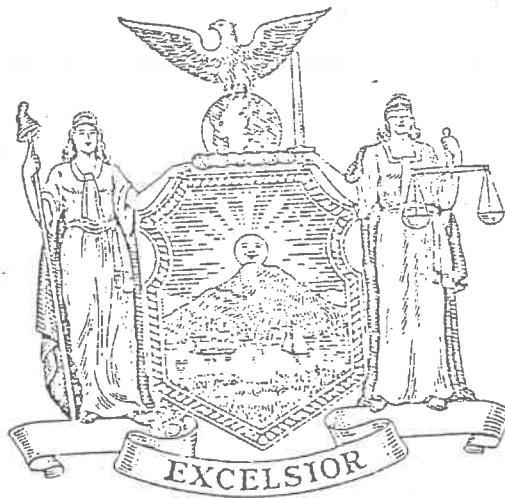


# duties and rules of conduct

Police Department  
Village of Malone  
New York



Bureau for Municipal Police  
Division of Criminal Justice Services  
Executive Park Tower  
Stuyvesant Plaza  
Albany, New York 12203

POLICE DEPARTMENT  
VILLAGE OF MALONE, NEW YORK

DUTIES AND  
RULES OF CONDUCT

Prepared by  
Bureau for Municipal Police  
Division of Criminal Justice Services  
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Stuyvesant Plaza  
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Prepared by the Bureau for Municipal Police, State of New York.

# Law Enforcement Code of Ethics

*As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all men to liberty, equality and justice.*

*I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life. I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.*

*I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.*

*I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.*

## ORGANIZATION

### 1.1 Duties and Responsibilities

The Police Department and its Police Force have the power and it is their duty to:

- 1.1.1 Protect life and property.
- .2 Prevent crime.
- .3 Detect and arrest offenders.
- .4 Preserve the public peace.
- .5 Enforce all laws and ordinances over which the Police Department has jurisdiction.
- .6 Execute all criminal processes in accordance with law.

### 1.2 Chief of Police

The Chief of Police is the chief executive officer of the police department subject to the rules and regulations prescribed by the Board of Trustees, two members of such Board acting as a Police Committee. The government and control of the police department and its members is vested in the Chief of Police.

The Chief of Police shall be designated in accordance with law by the Board of Trustees of the Village of Malone, Franklin County, New York, acting as a Police Committee, to exercise command of the Police Department and its members.

It shall be the duty of the Chief of Police, under the direction and supervision of the Police Committee to administer the police department of the Village of Malone, of which department he shall be the Chief Executive Officer. and he shall have full control of the members thereof.

He shall cause accurate and secure records to be kept of all arrests, services and investigations performed by members of the department, and property taken from persons arrested or seized on a warrant or otherwise together with the disposition thereof.

As administrator of the department he shall enforce discipline at all times, shall demand that all divisions of the department cooperate; the maximum efficiency be con-

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1.2

stantly maintained; shall have the power to prescribe regulations to govern members and employees of the department, and shall hold command officers strictly accountable for the enforcement of the rules and regulations. He shall at least once each month report to the Police Committee the condition of the department and whether the members of his department are delinquent in their duties.

1.3

#### Temporary Absence or Disability of Chief of Police

During the temporary absence or disability of the Chief of Police, when no special designation is made by competent authority, the command automatically devolves upon the senior ranking member of the command. He shall possess all the powers and perform all the duties of the Chief of Police, except the power of making any changes in the Rules and Regulations, appointments, promotions, changes of assignment or detail and he shall carry out the orders previously given, and such orders shall not, except in cases of extreme emergency, be countermanded nor set aside; however, when such action is taken, a report shall be made to the Chief of Police in writing stating the reasons therefor in such instances.

1.4

#### Order of Rank

Chief of Police  
Assistant Chief  
Sergeant  
Patrolman

1.5

#### Seniority

Seniority is determined:

First - by rank.

Second - by continuous service in rank.

Third - by date of appointment to previous rank or ranks.

Fourth - by date of appointment to Department.

Fifth - by highest score on civil service list from which appointments were made.

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## ARTICLE II

### DUTIES OF CHIEF OF POLICE

#### 2.1 General Duties

Within the boundaries of the Village, the Chief of Police shall be charged with and responsible for:

.2.1.1 The enforcement of all laws, ordinances and regulations, and is especially charged with enforcement of laws relating to vice, gambling, narcotics and dangerous drugs, public morals and intoxicating liquors.

.2 The regulation and movement of vehicular and pedestrian traffic in streets, roads, places and highways, as described in the Vehicle and Traffic Law of the State of New York and Village Ordinances.

#### 2.2 Specific Duties

2.2.1 enforce the Rules and Regulations of the Police Department and is charged with and responsible for the discipline and efficiency of the members of the Force and Department;

.2 provide each member with a copy of the Rules and Regulations, and see that he is properly instructed in his duties, and that he performs them in such a manner as to render effective police service; also that he is instructed with regard to his conduct, on and off duty, so that his conduct will not be detrimental to the good order and efficiency of the Police Department;

.3 assure the accurate preparation, maintenance and forwarding of reports and records;

.4 carefully examine frequently all books and records required to be kept in conformity with the laws of the State of New York and the Rules and Regulations of the Department and see that entries therein are properly made;

.5 as directed, take inventory, inspect and maintain department building, property and equipment, and forward a report to the Police Committee.

- 2.2.6 account for the property assigned to and issued for the use of members of the Department, and is responsible for the proper care, economical use, sufficiency and serviceability thereof and shall make frequent inspections thereof;
- .7 submit the annual budget to the Police Committee, as directed;
- .8 frequently visit every building or parts thereof assigned to his Department and all parts of the territory within the boundaries of the Village at intervals of the day and night, and take, or direct to be taken, such action as may be required to render effective police service and to maintain proper discipline. He shall frequently test the knowledge of subordinates as to conditions upon their posts;
- .9 communicate frequently with the Desk Officer when on patrol, and when absent, except with leave, shall keep the Desk Officer informed where he may be found;
- .10 carefully investigate the following, occurring within his Department, and shall forward a written report, in full detail to the Police Committee:
- a. The reported death of any member of the Department, while acting in the discharge of duty.
  - b. Cases of special faithfulness to duty, exceptional skill and bravery in the performance of duty, and where first-aid of an exceptional nature has been rendered by any member of the Force or Department.
  - c. Cases of civilians who render assistance to the Police Department, or any member thereof, in the apprehension of a criminal or in an emergency.
- .11 carry out the following in addition to all other reports, when a member of the Force is injured:
- a. He shall make a careful investigation of the circumstances of the injury, and shall where possible interview and obtain a signed statement from each witness.

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- 2.2.11 b. He shall make a report of the results of such investigation. This report shall show whether or not, in his opinion, such injury was sustained in the performance of police duty, whether or not negligence on the part of the injured member contributed to the injury, and the names and addresses of all witnesses.
- c. He shall forward a written report of his findings to the Police Committee.
- .12 at least once each week, personally inspect the uniform and equipment of members of the Department at an outgoing Roll Call of the platoon to which the member is assigned making written record of such inspection. He shall at all times give particular attention to the uniforms, equipment and general appearance of the members of the Force;
- .13 carefully observe the police duty performed by Probationary Patrolmen, and shall report to the Police Committee prior to the expiration of the probationary period, the manner in which such duty was performed;
- .14 obtain all Police Department property, and all revolvers and pistols, in the possession of a member of the Force who resigns, retires, is dismissed or enters active military service, and shall obtain all Police Department property and all revolvers and pistols from among the effects of a member who dies;
- .15 divide into posts the territory within the Police jurisdiction of the Village. A post shall be designated as indicated:
- a. A patrol post includes the public thoroughfares within the boundaries of the post. It does not include the interior of buildings, except as otherwise specified.
- b. A traffic post includes the portion of the public thoroughfare necessarily included in the regulation of vehicular and pedestrian traffic.
- c. A hospital post shall include that portion of the hospital in which a prisoner or prisoners are confined under police jurisdiction.

## ARTICLE II

- 2.2.15 d. A special post is a temporary post. The purpose, location, boundaries and time during which it is to be covered must be specified and approved by the Chief of Police or Acting Chief of Police.
- .16 issue written and verbal orders to attain Department goals;
  - .17 when a burglary or other serious crime is committed, or a serious accident occurs under circumstances which indicate that the member of the Force on post might have prevented it, the Chief of Police shall cause an investigation to be made, and if the investigation reveals neglect on the part of the member, he shall prefer written charges against the member;
  - .18 with the approval of the Police Committee, establish duty charts; such charts have the force and effect of Rules and Regulations when authenticated with the original signature of the Chief of Police;
  - .19 evaluate programs;
  - .20 draft specifications for equipment, uniform and insignia;
  - .21 develop plans to meet Department needs;
  - .22 control Department expenditures;
  - .23 maintain suitable relations with mass communications media;
  - .24 cooperate with all law enforcement agencies and officers in matters of mutual interest;
  - .25 provide leadership and guidance in developing loyalty and dedication to the police profession;
  - .26 train, direct, supervise and evaluate members in their assigned duties. Recommend remedial or disciplinary action for inefficient, incompetent or unsuitable members;
  - .27 sustain a member of his command who is properly performing his duty;
  - .28 correct subordinates in a dignified manner;
  - .29 insure the security and care of prisoners and sick, injured or unconscious persons and will obtain medical care when needed;

2.2.30 deal fairly and equitably with subordinates;

.31 conduct formal parades and roll calls in a professional manner;

.32 at all times conduct himself in a manner which will provide leadership and guidance to the members of his Department and enhance the public image of police in general;

.33 prepare the vacation list for the following year by the fifteenth of December.

2.3 The Chief of Police may excuse for one tour of patrol duty a member of the Department who performs any exceptional act or deed of particular merit, which in his opinion deserves recognition, provided the exigencies of the service permit. A brief but comprehensive report of the act or deed for which he rewards such member will be forwarded to the Police Committee, and he shall file a copy in the member's service record.

2.4 The Chief of Police may, in his discretion, suspend from duty and report to the Police Committee any member or employee of the Department for any violation of the Rules and Regulations or for any insubordination.

## DUTIES OF ASSISTANT CHIEF

## 3.1 General Duties

Within the boundaries of the Village, the Assistant Chief shall be charged with and responsible for:

3.1.1 The enforcement of all laws, ordinances and regulations, and is especially charged with enforcement of laws relating to vice, gambling, public morals and intoxicating liquors.

.2 The regulation and movement of vehicular and pedestrian traffic in streets, roads, places and highways, as described in the Vehicle and Traffic Law of the State of New York and Village Ordinances.

## 3.2 Specific Duties

3.2.1 be responsible to and under the supervision of the Chief of Police;

.2 have such hours of duty as the Chief of Police may prescribe;

.3 be acquainted with and enforce all laws of the State of New York and the Ordinances of the Village that the Police Department is charged with the responsibility of enforcing;

.4 familiarize himself with administrative policy and be responsible for the enforcement of all Department orders and the Rules and Regulations; and he shall maintain discipline and efficiency in every branch of the Department;

.5 investigate thoroughly during his tour of duty, any complaints of misconduct or laxity made against any member of the Department; and submit a written report without delay to the Chief of Police;

.6 ( LEFT BLANK FOR FUTURE USE)

.7 require the accurate preparation, maintenance and forwarding of reports and records by Department members;

.8 at intervals, patrol the Village in a radio equipped vehicle, observing, inspecting and supervising the performance of duty by subordinates assigned to patrol.

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### ARTICLE III

- 3.2.8 During such patrol he shall maintain radio contact with the radio dispatcher.
- .9 in the event of a serious emergency, (extensive fire, explosion, heavy snow, plane crash, major hold up, etc. etc.) during his tour of duty immediately exercise his command function in the disposition of men and equipment. He shall immediately cause the Chief of Police to be notified and those Village Departments who operations would be effected by such emergency. This will also include notifying the Mayor of the Village of Malone.
- .10 BE SUBJECT TO ANY OTHER DUTIES ASSIGNED BY THE CHIEF OF POLICE.

## ARTICLE IV

### DUTIES OF SUPERVISORY PERSONNEL

#### 4.1 GENERAL DUTIES

A supervisory member will be responsible for the enforcement of all laws and ordinances, department rules and regulations, orders, procedures, discipline, punctuality and attendance, appearance good order and efficiency of members within his assigned jurisdiction.

#### 4.2 A supervisory member will:

4.2.1 perform specific duties and functions as assigned by the Chief of Police or Assistant Chief of Police;

.2 obey all lawful orders;

.3 perform assigned tasks;

.4 provide leadership and guidance in developing loyalty and dedication to the police profession;

.5 train, direct, supervise and evaluate members in their assigned duties. Recommend remedial or disciplinary action for inefficient, incompetent or unsuitable members;

.6 communicate orders, information and instructions;

.7 inform his relief of all necessary police matters;

.8 be present at prescribed roll calls;

.9 at established intervals inspect personnel, vehicles and equipment;

.10 report to his superior officer absentees and any deficiencies in his men and equipment;

.11 insure that recovered property is handled in accordance with department orders;

.12 insure department recourses are used efficiently and effectively;

.13 account for all monies and valuables received, processed and disbursed in conformance with department orders;

#### ARTICLE IV

- 4.2.14 inquire into the circumstances of all arrests to assure that all persons are handled in conformance with Department policy and orders;
- .15 know and conform to the current bail provisions of the Criminal Procedure Law, State of New York;
- .16 report promptly matters of police importance to his superior officers;
- .17 insure that all appropriate Village Departments are informed of emergencies which require their attention;
- .18 direct activities of subordinate members for the purpose of achieving the objectives of the Police Department;
- .19 perform those duties of the members of the Force that are applicable to him;
- .20 when in uniform, maintain a professional bearing and render professional courtesy to superior officers;
- .21 assemble and remove details and parades in a professional manner.

## ARTICLE V

### DESK OFFICER

- 5.1 The Desk Officer shall be designated by the Chief of Police.
- 5.2 The post of the Desk Officer is within the confines of the area designated for the use of the department operational and complaint reception function.
- 5.3 Upon beginning his tour of duty, and at the conclusion of it, a Desk Officer shall immediately sign his name in the department record provided for such purpose and give the correct time of each signing. He shall make prompt, accurate and necessary entries of official business in Department records in a manner prescribed for making and keeping such records.
- 5.4 A Desk Officer shall not leave the desk during his tour of duty except for personal necessity, meal period, official duty within the departmental building or upon urgent police business. When required to leave his post for any reason, he shall do so only in the manner prescribed by the Chief of Police.
- 5.5 A Desk Officer shall be responsible during his tour of duty for all telephone and teletypewriter and radio messages received and the necessary action thereon and the transmission of all orders and instructions from competent authority, effecting any member of the Force or Department.
- 5.6 A Desk Officer shall not permit anyone behind the desk except a superior officer, or other member of the Department in the line of duty, or as otherwise directed by the Chief of Police.
- 5.7 A Desk Officer shall make proper entries whenever a member of the Department or Force reports to him either for or from duty.
- 5.8 A Desk Officer shall have charge of all teletype, telephone, radio and electrical equipment used in the administration of the Desk Officer's functions.
- 5.9 The Desk Officer shall inspect, or cause to be inspected, supplies delivered to his command for quantity and quality, and shall note receipt of same in the prescribed department records.



ARTICLE V

- 5.10 During his tour of duty, a Desk Officer is responsible for the courteous receipt of all complaints and their proper entry in prescribed Department records, and instituting proper police action with respect thereto.
- 5.11 When a burglary or other serious crime is committed, or a serious accident occurs under circumstances which indicate that the member of the Force on post might have prevented it, the Desk Officer shall notify the patrol supervisor immediately.
- 5.12 Shall, without unnecessary delay, refer to the Detectives an arrest or other case for other authorities.
- 5.13 Desk Officer shall bring to the attention of the Chief of Police or his immediate Commanding officer all matters of importance, such as unusual occurrences, any exceptional act or deed of particular merit performed by members of the Force or Department, and important messages or conditions requiring his attention.
- 5.14 Shall record on the authorized books and forms all police business affecting the department occurring or reported during his tour. He shall take proper action with respect thereto.
- 5.15 The Desk Officer shall know and conform to the current bail provisions of the Criminal Procedure Law, State of New York.

## ARTICLE VI

### DUTIES OF MEMBERS OF THE FORCE

#### 6.1 General Duties

A member of the Force will be responsible at all times for the prevention of crime, enforcement of all laws and ordinances, preservation of the public peace, protection of life and property, arrest and prosecution of law violators and professional adherence to Department rules and regulations.

#### 6.2 Specific Duties

A member of the Force will:

- 6.2.1 Know and conform to Department rules and regulations, orders and procedures.
- .2 Perform assigned duties in a professional manner.
- .3 Obey all lawful orders.
- .4 Be in attendance for those hours specifically assigned and will be considered on duty at all times for the purpose of rendering emergency police service.
- .5 Participate in formal parades and roll calls in a professional manner.
- .6 When in uniform, maintain a professional bearing and render professional courtesy to superior officers.
- .7 Members shall treat Superior officers, subordinates and associates with respect. They shall be courteous and civil at all times with their relationship with one another. When on duty, and particularly in the presence of other members, employees or the public, officers will be referred to by Rank.
- .8 Identify self by name, rank and shield number when so requested.
- .9 Have a residence as provided in the laws of the State of New York and the Village.

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## ARTICLE VI

- 6.2.10 Report immediately any incapacity or inability to perform Department duties in the manner prescribed by the rules and regulations;
- .11 Report any change of marital status, address, selective service rating or other matter effecting the administration of the department;
- .12 Receive, record and service immediately all complaints and requests for service. Refer and transfer complaints and requests only in accordance with department orders;
- .13 Possess a valid N.Y. State operators license. If revoked or suspended, immediately report same to the Chief of Police;
- .14 Remain on his duty assignment and leave only for a police or personal necessity. If required to leave, he will record the time of his departure and the reason and report this information to the desk officers as soon as possible;
- .15 Provide security and care for prisoners and others delivered in his custody;
- .16 Search ALL male prisoners;
- .17 Have female police officers conduct search of female prisoners, unless during street arrest confrontation warrants a limited search in order to secure the safety of the officers involved;
- .18 Help secure medical attention for all sick and injured persons;
- .19 When assigned to a motor vehicle;
  - a. Inspect it for damage or defects;
  - b. Report to supervisory officers any defects observed or incurred;
  - c. Protect it from possible damage or theft;
- .20 When operating a motor vehicle;
  - a. use skill, good judgement and care for the safety of persons and property;
  - b. obey all traffic regulations unless on emergency assignment;

## ARTICLE VI

- 6.2.21 Submit transfer requests in conformance with Department procedures.
- .22 Give a minimum of one week's notice of intention to resign from the Department.
- .23 Wear the regulation uniform in the prescribed manner when assigned to uniform duty.
- .24 Report immediately the loss or damage of any departmental equipment.
- .25 Notify the fire department when a fire is discovered. Assist and cooperate with the fire department.
- .26 Attend court promptly when required or ordered.
- .27 Report the reason for court absence or tardiness to the Chief of Police through the Desk Officer.
- .28 Appear in court in the regulation uniform unless assigned in civilian dress and then in suitable business attire.
- .29 When subpoenaed or requested to testify in behalf of the defense in any criminal prosecution, or in behalf of the plaintiff or defendant in a civil matter in which Village, town, county or state is a party thereto, report immediately the receipt of such subpoena or request to the Chief of Police before appearing at any hearing, or before entering into any discussion of the matter with anyone other than the legal representatives of the Village, town, county or state.
- .30 Report to the Chief of Police any information of a police nature, including offenses involving himself or others, and offenses with which he has been charged, except minor traffic offenses.
- .31 Give evidence before the Grand Jury, court or other governmental administrative bodies and the Board of Trustees when requested.
- .32 Investigate any person suspected of operating a motor vehicle while in an intoxicated condition and/or under the influence of drugs and direct the administration of a chemical test to said person in accordance with the procedure prescribed by the police department.

## ARTICLE VI

6.2.33 Immediately notify the Desk Officer of an unusual occurrence, important casualty, serious crime or unsafe public condition on his post. The first Superior officer at the scene shall also IMMEDIATELY notify the Desk Officer of all the facts that he has gathered and shall thereafter personally inform the Desk Officer of all new developments.

.34 Obey the laws and ordinances which he is obligated to enforce.

## ARTICLE VII

### DUTIES OF CIVILIAN MEMBERS

#### 7.1 General Duty

A civilian member will be responsible for the proper and efficient performance of his assigned duties.

#### 7.2 Specific Duties

A civilian member will:

7.2.1 Obey all lawful orders of a superior.

.2 Be bound by the Rules and Regulations, orders and procedures of the Department insofar as they apply.

.3 Report promptly to superior officers any violation of any law or Rules and Regulations of which they have knowledge.

## ARTICLE VIII

### PATROL DIVISION

- 8.1 Patrol Officers shall be under the direction and command of, and shall be responsible to, the member of the Force designated as Commanding officer of the Patrol Division by the Chief of Police.
- 8.2 Patrol Officers shall be responsible for the diligent and conscientious performance of the duties imposed upon them by law, by the rules, regulations and procedures of the Department, and the lawful orders of their Superior officers.
- 8.3 Patrol Officers, unless otherwise directed, shall constantly and alertly patrol their areas, giving particular attention to those locations most vulnerable to the commission of crime.
- 8.4 Patrol Officers shall thoroughly acquaint themselves with their assigned area of patrol, and do all in their power to prevent any breach of the peace, or violation of law.
- 8.5 Patrol Officers shall familiarize themselves with the location of all police, fire, and other communication facilities in the Village.
- 8.6 Patrol Officers shall continually check the security of the business places on their posts after closing hours.
- 8.7 Patrol Officers shall continually inspect their patrol areas carefully noting any condition requiring police attention and shall take whatever action is necessary in the situation.
- 8.8 Frequent occurrence of crime on any post may indicate lack of ability or attention to duty by the officer assigned, and shall be the subject of review, and possible disciplinary action.
- 8.9 Patrol Officers shall make a memorandum of current complaints, and all matters of police interest relating to their posts, and give proper attention to the same.

## ARTICLE VIII

- 8.10 Patrol Officers shall keep a memorandum of all occurrences, or information received, which may be of interest to any branch of the Department or other agency, or upon which he may be required to report, and promptly transmit the same.
- 8.11 Patrol Officers shall give particular attention to premises where narcotics, dangerous drugs, liquor, vice or gambling laws may be violated, and shall do all in their power to prevent such activity. They shall promptly report their observations and action taken, to their Supervising Officer or Desk Officer.
- 8.12 Patrol Officers shall carefully observe conditions which could lead to the development of crime or criminal opportunities, take such preventive action as the condition may indicate, and report their observations, actions, or recommendations, to their Supervising Officer or Desk Officer.
- 8.13 Patrol Officers shall give particular attention to streets of heavy traffic, signalized intersections, and traffic control signs. The responsibility of the Patrol Officers in the enforcement of traffic violations is as great as in the enforcement of other laws. Members failing to take appropriate action upon view of a traffic violation are subject to the disciplinary action as for any other neglect of duty.



## ARTICLE IX

### AUTHORITY AND COMMAND

- 9.1 Command is exercised by virtue of Office, or special assignment of Officers who are eligible by Law to exercise command. Subject to direction from higher command, a Commanding Officer has direct control over all members and employees within his command.
- 9.2 When officers of equal rank are present, and in the performance of the same operation, the senior ranking officer shall be in command, unless otherwise directed.
- 9.3 A member who succeeds to any command or duty, stands in regard to his duties, in the same situation as his predecessor. The member relieved shall turn over to his successor all orders relating to that position in force at the time, and all funds and properties pertaining to it. He shall receive, upon request, receipts showing the condition of each article so transmitted.
- 9.4 An Officer relieving or temporarily filling the position of a superior, in an acting capacity, shall be vested with all the authority and responsibilities of the superior, but the acting Officer shall not interfere with, countermand, or modify the orders previously issued by the superior, except in extreme emergency.
- 9.5 Members acting in the capacity of a higher rank shall be accorded the same obedience and respect as the permanent ranking officer.
- 9.6 Should an order conflict with any previous order issued by any other ranking officer or with any department or provision of the Department Rules and Regulations, the member to whom such order is issued shall respectfully call attention to the conflict; responsibility for countermanding the original order then rests with the individual issuing the second order. If so directed, the latter command shall be obeyed.
- 9.7 Issuance of orders to a subordinate does not relieve a Ranking Officer from the responsibility to see that the orders are obeyed.

## ARTICLE IX

- 9.8 Ranking Officers shall not perform the duties regularly assigned to a subordinate, when the subordinate is available to perform them.
- 9.9 Adherence to the Chain of Command, shall not be bypassed except in an emergency.
- 9.10 Ranking Officers may exercise command over subordinates not of their regular command whenever, in his judgment, such action is necessary in order not to jeopardize the police purpose or the reputation of the Department.
- 9.11 Ranking Officers in command of the various branches of the Department shall establish methods, techniques and procedures best suited for the accomplishment of the functional objectives of their particular bureaus. Such procedures and techniques shall be subject to the approval of the Chief of Police, and shall not be in conflict with the law, or any rule or order of the Department.
- 9.12 Whenever authority is delegated to a member of the Department, he shall be held accountable for the proper use of such authority.
- 9.13 In order to maintain a proper chain of command, a member will, as a general rule, be required to take direct orders from, and be responsible to, one Ranking Officer. Ranking Officers, however, shall exercise direct command over lower ranks outside their usual command in all situations where the police purpose or the reputation of the Department is jeopardized; or if no other provision is made for personnel temporarily unsupervised. If a Ranking Officer requires a subordinate, not of his command, to leave a regular assignment, the Ranking Officer so directing will inform the subordinate's superior as soon as possible.

## ARTICLE X

### RULES OF CONDUCT

- 10.1 A member of the Department shall not violate either by commission or omission any of the following acts:
- 10.1.1 Conduct which brings discredit upon the Department.
  - .2 Failure to perform a duty.
  - .3 Disobedience of an order.
  - .4 Insubordination or disrespect toward a Superior Officer.
  - .5 Inattention to duty.
  - .6 Lounging or sleeping on duty.
  - .7 Being absent from duty without proper authorization.
  - .8 Leaving duty assignment without being properly relieved or without proper authorization.
  - .9 Incompetency or inefficiency in the performance of duty.
  - .10 Entering any tavern, liquor store or bar in uniform or any part thereof except when it is necessary for inspection or for the immediate performance of a police duty.
  - .11 Drinking alcoholic beverages while on duty. Members in plain clothes may drink alcoholic beverages while on duty, only when necessary to accomplish a police purpose while acting under specific orders of a Superior Officer.
  - .12 Drinking alcoholic beverages while in uniform or any part thereof whether on or off duty.
  - .13 Intoxication whether on or off duty.
  - .14 Violation of any duly constituted law.
  - .15 Disorderly conduct.
  - .16 Immoral conduct.

ARTICLE X

- 10.1.17 Using coarse, profane or insolent language to any person.
- .18 Failure to treat any person civilly and respectfully.
- .19 Willful maltreatment of any person.
- .20 Knowingly make a false report, written or oral.
- .21 Failure to wear the regulation uniform when on duty or on official business unless otherwise authorized by the Chief of Police or Commanding officer.
- .22 Failure to maintain a neat and clean appearance of self, uniform and equipment.
- .23 The use of any tobacco or chewing gum while in uniform in public except while on meal period or authorized break.
- .24 Standing or walking with hand in pocket of uniform.
- .25 Receiving or attempting to receive a fee, gift, present or other thing of value from a person under arrest or from someone else on behalf of the arrested person.
- .26 Receiving, soliciting or attempting to solicit a bribe in any form.
- .27 Publicly criticizing the official actions of a Department member.
- .28 Disseminating or releasing any information contained in a Department record except in conformance with Department procedures.
- .29 Failure to pay a just indebtedness within a reasonable time.
- .30 Failure to identify self by name, rank and shield number when requested.
- .31 Failure to seize, record, process and dispose of recovered or prisoner's property in conformance with Department orders and procedure.
- .32 Failure to handle stray or dead animals in conformance with Department orders and procedure.

• ARTICLE X

- 10.1.33 Failure to notify a Superior Officer that a member of the Department is violating a rule or order of the Department.
- .34 Deliberate violation of Civil Service Laws or Regulations pertaining to police management and control.
- .35 Possessing or transporting when on duty or on Department property any intoxicating liquor, dangerous drug or narcotics except when in performance of police duty or when authorized by competent medical authority. In the latter instance the Chief of Police will be notified in writing of the need for such prescription by the member concerned.
- .36 Defacing or neglecting to protect and preserve Department property.
- .37 Failure to obey Department orders concerning other employment, occupations or professions.
- .38 Engaging directly or indirectly in the forbidden ownership, maintenance or operation of a taxi cab, tavern or retail liquor establishment.
- .39 Allowing the publication of any photograph of oneself in the regulation uniform which advertises any commodity or commercial enterprise without the permission of the Chief of Police.
- .40 Communicating or corresponding with other police agencies or individuals concerning police matters except as provided by departmental procedures.
- .41 (LEFT BLANK FOR FUTURE USE)
- .42 Failure to keep Department vehicle in public view while assigned to general patrol duty except when authorized by a Superior Officer.
- .43 Concealing Department vehicle for the sole purpose of apprehending traffic violators except when authorized by a Superior Officer.
- .44 Permitting any person not on official business to ride in a Department vehicle unless specifically authorized.

ARTICLE X

- 10.1.45 Riding in or on a non-department vehicle during duty hours except when authorized by a Superior Officer or in pursuit of official police business.
- .46 Operating a Department vehicle out of the village except in immediate pursuit of law violators or when on official police business authorized by the Chief of Police, or his immediate supervisor;
- .47 Operating a Department vehicle without proper authorization or on other than official police business.
- .48 Pulling, pushing or towing any vehicle with a Department vehicle except as authorized by the Chief of Police.
- .49 Altering Department equipment in any way except as authorized by the Chief of Police.
- .50 Carrying any rifle, shotgun, machine gun, gas gun or substituting for the regulation service revolver any weapon, not authorized by the Chief of Police or adding a concealed auxiliary hand gun while on duty not authorized by the Chief of Police.
- .51 Unlawful or unnecessary use or display of a weapon.
- .52 Failure to report the discharge of a weapon
  - a. orally and immediately to a Superior Officer,
  - b. in writing to the Chief of Police without unnecessary delay.
- .53 Selling, giving, lending or disposing of a dangerous weapon as outlined in Section 265:05 of the Penal Law of the State of New York contrary to the provision of Section 265:10 of the Penal Law and the Rules and Regulations of the Department.
- .54 Giving an opinion as to fine or penalty to a violator or suspect.
- .55 Giving an opinion as to bail except by those specifically authorized to admit to bail.
- .56 Failure to take, record and act upon complaints except as prescribed by department orders.
- .57 Removing, altering or changing any official Department record except as provided for in Department orders.

## ARTICLE X

10.1.58 Issuing any device which purports to grant special privileges to the holder.

.59 Displaying in any manner non-departmental or departmental posters or pictures in or on any Department property or equipment except in conformance with Department orders or procedures.

.60 Obligating the Department financially in any manner except as authorized by the Chief of Police or the Police Committee.

.61 Recommending to any citizen any bondsman, lawyer, undertaker, physician, hospital, towing or repair service, or other professional or commercial service.

.62 Failure to report any information of a police nature in conformance with Department orders and rules and regulations.

.63 Failure to obtain official permission to participate in public discussions of police or Department business except as provided for in Department orders.

.64 Interviewing, questioning or interrogating any person in a cell.

.65 Entering any police lock-up except on official police business.

.66 Associating or fraternizing with known criminals or persons of ill repute except in the immediate discharge of official duties or with authorization of the Chief of Police.

.67 Soliciting or accepting a gift, present, reward, gratuity or other thing of value for any service rendered as a Department member, excluding gifts received from relatives or close friends upon appropriate occasions, without the consent in writing of the Chief of Police.

.68 Seeking or soliciting contributions of any kind from anyone, by any means, for any purpose; under any circumstances, including collections for charitable purposes by any member, group of members or their agent, except as specifically authorized by the Chief of Police.

ARTICLE X

10.1.69

.70

( LEFT BLANK FOR FUTURE USE )

.71

- .72 Failure to submit a written report that he is under investigation by another law enforcement agency to the Chief of Police within 24 hours of becoming aware of such investigation.
- .73 Refusal to sign an immunity waiver when so ordered in a matter connected with his official duties.
- .74 Refusal to testify on the grounds of possible self-incrimination.
- .75 Participation by Department members or urging the participation by other members in any strike, slow-down, or other concerted action which is in any degree adverse to the maintenance of the public safety or welfare.
- .76 Affiliation with any organization or body, the constitution or regulations of which would in any way exact prior consideration, and prevent him from performing his Departmental duties. However, membership in any union or other organization in connection with and relating solely to approved secondary employment of members of the Department and required membership in military reserve units are specifically excepted from this regulation.
- .77 No member of the Department may seek the influence or intervention of any person outside the Department for the purpose of personal preferment, advantage, transfer or advancement.



- 10.1.78 No member or members of the Department shall initially contact the Board of Trustees on police problems except through regular channels or by permission of the Chief of Police.
- .79 No member of the Force, unless authorized by the Chief of Police, shall possess keys to any premises, not his own, on or near his beat.
- .80 No member of the Department shall use habit forming or dangerous drugs or narcotics unless properly perscribed by a dentist or physician. In such instance the Chief of Police will be notified in writing of such need.
- .81 No member of the Department shall play games of cards or chance in a Department building or engage in illegal gambling anywhere.
- .82 A member violating any of the provisions of this article shall be subject to disciplinary action as provided by law.

## ARTICLE XI

### GENERAL RULES

All members of the Police Department shall be subject to the Rules and Regulations. Members of the Department are not merely employees, but are officers of this State and Village charged with specific duties in maintaining public order and administering justice. Therefore, every member's sole responsibility must be to the Chief of Police, and through him to the public.

- 11.1 It is the duty of the Police Department and the members of the Force, at all times of the day and night, to protect life and property, prevent crime, detect and arrest offenders, preserve the public peace and enforce all laws and ordinances over which the Police Department has jurisdiction.
- 11.2 A patrolman, regularly performing patrol duty, shall proceed to his designated post or relieving point without unnecessary delay, inspect his post immediately, remain constantly alert and observant, note any condition thereon requiring police attention and take appropriate action.
  - 11.2.1 He is charged with the enforcement of all laws and ordinances, especially with those relating to vice, gambling, narcotics and dangerous drugs, public morals and intoxicating liquors; also with the proper condition and maintenance of departmental equipment, traffic control equipment of all types, street lights, public highway, curb and sidewalk conditions within the boundaries of the post to which he is assigned; he shall promptly report through official channels any condition requiring attention and shall provide safeguards when necessary.
- 11.3 A member of the Force or Department shall be fit for duty and subject to duty at all times except when on sick report. He shall not engage in any other occupation except when suspended from duty without pay; or when, having filed his application for retirement, he is on continuous vacation or other authorized leave, or when having made application on the prescribed form, he has been granted a work permit by the Chief of Police.

## ARTICLE XI

- 11.4 Members of the Force shall be held strictly accountable for all information acquired by them on or off duty, regarding all suspicious persons or places within the Village.
- 11.5 A member of the Force or Department shall treat as confidential the official business of the Police Department. He shall not talk for publication, nor be interviewed, nor make public speeches, nor shall he impart information relating to the official business of the Department to anyone except under due process of law and as directed, or with the permission of the Chief of Police.
- 11.6. Firearms: The indiscriminate and careless use of firearms is strictly prohibited.
- 11.6.1 The following rules for the proper use of firearms will be adhered to:
- (a) Unauthorized use of firearms will be cause for disciplinary action.
  - (b) No officer shall fire so-called "warning shots".
  - (c) "Dry firing" or snapping the action of a firearm is forbidden in or on any departmental premises except when authorized during a firearms training program.
  - (d) No officer shall fire at a vehicle, conveyance or structure when the identity of the occupants is not known to him, except in defense of himself or others as permitted by law.
  - (e) The responsibility for any use of a firearm shall be borne by the officer who fires the weapon.
  - (f) Officers, shall discharge firearms only in self defense, or in defense of the life of another and always only to the extent permitted by law. Firearms shall be fired only when their use is permitted by Section 35.30 of the Penal Law, or in accordance with the provisions of the Criminal Procedure Law and Agriculture and Markets Law dealing with the destruction of animals.

## ARTICLE XI

### 11.6.1

- (g) Except as set out in rules c, d, and f, officers shall draw their firearm only for cleaning and official supervisory inspection or, when in the judgment of the officer to whom the firearm is assigned, readiness to fire is essential to the protection of life.
- (h) Only an officially approved revolver shall be carried on and off duty.
- (i) Members shall be responsible for the security of their firearms at all times.
- (j) While on duty, members shall wear their side-arms in the prescribed manner.
- (k) Members shall report the loss or theft of a firearm capable of being concealed on the person or the discharge of their weapon in accordance with the provisions of Article 11.1.52.

### 11.7

A member of the Department found guilty of violating a rule or regulation of the Department, or of the provisions of any order or orders, or of disobedience of orders, or of intoxication while on duty, or while in uniform, or of conduct unbecoming an officer, or of making a false official communication, record or statement, or a member of the Department convicted in a court having criminal jurisdiction, may be dismissed from the Department, or suffer such other punishment as the Police Committee may direct.

### 11.8

Disorder or neglect to the prejudice of good order, efficiency or discipline, though not specifically mentioned in the Rules and Regulations, shall be taken cognizance of by the Department, and members of the Department found guilty thereof will be punished at the discretion of the Police Committee.

## PENALTIES

- 12.1 A member of the Department found guilty of violating the rules and regulations and orders of the Department is subject to one of the following actions:

Reprimand

Fine

Suspension with or without pay

Reduction in grade

Dismissal or removal from the Force  
or Department

- 12.2 Separation of a member by the Board of Trustees is warranted for incompetent, inept or inefficient performance of duty. Repeated disciplinary actions even for minor infractions will be considered prima facie evidence of unsuitability for police service.

## DEFINITIONS

13.1 The following definitions govern the use of these terms in the rules and regulations of the Department:

BOARD OF TRUSTEES:	<p>The Mayor and the Trustees of the Village of Malone shall constitute the Board of Trustees thereof.</p> <p>The Board of Trustees acting as Police Commissioners may make, adopt and enforce rules, orders and regulations for the government, discipline, administration and disposition of the Police Department of such village, and the members thereof. (Section 188-e - Village Law)</p>
DEPARTMENT:	<p>The term "police department" or "department" means the Department of Police of the Incorporated Village of Malone, Franklin County, New York and such term includes the term "police force".</p>
FORCE:	<p>The term "police force" or "force" includes all members of the Police Department who have taken the oath of office and who possess the police power of arrest.</p>
OFFICER:	<p>A member of the police force possessing the power of arrest.</p>
MEMBER:	<p>Any employee of the Department.</p>
PRONOUNS:	<p>All pronouns include the masculine and feminine gender unless otherwise specified.</p>
REGULATION EQUIPMENT:	<p>Equipment which meets specifications established by a Department order.</p>
SUPERVISORY OFFICER:	<p>Any member, other than the Chief of Police, who is authorized to direct the activities of others.</p>
ON DUTY:	<p>Hours specifically assigned to a member or any time involved serving during a police emergency even though a member was not specifically assigned.</p>
OFF DUTY:	<p>All hours other than when on duty.</p>
LAWS AND ORDINANCES:	<p>Those laws, both state and local, and ordinances, the enforcement of which is the responsibility of the Department.</p>

Prepared by the Bureau for Municipal Police, State of New York.

Print All Entries • USE BALLPOINT PEN • Press Hard  
UT-3.3 (7/03) New York State • Department of Motor Vehicles  
LT 978751 4 SIMPLIFIED TRAFFIC INFORMATION  
MALONE VILLAGE POLICE AGENCY  
Last Name (Defendant) WOLTZ First Name Joshua M.I. L  
Number and Street PO Box 712 Apt. No.  
[Redacted]  
Plate Number DAL4484 Reg. State NY Reg. Type PAS Color RD Veh. Type 1  
Vehicle Year/Make 96 HONDA Operator Owns Veh. Yes No People of the State of New York Versus Defendant. The Undersigned Officer Accuses Defendant of the Following Offense Committed On  
Weekday WED Date of Offense 08/31/05 Time AT 7:00 P M 1  
Street Name ON EAST MAIN STREET Hwy. Type 2 Hwy. No. 11 Location Code  
IN VIOLATION OF malone CO. OF FRANK M24  
IN VIOLATION OF NYS V&T Law 01 Other Law  
Sec 403 Sub 1  
Description of Violation Registration NOT Affirmed MPH MPH Zone  
IN  
AFFIRMED UNDER PENALTY OF PERJURY  
(Officer's Signature) Ptd. Scott M. Mulverhill  
Officer Operating Radar  
Date of Affirmation 08/31/05  
NCIC/ORI 01624 DIV/Troop MUPD PCT/Zone Sector/Station  
Officer's Last Name (print) mulverhill F.I. M.I. Badge/Shield 5 m 8053  
YOU ARE HEREBY DIRECTED TO APPEAR IN THE  
City Town Village COURT Village of Malone  
Address 14 Elm STREET  
City Malone State NY Zip 12953 Court Code  
Date ON 09/12 YEAR 05 AT 9:00A M Justice Code  
Charge Convicted of Law Convicted of V&T Other Date Adjudicated  
Sec. Sub. Same as Above Date Sentence Imposed  
Disposition/Sentence Fine \$ Surcharge \$  
Notice of Correction Bail Forfeiture Amount \$ Date of Bail Forfeiture Trial Yes No  
L I C Revoked Suspended Mand. Perm. days R E G Revoked Suspended days

10/12/05  
Print All Entries • USE BALLPOINT PEN • Press Hard  
UT-3.3 (7/03) New York State • Department of Motor Vehicles  
LT 978752 5 SIMPLIFIED TRAFFIC INFORMATION  
MALONE VILLAGE POLICE AGENCY  
Last Name (Defendant) WOLTZ First Name Joshua M.I. L  
[Redacted]  
Plate Number DAL4484 Reg. State NY Reg. Type PAS Color RD Veh. Type 1  
Vehicle Year/Make 96 Honda Operator Owns Veh. Yes No People of the State of New York Versus Defendant. The Undersigned Officer Accuses Defendant of the Following Offense Committed On  
Weekday WED Date of Offense 08/31/05 Time AT 7:00 P M 1  
Street Name ON EAST MAIN STREET Hwy. Type 2 Hwy. No. 11 Location Code  
IN VIOLATION OF malone CO. OF FRANK M24  
IN VIOLATION OF NYS V&T Law 01 Other Law  
Sec 375 Sub 12 B-1  
Description of Violation Illegal Windshield tint (Bottom/tor) MPH MPH Zone  
IN  
AFFIRMED UNDER PENALTY OF PERJURY  
(Officer's Signature) Ptd. Scott M. Mulverhill  
Officer Operating Radar  
Date of Affirmation 08/31/05  
NCIC/ORI 01624 DIV/Troop MUPD PCT/Zone Sector/Station  
Officer's Last Name (print) mulverhill F.I. M.I. Badge/Shield 5 m 8053  
YOU ARE HEREBY DIRECTED TO APPEAR IN THE  
City Town Village COURT Village of Malone  
Address 14 Elm STREET  
City Malone State NY Zip 12953 Court Code  
Date ON 09/12 YEAR 05 AT 9:00A M Justice Code  
Charge Convicted of Law Convicted of V&T Other Date Adjudicated  
Sec. Sub. Same as Above Date Sentence Imposed  
Disposition/Sentence Fine \$ Surcharge \$  
Notice of Correction Bail Forfeiture Amount \$ Date of Bail Forfeiture Trial Yes No  
L I C Revoked Suspended Mand. Perm. days R E G Revoked Suspended days

Office of the Civil Division  
**Franklin County Sheriff**

45 Bare Hill Road  
Malone, New York 12953  
518-483-3349 OR 3529

May 9, 2005

File Number: 05000620

SCOTT M MULVERHILL  
40 MILLS Road  
NORTH BANGOR, NY 12966

Greetings:

The Franklin County Sheriff's Office, Civil Division, has received an Income Execution directing us to satisfy a money judgment out of your income.

**WITHIN twenty (20) days from the date of this letter you must contact the Sheriff's Civil Division Income Unit to arrange a schedule to pay this debt and make your first payment.** Please ensure your name and our file number appears on your payment. You will not receive a bill or any further communication from us regarding this matter.

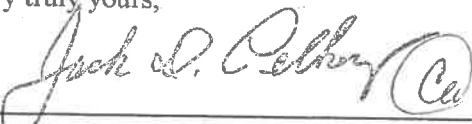
If you fail to contact us and we have not received a payment within twenty days, this Income Execution will be served on your employer\*. Each pay period, your employer is required, by law, to withhold a specific amount of your income until the debt is satisfied. In addition to the amount listed in the Execution, the following amounts will be collected:

- \* Principal \$1,492.77
- \* Filing Fee of \$30.00 and Mileage Fee of 6.44 (plus 2nd stage fees if necessary).
- \* Interest at 9% annually, computed from the date of judgment 3/28/2005
- \* Sheriff's Poundage - 5% per payment.

**\*NOTICE: IF YOU PRESENTLY HAVE AN INCOME EXECUTION THROUGH YOUR EMPLOYER, WE CAN NOT RECEIVE PAYMENT ON THIS NEW INCOME EXECUTION. WHEN YOUR PRESENT EXECUTION IS SATISFIED, YOUR EMPLOYER WILL BEGIN DEDUCTION ON THIS NEW EXECUTION.**

Please contact the Sheriff's Civil Division, Monday through Friday between 9 A.M. and 5 P.M. at (518) 483-3349 or 3529. Request to speak with a member of the Income Execution Unit. They will advise you how to proceed with satisfying this debt.

Very truly yours,

  
\_\_\_\_\_  
<sheriffname>, Sheriff



THE SUPREME COURT STATE OF NEW YORK,  
COUNTY OF FRANKLIN COUNTY

JUDGMENT CREDITOR(S)  
ASSET ACCEPTANCE LLC AS ASSIGNEE OF PROVIDIAN  
BANK  
AGAINST  
JUDGMENT DEBTOR(S)  
SCOTT M MULVERHILL

Index # 2004/783  
INCOME EXECUTION

12966

THE PEOPLE OF THE STATE OF NEW YORK: TO THE ENFORCEMENT OFFICER, GREETING:

A judgment was entered in the within court in favor of the Judgment Creditor(s) and particulars are as follows:

Court of Original Entry: THE SUPREME COURT STATE OF NEW YORK COUNTY OF FRANKLIN COUNTY

Judgment Date	March 28, 2005
Judgment Amount	\$1,492.77
Amount Due	\$1,492.77
Plus Interest From	March 28, 2005

The judgment was recovered against SCOTT M MULVERHILL defendant(s) and transcribed with the clerk of FRANKLIN COUNTY County on .


This execution is issued against SCOTT M MULVERHILL whose last known address is 12966

Whose Social Security number is [REDACTED] and who is receiving or will receive \$350.00 for each weekly pay period from the employer. "Employer", herein includes and payor of money to Judgment Debtor. the employer's Name and address is:  
**MALONE VILLAGE POLICE 2 POLICE PLAZA MALONE NY 12953 POB#**

You are directed to satisfy the judgment with interest together with your fees and expenses, out of all monies now and hereafter due and owing to the Judgment Debtor from the employer pursuant to CPLR 5231.

DIRECTIONS TO JUDGMENT DEBTOR: You are Notified and commanded Immediately to start paying to the Enforcement Officer serving a copy of this Income execution on you; installments amounting to 10%(but no more than the federal limits set forth in I. LIMITATIONS ON THE AMOUNT THAT CAN BE WITHHELD, BELOW) of any and all salary, wages or other income, including any and all overtime earnings, commissions or other irregular compensation received or hereafter to be received from your Employer and to continue paying such instalments until the judgment with interest and the fees and expenses of this Income Execution are fully paid and satisfied, and if you fail to do so within 20 days this Income Execution will be served upon the Employer by the Enforcement officer.

DIRECTIONS TO THE EMPLOYER: You are commanded to withhold and pay over to the Enforcement Officer serving a copy of this Income Execution on : installments amounting to 10%(but no more than the Federal limits set forth in I. Limitations on the amount that can be withheld, below) of any and all salary, wages or other income including any and all overtime earnings, commissions or other irregular compensation now or hereafter becoming due to Judgment Debtor until the judgment with interest and the fees and expenses of this Income Execution are fully paid and satisfied.

  
HARVEY SHARINN  
SHARINN & LIPSHIE, P.C.  
200 GARDEN CITY PLZ. STE 506  
GARDEN CITY, NY 11530

April 15, 2005  
FILE NO AA007110  
ACCT NO 4479472400640293

# ALL PERSONNEL

02/14/05

It is with the posting of this notice that all personnel are to review the departments Rules and Regulations.

The manual can be located in the processing room area of the library. Once you have completely reviewed the regulations indicate your compliance by initialing below.

Asst/Chief Marlow

me CSP

Imun

JTB

JO

RDF

cl

JSF

BIM

CP

HY

SA

SH

me

CO  
BR Jim.



**POLICE DEPARTMENT**  
Village of Malone  
2 Police Plaza  
Malone, New York 12953-1601

(518) 483-2424  
fax (518) 483-2426

Ronald Reyome  
Chief of Police

To: All Members

From: Chief Ronald Reyome

Date: August 23, 2005

Re: Request for Reduction Forms for Vehicle and Traffic Law Violations

The District Attorney's Office is no longer prosecuting our traffic tickets ~~issued under the Village Code~~. Officers will be expected to prosecute the case if it goes to trial. Along with this our officers will be able to consent to reductions for Vehicle and Traffic Law tickets that are ~~issued under the Village Code~~. The following procedures will be adhered to when considering a reduction.

Individuals requesting a reduction must come to the station and obtain a Request for Reduction Form, which have been printed for our Department. Once this has been **completed fully** and returned with a self-address stamped envelope, the form will be then placed in the issuing officer's mailbox or given directly to him.

The officer will then do a drivers history on the individual. The officer will take this history, along with the individuals attitude, location of the violation, road conditions and any other pertinent information into consideration when deciding to consent to a reduction or not.

Once this has been done the officer will complete the Consent to Reduction Form and **submit it to a Supervisor for their approval**. Once it has been approved and **signed by both** the officer and his supervisor it will be mailed back to the defendant and a copy will be sent to the court. Another copy will then be placed in the Dispatcher's box to be kept on file here.

When a traffic stop has been made and a ticket issued the Officer **will not** volunteer to the individual that reduction Forms are available. If the person inquires if something can be done he is to be instructed that he needs to contact the station for the necessary information. **In other words you will not issue a ticket and then give the person a Reduction Form at the scene.**

Read and initial below

A/C Stone	Sgt. Cox	Sgt. Fountain	Sgt. Collette	Ptl. Mulverhil
JAO Durant	Ptl. Russell	Ptl. Smith	Ptl. Merrick	Ptl. Premo
Ptl. Kemp	Ptl. Fountain	Ptl. Crawford	Ptl. Stone	Ptl. Miller

CONSENT FORM IN TOP CABINET  
NEXT TO REDUCTION FORM



**POLICE DEPARTMENT**  
Village of Malone  
2 Police Plaza  
Malone, New York 12953-1601

(518) 483-2424  
fax (518) 483-2426

**Ronald Reyome**  
Chief of Police

**To: All Members**

**From: Chief Ronald Reyome**

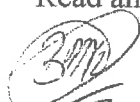
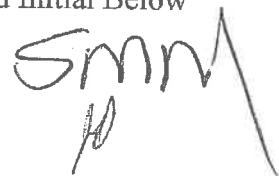





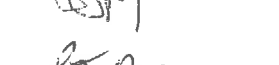







**Date: July 11, 2005**

**Re: Article X sub 10.1.29 Failure to pay just indebtedness within reasonable Time.**

It appears that there are a few of our Officers that feel that they do not have to pay their bills when they are due. We have been receiving phone calls for past due accounts and officers have been served civil papers for their failure to pay their debts. This is totally unacceptable and will not be tolerated. It is a complete embarrassment to this Department, especially when it is with local businesses. Those particular officers will be dealt with accordingly. This memo is to let everyone else know, that in the future, if behavior of this type occurs you may face disciplinary charges.

To the other officers that are currently involved, you will also have the opportunity to take care of the matter, but if not done expeditiously, you can expect to being hearing from me and can have your Union Attorney present.

Read and Initial Below

To: All Members

From: Chief Ronald E. Reyome

Date: August 25, 2004

Re: Evidence Collection

Apparently there have been some problems with the collection of evidence. As previous stated in the Department Policy all evidence will be secured by the investigating officer. The evidence tag will be completely filled out then the officer will then sign the evidence over to his immediate supervisor. The supervisor will sign the evidence tag and secure the evidence in the evidence cabinet and log the evidence in. Det. Collette will handle it from there.

All of this information will be documented on the C/R. It is the shifts Supervisor's responsibility to see that this procedure is followed.

This is not something that we can slack on and any variation from this procedure will not be tolerated.

Read and initial below.

*(Handwritten initials)*  
CJP SK  
RDF AMU  
JDF M  
JP SJS  
10-541

## MALONE VILLAGE POLICE DEPARTMENT

### Department Policy

#### Ref: Evidence

Date: 02-08-02

*Evidence obtained at a crime scene and returned to the police department will be tagged immediately. This evidence is to be turned over to the shift supervisor. The shift supervisor in turn will secure the evidence in the evidence locker located in the back storage room. If the evidence is too large to fit in the locker the shift supervisor will then secure it in the back storage room or the Detective's Office. If there is evidence that has been stored outside the evidence locker in the storage room a memo will be placed into the Detective's mail slot.*

*Detective will then secure the evidence in the evidence room until the items can be returned or destroyed. There will be a joint effort between the first securing officer and Detective to monitor the deposition of the case and the evidence. Continuity must be kept and documented throughout this process. Detective will maintain the evidence room and evidence log.*

*No evidence will be left laying around the station and shall be placed in the appropriate location.*

*Evidence will be handled as outlined in the New York State Manual for Police.*

*Special items such as blood, fingerprints etc, etc will be flagged accordingly.*

*When securing evidence fill out the evidence tag/bag with the following information*

*Case number*

*Evidence description & place it was located*

*Date & time of recovery*

*The offense involved*

*If there is a suspect, his or her name and date of birth.*

*The victim's name*

*and the name of the person who recovered the evidence*

*Evidence film sheet will be signed and dated by officer taking last picture. Film will be placed in film cannister, taped shut. Film sheet will be attached to the cannister and then placed in Det office door box.*

VILLAGE OF MALONE POLICE DEPT.

2 PARK PLACE  
MALONE, NEW YORK 12953  
(518) 483-2424

TO: ALL MEMBERS

ADDRESS: MVPD

DATE: 12/15/98

SUBJECT: RELEASING EVIDENCE

Before any evidence is returned to the owner, contact the DA Office to get their approval.  
Note the date and who you spoke to on the I/R or in the arrest jacket.

SIGNED: A/C Ronald E. Reyome

# POLICE PERSONNEL RECORD

Name Mulverhill, Scott M. Address \_\_\_\_\_ Date of Birth Mo. 03 Day 03 Year 67  
 Marital Status \_\_\_\_\_ No. Dependents \_\_\_\_\_ Saranac Lake 09-89  
 Civil Service Exam Passed on \_\_\_\_\_ Date of Appointment Malone 06-29-90 Phone \_\_\_\_\_  
 Service Pistol Serial No. \_\_\_\_\_

Date	Personal Data	Date	Personal Data
06-29-90	Transfer from Saranac Lake	04-17-00	On duty ankle injury
12-22-90	Completed Basic Course	09-12-00	Letter of thanks from Clarence Nason
12-20-90	Radar School Cert.	10-26-00	Counseling memo from A/C
12-31-90	Commended by Sgt. Ritchie (burglary)	11-03-00	No show on assisting physical fitness training
12-12-92	Counsel session with Sgt. Ritchie for Insubordination	12-21-00	Oral counseling from Chief on attitude
05-19-93	Completed Basic Finger Print Course	12-23-00	Injury to hand while on duty
09-22-93	Written reprimand for abusive sick leave*removed after 1 year		
11-27-93	P.D. Accident in St. Regis Falls NYSP Issued ticket	12-14-01	Threat assessment training
01-01-94	Evaluation-----STANDARD-----		
01-25-94	Commended by Thomas LaRocque		
05-20-94	Commended by Ass't Chief over Domestic Case		
08-08-94	Letter of thanks from Tupper Lake P.D.		
01-01-94	Evaluation		
01-12-96	Comp. from Trp. Shea---missing private vehicle		
10-24-96	Drug interdiction training		
10-29-96	Highway Interdiction training		
11-19-97	Letter of thanks from Ed Howard		
02-11-97	Suspended 5 days for two separate charges		
05-21-99	Bike patrol school		
06-07-99	Commendation from Sgt. Marlow		
03-17-00	Data Master cert.		



Department Members

Date: 11/20/01

Name:

Scott Mulverhill

Spouse name:

Children's Name:

Living Parents Name:

Mailing Address:

Street name:

S.S. #  
D.O.B.

First to be notified in case of serious injury or death:

Religion:

Catholic

Medical allergic concerns:

None

Any other information that you wish to have on record in case of an emergency:

## - Sick leave and holiday record -

Scott Mulverhill

	Total # of sick leave	USED sick leave	Earned sick leave	Dates of sick leave	Holidays	Holiday worked	Date Compensated	Personal Leave	Vacation	OVERTIME	TRAINING
JAN	274	0	8		New Year's Day	X	4-9-03				
FEB	282	8	8		M. King Day	X	6-7-03				
MAR	282	0	8		President's Day						
APR	290	8	8		Good Friday	X	7-9-03				
MAY	290	0	8		Memorial Day	X	9-10-03	3 4			
JUN	298	8	8		July 4th						
JUL	298	8	8		Labor Day 9-1-03	X	10-23-03	5 4			
AUG	298	0	8		Columbus Day	X	11-24-03				
SEP	306	0	8		Veteran's Day	X	2-15-04	27 8			
OCT	314	8	8		Nat'l Election	X	05-20-04	3 4			
NOV	314	0	8		Thanksgiving	X	05-21-04	14 8			
DEC	322	28	8		Christmas	X	6-21-04	16 8			
					X-DAY 7-13						

## - Sick leave and holiday record -

2002

Scott M. Mulverhill

	Total # of sick leave	USED sick leave	Earned sick leave	Dates of sick leave	Holidays	Holiday worked	Date Compensated	Personal leave	Vacation	OVERTIME	TRAINING
JAN	34	8	8	31	New Year's Day	X	4-16				
FEB	34	0	8		M. King Day	X	6-7 10-24-03				
MAR	402	88	8	9, 10	Presidents Day	X	10-21-02				
APR	34	0	8		Good Friday						
MAY	402	0	8		Memorial Day	X	10-22-02				
JUN	410	8	8	1	July 4th	X	11-16-02				
JUL	410	48	8		Labor Day			8 8			
AUG	310	128	8		Columbus Day						
SEP	250	0	8		Veteran's Day	X	12-3-02	7 8 29 4			
OCT	258	6	8		Nat'l Election				16 20 (5)		
NOV	266	8	8	12	Thanksgiving	X	14-02 12-2-02				
DEC	266	0	8		Christmas			21 8			
					X-DEC 7-13	X	12-22-02				

	Total # of sick leave	USED sick leave	Earned sick leave	Dates of sick leave	Holidays	Holiday worked	Date Compensated	Personal leave	Vacation	OVERTIME	TRAINING
JAN	316	0	8		New Year's Day	X	02-3				
FEB	313	0	8		M. King Day	X	5-3				
MAR	382	8	8	1	Pres. Day	X	9-1	138			
APR	382	0	8		Good Friday	X	8-27				
MAY	390	8	8	4	Memorial Day	X	9-23				
JUN	390	0	8		July 4th	X	10-29	" 4			
JUL	398	0	8		Labor Day	X	12-11	54 258			
AUG	406	0	8		Columbus Day	X	12-31				
SEP	411	8	8	26	Veteran's Day						
OCT	419	0	8		Nat'l Election	X	VH	198			
NOV	422	0	8		Thanksgiving	X	2-21				
DEC	430	8 36	8	15	Christmas			27 288			
					X-DAY 7-13	X	4-15				

Scott M. Mulverhill

1999

[illegible]

## - Sick leave and holiday record -

Scott M. Mulverhill

2000

	Total # of sick leave	USED sick leave	Earned sick leave	Dates of sick leave	Holidays	Holiday worked	Date Compensated	Personal leave	Vacation	OVERTIME	TRAINING
JAN	123	8	8		New Year's Day	X	10-07				
FEB	134	0	8		M. King Day						
MAR	142	0	8		Pres. Day	X	11-3	24			
APR	150	8	8	17, 18	Good Friday						
MAY	147	0	8		Memorial Day	X	11-14				
JUN	153	0	8		July 4th						
JUL	158	0	8		Labor Day						
AUG	166	8	8	27	Columbus Day	X	VH				
SEP	166	0	8		Veteran's Day	X	VH	17			
OCT	171	0	8		Nat'l Election						
NOV	182	0	8		Thanksgiving	X	12-9	29 30			
DEC	190	32	8		Christmas	X	10-13*	1			
					X-DEC 7-13	X	11-22				

Scott M. Mulverhill

1998

	Total # of sick leave	USED sick leave	Earned sick leave	Dates of sick leave	Holidays	Holiday worked	Date Compensated	Personal leave	Vacation	OVERTIME	TRAINING
JAN	25	0	8		New Year's Day						
FEB	11	0	8		M. King	X	3-13				
MAR	25	8	8	22	P. Pres. Day	X	3-21				
APR	25	8	8	30	Good Friday	X	5-9				
MAY	25	0	8		Memorial Day	X	6-13				
JUN	23	0	8		July 4th	X	7-17				
JUL	30	0	8		Labor Day	X	4-9/23 4-11-20				
AUG	30	0	8		Columbus Day						
SEP	31	0	8		Veteran's Day	X	11-14	6 12			
OCT	35	8	8	24	Nat'l Election			9			
NOV	25	27	8	25	Thanksgiving	X	11-30	20			
DEC	28	8	8	19	Christmas	X	12-29				
					X-DAY 7-13	X	7-26				



	Total # of sick leave	USED sick leave	Earned sick leave	Dates of sick leave	Holidays	Holiday worked	Date Compensated	Personal leave	Vacation	OVERTIME	TRAINING
JAN	254	0	8		New Year's Day						
FEB	262	8	8	2	MARTIN LUTHER KINGS DAY						
MAR	262	0	8		PRESIDENTS DAY						
APR	270	21	8	30 5 22	Good Friday	X	VH				
MAY	257	2	8	1	Memorial Day						
JUN	263	0	8		July 4th	X	7-12	18 19 20			
JUL	271	8	8	19	Labor Day	X	11-1				
AUG	271	0	8		Columbus Day	X	11-17	23			
SEP	279	8	8	20	Veteran's Day						
OCT	279	0	8		Nat'l Election	X	VH				
NOV	287	2 1/2	8		Thanksgiving	X	12-07				
DEC	270 1/2	8	8	19	Christmas	X	2-7	24			
					X DAY 7-13	X	9-26				

**D.A.R.E.**  
TO RESIST DRUGS AND VIOLENCE

Mulvey: 11 SC  
12-4 1 1/2 hrs.



**Village of Malone New York**

16 Elm Street  
MALONE, NEW YORK 12953

Telephone: (518) 483-4570

June 12, 1990

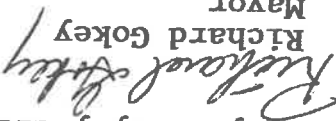
Ms. Patricia Gaglianese  
Franklin County Personnel Office  
Franklin County Court House  
Malone, New York 12953

Re: Scott Mulverhill

Dear Pat:

The Malone Village Board, at their meeting of June 11, 1990, made a motion to hire Scott Mulverhill as a Police Officer (Patrolman) in our Police Department. We are thus asking your approval for the transfer of Scott, from the Saranac Lake Police Department, to our Police Department.

Thanking you for your kind consideration in this regard, I am,

Very truly yours,  
  
Richard Gokey  
Mayor

RG:ejb

cc: Police Chief Richard Brown ✓

Pat Gaglianese  
Personnel Officer



(518) 483-6767  
Ext. 676, 677

FRANKLIN COUNTY  
PERSONNEL DEPARTMENT - CIVIL SERVICE  
Court House — Malone, New York 12953

Mr. Scott Mulverhill  
90 Amsden Street  
Malone, NY 12953

Dear Scott:

Please be advised that your request of 6/19/90 for a transfer as Police Officer from the Village of Saranac Lake to the Village of Malone has been granted per Section XVII of the Franklin County Civil Services Rules.

We await the proper paper work from the appointing authorities.

Sincerely,

*Pat Gaglianese*  
Pat Gaglianese  
Personnel Officer

cc: Richard Brown, Police Chief Village of Malone  
Donald Fina, Police Chief Village of Saranac Lake  
Richard Gokey, Mayor Village of Malone

VILLAGE OF MALONE POLICE DEPARTMENT  
2 POLICE PLAZA  
MALONE, NEW YORK 12953  
(518) 483-2424

TO: Village Justice Court

DATE: 03/10/06

SUBJECT: Out dated , non issued parking tickets

I am dispatching these parking tickets to your agency per the doctrine that we are to send all voided parking ticket to our Justice Court. These tickets are out dated and were not issued by Officer Mulverhill, who as you , know no longer works for this agency. I place them in your capably hands.

Parking Ticket Numbers

7686 to 7700  
8443 to 8447  
10207 to 10225  
10265  
10272 to 10275  
10375  
10640 to 10650  
11931 to 11950  
12602 to 12625

Thank you

A handwritten signature in dark ink, appearing to read "S. J. Stone". The signature is fluid and cursive, with the first name "S." and last name "Stone" clearly distinguishable.

Asst. Chief S. J. Stone



## TICKET RECEIPT LOG

OFFICER MulvihillUTT X

OR PARKING \_\_\_\_\_

STARTING NUMBER LV327541-4ENDING NUMBER LV327560-2RECEIVED DATE 09/21/05

ENDING DATE \_\_\_\_\_

DATE ISSUED	TICKET NUMBER	VIOLATION
09/21/05	LV327541-4	Driver no seat belt
09/21/05	LV327542-5	Driver no seat belt
09/21/05	LV327543-6	Speed/Zone
09/21/05	LV327544-0	Speed/Zone
09/21/05	LV327545-1	Speed/Zone
	LV327546-2	Void
	LV327547-3	Void
	LV327548-4	
	LV327549-5	
	LV327550-6	
	LV327551-0	
	LV327552-1	
	LV327553-2	
	LV327554-3	
	LV327555-4	
	LV327556-5	
	LV327557-6	
	LV327558-0	
	LV327559-1	
	LV327560-2	

OR PARKING

STARTING NUMBER LS 239559-5

ENDING NUMBER LT9788

RECEIVED DATE 09/19/05

ENDING DATE 09/20/05

[illegible]

VILLAGE OF MALONE POLICE DEPT.

2 PARK PLACE  
MALONE, NEW YORK 12953  
(518) 483-2424

TO: A/C Reyome ADDRESS: \_\_\_\_\_

DATE: 11-20-02 SUBJECT: \_\_\_\_\_

Ron,  
When Scott comes in to see you on Thursday, could you notify  
Ndon officer George Sabbert. Call SP and ask them to contact him  
to stop by or use interagency. He needs Scott to sign a form concerning  
the gun. George is working Thurs from noon to midnight.

SIGNED: Clyde

Receipt for Fine

© WILLIAMSON LAW BOOK COMPANY, VICTOR, NY 14564

STATE OF NEW YORK  
TOWN JUSTICE  
TOWN OF STOCKHOLM

10667

Date: 11/15/02

Received from Scott Mulverhille \$ 1305.00

One thousand three hundred five and no/100 DOLLARS

for Fine Paid \$ 1000.00 300.00 Re. Violation of Section 11-0901-4b2 / 11-0931-4#1 of the

Mandatory State Surcharge of \$ 250 250.00 Vehicle & Traffic Laws of the State of New York.

TOTAL \$ 1305.00

Ticket No. EC0028372 / EC2028383

Neather Sweeney  
Town Justice  
Court Clerk