to obtain* ***IDENTIFICATION CARD (PD416-091)*** *and shield, and any other Department property issued to the member.*

2. Notify:
   a. Operations Unit,
   b. Occupational Safety and Health Section, if resigning member indicated they do not feel safe in their work environment,
   c. Office of Deputy Commissioner, Equity and Inclusion,
   d. Internal Affairs Bureau, and
   e. Payroll Section by telephone during business hours.
3. Obtain **IDENTIFICATION CARD**, shield, and any other Department property issued to resigning member.
   a. Obtain personally assigned cellular telephone and all accessories, if applicable, and have hand delivered to the Telecommunications Unit, One Police Plaza, Room 910B.
4. Direct member, if **IDENTIFICATION CARD** and/or shield is missing, to report loss to desk officer of precinct where loss occurred or where loss was discovered.
5. Have command (if resignee refused to make required report) report loss of **IDENTIFICATION CARD** and/or shield by telephone to desk officer of resident precinct, when located within the confines of New York City.
   a. If resignee resides outside New York City, have **COMPLAINT REPORT** prepared in precinct where member performs duty.

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**COMMANDING OFFICER/ SUPERVISORY HEAD (continued)**

6. Forward **RESIGNATION AND EXIT INTERVIEW** form, **IDENTIFICATION CARD** and shield, and if appropriate, copy of **COMPLAINT REPORT** with results of any investigation accompanied with two copies of **PERSONNEL RECORDS TRANSMITTAL (PD449-151)** to Human Resources Division, within five business days.
7. Forward remaining copies of **RESIGNATION AND EXIT INTERVIEW** as specified on the form within five business days.
8. Retain other Department property in member's command.

***NOTE***

*If a member who has completed a probationary period is resigning to take an eligible position at an eligible city agency, they may be entitled to a conditional resignation and leave of absence without pay to complete their probationary period in their new agency, in accordance with Department of Citywide Administrative Services procedure 200-10. These members must resign at Human Resources Division in order to ascertain eligibility and complete the appropriate forms.*

**HUMAN RESOURCES DIVISION**

9. Request an audit of member's time from Leave Integrity Management Section.
   a. Contact command with results of audit and adjust time accordingly.
   b. Determine amount of time due and adjust resignation date accordingly.
10. Forward appropriate documents to Payroll Section and Personnel Orders Division to remove member from Department's payroll and databases.
11. Notify command of resigning member when resignation occurs thereat.

***ADDITIONAL DATA***

*A civilian member who resigns while on probation is not credited with any annual leave.*

*A resignation must be accepted when offered. A civilian member of the service is not required to obtain approval to resign from the Police Commissioner.*

NYPD

**PURPOSE** To correct violations of Department regulations by a civilian member.

**SCOPE** If circumstances warrant, the commanding officer/supervisory head of any probationary, provisional or noncompetitive civilian member of the service (other than a veteran of military service or a volunteer fireman), may recommend termination to the Commanding Officer, Performance Analysis Section/Civilian Monitoring/Evaluation Unit prior to the institution of command discipline or charges and specifications.

**PROCEDURE** Upon observing or receiving a report of a violation of Department regulations by a civilian member of the service:

**COMMANDING OFFICER/ SUPERVISORY HEAD**

1. Process as command discipline, if appropriate.
2. Comply with *A.G. 318-03 "Preparation of Charges and Specifications or Schedule 'C' Command Discipline,"* if civilian member declines to accept command discipline finding and penalty.

***NOTE*** *The Department Advocate's Office will forward copy of **CHARGES AND SPECIFICATIONS (PD468-121)** to the commanding officer/supervisory head of the next higher command of respondent.*

**COMMANDING OFFICER/ SUPERVISORY HEAD - NEXT HIGHER COMMAND**

3. Schedule and conclude an informal and non-adversarial conference with respondent concerning charges within:
   a. Thirty days of service of **CHARGES AND SPECIFICATIONS** by Department Advocate's Office, OR
   b. Fifteen days of service of **CHARGES AND SPECIFICATIONS** by Department Advocate's Office, if civilian member is suspended, except if specifications result from a suspension based on criminal charges, in which case the Department Advocate must monitor the criminal case for disposition. After the criminal case disposition (or in advance of the criminal case disposition with the approval of the office of the First Deputy Commissioner), schedule and conclude informal conference within fifteen days.
      (1) Permit union representative to be present at conference.

***NOTE*** *If the civilian member of the service wishes to waive the statutory right to restoration to duty, a formal stipulation and waiver to that effect will be executed. Civil Service Law, Section 75, prohibits the Department from suspending covered civilians without pay for more than thirty days.*

4. Immediately notify the Supervisor, Trial Calendar Unit, Department Advocate's Office, by telephone, as to the disposition of the conference and/or upon obtaining a "Thirty Day Suspension Waiver," if civilian member waives the right to restoration to duty.

**COMMANDING OFFICER/ SUPERVISORY HEAD - NEXT HIGHER COMMAND (continued)**

5. Forward a copy of the disposition and/or "Thirty Day Suspension Waiver," immediately following the telephone notification to the Department Advocate's Office.
6. Review charges and, if substantiated, impose one of the following penalties:
   a. Reprimand
   b. Fine, not to exceed $100
   c. Suspension without pay, not to exceed two months
   d. Reduction in grade or title
   e. Dismissal.

***NOTE*** *Upon a plea of guilty or nolo contendre, penalties other than dismissal may be imposed through negotiations with respondent and union representative.*

7. Indicate decision in writing on five copies of report prepared on **Typed Letterhead** by end of fifth day following conference.
   a. Forward original and two copies to respondent's command
   b. File copy in command with previous papers.
8. Inform respondent of decision by having a copy of written decision personally served upon member.

IF RESPONDENT ACCEPTS DECISION

**COMMANDING OFFICER/ SUPERVISORY HEAD - NEXT HIGHER COMMAND**

9. Enter the following statement at the bottom of the last page of original and copy of written decision:
   "I hereby accept the decision described and thereby waive my right to procedures available under Section 75 of the Civil Service Law and the agreements of collective bargaining." (signature and date)
10. Have respondent sign both copies and file with previous papers.
11. Direct respondent's commanding officer/supervisory head to impose penalty prescribed in written decision.
12. Forward copy of final disposition to Department Advocate's Office and member's commanding officer/supervisory head within ten days of conclusion of informal conference.

IF RESPONDENT DECLINES WRITTEN DECISION

**COMMANDING OFFICER/ SUPERVISORY HEAD - NEXT HIGHER COMMAND**

13. Advise respondent that he may contact a union representative and:
    a. Choose between formal charges and specifications, OR
    b. Allow union, with respondent's consent, to pursue matter in accordance with the Grievance Procedure set forth in the collective bargaining agreement.

***NOTE*** *Some titles are allowed only option "b," above. For further clarification, contact Deputy Commissioner, Labor Relations.*

**COMMANDING OFFICER/ SUPERVISORY HEAD - NEXT HIGHER COMMAND (continued)**

14. Instruct respondent to make choice of options known on **Typed Letterhead** to commanding officer/supervisory head, within five working days of service of written decision.
15. Immediately forward all papers to Department Advocate's Office.

***ADDITIONAL DATA***

*As to suspension cases, when respondent declines written decision and there is no "Thirty Day Suspension Waive," an immediate telephone notification is to be made to the Supervisor, Trial and Calendar Unit, Department Advocate's Office and all papers will be immediately forwarded to the Department Advocate's Office.*

*The Department Advocate's Office will be notified immediately regarding all changes of designated individuals responsible for conducting informal conferences.*

*Any question concerning disciplinary procedures will be resolved by conferring with Department Advocate's Office.*

NYPD

**PURPOSE** To adjudicate grievances of civilian members of the service.

**DEFINITIONS** GRIEVANCE - For the purpose of this procedure shall mean:

a. A dispute concerning the application of interpretation of the terms of a collective bargaining agreement or a personnel order of the Mayor,

b. a claimed violation, misinterpretation or misapplication of the rules or regulations of the Police Department affecting the terms and conditions of employment,

c. A claimed assignment of the grievant to duties substantially different from those stated in their job classification, or

d. A claimed improper holding of an open competitive rather than a promotional examination.

GRIEVANT - A civilian member of the service or group of civilian members of the service having a grievance, who is represented by a union.

COMMANDING OFFICER - Grievant's immediate commanding officer.

REVIEWING OFFICER - Ranking officer in charge of next higher level of command.

UNION REPRESENTATIVE – A representative of an employee organization of which the grievant is a member and which is certified as the exclusive bargaining agent for that employee's unit.

**PROCEDURE** When a civilian member of the service has a grievance:

STEP I

**GRIEVANT AND/OR UNION**

1. Continue to perform assigned duties and obey lawful orders.
2. Present grievance in writing to commanding officer.

***NOTE*** *Employees may at any time informally discuss, with their supervisors, a matter which may become a grievance. If results are unsatisfactory, a grievance may be presented. Members of the service are advised to consult their union representative and collective bargaining agreement when filing a grievance.*

**COMMANDING OFFICER**

3. Take necessary action, within scope of authority, to resolve grievance.
   a. Reply in writing by the end of the third work day, following the date of submission of the grievance.

STEP II

**GRIEVANT AND/OR UNION**

4. Forward grievance, in writing, to Deputy Commissioner, Labor Relations within five working days of the receipt of Step I determination, if further review is desired.

**DEPUTY COMMISSIONER LABOR RELATIONS AND/OR REPRESENTATIVE**

5. Meet with grievant and/or union representative for review of the grievance.
   a. Issue a written determination by the end of the tenth work day following the date on which the appeal was filed.

STEP III

**GRIEVANT AND/OR UNION**

6. Forward grievance to City's Commissioner of Labor Relations/designee, if further review is desired.

***ADDITIONAL DATA***

*The City's Commissioner of Labor Relations, or their designee, will issue a written determination within fifteen work days following the date of which the appeal was filed.*

STEP IV

**GRIEVANT'S UNION**

7. Forward grievance to the Office of Collective Bargaining for impartial arbitration within fifteen working days of receipt of the STEP III determination, if further review is desired.

***ADDITIONAL DATA***

*Any grievance of a general nature affecting a large group of employees and which involves the claimed misinterpretation, inequitable application, violation or failure to comply with the provisions of the collective bargaining agreement shall be filed at the option of the union at STEP III of the grievance procedure, without resort to previous steps.*

NYPD

**PURPOSE** To grant civilian members of the service leave with pay and recover compensation paid to those employees for jury service.

**PROCEDURE** Upon receipt of subpoena for jury duty:

**MEMBER OF THE SERVICE**

1. Show subpoena to commanding officer/supervisory head.

**COMMANDING OFFICER/ SUPERVISORY HEAD**

2. Instruct member to obtain written verification from court clerk indicating dates of jury service after completion of jury duty.
3. Inform civilian member of the service that monies received for jury duty MUST be turned over to city after travel expenses have been deducted.

***NOTE*** *A member of the service who fails to remit monies received for jury duty to the city will have annual leave balance reduced by number of days of jury duty or if annual leave balance is insufficient, appropriate monies due will be deducted from employee's paycheck.*

4. Assign member to a Monday to Friday schedule to conform to court attendance.
5. Direct clerical member to make appropriate entries in command records.
6. Have following statement signed by member concerned:
   "I have been informed of and understand my obligation to remit to the City of New York any monies received by me for service as a juror".
7. Have statement filed in member's personal folder.

**CLERICAL MEMBER**

8. Duplicate subpoena and file in member's personal folder.
9. Make entry in command diary each day member is absent from duty.
10. Make entry on **ABSENCE AND TARDINESS RECORD (PD433-145)**, "J" for Jury Duty.
11. Obtain Certificate of Service from court clerk upon completion of jury duty.

**MEMBER OF THE SERVICE**

12. Submit Certificate of Service to commanding officer/supervisory head.
13. Enter appropriate codes on the member's **Electronic Timesheet** and attach a copy of the Certificate of Service.

**CLERICAL MEMBER**

14. Make entry in command diary, under date six weeks and eight weeks after last day of jury service indicating that verification must be made to determine if member concerned remitted payment to City.

***NOTE*** *Payment by state for jury duty should be received approximately four to six weeks after completion of duty. Federal juror payments are mailed approximately six to eight weeks after completion of obligation.*

**COMMANDING OFFICER/ SUPERVISORY HEAD**

15. Have Certificate of Service filed in member's personal folder.
16. Compute amount to be refunded to City treasury.

***NOTE*** *Civilian members of the service are no longer entitled to the per diem rate allowances for jury duty paid by city, county and state courts of New York State. The current per diem rates for jury duty on federal courts and courts outside New York State may continue to be obtained from the court clerk. To ensure proper recoupment of all monies owed to the City of New York, timekeepers MUST examine and attach a copy of the per diem check refund stub to the Certificate of Service at the conclusion of jury duty.*

UPON RECEIPT OF CHECK FOR JURY DUTY

**MEMBER OF THE SERVICE**

17. Show check to commanding officer/supervisory head before cashing, if remittance is for carfare ONLY.
18. Give personal check or money order to commanding officer/supervisory head, payable to the City of New York, Department of Finance, for amount received for jury duty less travel expenses.

**CLERICAL MEMBER**

19. Hand deliver check/money order, accompanied by **FEE TRANSMITTAL SHEET (PD122-150)** to Director, Audits and Accounts Unit. The **FEE TRANSMITTAL SHEET** must include the member's name, social security number, date(s) of service, along with a copy of the Certificate of Service and a copy of the check and jury duty stub.

IF MEMBER DOES NOT REMIT MONIES FOR JURY DUTY

**COMMANDING OFFICER/ SUPERVISORY HEAD**

20. Direct the payroll clerk to send a reminder to the civilian member of the amount of payment the member MUST refund to the City when no payment has been received after a period of twelve weeks has elapsed since completion of jury duty.
21. Remind civilian member of the service that proof of payment for jury duty was not received.
    a. If member states that payment was not received, member concerned should telephone court clerk for documentation re: non-payment, etc.
22. Notify member concerned if remittance not received fourteen weeks after last day of jury duty, that annual leave balance will be reduced by appropriate number of days.
23. If member has insufficient leave balance, advise member concerned that amount due will be deducted from paycheck.
24. Have timekeeper make appropriate entries to deduct annual leave.
25. Notify Payroll Section of amount to be deducted from paycheck.

**INTEGRITY CONTROL OFFICER**

26. Audit **ABSENCE AND TARDINESS RECORD**, EACH JULY, to ensure compliance.

***ADDITIONAL DATA***

*A civilian member of the service may elect to use annual leave or other compensatory time to cover period of jury duty and retain payment for such service.*

*If civilian member of the service states that payment for jury duty was NOT received or was lost or stolen, commanding officer concerned may only accept written verification from court where jury duty was performed. When written statement is accepted, period of time for payment to City will be extended.*

*A member may be excused with pay for one-half day, including travel time, for examination of qualifications for jury duty. A civilian member of the service must produce communication from court concerned before excusal is authorized. A member will NOT be paid for such appearance. Therefore, remittance is not required to be made.*

*If a jury session ends earlier than the end of the member's regular scheduled work day, the member is expected to report to work, provided that at least one hour of the member's regular scheduled work day remains committed after the member's return to work.*

*Civilian members serving as grand jurors in courts which divide grand jury service into morning and afternoon sessions are expected either to report to work prior to each session or to return to work after the close of each session, provided that at least one hour of the member's regularly scheduled work day remains committed after the member's return to work.*

NYPD
POLICE DEPARTMENT CITY OF NEW YORK

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-14 |
|---|---|---|
| **CIVILIAN MEMBER - OFF DUTY EMPLOYMENT** | | |
| DATE EFFECTIVE: 11/18/21 | LAST REVISION: I.O. 99 | PAGE: 1 of 3 |

**PURPOSE** To provide guidelines for civilian members of the service to notify the Department when engaging in off duty employment.

**SCOPE** Civilian members of the service are allowed to engage in off duty employment and do not need prior authorization. However, civilian members must immediately notify the Department as soon as off duty employment is obtained. Members seeking off duty employment must be cognizant of potential conflicts of interest, based upon their title and/or position in the Department.

**DEFINITION** OWNERSHIP INTEREST - An interest in a firm held by a member of the service, or by that member of the service's spouse, domestic partner, or unemancipated child when the member of the service, or the member of the service's spouse, domestic partner, or unemancipated child exercises managerial control or responsibility over the firm.

**PROCEDURE** When a civilian member of the service engages in off duty employment or maintains an ownership interest in a firm:

**CIVILIAN MEMBER OF THE SERVICE**

1. Complete **OFF DUTY EMPLOYMENT APPLICATION/NOTIFICATION (PD407-164)** and forward to commanding officer/supervisory head.
   a. Attorneys must adhere to *A.G. 332-04, "Uniformed Member – Off Duty Employment"* (see *ADDITIONAL DATA - PROHIBITIONS FOR ATTORNEYS ENGAGED IN OFF DUTY EMPLOYMENT*).
   b. Comply with *A.G. 304-12, "Financial Restrictions."*

**COMMANDING OFFICER/ SUPERVISORY HEAD**

2. Interview employee and determine if conditions of off duty employment are within Department guidelines.
3. Forward original **OFF DUTY EMPLOYMENT APPLICATION/ NOTIFICATION** to the Employee Resources Section direct.
4. Recommend appropriate action (e.g., revoke permission, disciplinary action, etc.) if outside employment interferes with member's responsibility to Department.

**CIVILIAN MEMBER OF THE SERVICE**

5. Prepare a new **OFF DUTY EMPLOYMENT APPLICATION/ NOTIFICATION** immediately upon any change in status of employment or change of employer.

**COMMANDING OFFICER/ SUPERVISORY HEAD**

6. Advise member to submit a renewal **OFF DUTY EMPLOYMENT APPLICATION/NOTIFICATION** for continuing off duty employment beyond each twelve month period at least ten days prior to expiration of current approved request.

**EMPLOYEE RESOURCES SECTION**

7. Review **APPLICATION/NOTIFICATION** and determine if conditions of off duty employment are within Department and Board of Ethics guidelines and rulings.
   a. Contact Legal Bureau, if necessary.
   b. If employment presents conflict of interest:
      (1) Advise employee of provisions of New York City Charter, Section 2604, "Prohibited Interests and Conduct" and that such employment is not appropriate
      (2) Advise employee to forward report on **Typed Letterhead** detailing reasons for appeal, if employment is denied, to Deputy Commissioner, Legal Matters, as per *A.G. 316-18, "Conflicts of Interest Board."*
8. Assign Off Duty Work Number and insert in appropriate space on **APPLICATION/NOTIFICATION**.
9. Complete "Final Action" section on **APPLICATION/NOTIFICATION**; and sign.
10. Distribute copies of **APPLICATION/NOTIFICATION** as follows:
    a. ORIGINAL – place in member's Personnel Folder
    b. DUPLICATE – return to command of origin for file
    c. TRIPLICATE – return to member concerned.

***ADDITIONAL DATA***

*GUIDELINES FOR OFF DUTY EMPLOYMENT*

*a. Must be performed outside regular duty hours of Department employment.*
*b. May engage in off duty employment when on approved Family Medical Leave or Paid Family Leave.*
*c. Excessive sick leave or other evidence indicating off duty employment impairs ability to perform assigned duties is cause for revocation of approval to engage in off duty employment.*
*d. Must not interfere or conflict with Department duties, availability or efficiency.*
*e. Not permitted if Police Department employment is a prerequisite for off duty employment.*
*f. Not permitted if related to or concerned with matters that the Department is required to inspect or license, unless authorized.*
*g. Must not work on sick leave.*
*h. Not permitted if engaged, except by operation of law, directly or indirectly in any manner with business dealings of the City.*
*i. Department equipment, supplies, letterhead, personnel, or any other Department resources may not be used for off duty employment.*
*j. Not permitted if related to or concerned with matters that any City agency is required to inspect, approve or license, unless authorized.*
*k. Not permitted if the employment creates a prohibited subordinate-superior financial relationship.*

*A civilian member may engage in off duty employment without prior notice during period of suspension from duty without pay.*

***ADDITIONAL DATA (continued)***

*A civilian member of the service seeking part time employment in another City agency, or in ANY other governmental jurisdiction or agency MUST prepare* ***Certification of Compatibility for Dual Employment****. (A* ***Certification of Compatibility for Dual Employment (DP1021A)*** *for City Mayoral Agencies or* ***Certification of Compatibility for Dual Employment (DP1021B)*** *for all other governmental agencies or jurisdictions). These forms are available at the Human Resources Division, Employee Resources Section, who will process forms upon completion.*

NYPD

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-15 |
|---|---|---|
| **CHILD CARE LEAVE** | | |
| DATE EFFECTIVE: 03/07/23 | LAST REVISION: R.O. 11 | PAGE: 1 of 2 |

**PURPOSE** To process requests for maternity and infant care leave without pay for child, natural or adopted up to four years of age.

**PROCEDURE** When a female civilian employee learns that they are pregnant, or a civilian member of the service is already the parent of a child up to four years of age, by birth or adoption for which they have never had a previous leave of absence and intends to take a leave of absence without pay:

**CIVILIAN MEMBER OF THE SERVICE**

1. Notify commanding officer/supervisory head at LEAST TWO WEEKS prior to start of leave of intention to take leave of absence without pay.

**COMMANDING OFFICER/ SUPERVISORY HEAD**

2. Direct the civilian member of the service to contact the Military and Extended Leave Desk for instructions.

**MILITARY AND EXTENDED LEAVE DESK**

3. Forward packet of all forms to be submitted with leave request to member concerned, as appropriate.

**CIVILIAN MEMBER OF THE SERVICE**

4. Submit all forms to commanding officer/supervisory head as directed by the Military and Extended Leave Desk.

**COMMANDING OFFICER/ SUPERVISORY HEAD**

5. Endorse member's request for leave recommending APPROVAL and forward all forms to the Military and Extended Leave Desk.
6. Direct telephone notification to Payroll Section giving the date that civilian member enters a "no pay" status.
7. Ensure that all Department property is surrendered on last tour of duty and indicate such on **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE (PD520-013)**, for all Department approved leave grants and leave of absence without pay of thirty days or more.
8. Ensure the distribution of **PROPERTY RECEIPT - DISCONTINUANCE OF SERVICE**, as follows:
   a. Original - Military and Extended Leave Desk
   b. First copy - member requesting leave
   c. Second copy - command file
   d. Remaining copies - member's Personal Folder.

**INTEGRITY CONTROL OFFICER**

9. Forward **NYPD Restricted Parking Permits (Misc. 23-N)** and **Headquarters Annex Parking Permits (Misc. 814HQ-Annex)**, by messenger, to the Chief of Department's Vehicle Identification Unit.
10. Forward shield, if applicable, and/or **IDENTIFICATION CARD (PD416-091),** by messenger, to Human Resources Division, Shield, ID and Uniformed Services Unit, and obtain receipt.

***NOTE***

*A leave of absence without pay will be granted only after all accrued leave, except sick leave, has been exhausted. A pregnant employee shall have the option to be continued in a paid status for a period of time equal to all or part of their unused accrued sick leave.*

**MILITARY AND EXTENDED LEAVE DESK**

11. Confer with the Commanding Officer, Personnel Orders Division regarding requesting member's transfer to the Military and Extended Leave Desk.

***ADDITIONAL DATA***

*Three extensions of one year each may be granted to a member for a maximum of forty-eight months combined confinement and childcare leave. The use of this maximum allowance will be limited to one instance only.*

*Subsequent confinement and childcare leaves will be limited to a thirty-six month maximum. Leave must be used in one continuous absence, i.e., any extensions must commence immediately upon termination of the preceding leave.*

*Annual leave or sick leave credits DO NOT accrue while a member is in an unpaid status for more than fifteen days per month.*

*A leave of absence without pay may be terminated prior to its scheduled expiration date upon advance notification to the Military and Extended Leave Desk.*

*A civilian member of the service is required to contact the Military and Extended Leave Desk thirty days prior to the expiration date of the leave of absence to request extension of the leave of absence or to make an appointment to return to duty, as appropriate.*

*The civilian member of the service is required to notify the Military and Extended Leave Desk of any change of name, address, telephone number and social status.*

**PURPOSE** To recognize a civilian member of the service who performs an act worthy of Departmental recognition.

**PROCEDURE** When a civilian member of the service performs an act worthy of Departmental recognition or performs in an exemplary manner for a protracted period of time:

INDIVIDUAL RECOGNITION REQUEST:

**MEMBER'S IMMEDIATE SUPERVISOR**

1. Prepare a separate **DEPARTMENTAL RECOGNITION REQUEST (PD439-162)** for each member involved.
   a. Include the title, full name, tax registry number, command, shield number (if applicable), assignment, whether on or off duty, whether member was injured and specific type of incident (i.e., community service, arrest, rescue, intelligence, etc.).
   b. Assistance in the preparation of the **DEPARTMENTAL RECOGNITION REQUEST** form may be obtained by contacting the Employee Resources Section, Personnel Services Unit.
2. Investigate the circumstances of the incident by:
   a. Checking Department records
   b. Interviewing members involved, including other supervisory personnel and witnesses (in person or by telephone), when appropriate
   c. Obtaining signed statements from witnesses, when possible
   d. Converting oral statements to signed written statements, when applicable
   e. Attaching all Department forms/records prepared in connection with the incident to the detailed report.
      (1) Do not use descriptive embellishment of the facts.
3. Submit **REQUEST** and associated documents to ranking officer/borough/unit manager for processing.

**RANKING OFFICER/ BOROUGH/ UNIT MANAGER**

4. Assign a supervisory member to review investigation conducted by the member's immediate supervisor.
5. Review all **REQUESTS** and have a borough/division/district/ precinct/unit serial number assigned.
   a. If more than one member is involved in the same incident, ensure that the same borough/division/district/precinct/unit serial number is used.
   b. Determine if the event warrants official recognition and if so, determine the grade of the award for which the individual should be considered.
   c. Endorse the recognition package to the commanding officer/division/district commanding officer.

**COMMANDING OFFICER/ DIVISION/ DISTRICT COMMANDING OFFICER**

6. Have a Departmental Recognition Committee assembled to review the **REQUEST** and submit a recommendation as to the appropriate grade of award.
   a. Review package and committee's recommendations.
   b. Grant approval for Outstanding Service Award, if appropriate.
      (1) Approved Outstanding Service Award documentation will be forwarded via endorsement to the Human Resources Division (Attention: Civilian Recognition Committee) for posting.
   c. Forward nominations for the Police Commissioner's Award, Purple Shield Award, Meritorious Service Award, and Meritorious Service Award – Integrity to the Chief of Community Affairs, Chief of Transportation, or Borough Commander/ Counterpart, as appropriate.
   d. Forward nominations for Civilian Commendation to Borough Commander/Counterpart.

**CHIEF OF COMMUNITY AFFAIRS/ CHIEF OF TRANSPORTATION/ BOROUGH COMMANDER/ COUNTERPART**

7. Review documentation and if appropriate, approve the Meritorious Service Award.
   a. Indicate approval/disapproval and complete "FIFTH ENDORSEMENT" on reverse side of form.
   b. Meritorious Service Award documentation will then be forwarded via endorsement to the Human Resources Division (Attention: Civilian Recognition Committee) for official posting and inclusion in the next awards ceremony.
8. Endorse **REQUESTS** for the Meritorious Service Award – Integrity to the Integrity Review Board (through channels) for final approval.
   a. Indicate approval/disapproval and complete "FIFTH ENDORSEMENT" on reverse side of form.
9. Endorse **REQUESTS** for the Police Commissioner's Award and Purple Shield Award to the Chief of Personnel (Attention: Civilian Recognition Committee), through channels.
   a. Indicate approval/disapproval and complete "FIFTH ENDORSEMENT" on reverse side of form.

***NOTE*** *Borough commander/counterpart must ensure that the Borough Department Recognition Committee has met and made recommendations as to the grade of award, prior to endorsement.*

**CHIEF OF PERSONNEL**

10. Convene Civilian Recognition Committee annually to review **REQUESTS** for the Police Commissioner's Award and Purple Shield Award.
11. Forward recommendations for the Police Commissioner's Award and Purple Shield Award to the Police Commissioner for final approval.

**HUMAN RESOURCES DIVISION**

12. Maintain record of awards approved.
    a. Compile list of individuals to be presented with awards at an Annual Civilian Awards Ceremony.

IF REQUEST IS FOR CIVILIAN COMMENDATION:

**BOROUGH COMMANDER/ COUNTERPART**

13. Make final determination on **REQUEST** for Commendation.
14. Indicate approval/disapproval and complete "FIFTH ENDORSEMENT" on reverse side of form.
    a. When appropriate, approve **REQUESTS** for Commendation, except those which involve acts of integrity. In these cases, the borough commander/counterpart will forward endorsed **REQUESTS**, with a synopsis of proceedings, to the Integrity Review Board for final approval.
15. Forward original (white) copy of all **REQUESTS**, not involving integrity, to the Human Resources Division (Attention: Civilian Recognition Committee) and distribute the remaining copies as indicated on form.

***ADDITIONAL DATA***

*LEGAL CONSIDERATIONS*

*Members of the service preparing the **REQUEST** must ensure that the facts reported in the **REQUEST** are accurate, not embellished upon, and consistent with other arrest and investigatory paperwork. A **DEPARTMENTAL RECOGNITION REQUEST** has the potential of becoming "Rosario" material in a criminal prosecution. If the incident involves an arrest, the arresting officer must advise the assistant district attorney assigned to the case of the existence of such **REQUEST**, as well as any other recorded statements of witnesses.*

*DEPARTMENT POLICY*

*The Outstanding Service Award, Meritorious Service Award and Meritorious Service Award – Integrity were created specifically for, and are, only given to civilian members of the service assigned to enforcement duties within the School Safety Division and Traffic Enforcement District. Although the Police Commissioner's Award is primarily given to on duty civilian members assigned to enforcement duties within the School Safety Division/Traffic Enforcement District, it may also be given for action taken in appropriate circumstances by any civilian member of the Department.*

*Civilian Recognition Committee will consist of the First Deputy Commissioner (Chair), Chief of Department, Chief of Personnel, Chief of Patrol, Chief of Community Affairs and Chief of Transportation.*

*Departmental Recognition Committees will be composed of five members of the service: two supervisors (one of whom will be designated chairperson) and three non-supervisory members.*

*When practical, final determination of an award will be made within sixty days of submission. An appeal may not be lodged until after the award is published in Personnel Orders. Decisions of the Police Commissioner, concerning appeals of awards reduced or disapproved, are final.*

***ADDITIONAL DATA (continued)***

*If a member wishes to appeal, the member must prepare two copies on* ***Typed Letterhead****, addressed to Division/counterpart Recognition Committee for Outstanding Service Award or to the Police Commissioner for Meritorious Service Award, Meritorious Service Award-Integrity, and Civilian Commendation within ten days of publication of award including:*

*a. Facts of request*
*b. Reason for appeal*
*c. Personnel Order number and date (if applicable).*

NYPD

**PURPOSE** To provide an informative list of Department awards that all civilian members of the service may be awarded through the Department's Departmental Recognition procedure:

**DEFINITIONS**

POLICE COMMISSIONER'S AWARD

Awarded for an act of outstanding bravery at imminent hazard to life with knowledge of the personal consequences. Bestowed for actions performed above and beyond the call of duty. The general criteria include substantial risk of bodily harm, protection of persons and other similar extraordinary circumstances. Primarily given to recognize the actions of on-duty civilian members of the service assigned to enforcement duties within the School Safety Division/Traffic Enforcement District. However, it may also be given for action taken in appropriate circumstances by any civilian member of the Department.

PURPLE SHIELD AWARD

Awarded to a civilian member of the service, or next of kin in the event of a line of duty death who have suffered extremely serious physical injury or death, permanent disfigurement, protracted or permanent impairment of health, or any bodily function while performing an official act either while on or off duty.

DISTINGUISHED SERVICE AWARD

Awarded to next of kin of a civilian member of the service, in recognition of the dedicated performance of duty under unusual hazards and demands where the civilian member of the service has suffered death.

CIVILIAN COMMENDATION

Awarded to civilian members of the service for:

a. Exceptional work in connection with their assignment
b. Excellence in service to the community
c. Fostering community relations
d. Displaying initiative towards community problem solving programs.

**DEFINITIONS (continued)**

CIVILIAN MEMBERS OF THE SERVICE ASSIGNED TO ENFORCEMENT DUTIES WITHIN THE SCHOOL SAFETY DIVISION AND TRAFFIC ENFORCEMENT DISTRICT MAY BE AWARDED DEPARTMENTAL RECOGNITION IN THE FOLLOWING GRADES:

MERITORIOUS SERVICE AWARD

Awarded for actions above and beyond routine performance of duty, which reflect intelligence and special faithfulness or perseverance, on the part of the member and which bring credit to the agent and the New York City Police Department. Granted by the Chief of Transportation or the Chief of Community Affairs. Award is presented to the individual during the Annual Civilian Awards Ceremony.

MERITORIOUS SERVICE AWARD - INTEGRITY

Awarded for an act that demonstrates highly creditable integrity. Final determination regarding the award will be made by the Integrity Review Board after recommendation by the Chief of Transportation or the Chief of Community Affairs. Award is presented to the individual during the Annual Civilian Awards Ceremony.

OUTSTANDING SERVICE AWARD

Awarded for distinguished and superior performance of duty, where an intelligent act materially contributing to a valuable accomplishment has occurred. Eligibility for this award will include documentation of excellent performance as indicated by the member's most recent performance evaluation. Granted by the Commanding Officer, respective Division/District.

Civilian members of the service assigned to the Traffic Enforcement District and the School Safety Division, must wear the below corresponding New York City Police Department breast bars in lieu of those breast bars which they were awarded prior to the merger:

| NYPD BREAST BARS | TRAFFIC ENFORCEMENT DISTRICT BREAST BARS PRIOR TO MERGER | DIVISION OF SCHOOL SAFETY BREAST BARS PRIOR TO MERGER |
|---|---|---|
| Police Commissioner's Award | Commissioner's Medal | Heroism |
| Meritorious Service Award | Meritorious Service Medal | Meritorious |
| Outstanding Service Award | Outstanding Service | Excellence |
| Unit Citation | Unit Citation | Special Unit Citation |

**DEFINITIONS (continued)**

Traffic Enforcement District and School Safety Division civilian members are authorized to wear the Department's Longevity Breast Bar as a part of their uniform.

The Division of School Safety also maintained the following award which did not have a corresponding breast bar, but will be retained by this Department:

MOSES HILBERT AWARD - A certificate presented to an individual who has rendered exceptional voluntary service in an organized community activity, thereby serving as a role model for students. It is named in honor of a school safety agent and is held in considerable esteem by members of the School Safety Division. This award will continue to be maintained and presented by the Division in a manner as determined by the Commanding Officer, School Safety Division. The Moses Hilbert Award will not have a corresponding breast bar.

***ADDITIONAL DATA***

*DEPARTMENT POLICY*

*The total number of awards for the Police Commissioner's Award will be designated in the following manner:*

*1st Award star in middle box.*
*2nd Award star in left and right boxes.*
*3rd Award star in all boxes.*
*Upon receipt of a fourth award, a second bar will be worn with star affixed.*

*A maximum of two breast bars in the grade of Meritorious Service or Outstanding Service may be worn at one time depending upon the total number of awards granted. If a member of the service has been awarded Meritorious Service or Outstanding Service in a number stocked in the Equipment Section, only one breast bar will be worn with the number indicating total number of awards affixed to the center of the bar. If a member has been awarded a bar in numerals not stocked in the Equipment Section, a second bar will indicate the number of awards and when added to the number on the first bar, will indicate the total number of awards the member received in that category.*

NYPD

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-18 |
|---|---|---|
| **CIVILIAN PERSONNEL OVERTIME (NON-MANAGERIAL)** | | |
| DATE EFFECTIVE: 11/18/21 | LAST REVISION: I.O. 99 | PAGE: 1 of 3 |

**PURPOSE** To maintain complete record of overtime performed by sub-managerial civilian personnel.

**SCOPE** Employees governed by the Fair Labor Standards Act (FLSA), (see *A.G. 332-20, "Guidelines for Members of the Service [Uniformed and Civilian] Governed by Fair Labor Standards Act*") are covered by the provisions listed below except when prohibited by the Fair Labor Standards Act. An employee, who has exceeded the overtime cap and works in excess of forty hours in a particular week, must be compensated for overtime with FLSA compensatory time at the rate of time and one-half. In addition, if an employee has reached the statutory mandated limit of two hundred and forty hours of FLSA compensatory time, the employee must be compensated with cash at the rate of time and one-half for all FLSA overtime. This procedure CANNOT be used for employees covered under the prevailing rate schedules.

**DEFINITIONS** OVERTIME - Work performed in excess of hours stipulated in the member's regular work schedule.

ORDERED INVOLUNTARY OVERTIME – Overtime which the employee is directed to perform and is required to work. The employee is entitled to be compensated in cash. The commanding officer/supervisor, at their discretion, may approve such time compensation. However, when the employee's annual gross salary (including overtime, differentials and premium pay) exceeds $74,079.00, the compensation WILL BE IN TIME ONLY, AT THE STRAIGHT TIME RATE. This provision includes all civilian employees except prevailing rate or managerial employees.

**PROCEDURE** When it is anticipated that overtime will have to be performed by non-managerial civilian personnel:

**COMMANDING OFFICER/UNIT SUPERVISOR**

1. Prepare written request for authorization of overtime and forward, for approval through channels, to Police Commissioner, First Deputy Commissioner or Chief of Department, as appropriate.
2. Ensure that copy of authorization is available at command where overtime is to be performed.

***NOTE*** *In unusual and exceptional circumstances, when a specific project cannot be completed before its deadline, a request can be made for an exemption from the overtime cap. A written request will be sent to the appropriate bureau or borough command. The request must include the title, name, social security number, the annual gross salary (as defined above) of each employee and the reason for requesting the exemption. Upon approval, the request shall be forwarded to the Deputy Commissioner, Labor Relations for further processing.*

**CIVILIAN MEMBER OF THE SERVICE**

3. Prepare **OVERTIME REPORT (PD138-064)** and **EXPENSE REPORT (PD102-061)** for meal allowance if applicable, upon completion of overtime duty.
4. Submit forms to immediate supervisor at command where overtime is performed.

***NOTE***

*Meal allowance is authorized and will be paid in cash to civilian members of the service who are compensated with straight time for working ordered involuntary overtime. While time off for meals will not be computed as overtime, the time off will not affect the continuity requirement required for the authorized meal allowance. The payment authorized for meal allowance is as follows:*

| *CONTINUOUS HOURS OF OVERTIME* | *PAYMENT AUTHORIZED* |
|---|---|
| *2* | *$ 8.25* |
| *5* | *$ 8.75* |
| *7* | *$ 10.75* |
| *10* | *$ 11.75* |
| *15* | *$ 12.75* |

**SUPERVISOR CONCERNED**

5. Make entry in Command Log or on other appropriate record indicating the time of dismissal of employees performing overtime duty.
6. Review **OVERTIME REPORT** and **EXPENSE REPORT**, if applicable, for completeness and accuracy.
7. Complete section concerning supervisors certification on **OVERTIME REPORT**.
8. Forward **OVERTIME REPORT** and **EXPENSE REPORT**, if prepared, to civilian member's commanding officer/unit head for processing.

**DESIGNATED CLERICAL MEMBER**

9. Enter overtime on an employee's **Employee Time Report** or **Employee Time Report Adjustment** form.
10. Submit **OVERTIME REPORTS** to commanding officer/designated supervisor for review.
11. Review **Accepted/Rejected Transaction Reports (920/820)**, and:
    a. Verify that overtime entries have been entered correctly in CityTime.
12. Monitor subsequent **OVERTIME REPORTS** and bi-weekly payroll to ensure civilian member concerned is compensated in TIME ONLY for additional overtime performed.

***ADDITIONAL DATA***

*All overtime performed by civilian personnel must be authorized by the Police Commissioner, First Deputy Commissioner, or the Chief of Department.*

*A civilian employee, who is covered by the Career and Salary Plan, and who works ordered involuntary overtime that results in the employee working more than forty hours in any calendar week, will be compensated at the rate of time and one-half in cash, unless approved by the commanding officer to be compensated in time. An employee whose normal work week is less than forty hours, will be compensated in cash or time as*

***ADDITIONAL DATA (continued)***

*approved by the supervisor, at the straight time rate when the employee performs ordered involuntary overtime between the maximum of that work week and forty hours. An employee who is granted a shortened workday and who performs overtime for work performed between thirty and thirty-five hours a week when the shortened schedule is in effect, will be compensated in time only at the straight time rate. An employee who works between thirty-five and forty hours during the time that the shortened schedule is in effect will be compensated in cash or time as approved by the commanding officer/unit supervisor at the straight time rate.*

*If a civilian employee is receiving straight time compensation in cash (i.e., working ordered, involuntary overtime paid in cash only for the first five hours and is working from 1800 to 0800 hours), the employee will receive night shift differential for those hours. In such cases, the night shift differential shall be calculated separately from the overtime compensation. In all other cases, the employee shall receive only the compensatory time or premium overtime pay as per contract.*

*Compensatory time (lost time) granted for overtime performed must be taken within four months of accrual, and will be scheduled at the discretion of the member's commanding officer or civilian unit supervisor. Any such time not used within the specified period will be added to the member's sick leave balance. However, if the commanding officer or civilian unit supervisor requests the member not take such time or any portion thereof, within the specified period, that portion will be carried over until such time as it can be liquidated.*

*No rescheduling of days off and/or tours of duty is permitted to avoid the payment of overtime compensation. Any work performed on a scheduled day off will be covered by this procedure.*

*Time during which an employee is in FULL PAY STATUS, WHETHER OR NOT SUCH TIME IS ACTUALLY WORKED, will be counted in computing the number of hours worked during the week.*

*No credit shall be recorded for unauthorized overtime. Credit for all authorized overtime beyond the normal work week, shall accrue in units of one-quarter hour to the nearest one-quarter hour and only after one hour, except for an employee covered by the provisions of the Fair Labor Standards Act (FLSA) who actually worked in excess of forty hours in said calendar week.*

*Employees recalled from home for authorized ordered involuntary overtime work, shall be guaranteed overtime payment in cash for at least four hours, if eligible for cash payment. When an employee voluntarily responds to a request to come from home for voluntary authorized overtime work, such overtime shall be compensated in time off on an hour-for-hour basis but with a minimum compensatory time of four hours.*

*All commanding officers and integrity control officers will review the **Total Dollar Earnings Cap Report (500)** provided by the Payroll Section and will ensure that the command's payroll clerk is aware of the contents of this procedure. The **Total Dollar Earnings Cap Report** is forwarded by the Payroll Section on a monthly basis when a civilian member of the command is within twenty-five hundred dollars ($2,500.00) of the cash overtime cap.*

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-19 |
|---|---|---|
| **CIVILIAN MEMBER - LATENESS POLICY** | | |
| DATE EFFECTIVE: 11/18/21 | LAST REVISION: I.O. 110 | PAGE: 1 of 2 |

**PURPOSE** To record, monitor, and discipline civilian lateness.

**SCOPE** At the beginning of a scheduled tour, a civilian member of the service will be granted a five minute grace period and the lateness will be classified as "excused." When the lateness extends beyond the five minute grace period, the full period of time between the scheduled reporting time and the actual reporting time shall be charged against such member. A civilian member whose starting time is 0900 hours, and who reports to work at 0905 hours would not be "late". A civilian member of the service with such a starting time who reports to work at 0906 hours would be charged with six minutes of lateness. The only exception to the above is lateness found by the unit supervisor/commanding officer to have been caused by transportation circumstances beyond the control of the tardy civilian member of the service. This would be considered an "excused" lateness. The tardy civilian member may be required to furnish proof of the lateness and a request for excusal shall not be unreasonably denied. A refusal to excuse a lateness may be appealed to the Deputy Commissioner, Labor Relations, through channels.

***NOTE*** *Civilian members of the service on a flextime schedule do not have a grace period beyond their flex.*

**PROCEDURE** When a civilian member of the service reports to work after scheduled starting time, upon return from meal, or other scheduled non-work period:

**COMMANDING OFFICER/UNIT SUPERVISOR**

1. Determine whether lateness is to be classified as "excused" or "unexcused."
2. Have entry made on the calendar and interview portion of the **ABSENCE AND TARDINESS RECORD (PD433-145)**, indicating "unexcused" latenesses.

***NOTE*** *All unexcused tardiness must be recorded since this information may be used to form the basis for subsequent disciplinary action, termination proceedings, and when preparing* ***PERFORMANCE EVALUATION-CIVILIAN (SUB-MANAGERIAL) (PD439-152)****.*

3. Deduction for unexcused lateness shall be made on a minute for minute basis from any compensatory time standing to a member's credit and then, if there is no such credited time, from the member's annual leave balances.
4. Have member's immediate supervisor notify member of amount of leave deducted, within two days of unexcused lateness.
5. Review member's attendance record, for at least the preceding twelve month period, prior to conducting an interview.
6. Conduct an interview with member concerned regarding the Department's lateness policy.

**COMMANDING OFFICER/UNIT SUPERVISOR (continued)**

7. Enter details of interview as required on the **ABSENCE AND TARDINESS RECORD**.
8. Issue warnings to member concerned for unexcused lateness, under the following circumstances:
   a. FIRST WARNING: Upon fourth occurrence within a twelve month period. Determine methods to assist the employee to improve (i.e., tour change, chart change, etc.), consistent with the needs of the Department.
   b. SECOND WARNING: Upon fifth occurrence within a twelve month period. Advise member that additional unexcused lateness may result in disciplinary action.
   c. THIRD WARNING: Upon sixth occurrence within a twelve month period. Advise member that a seventh or subsequent unexcused lateness within a twelve month period will result in disciplinary action.

***NOTE*** *The results of these interviews will be recorded on **ABSENCE AND TARDINESS RECORD.***

9. Institute disciplinary action for seven or more unexcused latenesses within a twelve month period.

***ADDITIONAL DATA***

*These regulations do not prohibit a commanding officer/unit supervisor from taking appropriate disciplinary action when a member's unexcused lateness is for an excessive length of time or where overall attendance record warrants such action prior to the seventh occurrence in a twelve month period.*

*This procedure does not apply to managerial/confidential members, police communication technicians, and members required to relieve another member of the service in order to maintain continuity of operations.*

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-20 |
|---|---|---|
| **CIVILIAN ABSENCE - STEPPING REPORT** | | |
| DATE EFFECTIVE: 11/18/21 | LAST REVISION: I.O. 110 | PAGE: 1 of 2 |

**PURPOSE** To gather information necessary to monitor civilian (sub-managerial) employee absenteeism.

**PROCEDURE** On a quarterly basis (March, June, September and December):

**MEMBER ASSIGNED**

1. Prepare **CIVILIAN ABSENCE - STEPPING REPORT (PD408-158)**.
   a. Sign **REPORT** including title and telephone number.

**COMMANDING OFFICER**

2. Review **CIVILIAN ABSENCE - STEPPING REPORT**, countersign and forward to overhead command.

***NOTE*** *Each overhead command will establish a reporting schedule for their subordinate commands. Said schedule will allow sufficient time for the parent command to prepare a single consolidated report to be forwarded to the Human Resources Division, NOT LATER THAN THE 12TH OF THE MONTH THAT FOLLOWS EACH OF THE QUARTERLY MONTHS.*

**MEMBER CONCERNED/ OVERHEAD COMMAND**

3. Prepare and sign consolidated report.

**PERSONNEL OFFICER/ OVERHEAD COMMAND**

4. Countersign consolidated report and forward to Human Resources Division.

***ADDITIONAL DATA*** *The **CIVILIAN ABSENCE - STEPPING REPORT** will be completed as follows:*

*a. Add the number of civilian sub-managerial employees at specified absence levels (steps I, II, III, or IV) by extracting from the last column of the rear side of the **ABSENCE AND TARDINESS RECORD (PD433-145)** the total number at each step, and transfer the exact numbers to the corresponding columns on the **CIVILIAN ABSENCE - STEPPING REPORT** as follows:*

*NUMBER OF EMPLOYEES AT SPECIFIED LEVELS*

| | *Step I* | *Step II* | *Step III* | *Step IV* | *No. Referred For Counseling* |
|---|---|---|---|---|---|
| *40 Hour Week* | | | | | |
| *35 Hour Week* | | | | | |
| *Part Time* | | | | | |

***ADDITIONAL DATA (continued)***

*Indicate Step No. I, II, III, IV for six month period, January 1 to June 30, or July 1 to December 31. Indicate number of sub-managerial members of the service referred for counseling as reported on record maintained by commanding officer/supervisory head. If annual leave is used for sick leave, do not use such leave to represent sick leave figures on the* ***CIVILIAN ABSENCE - STEPPING REPORT****.*

*Personnel officers will monitor and evaluate* ***CIVILIAN ABSENCE - STEPPING REPORTS*** *received from subordinate commands and will apprise commanding officers of trends or unusual patterns of civilian absenteeism.*

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# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-21 |
|---|---|---|
| **CIVILIAN MEMBER - RETIREMENT** | | |
| DATE EFFECTIVE: 11/18/21 | LAST REVISION: I.O. 110 | PAGE: 1 of 1 |

**PURPOSE**

To process retiring civilian members of the service (managerial and sub-managerial) for Service Retirement, Accident Disability Retirement, or Ordinary Disability Retirement.

**PROCEDURE**

When a civilian member of the service wishes to apply for retirement.

**CIVILIAN MEMBER OF THE SERVICE**

1. Notify commanding officer/supervisory head of intention to retire no earlier than ninety days and at least thirty days prior to anticipated date of retirement.
2. Notify the Employee Resources Section, Civilian Employee Services Unit and obtain an appointment for a retirement interview. Inform commanding officer/supervisory head of the date and time of interview.

**COMMANDING OFFICER/ SUPERVISORY HEAD**

3. Ensure that timekeepers are advised that civilian member has retirement interview so that the leave balance can be appropriately reviewed.
4. Obtain personally assigned cellular telephone and all accessories, if applicable, and have hand delivered to the Telecommunications Unit, One Police Plaza, Room 910B.

***ADDITIONAL DATA***

*The above procedures are to be followed PRIOR to filing an application for retirement with the New York City Employees Retirement System.*

*In conjunction with civilian retirements, the Personnel Bureau provides a counseling and administrative service to:*

*a. Protect the rights of a retiring civilian member*
*b. Advise the member concerned of earned benefits, and*
*c. Assist in filing the retirement application with the New York City Employees Retirement System.*

*Upon retirement, all Department property including* ***IDENTIFICATION CARD (PD416-091)****, shield (if applicable), Civilian Employee Handbook, bullet resistant vest (if applicable), etc. must be surrendered as directed.*

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-22 |
|---|---|---|
| **VIDEO TERMINAL/OCCUPATIONAL VISION CARE PROGRAM AND GUIDELINES FOR OPERATORS** | | |
| DATE EFFECTIVE: 12/14/22 | LAST REVISION: I.O. 121 | PAGE: 1 of 2 |

**PURPOSE**

To inform eligible civilian members of the service, who operate video display terminals, of the Occupational Vision Care Program and its guidelines.

**DEFINITIONS**

OCCUPATIONAL VISION CARE PROGRAM - municipal union welfare fund benefit that allows eligible civilian members, every two years, to obtain a vision examination, lenses and frames, where necessary for video display terminal operation.

QUALIFICATIONS - to obtain this benefit, civilian members of the service must be:

a. Eligible for welfare fund benefits, i.e., work more than 17 ½ hours a week and
b. Covered by the Citywide contract or by the Management Benefit Fund and
c. Regularly and for continuous periods of time assigned to operate video display terminals twenty hours or more per week.

**PROCEDURE**

Whenever an eligible civilian member of the service deems it necessary to use this benefit:

**CIVILIAN MEMBER CONCERNED**

1. Obtain a vision care voucher and a "Video Display Terminal Occupational Vision Care Program Benefit Authorization Form" from their appropriate welfare fund (see *ADDITIONAL DATA* statement).
2. Complete employee data and questionnaire sections and present form to immediate supervisor.

**SUPERVISOR CONCERNED**

3. Complete the portion certifying eligibility and forward it to the commanding officer for signature.
4. Return completed authorization form to civilian member of the service, after the signature of the commanding officer has been obtained.

***NOTE*** *Civilian members found to be eligible, and assigned to day tours, will be granted up to two hours excusal, needs of the service permitting, to take the baseline examination and follow-up examinations.*

**CIVILIAN MEMBER CONCERNED**

5. Prepare **Digital Leave of Absence Request** using the Centralized Personnel Resource (CPR) System noting "Excused Absence for Vision Exam" in the "Reason" box.

***NOTE*** *In addition, civilian members of the service with the capability to enter leave of absence requests direct into CityTime, are also required to prepare a* ***Digital Leave of Absence Request****.*

**COMMAND TIMEKEEPER**

6. Enter the event code "4251", and then the appropriate amount of time in hours and minutes under the appropriate day on the **Employee Time Report**.

***ADDITIONAL DATA***

*To provide alternative work for video display terminal (VDT) operators who continuously operate a video display terminal for more than two consecutive hours, the commanding officer/counterpart will assign display terminal operator to alternative work break of a visually less demanding nature for a period of not less than fifteen minutes.*

*Every effort will be made to assign civilian members alternative work upon submissions of satisfactory proof of physical incapacity to work a video display terminal due to injury, disability or pregnancy.*

*Meal periods and any previously established rest periods will count towards meeting the requirement for alternative work, but this provision will not be construed as providing any additional non-work break time.*

*Part-time civilian members of the service who regularly and for continuous periods of time operate video display terminals twenty hours or more per week are not covered under this provision.*

*PARTICIPATING WELFARE FUNDS*

*(1) DC 37 Health and Security Plan*
*(2) Service Employees International Union Local 300, AFL-CIO, Employees Welfare Fund*
*(3) Communications Workers of America Local 1180 Security Benefits Fund*
*(4) International Brotherhood of Teamsters, Local 237 Welfare Fund*
*(5) Organization of Staff Analysts*
*(6) Management Benefits Fund*
*(7) Social Services Employees Union Local 371*

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-23 |
|---|---|---|
| **ASSIGNMENT DIFFERENTIAL FOR TIMEKEEPERS** | | |
| DATE EFFECTIVE: 06/23/23 | LAST REVISION: R.O. 32 | PAGE: 1 of 1 |

**PURPOSE** To require notification to Payroll Section if an eligible civilian member of the service ceases to be, is replaced or reassigned from duty as timekeeper.

**SCOPE** To allot an assignment differential to eligible civilian personnel who are assigned to duties as timekeepers.

**DEFINITION** ELIGIBLE CIVILIAN PERSONNEL - Civilian members in the titles of Senior Police Administrative Aide, Police Administrative Aid, Clerical Associate II, and Clerical Associate III, who prepare, reconcile and code time records directly utilized under CityTime to generate employee paychecks and where workload analysis indicates that the timekeeping duties constitute a majority of the member's work.

**PROCEDURE** Whenever it becomes necessary to replace or reassign a timekeeper:

**COMMANDING OFFICER CONCERNED**

1. Submit report, on **Typed Letterhead** immediately to Payroll Section, through channels, whenever a timekeeper:
   a. Ceases to perform the command timekeeping function
   b. Is replaced and/or reassigned as the command timekeeper.

***ADDITIONAL DATA*** *No additions to the number of unit staff performing timekeeping functions are to be assigned without first requesting authorization, through channels, from the Deputy Commissioner, Management and Budget.*

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-24 |
|---|---|---|
| **PRECINCT RECEPTIONIST PROGRAM** | | |
| DATE EFFECTIVE: 11/18/21 | LAST REVISION: I.O. 99 | PAGE: 1 of 2 |

**PURPOSE** To ensure the proper performance of duty by precinct receptionists.

**PROCEDURE** When a precinct receptionist is assigned to a command.

**COMMUNITY AFFAIRS BUREAU**

1. Maintain the hiring process with input from respective commands (e.g., recruitment, interviewing, orientation, etc.).
2. Provide quarterly training for precinct receptionists and support for precinct personnel.
3. Conduct site visits to monitor the program in each command.
4. Conduct quality assurance for compliance purposes.

**COMMANDING OFFICER**

5. Determine precinct receptionist's tour of duty and regular days off (RDOs) based on needs of the command.

***NOTE*** *Precinct receptionists shall comply with the following:*

*a. Perform tours of duty between 0700 hours and 2000 hours*
*b. Do not work on holidays*
*(1) Absolutely no overtime is permitted*
*c. Do not exceed thirty hours per week*
*(1) Must work twenty or more hours per week to maintain health benefits*
*d. Work a minimum of four hours per day and a maximum of eight hours per day*
*e. Must take a meal period when working six or more hours*

6. Designate a uniformed/civilian supervisor to oversee the administrative functions of the precinct receptionists (e.g., attendance, payroll, work schedule, evaluation, discipline, contact log book sheet entries, etc.).
7. Ensure that all members of command are familiar with the nature and functions of the Precinct Receptionist Program.
8. Ensure that required furniture and clerical equipment for receptionist (e.g., desk, chair, etc.) is located near precinct entrance.
   a. Provide a secure location for receptionist log and files.
9. Provide transportation, within command, if necessary, to ensure receptionist's safety to and from command.

**DESIGNATED SUPERVISOR**

10. Supervise all administrative functions (e.g., attendance, payroll, work schedule, evaluation, discipline, contact log book sheet entries, etc.).
11. Investigate any discrepancies regarding attendance and performance of precinct receptionist and take appropriate action.
12. Submit a monthly report on **Typed Letterhead** with the total number of cases/contacts made in the command, as noted in the **Precinct Receptionist Log (Misc. 452)**, to the Community Affairs Bureau.

**PRECINCT RECEPTIONIST**

13. Be fit, competent, clean and neat while on duty.
14. Comply with provisions of the Patrol Guide and Administrative Guide, and adhere to the rules and regulations of the New York City Police Department.
15. Be tactful and courteous when dealing with precinct personnel and the public.
16. Display **IDENTIFICATION CARD (PD416-091)** on outermost garment while on duty.
17. Sign in the Civilian Log Book when reporting for duty.
18. Perform duties in assigned command in accordance with duty schedules prescribed by designated supervisor.
19. Report punctually for work and do not leave post prior to the completion of the tour of duty without proper authorization.
20. Document all details of each case/contact accurately and promptly on **Precinct Receptionist Log**.
21. Promptly comply with all lawful orders and instructions issued by superior officers and/or designated supervisor.
22. Treat any and all information obtained in the precinct as confidential.
23. Report all information received of a criminal nature immediately to the desk officer.
24. Do not solicit information of a criminal nature from clients nor interfere with police matters or cases not referred by proper authority.
25. Give full attention to the performance of job duties.
26. Do not engage in personal telephone calls or encourage friends/ acquaintances/family members to visit the stationhouse for personal or social purposes.
27. Do not be exposed to any physical danger or injury.
28. Immediately notify a supervisor when confronted with violent or hostile situations.
29. Do not recommend the services of any lawyer, undertaker, investigator or other private person or business to a client.
30. Do not accept nor solicit gratuities, gifts or other valuable consideration for service rendered.
31. Confine all official business to the precinct.
    a. Do not visit homes or places of business of clients or other persons involved in cases, nor accompany clients to places outside the precinct.
32. Serve as an interpreter when requested to do so by the desk officer or member of the Detective Squad, if qualified.
    a. Do not serve as an interpreter for the purposes of interrogating prisoners or informants or other conditions of an investigative nature.
33. Do not grant interviews to members of the press, or media without prior written approval of the Deputy Commissioner, Public Information.
34. Report for duty unless sick, injured or excused.
35. Notify designated supervisor or desk officer two hours prior to scheduled tour when circumstances require absence from duty or reporting late for duty.
36. Attend quarterly training at Community Affairs Bureau.
37. Report any off-duty employment to designated supervisor.

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | Procedure No: 319-25 |
|---|---|

## REQUESTING THE POSTING OF CIVILIAN TRANSFER OPPORTUNITIES USING THE NEW YORK CITY AUTOMATED PERSONNEL SYSTEM (NYCAPS) ONLINE RECRUITMENT PORTAL

| DATE EFFECTIVE: | LAST REVISION: | PAGE: |
|---|---|---|
| 11/18/21 | I.O. 110 | 1 of 2 |

**PURPOSE**

To post civilian transfer opportunities using the New York City Automated Personnel System (NYCAPS) Online Recruitment Portal and to ensure all civilian employees have access to viewing, and the capability of applying for, eligible transfer opportunities.

**DEFINITION**

NEW YORK CITY AUTOMATED PERSONNEL SYSTEM (NYCAPS) ONLINE RECRUITMENT PORTAL – A recruiting application that enables both applicants and hiring staff to conduct recruiting activities online through the NYCAPS system. This portal is accessible using the intranet via Cityshare or the internet at WWW.NYC.GOV/CAREERS, and is used by all mayoral agencies in the City of New York.

**PROCEDURE**

When a command seeks to fill a civilian position vacancy via transfer:

**REQUESTING COMMAND**

1. Prepare a request on **Typed Letterhead** addressed to the Chief of Personnel.
2. Ensure request to post a civilian position vacancy complies with Department standards and ensure it includes and adheres to the following criteria:
   a. Title and description of position vacancy
   b. Number of current and/or anticipated vacancies
   c. Any special skills, if needed.
3. Forward completed request to the deputy commissioner or bureau chief concerned, through channels.

**DEPUTY COMMISSIONER/ BUREAU CHIEF CONCERNED**

4. Review the proposed request to ensure that it conforms to the criteria described in step "2."
5. Forward endorsed request to Chief of Personnel.

**CHIEF OF PERSONNEL**

6. Review request for accuracy and completeness.
7. Return to requesting command for further development, if request does not conform to the requirements of this procedure (e.g., incomplete, not endorsed, etc.).
8. Enter job posting information regarding transfer opportunity into NYCAPS Online Recruitment Portal.

**CIVILIAN MEMBER OF SERVICE REQUESTING TRANSFER**

9. Review job posting and apply for transfer using Employee Self Service (ESS) via the internet at WWW.NYC.GOV/CAREERS, or, via Department intranet at WWW.NYC.GOV/ESS.

**PERSONNEL BUREAU**

10. Review submitted applications for suitability.
11. Forward suitable applications to requesting command for evaluation and review.

**REQUESTING COMMAND**

12. Review forwarded applications.
13. Submit request on **Typed Letterhead** to Personnel Bureau for final approval of transfer of selected candidates.
    a. Candidates not selected will be notified by requesting command.

**PERSONNEL BUREAU**

14. Notify commands of selected candidates and determine transfer dates.
    a. Candidates that were not chosen may be contacted at a later date, if suitable position becomes vacant.

***ADDITIONAL DATA***

*Requests to post transfer opportunities into the NYCAPS Online Recruitment Portal are to be used solely for civilian position vacancies. The announcements of position vacancies for uniformed members of the service will be governed by A.G. 322-42, "Requesting/Recommending Publication of Department Bulletins."*

NYPD

# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | Procedure No: 319-26 |
|---|---|

## JOB VACANCY POSTING VIA THE NEW YORK CITY AUTOMATED PERSONNEL SYSTEM (NYCAPS)/EHIRE ONLINE RECRUITMENT PORTAL

| DATE EFFECTIVE: | LAST REVISION: | PAGE: |
|---|---|---|
| 11/18/21 | I.O. 110 | 1 of 2 |

**PURPOSE** To provide guidelines to requesting commands regarding civilian job postings for discretionary positions via the New York City Automated Personnel System (NYCAPS)/eHire online recruitment portal.

**DEFINITION** NYCAPS/EHIRE – An online recruitment portal that can be used to solicit internal and external job candidates for vacant positions.

**PROCEDURE** When a command has a vacant civilian position to be posted on the NYCAPS/eHire online recruitment portal:

**REQUESTING COMMAND**

1. Prepare report on **Typed Letterhead** to Chief of Personnel requesting that a civilian vacancy be posted on NYCAPS/eHire.
   a. Include pertinent details (e.g., attrition name, description of position vacancy, funding source, specific skills needed, point of contact [hiring manager] within requesting command, etc.), as appropriate.
2. Prepare **Job Vacancy Posting Notice** and forward with report on **Typed Letterhead** to Personnel Bureau, through channels.

***NOTE*** *The form fillable **Job Vacancy Posting Notice** is located on the Department Intranet's Personnel Bureau homepage, and can be accessed via the Human Resources Division's "Documents" tab by selecting "eHire Job Posting Form."*

**PERSONNEL BUREAU**

3. Review report on **Typed Letterhead** and corresponding **Job Vacancy Posting Notice**.
   a. Forward approved request to Human Resources Division, through channels.
   b. Return disapproved request, indicating reason for disapproval, to requesting command, through channels.

**HUMAN RESOURCES DIVISION**

4. Post approved **Job Vacancy Posting Notice** via NYCAPS/eHire online recruitment portal.
5. Review submitted resumes and screen candidates for necessary qualifications.
6. Forward reviewed resumes and cover letters for qualified candidates to requesting command, through channels.

**REQUESTING COMMAND**

7. Conduct interview with screened candidates and ensure a representative from Human Resources Division and/or the Office of Equity and Inclusion is present.
   a. Civil service list hires will be interviewed by the Civilian Hiring Unit, as required.

**REQUESTING COMMAND (continued)**

8. Prepare report on **Typed Letterhead**, including pedigree information of final candidate(s) selected, and forward to Chief of Personnel, through channels.
9. Confer with Personnel Bureau in regard to processing selected candidate(s).

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# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-27 |
|---|---|---|
| **REQUESTING PAID AND/OR UNPAID INTERNS** | | |
| DATE EFFECTIVE: 03/07/23 | LAST REVISION: R.O. 11 | PAGE: 1 of 2 |

**PURPOSE** To provide guidelines for commands to request paid and/or unpaid interns.

**DEFINITION** INTERN – For the purposes of this procedure, is an individual (non-member of the service) who works for the Department in a paid or unpaid capacity, and is a matriculated student at an accredited college or university. This includes individuals requested via the Partners In Education, Ladders For Leaders, and Urban Fellows programs, and any other program that is deemed appropriate by the Personnel Bureau.

**PROCEDURE** When a command requests an intern:

**REQUESTING COMMAND**

1. Prepare report on **Typed Letterhead** to Chief of Personnel for requested intern and include the following:
   a. Number of interns requested
   b. Work location
   c. Complete job description, including hours to be worked, and whether intern is to be paid or unpaid
   d. Rank, name and contact telephone number of coordinator handling request
   e. Pedigree information of prospective intern(s).
2. Attach resume of intern to report on **Typed Letterhead** and forward request to Chief of Personnel, through channels.

**PERSONNEL BUREAU**

3. Review report on **Typed Letterhead** and corresponding resume for completeness and accuracy.
4. Endorse and forward report on **Typed Letterhead** to requesting command, indicating approval/disapproval.
   a. Forward approved request with required documentation (i.e., hiring package, etc.) to requesting command, through channels.
   b. Return disapproved request, indicating reason for disapproval, to requesting command, through channels.

***NOTE*** *All interns will be subject to a background investigation by the Personnel Bureau.*

**REQUESTING COMMAND**

5. Complete request for intern, as directed by the Personnel Bureau.

***ADDITIONAL DATA*** *Interns cannot be hired in place of civil servants. Additionally, the work being performed by interns is to be specialized in nature, and temporary in duration. Interns should be assigned work by the Department that enhances their educational goals, and not work that simply benefits the Department.*

TYPED

***ADDITIONAL DATA (continued)***

*Duties may include the preparation of spreadsheet reports, research, statistical analysis, computer work requiring intermediate level computer skills and/or knowledge of specific applications and programs, accounting or bookkeeping duties, legal research and paralegal work, or forensic science analysis and research, in addition to other work-related responsibilities.*

*All commands are to contact the Personnel Bureau with any questions and/or concerns regarding applicable hiring practices for interns.*

*Commands seeking to hire paid consultants are to contact the Deputy Commissioner, Management and Budget, through channels, regarding funding. If funding is approved, proceed as follows for procurement:*

a. *Funding requests of $100,000 and over, contact the Deputy Commissioner, Management and Budget's Contract Administration Unit,*
b. *Funding requests under $100,000, contact the Commanding Officer, Quartermaster Section.*

*Commanding officers concerned are responsible for collecting Department issued identification cards from interns who are separating from the Department, and are to forward them to the Shield, ID and Uniformed Services Unit, as appropriate.*

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# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No: 319-28 |
|---|---|---|
| **AUTOMOTIVE SERVICE WORKER - COMMAND VEHICLE COORDINATOR** | | |
| DATE EFFECTIVE: 01/23/23 | LAST REVISION: R.O. 3 | PAGE: 1 of 2 |

**PURPOSE** To ensure the proper performance of duty of automotive service workers assigned as vehicles coordinators to operational commands.

**PROCEDURE** When an automotive service worker is assigned to a command.

**FLEET SERVICES SECTION, SUPERVISOR OF MECHANICS**

1. Determine tours of duty and meal periods for automotive service worker.
2. Approve scheduled vacation, sick leave and emergency excusal day.
3. Inform operations coordinator of automotive service worker's approved leave requests, training or other assignments that result in their absence from the command.
4. Collaborate with operations coordinator to address areas of concern and/or clarify general duties and responsibilities of automotive service worker.

**OPERATIONS COORDINATOR /DESK OFFICER**

5. Ensure that automotive service worker has access to a Department computer and space for administrative duties pertaining to vehicle repairs.
   a. Provide equipment locker for storage of tools and parts.
6. Notify Fleet Services Section, supervisor of mechanics of any unusual circumstances involving automotive service worker, including but not limited to, overtime, injuries while on duty, and modifications of meal periods.
7. Ensure **AUTO SERVICE WORKER MOVEMENT/LABOR REPORT (PD132-152)** is completed whenever automotive service worker transports a Department vehicle.
8. Designate member of the service to transport vehicles to Fleet Services Section when automotive service worker is out sick or on vacation.

**AUTOMOTIVE SERVICE WORKER**

9. Sign in and out as required when reporting for duty and at the end of tour.
   a. Notify assigned Fleet Services Section, supervisor of mechanics upon commencement and completion of tour.
10. Perform duties in assigned command in accordance with duty schedules prescribed by assigned Fleet Services Section, supervisor of mechanics.
    a. Tours of duty and meal periods will be determined by Fleet Services Section, supervisor of mechanics.
11. Confer with operations coordinator/desk officer to identify vehicles that are out-of-service.
    a. Review and enter out-of-service vehicles in the Fleet Services Section Vehicle Identification Notification System via the Department Intranet as per *P.G. 219-03, "Preventive Maintenance/Inspection/Repairs to Department Vehicles."*
12. Coordinate with Fleet Services Section service station and Department tow personnel to facilitate vehicle repairs.
13. Maintain the **AUTO SERVICE WORKER MOVEMENT/LABOR REPORT** on a daily basis.

**AUTOMOTIVE SERVICE WORKER (continued)**

14. Use Department issued cell phones for Department business only.
15. Wear approved attire, consisting of work boots and safety vest.
    a. Safety vest must always be worn while conducting vehicle maintenance and/or addressing minor deficiencies.
16. Inspect vehicles assigned to command for appearance and service concerns.
17. Perform weekly vehicle inspections of Department vehicles and prepare **VEHICLE INSPECTION REPORT (PD571-153)**.
18. Correct minor vehicle deficiencies (flat tires, wiper blades replacement, bulb replacement, etc.) and top off vehicle fluids as necessary.
19. Assist command personnel with transporting Department vehicles to car wash facilities, fuel stations, etc.
    a. Affix "Civilian Personnel on Road Test" sign on the vehicle dashboard and rear window while operating marked Department vehicle.
20. Transport Department vehicles to and from Fleet Services Section service stations, car dealerships, outside vendors, etc.
21. Report missing/damaged vehicle equipment, etc. to operations coordinator and desk officer.
    a. Obtain equipment for Department vehicles from Fleet Services Section or Quartermaster Section as appropriate, and replace as needed.

***ADDITIONAL DATA***

*Automotive service workers are permitted to perform preventive maintenance and assist in vehicle repairs at Fleet Services Section service stations under the direction of a Fleet Services Section auto mechanic. Any other tasks requested by a command outside an automotive service worker's standard duties must be approved by a Fleet Services Section, supervisor of mechanics.*

*In the event of public interaction during a transportation of a Department vehicle, automotive service workers will identify themselves as a civilian member of the service transporting a police vehicle for repair, and notify the desk officer precinct of occurrence, and desk officer of assigned command. In an emergency situation, automotive service workers will call 911 for assistance prior to making above notifications and identify themselves as a civilian member of the service. All interactions will also be reported immediately to a Fleet Services Section supervisor of mechanics and recorded on the* ***AUTO SERVICE WORKER MOVEMENT/LABOR REPORT*** *in the "Additional Notes" section. Automotive service workers will be guided by P.G. 217-06, "Department Vehicle Collisions," when involved in a vehicle collision while operating a Department vehicle.*

**PURPOSE** To enable a civilian member of the service to apply for position openings within the Department and/or other City agencies by using the New York City Automated Personnel System (NYCAPS) Online Portal.

**PROCEDURE** When a civilian member of the service requests a transfer to another command within the Department or another City agency:

***NOTE*** *Requests for transfers by civilian members in the titles of traffic enforcement agents, school safety agents, and school crossing guards level I within the Department are not managed through the NYCAPS computer application.*

*School crossing guards level II are eligible to utilize NYCAPS for position vacancies within the Department. In addition, traffic enforcement agents, school safety agents, and school crossing guards level I and II, may utilize NYCAPS in applying for positions within another City agency. In these aforementioned instances the civilian member would comply with the following procedure.*

WHEN SUBMITTING A REQUEST TO TRANSFER TO ANOTHER CITY AGENCY:

**CIVILIAN MEMBER OF THE SERVICE**

1. Review job posting and apply for transfer using Employee Self Service (ESS) via the internet at WWW.NYC.GOV/CAREERS, or, via Department intranet at WWW.NYC.GOV/ESS, and upload resume and cover letter.

WHEN SUBMITTING A REQUEST TO TRANSFER WITHIN THE DEPARTMENT:

**CIVILIAN MEMBER OF THE SERVICE**

2. Review job posting and apply for transfer using Employee Self Service (ESS) via the internet at WWW.NYC.GOV/CAREERS, or, via Department intranet at WWW.NYC.GOV/ESS, click on "City Employee Login" and upload resume and cover letter.

ONCE CIVILIAN MEMBER HAS BEEN SELECTED TO FILL A VACANCY WITHIN THE DEPARTMENT

**CIVILIAN MEMBER OF THE SERVICE**

3. Request a **COMMANDING OFFICER'S RECOMMENDATION (PD406-180)** from commanding officer.

**COMMANDING OFFICER**

4. Complete and sign **COMMANDING OFFICER'S RECOMMENDATION** within seven days of request.
   a. Check "Highly Recommend," "Recommend," or "Do Not Recommend."

**COMMANDING OFFICER (continued)**

b. If "Do Not Recommend" is checked, state specific reasons why (e.g., member lacks experience, does not meet above criteria, etc.).

c. Staffing levels cannot be used to justify a "Do Not Recommend" and will result in the **COMMANDING OFFICER'S RECOMMENDATION** being returned.

d. Provide copy of the **COMMANDING OFFICER'S RECOMMENDATION** to the transferring civilian member of the service.

5. Forward **COMMANDING OFFICER'S RECOMMENDATION** to borough/bureau personnel administrative manager filling vacancy.

**BOROUGH/ BUREAU PERSONNEL ADMINISTRATIVE MANAGER**

6. Provide comments and recommendations to borough/bureau commanding officer.

a. Forward resume/cover letter and **COMMANDING OFFICER'S RECOMMENDATION** in a sealed envelope to the Chief of Personnel.

b. If the **COMMANDING OFFICER'S RECOMMENDATION** is not received within seven days, the request will be escalated to the overhead command.

**COMMANDING OFFICER, PERSONNEL ORDERS DIVISION**

7. Retain copy of resume and cover letter and **COMMANDING OFFICER'S RECOMMENDATION** in "ACTIVE STATUS" for one year, unless withdrawn by member concerned.

8. Notify borough/bureau personnel administrative manager via email of all approvals/disapprovals.

**BOROUGH/ BUREAU PERSONNEL ADMINISTRATIVE MANAGER**

9. Notify civilian member of results.

<u>TO WITHDRAW TRANSFER APPLICATION WITHIN A DEPARTMENT COMMAND</u>:

**CIVILIAN MEMBER OF THE SERVICE**

10. Prepare a report on **Typed Letterhead**, requesting that resume/cover letter be withdrawn, to Commanding Officer, Personnel Orders Division.

11. Forward to borough/bureau personnel administrative manager.

**BOROUGH/ BUREAU PERSONNEL ADMINISTRATIVE MANAGER**

12. Forward to Personnel Orders Division after consultation with borough/ bureau commanding officer.

**COMMANDING OFFICER, PERSONNEL ORDERS DIVISION**

13. Inform commanding officer, current command, that resume/cover letter is being withdrawn.

***ADDITIONAL DATA***

*Members undergoing severe hardships and those who encounter unusual difficulties in obtaining a transfer that are not specifically addressed in this Order, may contact the Office of Deputy Commissioner, Employee Relations for appropriate guidance during regular business hours. Routine child care and extended travel time to work do not qualify as severe hardships under this procedure.*

*A new request to transfer within the Department will be active for one year.*

*Civilian members of the service requesting to transfer within a command (i.e., different tour or function) will speak to their respective commanding officer, executive officer or personnel administrative manager representative.*

*Civilian members who have been transferred within the past 12 months or who are on probation are not to be transferred without conferral with the Chief of Personnel.*

*A member of the service, barring any special skills, requesting to apply for a transfer within the Department, must have an average of "meets standards" or higher on their last two Performance Evaluations, and not have any pending disciplinary matters or open* ***CHARGES AND SPECIFICATIONS****.*

*The Commanding Officer, Personnel Orders Division will not transfer any civilian members in steps without the express knowledge of the borough/bureau commander and the Commanding Officer, Performance Analysis Section.*

**ORDER OF DESIGNATION**

1. The order of civilian executive designations in the New York City Police Department is:
   a. Police Commissioner
   b. First Deputy Commissioner
   c. Deputy Commissioner
   d. Assistant Deputy Commissioner
   e. Assistant Commissioner
   f. Executive Director/Senior Director
   g. Director
   h. Deputy Director

***ADDITIONAL DATA***

*Allocation of executives, by placing a designation or position one level higher than its highest level subordinate, or one level lower than its immediate supervisor, may not always be practical or consecutive. Some positions may properly be categorized at the same level as their immediate supervisor or subordinate and there may be justification for a two-tier or greater difference in direct supervision.*

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# ADMINISTRATIVE GUIDE

| Section: Civilian Personnel | | Procedure No:319-31 |
|---|---|---|
| **CIVILIANIZATION PROGRAM** | | |
| DATE EFFECTIVE: 03/29/23 | LAST REVISION: R.O. 13 | PAGE: 1 of 2 |

**PURPOSE** To ensure that positions that do not require uniformed expertise are filled by civilian members of the service through an efficient and documented process.

**DEFINITIONS** CIVILIANIZATION - The process of identifying a position held by a uniformed member of the service that does not require uniformed expertise and replacing that member with a civilian holding an appropriate title.

**PROCEDURE** When a position that is, or was filled by, a uniformed member of the service can be civilianized:

**COMMANDING OFFICER/ COUNTERPART**

1. Direct operations coordinator or counterpart to prepare a request on **Typed Letterhead** for civilians to replace uniformed members of the service **,**
   a. Include name and tax registry number of uniformed member of service to be replaced; specify role, functions and/or duties to be performed, as well as length of time for non-civilian assignment.
   b. If no vacancies exist in the civilian allocated headcount, request that one or more additional allocations be added to command's Civilian Allocation Model (CAM) to ensure that the function can be performed upon the civilianization of the position(s).
   c. Confer with Personnel Bureau, Civilianization Evaluation Unit for appropriate guidance.
2. Forward request on **Typed Letterhead**, thru channels, to Chief of Personnel.

IF A CIVILIANIZED POSITION IS TEMPORARILY PERFORMED BY A UNIFORMED MEMBER OF THE SERVICE FOR LONGER THAN 30 DAYS:

3. Document and explain circumstance in a report on **Typed Letterhead** addressed to Chief of Personnel.
   a. Prepare a **Non-Managerial & Managerial Position Allocation Request** (located in the "Department Forms" section on the Personnel Bureau homepage of the Department Intranet), to allow for the classification of the duties to determine the most appropriate civilian title.

**CIVILIAN-IZATION EVALUATION UNIT**

4. Determine if command has an existing vacancy for civilian position.
   a. Conduct research and analysis of the position (e.g., job analysis questionnaires, classification of appropriate civil titles, etc.).
   b. If no vacancy exists, evaluate and classify the duties and responsibilities of the position to determine the appropriate civil service title.

**CIVILIAN-IZATION EVALUATION UNIT (continued)**

c. Confer with Deputy Commissioner, Management and Budget (DCMB) to ensure the appropriate allocation is added to command civilian headcount.

5. Monitor active status (e.g., out on long term sick, vacation, terminal leave, Family Medical Leave Act [FMLA], etc.) of civilian employees and identify civilianized position shortages throughout the Department through the Centralized Personnel Resource (CPR) System.
6. Collaborate with Personnel Orders Division, Civilian Assignment Unit, in filling vacancies or processing requests for civilian replacements in a timely manner.
7. Liaise with DCMB and Office of Management Analysis and Planning to ensure appropriate conversions are made and allocated in the command's CAM.

**COMMANDING OFFICER/ COUNTERPART**

8. Audit roles and assignments of uniformed members of service in CPR System.
9. Monitor and record instances when uniformed members of the service temporarily assume responsibilities of civilianized positions.

<u>WHEN A DETERMINIATION HAS BEEN MADE FOR A POSITION TO BE CIVILIANIZED:</u>

**CIVILIAN-IZATION EVALUATION UNIT**

10. Provide determination to command concerned and to the Office of the Personnel Bureau. .

**OFFICE OF THE PERSONNEL BUREAU**

11. Forward final determination to the Office of Strategic Initiatives.

***ADDITIONAL DATA***

*Commanding officers and counterparts shall proactively monitor positions that can be civilianized, and civilianized positions that need to be properly staffed, to ensure the Department's uniformed operational readiness is maximized.*

*Absent exigent circumstances, uniformed members of the service will not be assigned to roles or assignments, including, but not limited to: roll call, timekeeping, clerical, RMP coordinator, Evidence Property Control Specialist, or any other assignment that is appropriate for an existing civilian title. In instances that a uniformed member of the service is temporarily assigned to one of these roles, the operations coordinator or counterpart will ensure that the change is reflected in the CPR System and that the change does not exceed 90 days.*