

**VILLAGE OF CROTON-ON-HUDSON
BOARD OF TRUSTEES**

LOCAL LAW INTRODUCTORY NO. 12 -2023

**A LOCAL LAW TO AMEND CHAPTER 42, POLICE DEPARTMENT, OF THE CODE OF THE
VILLAGE OF CROTON-ON-HUDSON TO AMEND ARTICLE II, POLICE RULES AND
REGULATIONS, TO UPDATE THE RULES AND REGULATIONS FOR THE POLICE
DEPARTMENT**

Be it enacted by the Board of Trustees of the Village of Croton-on-Hudson as follows:

Section One. Chapter 42, Police Department, of the Code of the Village of Croton-on-Hudson is hereby amended to revise Article II, Police Rules and Regulations, to read as follows (see strike-through for deleted text and underline for added text):

**Article II
Police Rules and Regulations**

§ 42-3 Powers and duties of Police Chief.

- A. The Chief of Police is the chief executive officer of the Police Department and is directly responsible to the Village Manager. He or she shall be responsible for the day-to-day operation of the Department within the guidelines established by the Board of Trustees. The Chief shall supervise adherence to these rules and regulations affecting police operations.
- B. The Chief may issue such further written instructions for the guidance of members of the Department in the conduct of their police duties as he or she may from time to time determine, and all such instructions shall have the force and effect of orders and commands of the Chief to each and every member of the Department. These instructions shall make up the Department Operations Manual, over which the Chief has authority to add, delete or revise material therein.
- C. The Chief shall also have direct supervision of the entire police force and will be held responsible for the enforcement of these rules and regulations for the preservation of order, the Department Operations Manual and the enforcement of the laws and ordinances of the village. He or she shall make and file with the Village Manager a monthly and annual written report concerning the operation of the Police Department in such form as the Village Manager shall prescribe.
- D. In the absence of the Chief of Police or his or her inability to serve, the Chief shall designate a subordinate to command the Department. If the Chief is unable to designate an Acting Chief, the Village Manager shall designate an Acting Chief.

§ 42-4 General rules.

- A. All members of the Police Department are subject to the rules and regulations of the Village of Croton-on-Hudson Police Department set forth at length in the Department Operations Manual. Failure to conform to these rules and procedures will result in disciplinary measures.

§ 42-5 Disciplinary procedures.

- A. The Chief of Police is responsible for discipline within the Department. All disciplinary matters shall be conducted in accordance with § 5711-q of the Unconsolidated Laws and other applicable statutes. This authority is also conferred upon the ranking officers who supervise other officers.
- B. The Chief of Police is authorized to dispose of minor dereliction which he can correct or the recurrence of which he can prevent by admonition or warning. A disorder or neglect to the prejudice of good order, efficiency or discipline, though not specifically mentioned in the Department Operations Manual, may

be disposed through command discipline mutually agreed to by the officer in question and the Chief of Police.

- C. The Village Clerk shall maintain a personnel record of each member of the Department, which shall show all disciplinary action and all commendations. The review of a member's personnel record shall be in accordance with the regulations set forth in the union contract.
- D. Any suspended officer shall immediately deliver to the Chief of Police or the ranking officer on duty all village property in his or her possession.
- E. A citizen's complaint against a member of the force must be referred to the Chief of Police. If the complaint is against the Chief of Police, it shall be investigated by the Village Manager. If it is against any other member of the force, it shall be investigated by the Chief of Police, and his report thereon shall be filed with the Village Manager. If the Chief of Police determines from such investigation that charges should be preferred against such member of the force, he shall do so.
- F. Repeated failure to follow proper police procedure may be considered evidence of unsuitability for police service.
- G. Any officer acting in an insubordinate, disrespectful or grossly unprofessional manner may be suspended on the spot by the Chief or the ranking officer in charge.

Section Two. Severability

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Three. Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.