Order #: I.12 **Date:** 06/16/2011
Category: DEPARTMENT ORDERS
Title: CODE OF ETHICS & TRUTHFULNESS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 12
SUBJECT: CODE OF ETHICS & TRUTHFULNESS

ORIGINAL EFFECTIVE DATE: MAY 9, 2011

REVISION DATE: JUNE 1, 2011

EFFECTIVE DATE: JUNE 16, 2011

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS: 1.1.2
26.1.1

THIS DIRECTIVE SUPERCEDES PREVIOUS DIRECTIVE I.12 - POLICE ETHICS, TRUTHFULNESS & HONESTY

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:12-1 PURPOSE

The purpose of this policy is to provide members of the department with a clear understanding of their ethical responsibilities and of their responsibility to constantly strive to meet the highest standards of professional policing. This policy will also provide officers with a general idea of consequences for failing to abide by its provisions.

I:12-2 POLICY

It will be the policy of the department, as a professional law enforcement agency, to adopt the International Chief's of Police "Law Enforcement Code of Ethics". All members of the department shall abide by this code as set forth in this policy, the Bridgeton PD Rules and Regulations and the City of Bridgeton Personnel Policy & Procedures. It shall also be the policy of this agency for all of its officers and employees to remain truthful and honest in all required matters.

I:12-3 PROCEDURE

A. Primary responsibilities of a police officer:

1. A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's power and duties are conferred by statute. The fundamental duties of a police officer include serving the community, safeguarding lives and property, protecting the innocent, keeping the peace, and ensuring the rights of all to liberty, equality and justice.

2. A police officer as an official representative of government is required to be truthful and honest in most citizen contacts, and all official reports and proceedings.

B. Performance of duties of a police officer:

1. A police officer shall perform all duties impartially, without favor or affection or ill will, and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration and dignity.

2. Officers will never allow personal feelings, animosities, or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such a manner as to inspire confidence and respect for the position of public trust they hold.

3. Members shall not lie, give misleading information or falsify written or verbal communications in official proceedings or reports or in their actions with another person or organization when it is reasonable to expect that such information may be relied upon because of the member's position or affiliation with this department.

C. Discretion:

1. A police officer will use responsibly the discretion vested in the position and exercise it within the law. The principle of reasonableness will guide the officer's determinations and the officer will consider all surrounding circumstances in determining whether any legal action shall be taken.

2. Consistent and wise use of discretion based on professional policing competence will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice rather than arrest, which may be correct in appropriate

circumstances, can be a more effective means of achieving a desired end.

D. Use of force:

1. A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is reasonable in all circumstances.

2. Force should be used only with the greatest restraint and only after discussion, negotiation, and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhumane treatment of any person.

E. Confidentiality:

1. Whatever a police officer sees, hears, or learns of, which is of a confidential nature will be kept secret unless the performance of duty or legal provision requires otherwise. Members of the public have a right to security and privacy, and information obtained about them must not be improperly divulged.

F. Integrity:

1. A police officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers.

2. The public demands that the integrity of police officers be above reproach. Police officers must, therefore, avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities, or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Police officers must not receive private or special advantage from their official status. Respect from the public cannot be bought; it can only be earned and cultivated.

G. Cooperation with other officers and agencies:

1. Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

2. An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that a

police officer assists colleagues fully and completely with respect and consideration at all times.

H. Personal/Professional Capabilities:

1. Police officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

2. Through study and experience, a police officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

I. Private life:

1. Police officers will behave in a manner that does not bring discredit to their agencies or themselves.

2. A police officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he lives and serves. The officer's personal behavior must be beyond reproach.

J. The Code of ethics which is referred to above should not be considered all inclusive. Each individual member of the department must at all times remember their ethical responsibilities to their profession, their department, their community and themselves.

I:12-4 TRAINING

The training of department employees on the code of ethics shall be conducted biennially.

The training will be conducted in a classroom setting during regularly scheduled departmental training.

I:12-5 VIOLATIONS

A. Examples of violations:

1. Purposely putting false or misleading information into an official police report or other government document. This would be viewed as a

schedule "A" matter in addition to associated criminal violations.

2. Intentionally lying to an investigator during a criminal or administrative investigation. This would be viewed as a schedule "A" matter in addition to associated criminal violations.

3. Covering up for or purposely failing to report loss of or damage to division equipment. This would be viewed as a schedule "A" matter in addition to associated criminal violations.

4. Failing to conduct a professional investigation and, because of it, an innocent person is prosecuted. This would be viewed as a schedule "A" matter in addition to any associated criminal violation.

5. Making untruthful or misleading statements or partial truths about any employee, supervisor, command staff member or their operations. This would be viewed as a schedule "A" matter.

6. Providing citizens with misleading or false information to avoid performance of duties or delivery of an expected service. This would be viewed as a schedule "A" matter.

7. Requesting others to change facts in a report or withdraw a report or notice, causing delay of any official communications. This would be viewed as a schedule "A" matter.

(Note – points 1 through 7 and similar situations involving the future reliability of the officer represents cases in which the first step in discipline must be termination, as a necessary step in protecting the rights of citizens and the integrity of the agency.)

8. Calling in sick when there is no illness or situation requiring the necessity for the use of a sick day. This would be viewed as a schedule "B" matter.

Each specific incident may present aggravating or mitigating circumstances and not every situation can be provided for in this policy.

B. Examples of non-violations:

1. Filing information that proves to be wrong when the member can provide substantial evidence that he or she had no intent to be in error.

2. Minor omissions or errors on reports or cases that have no significant impact on outcome and when the member has not worked with such reports or cases for a period of time.

3. Redirecting a criminal suspect's, or a potentially dangerous person's,

attention or focus in order to reduce the threat of injury or jeopardizing of an important investigation is not a violation of this order.

C. Each specific incident may present aggravating or mitigating circumstances and not every situation can be provided for in this order.

Attachment: LAW ENFORCEMENT CODE OF ETHICS

LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will 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 both in my personal and official life, I will be exemplary in obeying the law and 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 my personal feelings, prejudices, political beliefs, aspirations, 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 of 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 ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

Order #: I.39 **Date:** 12/30/2009
Category: DEPARTMENT ORDERS
Title: DEPARTMENT STRUCTURE

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 39
REVISION DATE: 12-31-2009

SUBJECT: BRIDGETON P.D. STRUCTURE

Effective Date: January 1st, 2010
Chief of Police: Mark W. Ott

PURPOSE

The purpose of this directive is to establish a firm framework, or table of organization, for the chain of command and division of work throughout the Police Department.

POLICY

It shall be the policy of this Department to follow this directive in an effort to achieve a unified purpose and direction to fulfill our obligations and carry out our missions with little or no difficulty. It shall be the policy of this Department to maintain unity of command and direction in carrying out our assigned missions and obligations.

ACRONYMS

AB - Administrative Bureau
ABC – Administrative Bureau Commander
COMPSTAT – Comprehensive Statistics; a meeting where crime patterns, statistics and c
oncentration of calls is analyzed and discussed in an effort to make plans, hold
managers and supervisors of the Department accountable, and to address the
identified problems.
DB – Detective Bureau
DBC – Detective Bureau Commander
IA – Internal Affairs
PB – Patrol Bureau
PBC – Patrol Bureau Commander
PSB – Professional Standards Bureau
TCOs – Telecommunications Officers
TRNG – Training
XO – Executive Officer; the Police Captain.

PROCEDURE

A. The Department shall be commanded by the Chief of Police. The Chief's duties and

responsibilities are described in both statutory law and in the Department's Rules & Regulations. In the Chief's absence the XO is in command of the Department.

B. COMMAND STRUCTURE / SCHEMATIC

Chief of Police

Police Captain – Executive Officer (XO)

ABC DBC PBC PSBC

C. The Executive Officer (Police Captain):

1. Duties;

   a. Assumes command of the Department during absence of the Chief;

   b. Has financial and budgetary control and supervision of all Bureau Commanders;

   c. Acts as the Command Inspection Officer;

      i. Carries out scheduled and unscheduled inspections of various Departmental sub-units and operations to ensure compliance with Departmental Rules & Regulations, directives, procedures and policies.

   d. Shall formulate and promulgate Departmental Directives, procedures and policies, with Chief's approval, when necessary;

   e. Shall carry out other duties as determined to be necessary for the betterment of the Department. This may be done on personal initiative with Chief's approval or as assigned by the Chief of Police.

   f. Shall lead Departmental COMPSTAT meetings.

   g. Shall prepare annual evaluations on each of the four Bureau Commanders and forward them to the Chief by no later than Jan. 12th of the following year.

2. Work Week/Hours:

   a. Shall be determined by the Police Captain with Chief's approval.

b. Shall provide a minimum of 40 hours per week.

c. Shall provide a minimum number of extra hours per year as provided for in existing contracts if so stipulated.

D. Patrol Bureau:

1. Shall be commanded by a Police Lieutenant;

a. The Patrol Bureau Commander (PBC) shall be responsible for overall operation of the Patrol Bureau.

b. PBC shall be responsible for staffing overtime assignments be they short shift, or outside functions.

c. PBC shall be responsible for tracking ICE notifications, false alarms and issue of invoices/summonses.

d. PBC shall be responsible for all TCOs and perform other duties as assigned.

e. PBC shall be responsible for assisting with budget preparation concerning needs of the Patrol Bureau.

f. PBC shall report to the XO monthly, in a format approved by the XO, on the status and activities of the PB (by no later than the 12th of each month following the month reported on.)

g. PBC works days and hours of work as approved by the Chief or XO, and per contract.

h. PBC shall be responsible for ensuring evaluations are done on each member of the PB, when done they would be forwarded to the XO.

i. The PBC shall have assigned a number of personnel as deemed appropriate under current manpower conditions to carry out its goals, missions and responsibilities. This manpower shall be organized around the squad system.

j. Squads:

(i) There shall be four Patrol Squads. The Supervisors and Officers shall work the 12 hour workday on a biweekly rotation between day & night shift. The Supervisor's 12 hour shift shall run from 6:30 to 6:30. The Officer's 12 hour shift shall run from 7:00 to 7:00.

(ii) There shall be two Neighborhood Response Teams. The Supervisors of the NRT shall work 1430 to 0230. The Officers shall work the 12 hour workday which runs from 1500 to 0300. The NRTs shall be a largely proactive unit. NRT officers may be called upon to fill gaps in Squad coverage when shift strength falls below 4 patrolmen, 1 OIC and 1 Desk Officer.

E. Detective Bureau

1. Shall be commanded by a Police Lieutenant;

a. The Detective Bureau Commander (DBC) shall be responsible for overall operations of the Bureau.

b. The DBC shall be responsible to perform other duties as assigned.

c. The DBC shall ensure that proper communications are kept with the Cumberland County Prosecutor's Office concerning various investigations, notifications and especially information concerning Statewide Narcotics Action Plan requirements and Governor's Crime Initiatives.

d. DBC shall be responsible for assisting with budget preparation concerning the needs of the DB.

e. DBC shall report to the XO monthly, in a format approved by the XO, on the status and activities of the DB (by no later than the 12th of each month following the month reported on).

f. DBC shall work days and hours of work as approved by the Chief or XO and per contract.

g. DBC shall be responsible for ensuring that evaluations are done on each member of the DB, when completed they would be forwarded to the XO.

h. DB shall have assigned a number of Police Sergeants, Police Officers and other civilian personnel as deemed appropriate under current manpower conditions to carry out its goals, missions and responsibilities. This manpower shall be organized around the squad system, with each squad being commanded by a Police Sergeant.

i. The personnel assigned to the DB shall work schedules assigned

by the DBC with approval from the Chief or Captain.

j. Squads:

(i) There shall be one Squad of Detectives assigned to conduct secondary investigations of reported crimes, incidents and carry out other duties as assigned.

(ii) When possible, there shall be one Anti-Crime Team which shall be assigned to primarily focus on proactive anti-gang/anti-narcotics efforts, but shall carry out other duties as assigned.

(iii) The DB shall also be in charge of the Evidence Processing and Storage functions.

F. Professional Standards Bureau

1. Shall be commanded by a Police Lieutenant;

a. The Professional Standards Bureau Commander (PSBC) shall be responsible for overall operations of the Bureau.

b. The PSBC shall be responsible to perform other duties as assigned.

c. The PSBC shall ensure that proper communications are kept with the Cumberland County Prosecutor's Office Professional Standards Unit concerning various investigations and notifications.

d. PSBC shall be responsible for assisting with budget preparation concerning the needs of the PSB.

e. The PSBC shall report to the XO monthly, in a format approved by the XO, on the status and activities of the PSB (by no later than the 12th of each month following the month reported on).

f. PSBC works days and hours as approved by the Chief or XO and per contract.

g. The PSBC shall be responsible for ensuring that evaluations are done on each member of the PSB, when completed they would be forwarded to the XO.

h. The PSB shall have assigned a number of Sergeants, Officers and other personnel as deemed appropriate under current manpower conditions to carry out its goals, missions and responsibilities.

i. The personnel assigned to the PSB shall work schedules assigned by the PSBC with approval from the Chief or XO.

j. Shall prepare the yearly package to the Cumberland County Prosecutor's Office:

The Report shall contain the following yearly reports;

(i) The Internal Affairs Report

(ii) Police Pursuit Report

(iii) Use of Force Report

(iv) Training Report

(v) Firearms Training/Qualifications Report

(vi) ICE Detainers

k. The PSB shall be responsible for the following functions, and filing and reporting on the following subject matter areas:

(i) Internal Affairs

(iii) Regulatory Investigations

(iv) Other duties as assigned

G. Administrative Bureau

1. Shall be commanded by a Police Lieutenant;

a. The Administrative Bureau Commander (ABC) shall be responsible for overall operations of the Bureau.

b. The AB shall be responsible for the following functions:

(i) Computers and Networking

(ii) Telecommunications/Video Equipment

(iii) Traffic Safety

(iv) Animal Control

(v) School Crossing Guards

(vi) TAC Function

(vii) Vehicle, Building and Equipment Inventory & Care

(viii) Police Records

(ix) Other duties and responsibilities as assigned

(x) Impounded vehicles

(xi) Department Training and Records of Training

- Forwarding a Detailed Department Training Report to PSB

(xii) Right to Know Office

(xiii) Safety Officer Function

(xiv) Crime Track Entries

(xv) VGTOF Entries

(xvi) Making Recordings for Cumberland County Prosecutor's Office

(xvii) Bridgeton Municipal Court Security

c. The ABC shall be responsible for assisting with budget preparation concerning the needs of the AB.

d. ABC shall report to the XO monthly, in a format approved by the XO, on the status and activities of the AB (by no later than the 12th of each month following the month reported on).

e. ABC shall work days and hours of work as approved by the Chief or XO and per contract.

f. ABC shall be responsible for ensuring that evaluations are done on each member of the AB, when completed they would be forwarded to the XO.

g. The AB shall have assigned a number of Sergeants, Officers and

Civilian personnel as deemed appropriate under current manpower conditions to carry out its goals, missions and responsibilities.

h. The personnel assigned to the AB shall work schedules assigned by the ABC with approval from the Chief or XO.

i. The Services Unit officers shall be multi-functional officers, used to supplement Patrol Squads when their strength falls below four patrolmen, one OIC and one desk officer. The Services Unit shall study motor vehicle crash statistics and use that research to pro-actively enforce the law in order to reduce the number or severity of crashes based on researched data through enforcement. Service officers shall, when working take primary service of any reported crash, when available. The Service officers shall also be responsible for the following duties when available:

(i) Crossing guard replacement

(ii) Follow up investigation on hit & run reports

(iii) Proactive motor vehicle enforcement in identified problem zones

(iv) Radar enforcement

(v) Other duties as assigned

(vi) TAC OFFICER – Duties & Responsibilities

* Care of Master Name Index (merging)
* General Clean Up of Impact Records
* Report Review (All necessary reports in)
* Pin Mapping
* Compstat Meeting Prep
* Purging of Old Records
* Training of Dispatch Personnel
* Taking care of CCPO recording requests
* VGTOF Entries
* NCIC Training & Compliance/Record Keeping
* Making Certain Prints Reach SBI as required
* Follow Up – SOP Receipt/TB Receipt
* Other duties as assigned

j. The Community Police Unit shall be officers assigned to semi-fixed posts and used to cover contractual obligations for patrol coverage in a community policing manner.

(i) CPU Officers will meet with the management of posted areas (Amity Heights Office for AH//UEZ Office for UEZ patrol) regularly.

(ii) ABC shall instruct the Community Policing Sergeant on how to prepare email notifications to Apartment Complex managers concerning activities in their respective communities, and shall ensure this is done in a timely and appropriate manner.

Order #: I.47 **Date:** 07/12/2011
Category: DEPARTMENT ORDERS
Title: RECORDS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 47
SUBJECT: RECORDS

EFFECTIVE DATE: AUGUST 17, 2011

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARD(S): 82.1.1
82.1.6

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:47-1 PURPOSE

The purpose of this directive is to establish and maintain the policy and procedures concerning the appropriate submission, storage, maintenance, and control of the reports and records of the Bridgeton Police Department.

I:47-2 POLICY

It is the policy of the Bridgeton Police Department to maintain records in a manner to meet operational, informational and management needs in conformance with applicable law, administrative code, and Attorney General and Prosecutor Guidelines.

I:47-3 PROCEDURES

I. General

A. Records serve as the official memory of a law enforcement agency and are subject to scrutiny at all levels of the criminal justice system. The Bridgeton Police Department may be judged for competency by citizens and representatives of other governmental entities by the manner in which reports and records are completed and maintained.

B. Any release of records must be in conformance with the Open Public Records Act NJSA 47:1A-1 et seq., applicable Attorney General Guidelines and this directive.

C. Records shall be retained in accordance with the applicable schedules promulgated by the New Jersey Division of Archives and Records Management.

D. The Records Unit is the repository of all records with the exception of the following:

1. Accreditation files;

2. Confidential informants;

3. Criminal intelligence;

4. Fiscal records; and

5. Personnel records (internal affairs, training, personnel, medical, disciplinary, grievance, applications, selection, etc.)

E. The Administrative Bureau Commander or his designee is designated as the Records Supervisor and is responsible for maintaining the security and integrity of all records unit records and files.

F. Access to files in the records unit is restricted to authorized personnel only. The Records Supervisor may grant access to other personnel on an as-needed basis.

G. Most of the information contained in the agency's criminal records is available through the in-house computer system or State and Federal electronic records systems.

1. If it is after hours and an investigation is of such magnitude to require copying or inspection of original records, the duty supervisor may contact the Records Supervisor, who may respond or authorize a recall of a Commanding Officer or records unit personnel to assist in gaining access to and inspection of these original records.

H. Once the data from the written records is entered into the in-house incident records management system, the physical record shall be promptly filed. Access to these filing cabinets is restricted. Personnel with a need to physically inspect and/or copy these records for official purposes, may only do so with the permission of the Records Supervisor or his designee. Original records shall not be removed from the records unit unless signed for on a form designed for such use by the Records Supervisor.

I. Original reports may be completed electronically or may be hand written. Handwritten reports shall be in black ink ONLY. Original reports should be signed and forwarded to the records unit through the chain of command for filing.

J. Follow-up reports (original copies) shall be identified with the same file number as the original precipitating event and forwarded to the records unit for storage in the original incident file jacket.

II. Contemporaneous Notes

A. Definition of notes is any handwritten or typed writing or notation made by an officer or detective that describes or memorializes a crime scene or the substantive content of a witness interview including, but not limited to; what transpired during the course of the interview (e.g. the questions that were posed; what the interviewee said; a description of the interviewee's reaction and physical appearance, such as a notation that the interviewee appeared to be nervous, excited, angry, mad, etc.). Notes also include notations made after the interview that memorialize the officer's personal recollection of what transpired during the interview. The term DOES NOT include notes made in the course of a criminal investigation that do not describe or otherwise document the substantive content of a witness interview (e.g. information learned outside the witness interview; surveillance notes; notations made during the interview concerning investigative tasks to be accomplished such as a "to do" list, or reference to information from outside the interview to be checked against statements made by the interviewee to verify or dispel the witness' account; possible lines of inquiry or specific questions that were not pursued or actually posed to the witness, etc.).

B. All original notes of crime scenes or witness interviews made by an officer in the course of an investigation of an indictable crime shall be retained by the officer with photocopies being forwarded to the Records Unit as per procedures set forth in BPD Policy III.17. The notes must be clearly marked with the applicable case number and attached to the original report.

C. A photocopy of all such original notes shall be forwarded to the Prosecutor's Office along with the reports for any indictable investigation.

1. Contemporaneous notes that are considered confidential or privileged, or notes that an officer or detective believes that full disclosure or any portion thereof that may endanger any person or interfere with an investigation shall be clearly marked as confidential. The Prosecutor's Office will determine whether to provide these notes in the discovery process.

III. Field Reporting & Records Management

A. A standardized process is required to memorialize police activity for future reference. At a minimum, a CAD record will be generated for all citizen complaints, all calls for police service and all self-initiated field activity. This CAD record assigns a unique file number to each incident for reference.

B. Patrol Officers and Sergeants shall ensure that all efforts are made to complete applicable reports during the shift in which they are generated.

C. Reports that, due to circumstances beyond the Officer's control, are not able to be completed during a particular shift shall be printed and placed into the corresponding incomplete bin in the shift Sergeant's office and shall have included an "Incomplete Report Form" (attachment A) to be completed by the shift Supervisor. This form shall explain the

reasons for the report not being completed by the end of the officer's shift. Examples of justified reasons for incomplete reports would include witness statements which have not yet been attained, acquisition of necessary documents, etc.

D. Under NO circumstances is an Officer to secure from duty to a period of leave, which includes scheduled days off, without having completed all outstanding incomplete reports.

E. ALL reports should be completed within 48 hours of the incident being generated. In the rare instance when reports may need to remain incomplete for a period in excess of 48 hours, the applicable Supervisor shall explain said circumstances in the "Incomplete Report Form" and forward same to the Division Commander.

F. Supervisors are responsible for reviewing reports to ensure that they are complete, accurate, and grammatically correct.

1. Reports containing errors or deficiencies will be returned to the officer for correction prior to submission to the records unit. Supervisors will indicate that they reviewed the report by placing their initials and ID number in the appropriate field.

G. Reports authored by supervisors should be reviewed by a supervisor in the next level of command.

H. The Records Unit shall provide copies of criminal reports and criminal records to the County Prosecutor, New Jersey Attorney General, Commissioner of the Department of Corrections, and any other State and Federal law enforcement agency upon request, on an as-needed basis, and in accordance with law or policy.

I. Reports containing descriptions of hazardous or dangerous conditions that are under the purview of other governmental agencies shall be copied and forwarded to the appropriate government agency with jurisdiction without undue delay. Information within the report that is not subject to public disclosure shall be redacted. These governmental agencies include, but are not limited to municipal, county, and State:

1. Public Works Departments;

2. Engineering/Transportation Departments;

3. Zoning, property maintenance, code officials;

4. Fire Department/fire code officials;

5. Public health officials;

6. Boards of Education/educational institutions;

7. Parks and recreation; and,

8. Utility Company's (gas, electric).

J. An officer requiring access to original documents currently stored by the Records Unit will complete a "Records Request" form (attachment B). The Records Request form consists of one page and is located in the Records Unit. The Records Request form procedure is as follows:

1. Records unit staff will provide the Records Request form to the officer requesting same. The staff member will then write the information into a records request log to track each form that is provided.

2. After completing the Records Request document, it shall be submitted to the Records Unit during working hours or will be placed in the Records Unit mailbox located in the Shift Supervisors office during non-working hours.

3. An assigned Records Unit staff member will then obtain the requested document, sign the records request form and then place the form in a file folder which will be set in place of the document being removed.

4. The Records Unit staff member will then personally hand the requested document to the requesting officer. In the event the requesting officer is not available, then the Records Unit staff member will hand the document to the on-duty shift supervisor who will, in turn, see that the document is passed on to the requesting officer.

5. The requesting officer is responsible for the integrity and security of the document requested.

6. As soon as the requesting officer is completed with their use of the document, said document shall be returned to the Records Unit staff immediately. It will be unacceptable for a record/document to be removed from the Records area for a prolonged period of time.

7. Records Unit staff will then sign and date the "records request" form in the area denoted as returned and place the document back in its proper location. The "records request" form will then be placed with the returning document and become part of that report.

IV. Release of Government Records

A. Custodian of a government record for the police department means the Records Supervisor, designee, or other personnel deemed necessary by the Chief of Police. For matters not related specifically to the police department, the Municipal Clerk is designated as the custodian of a government record.

B. Government records includes any paper, written or printed book, document, drawing,

map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file or received in the course of official business.

C. A government record shall not include the following information:

1. Any copy, reproduction or facsimile of any photograph, negative or print, including instant photographs and videotapes of the body, or any portion of the body, of a deceased person taken by or for the medical examiner at the scene of a death or in the course of a post mortem examination or autopsy made by or caused to be made by the medical examiner except:

a. When used in a criminal action or proceeding in this State which relates to the death of that person;

b. For the use as a court of this State permits, by order, after good cause has been shown and after written notification of the request for the court order has been served at least five days before the order is made upon the county prosecutor for the county in which the post mortem examination or autopsy occurred;

c. For use in the field of forensic pathology or for use in medical or scientific education or research; or,

d. For use by any law enforcement agency in this State or any other state or federal law enforcement agency.

2. Criminal investigation records.

a. Records which are not required by law to be made, maintained or kept on file held by a law enforcement agency that pertains to any criminal investigation or related civil enforcement proceeding.

3. Victim's records, except that a victim of a crime shall have access to their own records.

a. Victim means a person who has suffered personal or psychological injury or death, or incurs loss of or injury to personal or real property as a result of a crime, or if such a person is deceased or incapacitated, a member of that person's immediate family.

b. Victim's record means an individually-identifiable file or document held by a victims' rights agency that pertains directly to a victim of a crime.

4. Trade secrets and proprietary commercial or financial information obtained from any source.

5. Administrative or technical information regarding computer hardware, software and

networks which, if disclosed, would jeopardize computer security.

6. Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein.

7. Security measures and surveillance techniques which, if disclosed, would create a risk to the safety of persons, property, electronic data or software.

8. Information which, if disclosed, would give an advantage to competitors or bidders.

9. Information generated by or on behalf of public employers or public employees in connection with any sexual harassment complaint filed with a public employer or with any grievance filed by or against an individual or in connection with collective negotiations, including documents and statements of strategy or negotiating position.

10. Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk management office.

11. Information that is to be kept confidential pursuant to a court order. Refer to (Executive Order 69) for further detail.

12. That portion of any document that discloses the social security number, credit card number, unlisted telephone number or driver's license number of any person; except for use by any government agency, including any court or law enforcement agency in carrying out its functions.

13. Internal Affairs files and records.

D. It is the public policy of the State of New Jersey that government records shall be readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest.

E. All public records shall be subject to public access unless exempt.

F. The Bridgeton Police Department has an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure would violate the citizen's reasonable expectation of privacy.

1. Any person who has been convicted of any indictable offense under the laws of this State or any other state, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family, shall be denied access to specific information, including but not limited to:

a. Home address;

b. Home telephone number;

c. Work or school address;

d. Work telephone number;

e. Social security number;

f. Medical history;

g. Driver's license number;

h. Date of birth;

i. Credit card information; or,

j. Any other identifying information.

G. Government records containing personal identifying information may be released only if the information is necessary to assist in the defense of the requestor. A determination that the information is necessary to assist in the requestor's defense shall be made by the court upon motion by the requestor or requestor's representative.

H. A custodian of a government record shall not comply with an anonymous request for a government record.

I. If the government record(s) that are sought to be inspected, copied or examined pertain to an investigation in progress, the right of access may be denied if the inspection, copying or examination of the record(s) are detrimental to the public interest. However, this provision shall not be construed to allow this agency to prohibit access to a government record that was open for public inspection, examination, or copying before the investigation commenced.

J. If, during the course of an investigation, the Bridgeton Police Department obtains a government record from another agency that was open to public inspection, examination, or copying before the investigation commenced, this agency shall provide the other agency with sufficient access to the record to allow the other agency to comply with requests made to inspect, copy or examine the record.

K. The following information concerning a criminal investigation shall be available to the public within 24 hours or as soon as practicable:

1. Where a crime has been reported but no arrest yet made, as to the type of crime, time, location, and type of weapon, if any;

2. If an arrest has been made, information as to the name, address, and age of any victims unless there has not been sufficient opportunity for notification of next of kin of any injury and/or death to the victim, or where the release of the names of any victim would be contrary

to existing law or Court Rule. In deciding on the release of information as to the identity of a victim, the safety of the victim and the victim's family, and the integrity of any ongoing investigation, shall be considered.

3. If an arrest has been made, information as to the defendant's name, age, residence, occupation, marital status and similar background information and, the identity of the complaining party unless the release of this information is contrary to existing law of Court Rule.

4. Information as to the text of any charges such as the complaint, accusation and indictment unless sealed by the court or unless the release of the information is contrary to existing law or Court Rule.

5. Information as to the identity of the investigating and arresting personnel, agency and length of the investigation.

6. Information of the circumstances immediately surrounding the arrest, including but not limited to the time and place of the arrest, resistance if any, pursuit, possession and nature and use of weapons and ammunition by the suspect and by the police.

7. Information as to the circumstances surrounding bail, whether it was posted and the amount thereof.

L. Notwithstanding the above provisions, where it shall appear that the information requested or to be examined will jeopardize the safety of any person or jeopardize any investigation in progress or may be otherwise inappropriate to release, the information may be withheld. This exception shall be narrowly construed to prevent disclosure of information that would be harmful to a bona fide law enforcement purpose of the public safety. Whenever a law enforcement official determines that it is necessary to withhold information, the official shall issue a brief statement explaining the decision.

M. Persons or entities denied access to government records have the right to file a complaint with the Superior Court or the Government Records Council to challenge the custodian's decision. (NJSA 47:1A-7)

N. The custodian of a government record shall permit the record to be inspected, examined, and/or copied by any person during regular business hours, unless a government record is exempt from public access by NJSA 47:1A-1 et seq., any other statute, Executive Order of the Governor, Rules of Court, or federal law, regulation or order.

O. Prior to allowing any access to any government record, the custodian shall redact from that record any information that discloses the social security number, credit card number, unlisted telephone number, or driver's license number of any person; except for use by another government agency, including a court or law enforcement agency in carrying out its functions, or any private person or entity seeking to enforce payment of court-ordered child support.

P. Copies of the government record may be purchased by any person upon payment of the fee prescribed by law, regulation, or ordinance.

Q. A custodian shall permit access to a government record and provide a copy thereof in the medium requested if this agency maintains the record in that medium.

1. If this agency does not maintain the record in the medium requested, the custodian shall either convert the record to the medium requested or provide a copy of some other meaningful medium.

2. If the custodian can demonstrate that its actual costs for duplication of a government record exceed the established rates, this agency shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record shall be the cost of material and supplies used to make copies, but shall not include the cost of labor or other overhead expenses associated with making the copy.

3. If the request for a record is:

a. In a medium not routinely used by this agency; or

b. Not routinely developed or maintained by this agency; or

c. Requiring a substantial amount of manipulation or programming of information technology,

This agency may charge, in addition to the actual cost of duplication, a special charge that shall be reasonable and shall be based on the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by this agency or attributable to this agency for the programming, clerical, and supervisory assistance required, or both.

R. Immediate access shall ordinarily be granted to budgets, bills, vouchers, contracts, including collective bargaining agreements and individual employment contracts, and public employee salary and overtime information.

S. Requests for access to public records must be made on a form approved for use by the Chief of Police and in compliance with NJSA 47:1A-1 et seq.

T. Requests for access to public records shall be in writing and hand-delivered, mailed, transmitted electronically or otherwise conveyed to the custodian. The custodian shall promptly comply with the request to inspect, examine, copy or provide a copy of a government record. If the custodian is unable to comply with a request for access the appropriate form will be completed with one of the reasons from the preprinted list checked off.

U. If the custodian asserts that part of a particular record is exempt from public access, the custodian shall delete or excise from a copy of the record that portion that the custodian asserts is exempt from access and promptly permit access to the remainder of the record.

V. If the government record requested is temporarily unavailable because it is in storage, the custodian shall advise the requestor and shall make arrangements to promptly make a copy of the record available.

W. If a request for a government record would substantially disrupt agency operations, the custodian may deny access to the record after attempting to reach a reasonable solution with the requestor that accommodates the interests of the requestor and the agency.

X. Any employee of the Bridgeton Police Department who receives a request for access to a government record shall forward the request or direct the person to the custodian of government records.

Y. The custodian shall grant access to a government record or deny a request for access as soon as possible, but no later than 7 business days after receiving the request, providing that the record is currently available and not in storage or archived.

Z. In addition to the provisions of NJSA 47:1A-1 et seq.:

1. NJSA 39:2-3.3, NJSA 39:2-3.4, and NJSA 39:2-3.5 make it a 4th degree crime to disclose personal information from a motor vehicle record to unauthorized persons.

2. NJSA 2A:4A-60 makes it a disorderly persons offense to disclose certain juvenile information.

3. NJSA 9:6-8.10a makes it a disorderly persons offense to release information pertaining to child abuse or child neglect information to unauthorized persons.

V. Records Disposal Process

A. NJAC 15:3-1 et seq. regulates the retention and disposal of public records through the New Jersey Division of Archives and Records Management. Supervisors are responsible for archiving and ultimately disposing of unnecessary records under their purview.

B. The Records Unit Supervisor shall maintain a ready supply of the New Jersey Division of Archive and Records Management Request and Authorization for Records Disposal forms.

1. These forms may be typed or neatly printed. The forms are self explanatory. The New Jersey Records Retention Schedule contains a list and description of various records, the minimum retention schedule, method of destruction, and their associated series number.

a. Records should be grouped together in their Record Series Number and an estimate of

their cubic footage should be obtained.

b. The month and year of the oldest record needs to be recorded in the proper box and the month and year of the most recent record needs to be recorded in the proper box.

c. Requests to dispose of any financial records (overtime, confidential funds, petty cash, etc.) must be forwarded to the Chief Financial Officer for review by the Auditor.

d. Completed forms shall be forwarded to the Chief of Police for final review and mailed to the Division of Archives for approval.

e. While awaiting approval, the records that are being disposed of should be securely boxed and separated from records that are still being retained.

f. When approval to destroy the records has been received from the Division of Archives, the records shall be promptly destroyed by shredding or burning.

g. Block #12 of the Request and Authorization for Records Disposal shall be completed and the form shall be again forwarded to the Chief of Police. The yellow copy shall be mailed to the Division of Archives and the pink copy shall be retained permanently. A copy of the fully executed form shall be forwarded to the Accreditation Manager

C. The Chief of Police may reassign personnel to records disposal duties at times when a significant number of outdated records need to be destroyed. The Chief of Police may authorize an outside vendor to shred the records. Personnel on convalescent duty should be utilized for this purpose when available.

D. Personnel shall not haphazardly discard police related records into the trash.

VI. Security of Central Records Computer Systems

A. Virus Protection – Due to the possibility of computer virus infection, all outside software, discs, or other electronic data storage devices will be scanned utilizing an antivirus program on each computer. Should anyone need assistance with this process, they will contact the Administrative Bureau Commander or his designee before using or connecting the device to any computer. All software shall be properly licensed.

B. Data Back-Up – The Administrative Bureau Commander or his designee shall provide for a nightly tape back-up of the electronic records management system. This will assure continual continuity of data integrity and retrieval in case of a catastrophic failure of the system.

C. Data Storage – All data from the central records computer records management system will be stored in a manner compliant with the hardware and software manufacturer's recommendations as well as what is considered to be the current best practices in the IT

field. All data will be stored in the records management system. The storage of any electronic files or other forms of electronic data not the property of the Bridgeton Police Department on computers owned by the Bridgeton Police Department is strictly prohibited. All data will be stored on network resources that are backed up nightly. No data or documents will be stored on desktop computer media.

D. Access Security – Physical security of our computer systems must be maintained at all times. Only Bridgeton Police Department personnel are to be given access to the office computers regardless of their location should that be in the office or off site on mobile systems. The Bridgeton Police Department's electronic records management system has a password protected access control system. Only personnel with a need to access the system will be assigned a user name and password.

E. Password Strength and Security - All personnel shall have a strong password. Passwords should never be written down or stored on-line. Ideal passwords are not only hard to guess but also easily memorized. Passwords are not to be shared with anyone. They should be considered as sensitive, confidential information that belongs to the organization. Passwords should not be included in an email message, revealed to co-workers or family members.

F. Annual Password Audit - On an annual basis the Administrative Bureau Commander or his designee will perform an audit of all user names and passwords to determine the following:

1. Only currently employed personnel have access.

2. All users' access rights are for their specific duties and responsibilities.

3. Any personnel on suspension or other related leave of absences are temporarily removed from having access rights.

4. The Administrative Bureau Commander or his designee shall report their findings in a written report to the Chief of Police no later than January 31st of the calendar year.

G. Clearing, Sanitizing, and Releasing Computer Components - No computer, hard drive, CD, DVD, cellular phone or other remotely related electronic data storage device owned or operated by the Bridgeton Police Department shall be released from custody and control of this agency until such time as the Administrative Bureau Commander or his designee can clear it of all data and software and sanitize it in a way that no one will be able to retrieve any data from any type of storage device at a later date.

H. Internet Access – All of the Bridgeton Police Department computers have Internet access and are secured with an industry standard firewall to prevent unauthorized access to the central electronic records management system. Even with this level of protection, internet use is for mission critical requirements only.

VII. REFERENCE FORMS (AVAILABLE ON BPD ONLINE FORMS)

A. Incomplete Report Form (Located under Supervisor tab)

B. Records Request Form (Located under Miscellaneous tab)

Order #: I.1 **Date:** 01/10/2014
Category: DEPARTMENT ORDERS
Title: ABSENTEEISM/LATENESS

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 1
SUBJECT: ABSENTEEISM AND LATENESS

REVISION DATE: January 10, 2014

EFFECTIVE DATE: January 10, 2014

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: 26.1.1

THIS DIRECTIVE SUPERCEDES PREVIOUS DIRECTIVE I.1 - ABSENTEEISM AND LATENESS

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I. Purpose:

This directive is enacted to establish accountability and to control excessive or abusive use of employee absenteeism privileges within the Bridgeton Police Division.

II. Policy:

It is reasonable to expect members to be absent occasionally. However, abusive or excessive use of absenteeism privileges creates legitimate ethical, economic and safety related issues for employees and citizens alike. Controlling absenteeism is a legitimate business necessity and a basic management right. In public safety work, controlling absenteeism is especially important because of the nature of the work and the consistent need to provide public safety services.

Should substantial evidence suggest that an employee's reasons for being absent are suspect, or the employee is excessively absent, management will take reasonable and appropriate action to correct the problem.

III. Definitions:

ABSENCE WITHOUT LEAVE: Lateness in arriving for duty or failure to report for assigned duty shall both be considered absence without leave.

ABSENTEEISM: Absenteeism is a condition when a worker is not available for regular scheduled duties. Some illustrative examples are: vacation, sick leave and out-of-department training. It encompasses the concept of scheduled and non-scheduled absences from work.

NON-SCHEDULED ABSENTEEISM: Non-scheduled absenteeism is a practice of a worker failing to report for work over one or more days, or shifts, when he or she has been assigned for scheduled work. This includes not being at an expected work location during a work period, taking excessive periods of time to perform work assignments outside accepted standards, and also not performing assigned tasks or functions during an assigned work period. Non-scheduled absenteeism also includes employee tardiness.

ATTENDANCE STANDARDS: Attendance standards are being to work on time, ready to go to work. Being available for work: being at work station, position or assignment; available to handle calls or other job functions; as well as being physically and mentally fit for normal duty.

ESSENTIAL FUNCTION: Fundamental, not marginal, job duties of the employment position. This includes positions that exist to perform the function, limited numbers of persons are available to perform the function, or highly specialized functions that require special expertise or ability to perform the function.

BUSINESS NECESSITY: Business necessity is a practice that is sufficiently compelling to override any discriminatory impact. The practice must effectively carry out the business purpose for the organization and the employer can provide no other acceptable alternative practice or policy that would better accomplish the practice without discrimination.

SUBSTANTIAL EVIDENCE: Substantial evidence is the level of evidence a reasonable person needs to support a conclusion. It is this standard or level of evidence that is appropriate in an administrative setting and will be the Bridgeton Police Division adopted standard.

EXCESSIVE ABSENTEEISM: Excessive absenteeism includes but is not limited to the following definition: more than 2 unexcused absences during a quarter.

RED FLAGGED: The status of an employee who during a quarter used more than two unexcused sick days will be red flagged in the following quarter. The employee's red flag is removed after a quarter with no violation.

IV. Procedure:

The purpose of this policy is to establish accountability and control excessive or abusive use of employee absenteeism privileges within this Division. It is reasonable to expect employees

to be absent occasionally. Legitimate absenteeism (vacation leave, bereavement leave, contractual personal days, approved compensation time and training, as examples), usually scheduled in advance is not a problem. Abusive or excessive uses of absenteeism privileges create legitimate ethical, economic and safety related issues.

In applying this policy, the Division intends to comply with the requirements of local, state and federal anti-discrimination laws, personnel laws, administrative civil service regulations or provisions of any collective bargaining contracts that may exist.

1. Controlling absenteeism is a legitimate business necessity and a basic management right. In public safety work, controlling absenteeism is especially important because of the nature of the work and the consistent need to provide public safety services.

    a. Business necessity. Public safety work requires a team effort and each member plays an important part as a member of the team. Unless members are regularly available for duty, work cannot go on effectively and efficiently. Excessive absenteeism causes unnecessary increase in official operating expenses. Members who are excessively absent and unavailable for work, forces others to carry their load, as well as tie up job opportunities and positions for more available personnel.

    b. All absenteeism affects the effective, efficient and safe operations of this Division. The nature of public safety work requires a cadre of workers capable and ready to handle any established or expected service demand by the public. Public safety personnel have specialized and specific training that cannot be easily replaced or substituted by other persons. Replacement and substitutions are usually difficult for management.

    c. Each member must maintain a level of availability for work during any regular reporting period that is at least that of the unit's calculated average for the reporting period.

2. Abuse of absenteeism privileges is considered a serious violation of ethical conduct and a possible violation of criminal law. Falsifying absenteeism reports or using this privilege falsely or fraudulently will be dealt with in administrative proceedings and when appropriate, in criminal proceedings.

    a. When absenteeism is excessive or creates substantial evidence of abuse, employees involved can expect to perform one or more of the following actions:

        (1) Cooperate in the development of a performance improvement plan;

        (2) Provide a signed fitness for duty report;

        (3) Answer completely and truthfully all questions related to any administrative internal affairs investigation or disciplinary investigation

that may result;

(4) Face disciplinary measures.

b. Employees whose absenteeism becomes excessive, and when abuse is not expected, can expect management to question their fitness for performing the essential functions of their jobs. Employees can expect to be evaluated for their fitness for duty in accordance to prescribed policies/directives.

3. Examples: The following are examples of both acceptable absenteeism, and excessive or abusive absenteeism. While the lists provide ample illustration of each, one must realize that the lists may not be all inclusive:

a. Examples of non-violations:

(1) Observance of scheduled days off.

(2) Approved bereavement (funeral leave) time.

(3) Time in approved training, special work assignment or educational assignments, including contractual conference times.

(4) Earned vacation time.

(5) Required military time, as permitted by law.

(6) Personal days used in accordance with policy.

(7) Time off for duty injury.

(8) Time off for approved disability (serious duty injury, pregnancy or cause provided by federal, state or local discrimination laws).

(9) Use of approved compensation time.

b. Examples of violations of this policy:

(1) Any employee who accrues, uses or realizes more than two unexcused absences during any quarter. Schedule "D" offense on first occurrence.

Note - proofs of excused absence need to be submitted within one week of returning to work after the absence. Employees may not submit provider excuse notes after the initial seven days has elapsed.

(2) All unauthorized absences. Failing to arrive for duty or special

assignment. Schedule "B" offense on first occurrence.

(3) Consistently scheduling personal appointments that coincide with scheduled work time. This would be viewed on the first occurrence as a Schedule "C" matter.

(4) Failing to attend scheduled training or being absent for any part or any time period from a scheduled training course without direct approval from appropriate authority. This would be viewed as a Schedule "B" offense on the first occurrence.

(5) Time late reporting for duty; habitually unavailable for assignment of overtime within the scope of contract and policy. Late for duty on the first instance would be a schedule "D" matter on the first occurrence. Habitually unavailable for assignment of overtime within the scope of contract and policy would be a schedule "C" matter on the first occurrence.

(6) Time lost because of reporting for duty unfit or not ready for duty. This includes mental or physical unfitness, and the failure to bring or wear necessary equipment or uniform. This would be viewed as a schedule "C" offense on the first occurrence.

(7) Time lost consistently correcting work because such work was not completed properly the first time. This would be viewed as a schedule "D" matter on the first occurrence.

(8) Time lost in sleeping, loafing or watching TV during restricted times on the job. This would be viewed as a schedule "C" matter for the first occurrence.

(9) Time spent consistently conducting personal business on work time. This would be viewed as a schedule "A" matter on the first offense and may also subject the employee to criminal charges related to theft.

(10) Time spent correcting deficient work product after receiving notice, oral or written, to improve. This would be viewed as a schedule "C" matter on the first occurrence.

(11) Time spent on unassigned task without an immediate supervisor's permission. This would be viewed as a schedule "D" matter for the first occurrence.

(12) Time spent on extended lunch break or work break after receiving notice, oral or written, to correct. This would be viewed as a schedule "C" matter for the first occurrence.

(13) Time taken because of disability or injuries occurring during off duty hours, reviewed on case by case basis. This would be viewed as a schedule "D" matter for the first occurrence.

(14) Absences of short duration (less than three days) due to alleged illness that are attached to scheduled days off or other scheduled absenteeism. This would be viewed as a schedule "C" matter for the first occurrence.

(15) Consistently using sick leave or personal days within a short period of time in which they were earned. This would be viewed as a schedule "D" matter on the first occurrence.

(16) Use of sick leave at a rate that consistently leaves the employee at or near zero (less than fifteen hours). This would be viewed as a schedule "D" matter on the first occurrence.

(17) Short-term sick leave (less than twenty hours) consistently attached to regularly scheduled days off. This would be viewed as a schedule "C" matter on the first occurrence.

(18) Using accumulated sick leave beyond the maximum limit allowed. Which will subject the employee to no pay for any sick leave used with no accumulated time and would be considered Absence Without Leave (see #4 below) a schedule "A" matter.

(19) Failing to provide a minimum of 2 hours notice prior to calling in sick. This would be viewed as a schedule "D" matter on the first occurrence.

(20) Failing to report for duty for five consecutive work days is considered abandonment of position and employee shall be terminated.

4. Enforcement Guidelines:

   a. Progressive discipline shall be used up to and including termination. Note: absence without leave that exceeds five (5) days is considered to be a voluntary resignation on the part of the employee {See (20) above.}

   b. Each employee shall be eligible to use two unexcused sick days per quarter without having to supply a note by physician or health care professional.

5. Additional examples of non-violation absenteeism:

   a. Absenteeism due to restricted light duty because of a job related injury provided the associated time off does not establish a pattern of unapproved time attachment

with regularly scheduled days off.

b. Sick time used by a member who has a serious illness or injury to self or immediate family member shall not be calculated into any pattern so long as such illness or injury is documented (with Chief's Office), the nature of the illness or injury is

certified by a licensed physician approved by the Division (in compliance with medical confidentiality policies) and such use is approved by management.

(1) All such approvals are subject to management audit and change and intended to be in compliance with the provisions of federal, state and local discrimination laws.

6. It is the intent of this directive to convey to members that management respects their rights to the protection provided them by law. Very important are the rights afforded through the 1964 Civil Rights Act, the 1990 Americans with Disabilities Act, the 1991 Family Leave and Standards Act and state or local laws and ordinances.

7. If any employee believes this policy has been improperly or unfairly applied, he or she is encouraged to discuss the issues with a management authority of their choice. They should do this free from fear of retaliation. Nothing in this policy is to be construed that employees are prevented from contacting a representative agency. However, nothing in this policy is to be construed to mean that employees are not expected to comply with the principal of "obey now and grieve later." Employees who choose to do otherwise incur the additional risk of being charged with insubordination and its subsequent consequences.

8. Tracking.

a. Tracking of absences and absenteeism shall be carried out by the Captain of Police. The information shall be tracked via an excel type program and printouts shall be made available to unit supervisors for each employee of the Division.

b. This information shall be tracked based on quarters. During the first quarter of tracking officers who exceed the 2 unexcused sick days shall be "red flagged" as in violation of the policy. The unit supervisors upon receiving the notice on particular officers shall provide the officers in violation of same and advise them that during the next quarter they should be able to correct the error.

9. Home Inspections/Reporting To Desk

a. Officers who are "red flagged" may be visited at their home during hours logged off as sick.

b. Officers who are "red flagged" and using sick leave will be required to call BPD

Dispatch with the name and location of their medically required visits when leaving the home. They shall call BPD Dispatch to report their return to the home.

c. Officers put off work due to duty injury are required to remain at home. If required to leave the home (due to medical appointments, etc) they shall contact BPD Dispatch with the name and location of that place. Upon their return to the home they shall again contact dispatch to report the return.

d. Use of sick leave or duty injury leave shall be viewed as an on duty situation in the home or medical setting during regularly scheduled shift hours for short term leaves. It shall not be used by members as a means to have vacations etc. during the time periods they are meant to be healing. For those on long term leaves they shall be considered in this status for Monday through Friday 8a-4p.

Order #: I.2 **Date:** 01/13/2014
Category: DEPARTMENT ORDERS
Title: ADMINISTRATIVE LEAVE/REASSIGNMENT

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 2
REVISION DATE: 1-13-2014

SUBJECT: ADMINISTRATIVE LEAVE / REASSIGNMENT

EFFECTIVE DATE: 1-13-2014
CHIEF OF POLICE: Mark W. Ott

Purpose:

To establish a vehicle beneficial to the organization, and officer/member, in dealing with outside source allegations, CDR complaints and suspected misconduct. In today's economy and the increasing caseload placed on this agency through public demand, the practice of suspending members is not always beneficial to the organization and the city. Often, a prima facie case does not exist without further investigation into the allegations or charges against a member. At the same time, this agency must offer protection to the community it serves from a member or members who may prove to be derelict or corrupt in his or her actions. Therefore, in cases where prima facie evidence of statutory violation or violation involving moral turpitude is not readily discernable and where member conduct is not bizarre or heinous in nature to call for immediate disciplinary suspension, this agency is enacting an Administrative Leave or Reassignment policy.

Statement:

There are times when a member or group of members may become involved in acts or omissions where it is appropriate for an immediate suspension, with or without pay, as the first step in effective dealing with the issue at hand. In other instances, the elements or facts may not be so clear cut during misconduct allegation investigations, particularly from outside sources. It is in these instances of alleged misconduct that members need to be removed from enforcement duty until a proper investigation or other administrative proceeding can be accomplished. It is for these cases, needing further investigation or administrative action (or possibly completion of a preliminary criminal proceeding) to determine culpability and need for disciplinary action, that this organization is instituting an Administrative Leave or Reassignment policy.

I. ADMINISTRATIVE LEAVE OR REASSIGNMENT

Is defined within this agency as a non-disciplinary action, to wit, the removal of a member

from enforcement duty to duties prescribed by appropriate authority (i.e. A Command Level Officer//Lieutenant or above).

II. USES/DESCRIPTION

Administrative Leave or Reassignment occurs any time a member must be removed from his regular police enforcement duty functions. This shall remain in effect until such time as a proper investigation or other administrative proceeding can be made or take place. Usually the situation will involve a case of suspected misconduct, such as alcohol or drug use, excessive use of force or being mentally or physically unfit for duty. In such cases, leaving the member in position would create an unreasonable liability or safety issue for the organization.

An immediate supervisor can order a relief from duty for a member but must then immediately report the action to the next higher ranking supervisor in the chain of command. Incident documents will follow the chain of command to the Chief. The Chief should initiate an investigation and make a decision within 24 hours of receiving such notice about whether the relief will continue and for how long. It will be within the Chief's discretion, based on allegation content, any criminal charge and available facts to remove a member from enforcement duty and reassign the member to administrative functions within the agency to carry out the fact finding procedures or to follow existing legal procedures to move for an unpaid suspension based on the individual facts and information existing at the time.

Any reassignments made are to be considered a temporary assignment and are not to be considered as disciplinary actions.

Should the reported or suspected misconduct require an immediate suspension with or without pay, the member will, upon direction and discretion of the Chief, report to the Chief or his designee at locations and times ordered by the Chief. The purpose for such direction is member availability in assisting the furtherance of the fact finding procedures.

Should a member be reassigned to no duty or suspended with pay, that member shall be on duty status in the home from 0800hrs to 1600hrs Monday through Friday. That member shall report to the working supervisor via phone at both the beginning of that shift and the end of that shift and report any comings or goings from the home to the working patrol OIC or as designated by the Chief of Police. The Supervisor designated as the point of contact for the reassigned officer shall be the conduit for passing of important information, supplying subpoena's, etc.

Administrative leave/reassignment may also be used during incidents where in the best interest of the agency and city, an officer needs to be reassigned while the Department takes other actions. This could include but would not be limited to: during the aftermath of an officer involved shooting.

This policy is not intended to discriminate against members of this organization based on any

protected class stipulations.

Order #: I.45 **Date:** 10/22/2010
Category: DEPARTMENT ORDERS
Title: AFFIRMATIVE ACTION PLAN

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY & PROCEDURE

SECTION: I
CHAPTER: 45

SUBJECT: Affirmative Action Plan

Effective Date: September 15th, 2010
Chief of Police: Mark W. Ott

I. INTRODUCTION

A. The following plan makes recommendations relative to the recruitment of minorities and women for full-time sworn law enforcement positions in the Bridgeton Police Department. This marks the first time the department has taken a pro-active approach to minority hiring by developing an affirmative action plan. Each applicant shall be provided an equal employment opportunity regardless of race, sex, or any other protected class status.

1. Nothing in this plan however, shall change the department's commitment to hiring the best available candidate based solely upon the consideration of an individual candidate's qualifications.

2. This department will attempt, when feasible, to use alternative hiring programs such as the Police Assistant Program, the Intergovernmental Transfer program or by utilizing candidates from a Rice Bill list.

II. NEED FOR AFFIRMATIVE ACTION

A. The Bridgeton Police Department recognizes the need for an affirmative action plan. The Department has identified, by the demographic analysis below, a need to increase the percentage of African American officers, Hispanic officers and female officers.

B. The Department also recognizes that the process does not end with the development of a plan. The plan must be evaluated and results analyzed on a regular basis to insure that the recommendations made are being effective and that the desired results are being attained.

III. DEMOGRAPHIC ANALYSIS

A. Bridgeton City demographic information (2000 census)

1.	Population	22,771
2.	Percentage of Caucasians in population	38.9%
3.	Percentage of African Americans in population	41.8%
4.	Percentage of Hispanics in population	24.5%
5.	Percentage of other minority races in population	13.7%
6.	Percentage of women in population	43.4%

B. Bridgeton Police Department police officer demographic information for 2010

1.	Authorized sworn positions	67
2.	Actual number of filled sworn positions	63
3.	Percentage of Caucasian officers	86.88%
4.	Percentage of African American officers	3.25%
5.	Percentage of Hispanic officers	13.11%
6.	Percentage of Female officers	6.5%

C. The Bridgeton Police Department applicant information for 2010:

1. The Bridgeton Police Department has not accepted any applications to date for the year 2010.

D. Bridgeton Police Department hiring results for 2009:

1. Seven candidates were hired in 2009.

   a. Three white males
   b. Three Hispanic males
   c. One Hispanic female

2. Retained candidates hired during 2009.

   a. White males retained – two.

      * One resigned position.

   b. Hispanic males retained – zero.

      * One injured during academy – drop out.
      * Two hired from Bilingual Spanish list Dismissed due to failing state DOP Spanish language test.

   c. Hispanic female retained – yes.

IV. 2010 AFFIRMATIVE ACTION GOALS

A. By this plan the Department will establish measurable and reasonable goals for 2010 and beyond regarding attempts at recruiting through civil service guidelines more African American, Hispanic and female officers.

1. The Department will take lawful steps to increase the pool of retained African American officers to 15% within 3 years.

2. The Department will take lawful steps to increase the pool of retained Hispanic officers to 15% within 3 years.

3. The Department will take lawful steps to increase the pool of retained Female officers to 15% within 3 years.

B. The Department will continue to hire the best available candidate, regardless of gender, race, religious, ethnic or other form of protected class status. This will be done in a manner which best suits a fair and equitable process as possible under hiring guidelines established by the civil service rules and regulations.

C. The Executive Officer will prepare an annual report regarding action taken in conjunction with the Affirmative Action Plan and the results of the action taken. The report will be filed as part of the Department's annual report to the Appropriate Authority.

DEPARTMENT ORDER

Order #: I.13.1 **Date:** 03/11/2010
Category: DEPARTMENT ORDERS
Title: BRIDGETON PD AWARDS

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 13.1
REVISION DATE

SUBJECT: BRIDGETON P.D. AWARDS PROGRAM

EFFECTIVE DATE: 3-11-2010
CHIEF OF POLICE:MARK W. OTT

PURPOSE:

The purpose of this directive is to identify the types of awards issued by the Department and as generally as possible set forth the circumstances that would qualify an individual to receive one.

POLICY:

It shall be the policy of the Bridgeton P.D. to issue appropriate awards to individuals as based on an examination of the totality of the circumstances involved in the particular case in question.

The following is a listing of Bridgeton P.D. awards and their respective qualifications:

RIGHT BREAST AWARDS:

In order of importance;

MEDAL OF HONOR - Awarded for an outstanding act in the line of duty, which placed the individual at imminent personal hazard of life, with full knowledge of the risk involved.

PURPLE HEART MEDAL - Awarded for a wound received in the line of duty, inflicted by an armed adversary, resulting in severe puncture wounds, lacerations, fractures or concussion or wounds requiring in depth surgical repairs to the nominee.

MEDAL OF VALOR - Awarded for an outstanding act of bravery in

the line of duty which meets some but not all of the requirements for the Medal of Honor.

RIGHT BREAST ACCOMPLISHMENT DEVICES:

FIREARMS INSTRUCTOR - Awarded to officers who have been to advanced schooling for firearms instruction.

DISTINGUISHED PISTOL EXPERT - Awarded to officers who achieve a combined score of spring/fall qualifications 98% during a calendar year.

PISTOL EXPERT - Awarded to officers who achieve a combined score of spring/fall qualifications 90% during a calendar year.

LEFT BREAST AWARDS:

In order of importance;

COMBAT CROSS - Awarded for an individual act of heroism, at imminent personal hazard of life, in combat with an armed adversary.

MERITORIOUS SERVICE - Awarded for a highly unusual accomplishment, under adverse conditions, with some degree of hazard to life or limb to the nominee or where death or injury to a third party is prevented.

LIFE SAVING MEDAL - Awarded for an act performed in the line of duty which, through disregard to personal safety or prompt and alert action, results in saving a life.

EXCEPTIONAL DUTY MEDAL - Awarded for a highly creditable accomplishment bringing acclaim to himself, his department or the police profession, as a result of training, devotion to duty or service to the public.

HONORABLE SERVICE MEDAL - Awarded for a creditable act in the line of duty which meets some but not all, of the requirements for other medals. Unusual accomplishment or initiative.

NEGOTIATORS MEDAL - Awarded for a notable act of negotiations that ends a hostage or suicidal situation without injury to any party.

COMMUNITY POLICING MEDAL - Awarded for a notable contribution or particular dedication to the community through the role of police employee.

GOOD CONDUCT MEDAL - Awarded for service during a year without suspension. An officer receiving a suspension is ineligible to receive or wear this medal until one year without suspension has passed.

K9 MEDAL - Awarded for a notable act involving a K9 officer and his partner.

FIREARM/NARCOTICS ENFORCEMENT MEDAL - Awarded for a notable act involving the arrest of an individual or individuals who possess either firearm or narcotics.

EDUCATIONAL ACHIEVEMENT MEDAL - Awarded to an officer who achieves 60 or more college credits or graduates the FBI National Academy.

UNIT CITATION MEDAL - Awarded to a group of officers who work together and accomplish a significant or notable police action.

MILITARY SERVICE PIN - Awarded to an officer who had been honorably discharged from the Armed Forces or US Coast Gaurd.

MULTIPLE MEDALS IDENTIFIERS:

STAR - One star affixed to any medal indicates second award.

Two stars affixed to any medal indicates

third award.

ACORN - One acorn affixed to any medal indicates fourth award.

Two acorns affixed to any medal indicates fifth award.

OAK LEAVES - One oak leaf cluster affixed to any medal indicates sixth award.

Two oak leaf clusters affixed to any medal indicates seventh award.

MALTESE CROSS - One maltese cross affixed to any medal indicates 8th award. Two maltese crosses affixed to any medal indicates 9th award.

MULTIPLES IN EXCESS OF NINE PER MEDAL WILL NOT BE RECOGNIZED ON THE UNIFORM BUT BY PERSONNEL FILE ALONE.

Order #: I.3 **Date:** 01/16/2014
Category: DEPARTMENT ORDERS
Title: CARE OF DEPARTMENT BUILDINGS/ PROPERTY

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 3
REVISION DATE: 1-16-2014

SUBJECT: CARE OF DEPARTMENT PROPERTY

EFFECTIVE DATE: 1-16-2014
CHIEF OF POLICE:Mark W. Ott

PURPOSE:

To establish clear guidelines on how Bridgeton Police Department property is to be treated by City of Bridgeton employees. Employees must understand that the property owned by the City is the property of the City and the City maintains exclusive control over all the property that it owns.

Everyone must understand that all City property remains as such and that any alterations, changes, damage or etc. may affect some future public auction results or render the equipment useless or ineffective for continued proper service.

POLICY:

I. BUILDINGS

Members and employees will not mar, mark, deface, reconstruct, deconstruct, dismantle, attach or otherwise alter any Department building or satellite office, whether owned, leased or rented by the City of Bridgeton.

Note - The term "Buildings" for this policy will include all City owned structures, grounds, vehicles and equipment.

II. BULLETIN BOARDS:

a. CITY OR POLICE DEPARTMENT BULLETIN BOARDS

All bulletin boards with the exception of authorized Union bulletin boards are the property of the City of Bridgeton and the City retains all rights at what, when, how and why things are posted on it's bulletin boards. Employees should consult with the Chief of Police and gain permission before posting anything on a City or Department Bulletin Boards.

b. AUTHORIZED BULLETIN BOARDS NON-CITY OWNED

Each of the three unions (PBA/SOA/C18) may at their own expense obtain and fasten a bulletin board to an approved wall area of the Police Department so long as it conforms to neat appearance standards, appropriate size and configuration so as not to interfere with safe movement or clash with new building color patterns. The bulletin board may be of the type that can be secured by locking mechanism. Union bulletin boards may only be hung in an approved area at the Union's cost. These boards shall be controlled by the individual union presidents or their designee.

c. PROHIBITIONS

No union nor any of its members may post comments/images/or other materials that would be violation of any City rule, regulation, directive or policy.

III. FURNISHINGS AND EQUIPMENT

Members and employees will not mar, mark, deface, reconstruct, deconstruct, dismantle, attach or otherwise alter any Department equipment or furnishings. Members and employees wishing to make some form of improvement or alteration to existing furnishings or equipment of any kind must first seek approval from appropriate authority (ie Lieutenant or above).

IV. POSTINGS, NOTICES AND ANNOUNCEMENTS

Members and employees will not post any material on any wall, locker, desk or any other surface in the Department building without authorization from appropriate authority (ie Lieutenant or above).

Note - background photos/screen savers on workstation computers are to be of the Bridgeton Police Department patch and not personalized by individual workers.

V. HOSTILE WORK ENVIRONMENT

No member shall post any material or images or other rendition of anything that could be construed as offensive or bias in nature.

No member shall post any material of a non-police related matter. Postings shall be for official police business only. The only exception to this would be posting of family type photos or public figures or icons of America that are in good taste. These photos or images/materials shall only be affixed to the cloth covered pegboard portion of an employees assigned workstation or on the interior surface of an assigned locker door.

Refer to Harassment in the Workplace Policy for further information.

VI. LOCKERS, DESKS AND OTHER STORAGE AREAS/EQUIPMENT

Members assigned a locker, desk or storage area or equipment shall understand that the lockers are the property of the Department and City of Bridgeton and therefore subject to entry and or inspection at all times. The City makes these lockers, desks and other storage areas or equipment available to employees for their work needs and not for personal use.

Every locker, desk or other storage area/equipment must have a copy of the lock key or combination on file in the Chief's office (stored in personnel folder) so that Police or City Management can open the locker, desk or other storage area/equipment.

The only permitted alterations or additions to Department lockers are the installation of the door storage device called "Locker Dawg" or "Locker Organizer", which is a nylon hanging device intended to be secured to the inside of the locker via tape or metal rod.

Locker rooms will be kept clean and all equipment controlled by an employee or member shall remain secured inside their locker. No one is permitted to hang items outside of the lockers, store items on top of lockers or on the floor of the locker room. No footwear may be stored on the floor, on top of lockers or anywhere outside of the lockers.

It is recommended that any officer wishing to store footwear inside a locker obtain some form of deodorizer (ie small bags of cedar chips/etc – to place inside the footgear stored inside lockers).

No member or employee is permitted to post or affix any item, image, writing to the exterior of any locker or any surface of the locker room.

Members or employees with lockers may affix personal or family photographs or images of non-hostile, non-pornographic or of a suggestive nature on the interior of their lockers. The manner of hanging should not be permanent (ie leave the locker scarred or damaged).

No pornographic or biased materials (not being held as evidence through normal evidentiary storage methods/procedures) may be stored anywhere inside of any Department building or storage device of any kind.

This section also applies to all electronic equipment as well (ie computers, hard drives, etc).

The term locker room includes adjacent changing, washing and toilet areas.

VII. KEYS

Members or employees issued keys to Department buildings, vehicles and equipment are responsible for that equipment and shall be held liable for replacement costs if lost or damaged.

Members or employees losing control of keys to Department buildings must report that loss to their supervisor immediately upon discovery of the loss. That working supervisor must make contact with the officer in charge of electronic and metallic key security (Admin. Bureau) as soon as possible to avoid security breaches of Police Department facilities.

It is the responsibility of members and employees issued vehicle keys to return them to their proper place prior to securing for the day. Should an officer neglect to return a key and must be called to return same that responsibility falls on the officer and no overtime shall be awarded for returning the key.

Members or employees may, at their own expense, obtain copies of keys to vehicle which they are normally assigned. Upon separation from service the officer, must however, surrender those keys to the Department.

VIII.CLEANLINESS

Members and employees given access to work spaces, areas and equipment are expected to maintain the neat appearance of same. This would include making certain all trash is properly placed in the appropriate trash bin or container (overflowing containers are emptied into available exterior trash receptacles).

Vehicles shall not be left with cups, bottles, papers, wrappers, etc. littering the interior or trunk areas of vehicles. This shall include the neat and organized storage of police equipment in vehicles.

Members and employees are expected to take care of any spills they may inadvertently cause along floors throughout the building or vehicle.

Members and employees are expected to maintain their assigned work spaces in a neat, clean and orderly fashion, ensuring that sensitive documents or items of non-sensitive nature are not left behind (are properly destroyed).

Any permitted refrigeration device is to be kept clean and inspected by working supervisors on a daily basis. On every Sunday night shift the working supervisor shall inspect the break room refrigerator and remove or cause to be removed any and all items stored there that are not accounted for by working personnel. Monday morning the working supervisor shall make certain that this was carried out.

All personnel are expected to cooperate in keeping the break room clean, neat and conducive to good health by participating in clean up, discarding abandoned items, etc.

IX. VIOLATIONS

Any violation of this policy will be handled on a case by case basis involving the severity and type of activity involved through progressive discipline.

Order #: I.13.2 **Date:** 04/28/2010
Category: DEPARTMENT ORDERS
Title: DIRECTIVE ON NEW CLASS B SUMMER SHIRTS

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 13.2

SUBJECT: NEW SUMMER CLASS B SHIRT SPECIFICATIONS

EFFECTIVE DATE: May 1st, 2010
CHIEF OF POLICE: MARK W. OTT
MODIFIED: May 7th, 2010

PURPOSE:

The purpose of this order is to allow officers at their own expense to acquire and wear a more suitable shirt for hot weather wear.

The secondary purpose of this order is to provide specifications for those shirts.

POLICY:

For those officers wishing to purchase, at their own expense, polo style shirts for wear during the periods of "Summer Uniform" they may do so, and wear same, so long as their entire work group is likewise outfitted with the same shirt.

The term "Work Group" from above may be defined as particular squad (1-4) or team (A or B).

SPECIFICATIONS:

These specifications provide for the description of the only authorized version of shirt:

MANUFACTURER: ELBECO

MODEL: UFX 100%Polyester

COLOR: DARK NAVY

ACCOUTREMENTS:

Patrol Officer: 1. Small Bridgeton PD patch on right shoulder

1/2 inch below shoulder seam.
2. Normal cloth badge centered on left chest.
3. Centered under badge in gray thread matching badge color, badge number in 1/2 inch high lettering.

Police Sergeant: 1. Small Bridgeton PD patch on right shoulder 1/2 inch below shoulder seam.
2. Sergeants chevrons centered on collar tips of shirt collars.
PD patch on right arm.
3. Normal cloth badge centered on left chest.
4. Centered under badge in gold thread matching badge color, badge number in 1/2 inch high lettering.

Police Lt & Above: 1. Small Bridgeton PD patch on right shoulder 1/2 inch below shoulder seam.
2. Rank insignia on 1.5 squares on both shoulders 1 inch past the sleeve seam, color to match BPD Patch gold.
3. Normal cloth badge centered on left chest.
4. Centered under badge in gold thread matching badge color, badge number in 1/2 inch high lettering.

Order #: I.49 **Date:** 04/01/2012
Category: DEPARTMENT ORDERS
Title: BODY ARMOR

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY & PROCEDURE

SECTION: I
CHAPTER: 49

SUBJECT: BODY ARMOR

EFFECTIVE DATE: April 1, 2012
CHIEF OF POLICE:MARK W. OTT

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:49-1 PURPOSE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use and care of body armor.

I:49-2 POLICY

It is the policy of this department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

I:49-3 DEFINITIONS

Field Activities: Duty assignments and/or tasks that place or could reasonably be expected to place officers in situations where they would be required to act in enforcement rather than administrative or support capacities.

I:49-4 PROCEDURES

A. Issuance of Body Armor

1. All body armor issued must comply with protective and related requirements prescribed under current standards of the National Institute of Justice.

2. All officers shall be issued department-approved body armor.

3. Body armor that is worn or damaged shall be replaced by this department. Body armor that must be replaced due to misuse or abuse by the officer shall be paid for by the officer.

B. Use of Body Armor

1. Officers shall wear only department-approved body armor.

2. Officers that are assigned to a uniformed function and non-uniformed sworn officers are required to wear body armor while engaged in field activities both on duty and during off duty employment unless they are exempt, as follows:

a. When a licensed physician determines that an officer has a medical condition that would preclude the wearing body armor;

b. When the officer is involved in undercover or plain clothes work that a supervisor determines could be compromised by the wearing of body armor; or

c. When the department determines that circumstances make it inappropriate to mandate wearing body armor.

C. Inspections of Body Armor

1. Supervisors shall be responsible for ensuring that body armor is worn and maintained as required by this policy through routine observation and periodic inspections.

2. Annual inspections of body armor shall be conducted for fit, cleanliness, signs of damage, abuse and wear.

D. Care, Maintenance and Replacement of Body Armor

1. Officers shall routinely inspect personal body armor for signs of damage and for general cleanliness.

2. As dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning personal body armor in accordance with the manufacturer's instructions.

3. Officers are responsible for the proper storage, maintenance and care of body armor in accordance with manufacturer's instructions.

4. Officers are responsible for reporting damage or excessive wear to the ballistic panels or cover to their supervisor.

5. Body armor will be replaced in accordance with guidelines and protocols established by the National Institute of Justice and current contract agreements.

E. Training

1. The training officer shall be responsible for:

   a. Monitoring technological advances in the body armor industry that may necessitate a change in body armor.

   b. Assessing weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.

   c. Providing training programs that demonstrate body armor's stopping power under actual firing conditions and that emphasize its safe and proper use.

   d. Maintaining statistics on incidents where armor has or has not protected officers from harm, including traffic accidents.

Order #: I.5 **Date:** 01/27/2014
Category: DEPARTMENT ORDERS
Title: DISPATCHING AND COMMUNICATIONS CENTER

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 5
SUBJECT: DISPATCHING AND COMMUNICATIONS CENTER

EFFECTIVE DATE: January 27th, 2014
REVISION DATE: January 24th, 2014

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARD(S): 81.2.1; 81.2.2; 81.2.3; 81.2.4; 81.2.8; 81.2.12; 81.2.14; 81.3.2

THIS POLICY SUPERCEDES AND INCORPORATES PREVIOUS DIRECTIVE I.40 - DISPATCH FUNCTION; EFFECTIVE 11/01/2008

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:40-1 PURPOSE

The purpose of this policy is to establish measures of standards and performance which are necessary for the effective and efficient operation of this department. This policy also serves to ensure that a measure of safety and security to law enforcement officers and the public is in place through the establishment of equipment and system requirements, as well as, by operational and procedural requirements and guidelines.

I:40-2 POLICY

The basic function of the Communications Center is to satisfy the immediate information needs of the law enforcement agency in the course of its normal, daily activities and during emergencies. It is the latter situation that places the greatest demands upon the communications center and tests the capability of the center to fulfill its functions.

The communications center conveys information from the public to the law enforcement agency through communications personnel (hereinafter referred to as dispatchers), to the officer who responds to the call for assistance, to other law enforcement and public services agencies, and to information storage facilities. Each system's component measures the agency's capability to respond to the needs of the community.

I:40-3 PROCEDURE

I. Administration

A. The Patrol Bureau Commander(s) shall be responsible for administering the communications section.

B. The communications center shall be operated in accordance with the Federal Communications Commission (FCC) and New Jersey procedures and requirements.

1. It shall be the responsibility of the Patrol Bureau Commander(s) to ensure that the Federal Communication Commission's procedures and requirements are followed.

2. All appropriate Federal Communications Commission documents shall be accessible to the dispatchers.

II. Operations

A. The Communications Center shall be equipped with manuals on the operations or activities in the communications center.

B. The dispatcher shall have immediate access to the following departmental resources;

1. The duty Patrol Bureau Commander, shift sergeant or officer in charge.

2. A duty roster of all personnel.

3. The telephone numbers of every agency member. (Telephone numbers shall not be given to any person(s) that are not an active member of the police department)

4. A phone list of extensions for all employees within the building.

5. A mechanism via computer aided dispatch to know the status of officers assigned to duty.

6. When someone calls police headquarters for an employee and that employee is off or out of the building, the dispatcher shall take a message or forward the call to voice mail.

a. When a civilian arrives at headquarters and requests to speak to an officer or a superior officer, the dispatcher shall notify the requested officer. The dispatcher will advise the civilian that the officer was contacted and relay any message or have them await the employee's arrival.

b. When a civilian arrives at headquarters and requests to speak to an officer and the officer is not on duty, the civilian should be advised of the officer's status and provide, if requested, when the officer is scheduled to return to work, but should offer services of another officer to ensure swift customer service.

7. Cellular phone

a. Department cellular phones shall be utilized when contacting the Chief, Division Commanders or anyone else with a department cell phone as needed after normal business hours.

b. The telephone numbers shall be located in the communications center.

8. Written procedures and phone numbers to procure emergency and necessary external services to include, but not limited to the following;

a. Heating and Air conditioning

b. Locksmith

c. Animal Control

d. Fire Department

e. Rescue Squad

f. Other service organizations that might be required during non-business hours.

g. Generator/electrical problems

C. The dispatcher shall have immediate access to Emergency Medical Dispatch Guide cards located in the communications center computer system.

D. When an attack warning test is received by the dispatcher via telephone, the following information shall be completed on the post card and mailed to the Cumberland County Office of Emergency Management.

1. Date received

2. Time received

3. Operator number and signature

4. Supervisor who was notified

E. The dispatcher is never to discuss a police reported incident with anyone calling police headquarters for information. The call should be referred immediately to the Shift Supervisor.

F. The dispatcher should never release information to the public or the news media. Any non-law enforcement person(s) requesting information concerning department activities shall be directed to the Chief of Police. Press releases shall only be provided by the Chief of Police or his designee as described in Policy #I.22 and #1.22.1 – Press Releases. This also applies to a person coming into headquarters requesting information. Dispatchers are not authorized to answer questions regarding law enforcement matters.

G. The dispatcher shall determine whether a call for service is of an emergency or non-emergency situation and send officers to the call based on that determination. If in doubt, the dispatcher should immediately notify the shift supervisor for guidance.

H. The dispatcher shall advise the caller of the agency's response or lack thereof and should provide referrals to other agencies as the circumstances warrant.

I. The dispatcher shall immediately notify an officer in charge when a serious crime has been committed and reported.

J. A dispatcher shall always be cognizant of the activities on his/her shift, as well as the preceding shifts.

1. The dispatcher shall be responsible for communicating pertinent information that may be needed by later shifts to the oncoming dispatcher(s).

2. No notes or papers are to be placed on the communications equipment or console at any time.

K. The dispatcher shall be responsible for teletype communications

1. All outgoing teletype messages shall be entered into the teletype log.

2. The CAD system shall be used for referencing the teletype message

3. The dispatcher and the shift supervisor shall be responsible to review all incoming teletype messages directed to the agency.

4. The shift supervisor shall forward all incoming teletype messages to the Patrol Bureau Commander for review.

L. The dispatcher shall dispatch the appropriate patrol and support units when an alarm is received.

1. Officers dispatched to an alarm call shall acknowledge and shall indicate their response.

2. Officers shall advise if the call is a false alarm.

M. The dispatcher on duty shall maintain security for the communications center, as follows;

1. The communications center must be kept clear of personnel that are not directly responsible for its operation. This is necessary to eliminate noise, confusion and control of equipment.

a. The only authorized personnel to be in the communications center are the dispatchers assigned to that specific shift, shift supervisors on duty or personnel with special approval through permission of the shift supervisor.

b. The only exception to this section would be an emergency basis, wherein the dispatcher on duty requests assistance in the operation of the communications center, and this shall be for emergencies and breaks only. The personnel of the department shall utilize the areas designated for coffee breaks, reports, meetings, etc. The communications center does not fit any of these categories.

c. No one is to be allowed access to the main section of the police department without first contacting the party they wish to obtain clearance. This includes relatives and retired officers. This does not apply to the person(s) that are in charge of building maintenance.

d. It shall be the responsibility of the dispatcher to maintain the communications center in a neat and orderly manner. The following guidelines are to be followed;

(1) Equipment, including chairs, computer, filing cabinets,

waste baskets, terminals, etc, are not to be relocated, removed or added to the communications center, unless specifically authorized by the Chief of Police or his designee.

(2) Food and nonalcoholic beverages may be consumed in the communications center by dispatchers only.

(3) Coolers, purses, non-departmental books or briefcases are to be kept out of the public view.

(4) Personnel working in the dispatch center shall not carry and/or utilize a personal cellular telephone while in the dispatch center.

2. No member of any department is to enter the communications center to use any equipment assigned for communications purposes, unless the member is filling in for an absent dispatcher or assisting in an emergent situation. This shall only be done after the member has been properly trained in the use of such equipment.

N. The dispatcher shall have a good working knowledge in the following areas;

1. Directives/Policy & Procedures/Rules & Regulations
2. 9-1-1
3. CJIS (including NCIC 2000)
4. CAD
5. AOCTELE (including DV central registry)
6. Radio Console and Procedures
7. Equipment
8. Records and files
9. City activities and events
10. Apartment complex tenant lists/ban information
11. Drug Offender Restraining Orders

O. All personnel will completely familiarize themselves with all agencies served

by or connected with the communications center, which includes fire, road, water/sewer, hospitals, ambulances, animal control, zoning enforcement, etc.

P. The communications center shall disseminate to all police personnel any pertinent information from surrounding jurisdictions, i.e. Stolen Vehicle.

1. Incident information collected from other jurisdictions.

2. Incident information from the City of Bridgeton.

   a. All information shall be forwarded to surrounding communities via teletype or telephone.

   b. The dispatcher shall enter all information into the NCIC computer format.

Q. The dispatcher shall not be responsible to deliver emergency messages via telephone.

1. Notification shall be made to the Patrol Bureau Commander or the shift supervisor.

2. The Patrol Bureau Commander or shift supervisor shall deliver the message in person.

3. Emergency messages are defined as related to this subsection:

   a. Death Notification (Follow directive II.10)

   b. Illness or serious injury in the family.

   c. Contact requesting law enforcement agency.

R. When a dispatcher receives a call or is visited by a victim, witness, or complainant, the dispatcher will properly obtain all information so that they may disseminate the nature of the call and to be able to determine whether an emergency or non-emergency response is required.

1. Provide general information when no follow-up to any other agency is necessary.

2. Dispatch the appropriate response or refer the call for officer follow-up.

3. Advise the calling party of the agency response or other protocol including direct police intervention and or referral to other agencies.

S. When a dispatcher receives a call, the dispatcher shall prioritize the call for service according to the estimated risk level. The following is a listing of the highest priority calls for service:

1. Officer needs assistance (violent conditions involved);
2. Any call where the life of another is in immediate danger;
3. 911 Hang-up calls;
4. Crime in progress;
5. Hostage /Barricaded suspect;
6. Domestic violence calls;
7. Shots fired;
8. Assaults and aggravated assaults;
9. Motor vehicle crashes with injury;
10. Weapon calls;
11. Robbery and armed robbery;
12. Burglary;
13. Alarms;
14. Structural fires;
15. Any call where the caller is facing violence or potentially facing violence.

T. When a dispatcher receives an emergency call which was inappropriately routed, or was misdirected to this agency instead of the appropriate emergency service agency, the dispatcher shall relay the information to the appropriate emergency service agency.

1. The dispatcher, when possible shall transfer the call to the appropriate agency.
2. The dispatcher shall remain on the line until the dispatcher from that agency answers the call.

III. Facilities and Equipment

A. The following backup resources shall be utilized by the communications center.

1. Secondary handsets for all telephone lines.

2. Emergency generator for continued operation in the event of failure of the primary power.

B. The communications center shall be supplied with a listing of emergency services agencies' telephone numbers.

C. The communications center shall be equipped with a map detailing this agency's service area.

D. The communications center shall be operated 24 hours a day, seven days a week to provide continuous two-way radio and telephone access capabilities between the communications center, officers on duty and calls for service.

Hours for the shifts are as follows:

1. Day Shift 0700-1900 hours

2. Night Shift 1900-0700 hours

3. Mid shift 1400-0200 hours

a. The dispatcher shall not leave his/her post unless a qualified replacement is available.

b. There shall be an additional dispatcher working the mid shift as listed above to provide for maximum coverage during periods of heightened activity and calls for service when available.

E. The agency's radio system shall be inspected annually by the communications service company to ascertain if the radio system is providing adequate coverage for the city.

F. The Communications center shall be equipped with a base station capable of two-way operation with both multi-channeled portable and mobile units on a joint public safety frequency, SPEN- State Police Emergency Network Radio System

G. The communications center shall have the information for obtaining emergency repairs of critical equipment in the communication center and shall report any malfunction or need of supplies to the Administrative Bureau Commander.

H. The communications center shall be equipped with administrative telephone trunk lines.

1. It shall be the responsibility of the Administrative Bureau Commander to conduct periodic telephone line load studies.

2. The telephone line load study shall assist the Administrative Bureau Commander in determining whether additional phone lines are needed to handle the volume of incoming telephone calls.

3. The telephone line load study shall be forwarded to the Chief of Police for inclusion in the police department's annual report.

I. The communications center shall be equipped with a telephone and digital audio recording system capable of immediate and future playback of both recorded telephone messages and radio conversations while maintaining continuous recording of incoming messages.

1. Each dispatcher on their respective tours of duty will utilize the instant playback component located at each console.

2. The Administrative Bureau Commander or his/her designee shall maintain the data storage along with the recording system.

3. It will be the responsibility of the Administrative Division Commander to ensure that the recording system is functioning properly.

J. Preservation of recorded telephone/radio calls

1. All recordings shall be retained for at least thirty days.

K. Preserving telephone/radio calls

1. The conversation on the recording system is to be transferred by the Administrative Bureau Commander or his/her designee onto a DVD/CD when an incident occurs that requires preserving or is requested.

2. The DVD/CD is to be labeled as follows:

   a. Case Number
   b. Date
   c. Time
   d. Officer's Initials

3. When the recording in question might be used in any court proceeding

or disciplinary action, the Administrative Bureau Commander or his/her designee shall enter the recording into evidence.

L. Destruction of preserved DVD/CD

1. The destruction of a preserved DVD/CD recording shall be followed according to department policy #III.5 – Property and Evidence Procedures.

IV. Fire Alarm System

A. The communications center shall be equipped with a fire alarm system.

V. Training

A. Any and all personnel being considered for assignment as a dispatcher must satisfactorily perform the following:

1. Serve a period of training and familiarization while under the constant supervision of a qualified and established training dispatcher, under the Dispatcher Training Program (Policy #I.5.1).

B. The following emergency call taking training requirements must be met:

1. New Communications Operators:

a. 40 hour communications course and/or on the job training

b. The dispatcher/call-taker certification record shall be filed with the employee's personnel training file.

C. CAD Training

D. CJIS Training

VI. Police Radio Operation

A. All Personnel shall have constant access to radio communications while on duty assignments.

B. When an officer needs to contact the communications center, he/she shall identify himself/herself and await a reply from the dispatcher.

C. When dispatch needs to contact an officer, the dispatcher shall call the officer and await a reply from that officer. It is the responsibility of every officer to acknowledge each dispatch communicated via police radio at said officer(s).

1. This is extremely important, as the Dispatch Center is the organizational center for all police related activities;

2. Dispatched calls from the Dispatch Center are to be viewed as direct orders and shall be acted upon appropriately, unless countermanded by a competent authority as based on specific circumstances.

D. Officers shall contact dispatch to update any CAD entries and to advise of any assistance which they may require.

E. When officers are conducting active investigations, they shall communicate in the following manner:

1. Communicate over the police radio to the dispatch center or to other officers the important and/or necessary information; or

2. Communicate via personal or departmental cellular telephone to the dispatch center main lines.

   a. Officers shall not make direct, personal cellular telephone to personal cellular telephone contact with other officers or department members concerning the investigation.

3. Members of the Investigations Bureau may, when making confidential communications, bypass the need for having information shared in this way, but shall consider the nature of the communication and whether or not it needs to be shared with police dispatch and/or officers when doing so.

4. Covert investigations or exchanging information on crimes in progress, officers may:

   a. Communicate directly with other officers from cellular telephone to cellular telephone, but must keep the Dispatch Center advised of activities by making contact with them via the Dispatch Center main telephone lines or by police radio.

F. Officers shall advise dispatch of all self-initiated activity to include, but not limited to:

1. meal breaks;
2. personal relief;
3. fuel;
4. vehicle maintenance/DPW;
5. any other circumstance which makes them unavailable for service or which would cause a delay in service.

G. All personnel are required to indicate their status, location, nature of the call, assignment, assigned area of responsibility, or advisement when out of service. The dispatcher shall record the information provided in the CAD.

H. The following method shall be used to identify officers during radio transmissions:

1. Officer's vehicle number or radio number

I. Communications with interacting agencies shall be managed as follows:

1. Communications with other police agencies shall be through the State Police Emergency Network (SPEN) and/or County Radio Channels.

J. All personnel shall use the appropriate radio codes and phonetic alphabet.

K. All personnel will communicate on the radio in the following manner:

1. Professional transmissions
2. All acknowledgements will be verbal (no clicking)
3. No profanity will be used
4. Acknowledge calls giving your vehicle or radio number
5. Audible voice (no clipping)
6. Proper enunciation
7. Use of proper radio codes

VII. Police Radio Malfunctions

A. A test count will be requested from the dispatcher if radio malfunction is suspected.

B. If a radio malfunction is discovered, it is to be reported immediately by telephone to the communications center and the shift supervisor. A CAD should be struck documenting the issue and noting who was contacted in regards to the radio failure.

C. Relaying of messages from poor transmitting locations to other vehicles on the system shall be accomplished when necessary. If you encounter a weak transmission in the City, the following suggestions will assist you:

1. If wearing a jacket, have the portable antenna exposed

2. If all else fails, use your car radio

D. Officers shall operate the mobile radios on channel 1.

E. Portable radios operate the same as the mobile radios.

VIII. Police Radio Protocol

A. The following shall be the standard radio procedures:

1. Dispatched call

   a. "District 7 to Vehicle Number" or "Radio Number"

   b. Police response: "Vehicle Number" or "Radio Number"

   c. Dispatcher: "Vehicle Number" or "Radio Number" respond to (location) for a (nature of call)

2. Motor vehicle Stops

   a. Officer: "Vehicle or Radio Number to 7"

   b. Dispatcher: "Vehicle or Radio Number go ahead"

   c. Officer: Location, plate, vehicle description, number of occupants, etc

   d. Dispatcher: "Copy and time of stop"

3. Suspicious Persons

   a. Officer: "Vehicle or Radio Number to 7"

   b. Dispatcher: "Vehicle or Radio Number go ahead"

   c. Officer: Give location and description

   d. Dispatcher: "Copy and time of incident"

4. Miscellaneous Broadcast/Police Information

   a. Dispatcher: "District 7 to all units, prepare to copy (nature of call, missing person, etc), authority (list town where incident occurred)

   b. Wait approximately 15 seconds

   c. Give information slowly so information can be copied.

   d. All units shall acknowledge "received".

e. The dispatcher will acknowledge that all units received and the time when all units have acknowledged.

f. If individual officers do not acknowledge, the dispatcher will call them by vehicle or radio number to seek acknowledgment.

IX. Fire and First Aid Squad Radio Operations

A. All Fire Department Vehicle and First Aid Vehicles are dispatched by Cumberland County Police Radio.

X. Registration of equipment and personnel

A. All radio equipment capable of being used for two-way communications shall be approved for use by the Chief of Police or his designee.

B. Radio identification numbers shall be maintained at the communications center.

XI. When a call for service is received and requires a police response, the dispatcher shall assign the call to the officer assigned or located in that area.

A. This may be superseded when the initially assigned officer in that particular area is unavailable.

XII. When an officer makes an emergency request for assistance, or if the officer's radio indicates an alarm, the following procedures shall be followed:

A. The dispatcher shall contact the officer whose alarm has been activated to ascertain if it was accidental or a malfunction.

B. If no response from the officer, the dispatcher shall notify all units of the location of the officer requesting assistance or who has activated an alarm.

C. Patrol officers shall notify dispatch of their intent to respond.

D. All personnel shall maintain radio silence as much as is operationally feasible until the situation involving the officer has been rectified.

XIII. When a dispatcher receives a call for a crime in progress or an officer requesting assistance, all personnel will refrain from using the radio for any unrelated, routine communication which might interfere with the emergency call.

XIV. Communications Records

A. The dispatcher shall record the following information at the time of a request

for service (the CAD system will automatically assign the next sequential number as a control number)

1. Date and time of request
2. Name and address of complainant (if possible)
3. Type of incident reported
4. Location of incident reported
5. Date and time of dispatch
6. Date and time of officer arrival
7. Date and time of officer return to service
8. Disposition or status of reported incident
9. Identity of officer(s) dispatched along with those assigned as primary and backup officers.

B. The information shall be recorded for all requests including those received by telephone, in person, self initiated by the officer(s) or reported to the officer(s) in the field. The information shall be recorded for each specific call for law enforcement service.

C. The dispatcher shall obtain all relevant information for each call for law enforcement service. The dispatcher shall elicit as much information as possible to enhance the safety of the officer and assist in anticipating conditions to be encountered at the scene.

D. The dispatcher shall record the status of the officers when out of service.

E. Contact with telecommunications officers shall always occur over recorded departmental telephone lines or by police radio. There shall be no cases where an officer utilizes a personal telephone to contact a telecommunication officer's personal telephone.

XV. Violations

A. Violations of this directive shall be handled via progressive discipline standards.

Order #: I.5.1 **Date:** 01/31/2014
Category: DEPARTMENT ORDERS
Title: DISPATCHER TRAINING PROGRAM

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 5.1

REVISION DATE: 1-31-2014

SUBJECT: DISPATCHER TRAINING PROGRAM

EFFECTIVE DATE: 1-31-2014
CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: 35.1.3;
33.1.5;
33.1.6;
33.4.3;
33.5.1

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:5.1-1 PURPOSE

The purpose of this policy is to establish a training program for employees hired as dispatchers for the police department

I:5.1-2 POLICY

It is the policy of the Bridgeton Police Department to train dispatchers in the duties and responsibilities of police dispatching to ensure the safety of the police officers and the public.

I:5.1-3 PROCEDURE

I. Definitions:

A. Certified Dispatcher- A dispatcher who has been trained and certified in dispatching and is recognized by the State of New Jersey as a certified dispatcher or tele-communicator.

B. Training Dispatcher (CTO)- A dispatcher chosen by the Administrative Division Commander or his/her designee to train newly hired dispatchers in performing the duties and responsibilities of dispatching

C. Phase 1 training- Phase one of training involves active observation by the trainee as the training dispatcher performs and explains the duties, followed by active participation by the trainee with assistance from the training dispatcher

D. Phase 2 training- Phase two of training begins when the training dispatcher takes a secondary role with the trainee performing all the functions of a dispatcher with the Trainer available to assist when needed.

E. Primary Dispatcher- For purposes of this policy a primary dispatcher is a dispatcher who is certified and can work the communications center without a second dispatcher on duty.

F. Secondary Dispatcher- For purposes of this policy a secondary dispatcher is a dispatcher who can not work in the communications center unless a primary dispatcher is on duty.

G. Week- For purposes of this policy, a week is a minimum of thirty six hours.

II. Training Program

A. Dispatchers, like all new hires, will be subjected to an orientation program into the police department.

B. Upon completion of the orientation program, the dispatcher will be paired up with a CTO. Dispatchers who are hired and are not considered to be a certified dispatcher shall be trained on the following schedule:

1. Phase 1 training:

   Phase 1 training will be for a period of 4 weeks. This may be extended for an additional period of 2 weeks at the recommendation of the training dispatcher and upon approval of the Administrative Division Commander or his/her designee.

2. Phase 2 training:

   Phase 2 training will be for a period of 4 weeks. This may be extended for an additional period of 1 week at the recommendation of the training dispatcher and upon approval of the Administrative Division Commander or his/her designee

3. Secondary Dispatch

   Upon completion of Phase 2 training, the dispatcher shall be a secondary dispatcher until such time as they have received certification for basic dispatch.

C. For dispatchers who start employment with this agency as a certified dispatcher shall be trained on the following schedule.

1. Phase 1 training:

   Phase 1 training will be for a period of 2 weeks. This may be extended for an additional period of 1 week at the recommendation of the training dispatcher and upon approval of the Administrative Division Commander or his/her designee.

2. Phase 2 training:

   Phase 2 training will be for a period of 2 weeks. This may be extended for an additional period of 1 week at the recommendation of the training dispatcher and upon approval of the Administrative Division Commander or his/her designee.

3. If a dispatcher on this training schedule is working without a training dispatcher due to scheduled time off, the training period will be increased accordingly to compensate the same number of days to ensure that the dispatcher receives the minimum number of hours of training.

D. For dispatchers who are hired as part time dispatchers, the training will consist of a minimum of one week of training with a training dispatcher. Any time after the one week, the training officer can recommend that the part time dispatcher be permitted to work as a secondary dispatcher. The part time dispatcher will remain as a secondary dispatcher until recommended by the training officer as a primary dispatcher and only after approval of the Administrative Division Commander or his/her designee. Only certified dispatchers shall be hired as part time dispatchers.

III. Record Keeping and Evaluations

A. The CTO shall evaluate the dispatch trainee each day during phase one and phase two of the training, utilizing the daily communications training evaluation form (Appendix A – Policy I.5.4).

B. The Administrative Bureau Commander or his/her designee shall evaluate

the dispatch trainee on a weekly basis. The evaluations after Phase 2 will be monthly for each calendar month for the first six months, including the first month, if phase two training ends before the 15th of the month. The monthly training shall be completed utilizing the monthly communications evaluation form (Appendix B – Policy I.5.5).

C. Records shall be kept on any part time dispatchers and any exceptional or unsatisfactory performance will be discussed with the dispatcher, however, no formalized written evaluation shall be conducted on part time dispatchers.

IV. Selection of CTO

A. The Administrative Division Commander shall consult with the Training Officer to determine which dispatchers should be selected as a CTO.

B. The CTO shall make every effort to minimize time off when they are actively training a dispatcher.

NOTE - THE BLANK TRAINEE PAPERWORK PACKET IS ON FILE IN CHIEF'S OFFICE UNDER THIS DIRECTIVE NUMBER.

The lesson, as a complete unit of instruction, should be selected in terms of the following factors:

1. What are the objectives of the lesson?

Remember that the lesson is designed to help students learn. The objectives should therefore be planned around the student achievement.

2. Does the lesson meet the needs of the student?

Instruction should be student-centered. What is taught is only of value for the contribution it makes to the development of the student.

3. Does the lesson deal with only one major topic or job?

It is important that the student not be confused with too many ideas or topics presented at one time.

4. Does the lesson contain new ideas or procedures?

If there are no new elements the lesson should be treated as a review lesson. If there are more than six or seven elements learned, it may have to be divided into several lessons.

5. Is the lesson based on previous information?

Unless the lesson starts a new unit of work, the lesson should have some connection with previous information.

6. Does the lesson lead into more advanced work?

Unless the lesson is the last one in a unit of work, it should be planned to be followed by additional information.

7. Is the lesson too short?

If the lesson does not contain enough material to warrant giving a test on the information presented, it may not be a lesson, as such, but merely a bit of information. It may be desirable to combine several small "lessons" into a larger unit of instruction.

8. Is the lesson too long?

A lesson should be complete enough to warrant the planning and effort required. Any time the lesson rambles or pursues uncertain goals it should be terminated so that valuable time can be used in other activities. The learners' attention span must also be taken into account.

The Four Step Plan

The four step method of instruction is a natural procedure applicable to any instructional situation. It will fit teaching situations in any industry, in any area, or at any level. It seems basically logical to proceed by first getting the attention and interest of the individual, when this is accomplished, presenting the information to be learned and finally determining that the learner has actually learned. The four-step method is as simple as that. Its features are summarized in the following steps.

Step 1 Introduction: The first step of the teaching process should result in the arrangement of the ideas and experiences already present in the learner into such an order that he/she will be receptive toward the new ideas and experiences to be taught. No new knowledge is added. The instructor is interested developing a basis upon which the instruction can rest. It is also essential that the introduction step be designed to focus the interest of the student on the lesson to be learned and provide them with a motive and enthusiasm for learning. These steps must all be thorough and complete if the new instruction is to have effective reception.

Step 2 Presentation: The objective of the second step of the teaching process is to impart the knowledge or skills to the learner. This step must be related to known ideas and experiences. The instructor's problem is to arrange the material to be taught in a effective order, placing emphasis on the most essential aspects.

Step 3. Application: The third step of the teaching process affords the learner the opportunity to put to use the information prepared for and presented in the previous steps. It should disclose the learners' grasp of the details of the new subject matter and their ability to progress.

Step 4. Test: The last step of the teaching process may be regarded as the final inspection of the learner's accomplishment. The instructor is concerned with determining the present abilities of the learner and his readiness to move on to a new phase of the instruction. Whether the instructor gives an oral test, written test, or performance test, the student must know the nature of the extent of his success and failures.

Standardized Guidelines and the Evaluation Process
What are the Standardized Guidelines? Job performance standards and descriptions of how well a trainee must perform in order to pass the Field Training Program satisfactorily.

How many are there? They are broken down into 30 measurable behaviors. On the Daily Field Training Evaluation Report, these 30 behaviors are broken down into four categories.

1. Appearance
2. Attitude/Interaction
3. Knowledge
4. Performance.

Why do we use them?

- To show validity, all trainees are evaluated on the same basis.
- To show reliability if it measures consistently.
- By using the guidelines we can bring CTOs into the same line of thought in each of the 30 measurable behaviors.
- So we don't base the rating on personal bias.

Leniency: The tendency to rate high by not following the guidelines. It can damage a recruit's morale when they see another trainee performing low but getting rated high.

Central Tendency: Raters tend to group their ratings in the middle scale. This possibly results from the policy of documenting other scores.

The Halo Effect: Don't assume that excellence in one factor implies excellence in all factors.

Related Traits: When the CTO gives similar ratings to traits or behaviors that only seems to be similar. Such as: if the trainee is attentive to duty, then they must have a high degree of initiative.

Overweighing: Being unduly influenced by an occurrence, either good or bad, involving the trainee near the end of the shift.

How we use Standardized Guidelines.

The rating system.

1 is totally unacceptable
2 is close to a 1 and is just a little better than totally unacceptable
3 is close to a 4 but not yet minimally acceptable.
4 is the minimum acceptable level. It is an officer able to work a solo assignment in a safe, skillful, productive and professional manner.
5 and 6 are above acceptable and like a bonus score recognize work that is above the minimum acceptable level.
7 is a superior performance.
N.R.T is Not Responding to Training.
N.O. is Not Observed in that behavior.
Training Time is Remedial Training Time, document time spent on remedial training.

Scores of 1,2,6,7, and N.R.T's must have justification shown on the Daily Communications Training Report in the appropriate narrative category.

The Evaluation Interview

1 Review the Daily Communications Training Report that you have completed.
2 Determine what you want to accomplish when you discuss it with the trainee.
3 Discuss the evaluation in private.
4 Place primary interest on the trainee's development and growth.
5 Be open minded to the opinions of the trainee.
6 Cover the trainee's strengths first.
7 When discussing weaknesses, tell the trainee how to improve.
8 Close the evaluation when you've covered all the points, the trainee has responded and plans of action have been developed for the future.

Daily Communications Training Report Narrative Section CTO Checklist

1 Set the stage/scene.
2 Consider using verbatim quotes

3 Remember your audience.
4 Critique performance, not style.
5 Don't predict.
6 Report facts.
7 Check your spelling, grammar, etc...
8 Think remedial!

Training Supervisors Weekly Report

1 CTO meets with the Training Coordinator..
2 Discuss strengths and weaknesses of trainee.
3 Prepare remedial plan if necessary.
4 Review progress of Field Training Guide.
5 The Training Coordinator and the Administrative Bureau Commander will review Weekly Field Training Evaluation Reports.

Communications Training Officer Program
Standardized Evaluation Guidelines

The task of evaluating and rating a trainee's performance must be based on the following numerical scale value definitions. As guidelines, these definitions serve as a means of program standardization and continuity.

Appearance

1.General Appearance: Evaluates physical appearance, dress and demeanor.

1. Unacceptable Dirty shoes and unkempt of soiled uniform; unkempt hair not conforming to regulations; poor personal hygiene.

4. Acceptable Neat and clean uniform or business attire; shoes are shined, good personal hygiene.

7. Superior Neat, clean, well fitting, pressed uniform or business attire; well groomed hair; well shined shoes; very good personal hygiene.

Attitude/Interaction

2. Acceptance of Feedback-CTO Program: Evaluates the way that the trainee accepts the trainer's criticism and how that feedback is used to further the leaning process and improve performance.

1. Unacceptable Always makes excuses for poor performance; argumentative; refuses to make corrections; trainee takes criticism personal or gets angry. Trainee patronizes CTO.

4. Acceptable Accepts criticism with open mind and positive manner; applies criticism to further the learning process.

7. Superior Solicits criticism in order to improve performance; applies the information gained from the criticism to improve; never argues or blames others.

Attitude/Interaction (continued)

3. Attitude Toward Communications Work: Evaluates how the trainee views the career in terms of personal motivation, goals and acceptance of the responsibilities of the job.

1. Unacceptable Sees career as only a job; uses job to boost ego; abuses authority ; demonstrates little dedication to the principles of the public safety work.

4. Acceptable Expresses active interest in the new career and in public safety communications responsibilities.

7. Superior Utilizes off duty time to further professional knowledge, actively soliciting assistance from others to increase knowledge and improve skills. Demonstrates true concern for callers and maintains high ideals in terms of professional responsibilities.

4. With the Public in General: Evaluates the trainee's ability to interact with citizens in an appropriate, efficient manner.

1. Unacceptable Abrupt, belligerent, argumentative, and overbearing; unconcerned and disinterested with the public; Overlooks or avoids the "service" aspects of the job. Introverted, insensitive, and uncaring.

4. Acceptable Courteous, friendly and empathetic; communicates in a professional and unbiased manner; always maintains self control; always tries to be objective; appears to be at ease with all types of people. Is service oriented.

7. Superior Is very much at ease with citizen contacts. Quickly establishes rapport and leaves people with the feeling that the call taker was interested in serving them. Is objective with all contacts.

5.With Other Department Members: Evaluates the trainee's ability to effectively interact with other Department members of various ranks in various capacities.

1. Unacceptable — Insubordinate; gossips about other employees; patronizes CTO, superiors or officers. Resists instructions. Considers him- or herself superior. Belittles others. Is not a "team player".

4. Acceptable — Understands and adheres to chain of command; respects command authority; good peer and CTO relationships and is accepted as a group member

7. Superior — Excellent rapport with peers and superiors; understands command officers responsibilities and functions; respects and supports their position.

KNOWLEDGE

6.Knowledge of Department Policies and Procedures: Evaluates the trainee's knowledge of departmental procedures and ability to apply this knowledge under actual conditions.

1. Unacceptable — No Knowledge or does not understand Department policies and procedure or violates same; makes no attempt to learn after errors are pointed out.

4. Acceptable — Familiar with most commonly applied Department policies and procedures and makes decisions basically within Department's policies and procedures; able to research orders.

7. Superior — Exceptional working knowledge of Department policies and procedures and exhibits this knowledge by discretionary decisions; researches orders on own.

7. Knowledge of Radio/Telephone: Evaluates the trainee's knowledge of the radio and telephone systems that are installed and in use.

1. Unacceptable — Fails to display knowledge of equipment purpose or use,

making mistakes in the use of radio or telephone and makes no attempt to learn or improve

4. Acceptable — Familiar with the purpose and use of the radio and telephone and correctly applies this knowledge to the processing of calls for service.

7. Superior Exceptional working knowledge of the radio and telephone,
seeks new knowledge and understanding and correctly
diagnoses problems with the system(s).

8. Knowledge of CAD/Computers: Evaluates the trainee's knowledge of the department's Computer Aided Dispatch system and the ability to work with that system.

1. Unacceptable Fails to display knowledge or understanding of the CAD system. Has little or no keyboarding skills.

4. Acceptable Familiar with most commons uses of the CAD system and inputs information quickly and accurately.

7. Superior Has an excellent working knowledge of the CAD system and its various applications. Can work through the system effortlessly.

9.Knowledge of Call Prioritization: Evaluates the trainee's knowledge of the call prioritization, including emergency call-taking and emergency dispatch procedures (as applicable).

1. Unacceptable Fails to display knowledge of proper call prioritization procedures.

4. Acceptable Familiar with the priority concepts and applies them to emergency situations. Complies with department's call prioritization policies or procedures.

7. Superior Has excellent working knowledge of the call prioritization system, including its theories and philosophies. Correctly applies call prioritization during shift without assistance.

10.Knowledge Reflected in Verbal Tests: Evaluates the trainee's ability to adequately handle verbal tests throughout the training process.

1. Unacceptable Unable to answer training officer's questions and does not attempt to improve.

4. Acceptable — Answers most training officers questions; makes attempts to learn unanswered questions.

7. Superior — Answers all of training officers questions and researches unanswered questions.

Performance

11. Telephone Skills-Normal Conditions: Evaluates the trainee's ability to properly answer non-emergency telephone calls, and process the calls according to department policies, regulations, and procedures and accepted telephone techniques.

1. Unacceptable — Uses course or rude language or demeanor on the phone. Fails to follow departmental guidelines for answering non-emergency telephone calls. Fails to keep proper notes, or has numerous errors in notes.

4. Acceptable — Uses proper telephone courtesy. Follows accepted departmental guidelines for answering non-emergency telephone calls. Keeps notes of calls as needed.

7. Superior — Uses proper telephone courtesy, emulating a true concern for callers. Keeps exemplary notes as needed.

12. Telephone Skill: Moderate and High Stress Conditions: Evaluates the trainee's ability to properly answer moderate and high stress emergency telephone calls, and process the calls according to department policies, regulations, and procedures and accepted telephone techniques

1. Unacceptable — Uses course or rude language or demeanor on the phone. Fails to follow departmental guidelines for answering emergency telephone calls or prematurely terminates calls from emergency callers. Fails to keep proper notes, or has numerous errors in notes.

4. Acceptable — Uses proper telephone techniques in stress conditions, following departmental guidelines for answering emergency telephone calls. Keeps accurate notes of calls as needed.

7. Superior Uses proper emergency telephone techniques, keeping callers calm while obtaining information or giving directions and instructions. Keeps exemplary notes as needed.

13. Caller Interview Skill: Evaluates the trainee's ability to obtain information from callers on the phone or units in the field who are reporting incidents or requesting communications actions.

1. Unacceptable Does not ask questions to solicit information, or asks improper questions. Does not use accepted techniques to calm hysterical callers. Engages in unnecessary questioning or conversation.

4. Acceptable Obtains necessary information in a minimum period of time, with little superfluous questioning. Uses accepted techniques to calm hysterical callers. Solicits missing information as needed.

7. Superior Obtains necessary information in a minimum period of time, using sequential method of questioning and recording. Actively listens to obtain information without repeating questions. Skillfully calms hysterical callers.

14. RoutineLogs/ Forms-Accuracy/Completeness: Evaluates the trainee's ability to properly utilize departmental logs/forms necessary to job accomplishment.

1. Unacceptable Unable to determine proper logs/ forms after being instructed on prior occasions; incomplete forms; requires constant supervision for routine forms.

4. Acceptable Knows most standard logs/ forms and understands format; completes form with reasonable accuracy and thoroughness; requires little supervision.

7. Superior Consistently and rapidly completes detailed logs/ forms with no assistance; forms are legible and neat; very little or no assistance; high degree of accuracy.

15. Geography/Map Interpretation: Evaluates the trainee's ability to read a map, interpret directions, and relay map information to concerned parties. Also evaluates the trainee's overall orientation to the geographic area.

1. Unacceptable — Has little or no working knowledge of the geographic area served by the agency. Cannot orient places and directions. Cannot properly interpret features on a map.

4. Acceptable — Reasonable working knowledge of the geographic area and can orient places and directions. Able to interpret a street map. Knows resources available to assist in finding locations.

7. Superior — Has an intimate knowledge of the geographic area served b y the agency. Can orient most locations according to landmarks, cross streets, etc. Can read and interpret all features on a map.

16. Position Performance: Non-Stress conditions: Evaluates the trainee's ability to work within his or her assigned position and perform required duties in a non-stress condition.

1. Unacceptable — Confused and disoriented; unable to decide proper course of action; unable to control and handle situations; requires constant supervision in choosing course of action. Takes wrong course of action or avoids taking action

4. Acceptable — Assess most situations and takes proper action with very little supervision.

7. Superior — Properly assesses situation, including unusual or complex ones. Determines the appropriate course of action and takes same.

17. Position Performance: Stress Conditions: Evaluates the trainee's ability to work within his or her assigned position and perform required duties in moderate and high stress situations.

1. Unacceptable — Becomes emotional and panic stricken; loses control and temper; unable to function and causes situation to escalate out of hand; makes poor decisions. Overreacts.

4. Acceptable — Under most situations exhibits calm and controlled attitude; doesn't allow situations to further deteriorate; makes reasonable decisions.

7. Superior Maintains calm and self control in even the most extreme situations. Quickly restores control in the situation, and takes command. Determines the best course of action and takes same and brings order to the situations without assistance;

18. CAD Skills-Normal Conditions

1. Unacceptable Cannot use the CAD terminal for even simple non-emergency entries and retrievals. Cannot use keyboard at an acceptable rate of speed or accuracy. Cannot key information while receiving it by phone or radio.

4. Acceptable Utilizes the CAD terminal in his or her assigned position in non-emergency situations according to policy and procedure. Enters information while receiving it over the phone or radio. Accurately keys information into the system.

7. Superior Utilizes the CAD terminal with ease in non-emergency situations, even in the most complex situations. Enters information while receiving it over the phone or radio, while also conversing and questioning for more information. Keys information at high rates of speed and accuracy.

19. CAD Skills-Moderate and Hi-Stress-Evaluates the trainee's ability to utilize the CAD system in his or her assigned position under moderate and high stress conditions

1. Unacceptable Becomes emotional and panic stricken; and cannot manipulate the CAD system under moderate or high stress. Makes excessive entry mistakes.

4. Acceptable Utilizes the CAD terminal in his or her assigned position in emergency situations according to policy and

procedure. Enters information while receiving it over the phone or radio. Accurately keys information into the system.

7. Superior Utilizes the CAD Terminal with ease in moderate or high stress emergencies, even in the most complex situations. Enters information while receiving it over the phone or radio, while also conversing and questioning for information. Keys information at high rates of speed and accuracy.

20. CAD Skills-Update and Relay: Evaluates the trainee's ability to update the CAD information as it is received and relay to the proper person or unit.

1. Unacceptable Fails to solicit updated information, or fails to input updated information when received. Routes information to the wrong person or unit.

4. Acceptable After gaining initial information, the trainee obtains additional information and correctly enters it. Determines the proper routing, if necessary, and sends the new information to the proper person or unit.

7. SuperiorSends initial call information at the earliest possible moment, then obtains additional information as it is received. Always routes information to the proper unit or person. Checks to insure that the message was properly received.

21. Control of Conflict: Voice Command: Evaluates the trainee's ability to gain and maintain control of situations through verbal command and instructions.

1. Unacceptable Improper voice inflection; too soft, loud, indecisive, confused; loses control.

4. Acceptable Speaks with authority in a calm, clear voice and shows attitude of concern; maintains self control.

7. Superior Always gives appearance of complete command through voice tone and bearing; never loses self control and always projects professionalism and authority.

22. Control of Conflict: Hysterical Caller: Evaluates the trainee's ability to gain and maintain control of a hysterical caller, and to obtain pertinent information from this caller.

1. Unacceptable — Uses little of no force, or too much force, to gain attention and attempt to control. "Freezes" or fails to attempt to speak or gain control. Uses rough language or other inappropriate means to try to gain attention and control.

4. Acceptable — Gains control of hysterical caller in most cases using proper level of voice tone, word choice, and inflection.

7 Superior — Gains control of even the most extreme hysterical caller, using proper levels of voice tone, word choice, and inflection in all cases.

23. Problem Solving: Decision Making: Evaluates the trainee in terms of ability to perceive, form valid conclusions, arrive at sound judgments and make proper decisions.

1. Unacceptable — Acts without thought or is indecisive; relies on others to make decisions. Is unable to reason through a problem and come to a conclusion. Cannot recall a previous solution and apply it to a new problem.

4. Acceptable — Is able to reason out problems and relate them to what has been previously taught; has good perception and ability to make own decisions.

7. Superior — Excellent perception of situations; foresees problems and arrives at decisions in advance. Relates past solution to present situations.

24. Common Sense and Judgment- Evaluates the trainee's judgments and use of common sense as it applies to all situations.

1. Unacceptable — Acts without thought or indecisive; naïve; unable to make decisions alone and to reason a situation out; considerable lack of common sense and judgement.

4. Acceptable — Able to reason out problems and relate to training; good perceptions and ability to make decisions; shows common sense and good judgment in most situations.

7. Superior — Shows above average ability to evaluate a situation and uses common sense and good judgment in arriving at course of action; foresees potential problems and arrives

at advance solutions.

25. Radio: Appropriate Use of Procedures: Evaluates the trainees ability to use the radio network in accordance with department policy and procedures.

1. Unacceptable — Violates policy concerning use of radio. Does not follow procedures or follows wrong procedure. Does not understand or use proper language.

4. Acceptable — Follows policy and accepted procedures. Has a good working knowledge of most often used radio language.

7. Superior — Always follows proper procedures and adheres to policy. Has superior working knowledge of all radio language, and applies knowledge when using the radio.

26. Radio: Listens and Comprehends: Evaluates the trainee's ability to pay attention to radio traffic and to understand the information that is transmitted. Evaluates the ability to "hear" radio traffic from other positions and understand the meaning of the transmissions.

1. Unacceptable — Repeatedly misses calls to headquarters and is unaware of traffic on adjoining consoles; frequently has to field units to repeat transmission or does not comprehend message; pays no attention to radio.

4. Acceptable — Understands radio traffic directed at the trainee's position and is generally aware of the radio traffic at other adjoining positions.

7. SuperiorIs aware of own radio traffic and traffic in the adjoining positions. Is aware of radio traffic on other parts of the town and uses previously transmitted information to advantage.

27. Radio: Articulation of Transmission: Evaluates the trainee's ability to communicate with others on the radio network.

1. Unacceptable — Does not pre-plan before transmitting message; under or over modulation resulting in field units constantly asking for repeat. Cuts in on other transmissions; uses long unnecessary transmissions on the primary channel; long silent pauses; clips transmissions.

4. Acceptable — Uses proper procedure with short, concise transmissions in a clear, calm voice without hesitation; observes good radio etiquette.

7. Superior — Uses proper procedure with clear, calm, voice even under stress situations; does not waste air time; excellent radio etiquette.

Services dispatch policies and procedures and exhibits this knowledge by no mistakes

28. Use of Time-Evaluates the trainee on his/her proper use of time during the shift.

1. Unacceptable — Constantly mis-manages time; consistently late for shift change; does not go available in a timely fashion; concentrates on socializing instead of handling duties and responsibilities; takes inordinate amount of time to complete basic tasks.

4. Acceptable — Manages time wisely; completes tasks thoroughly and expediently; completes detailed assignments in a minimum amount of time with no assistance.

7. Superior — Manages time wisely: comes to work early; completes task thoroughly and expediently; completes detailed assignments in a minimum amount of time with no assistance.

29. Preparedness-Evaluates the trainee on his/her preparedness for duty and completing assignments.

1. Unacceptable — Unprepared to begin shift; is not organized does not complete specific assignments.

4. Acceptable — Comes prepared for the upcoming shift; is organized, consistently completes assignments on time.

7. Superior — Always prepared to work at beginning of shift; is extremely organized ; always completes assignments on time and often conducts additional research on latest techniques.

30. NCIC/SCIC/ATS/ACS Skills – Evaluates the trainee's ability to utilize the NCIC/SCIC/ATS/ACS systems in his or her assigned position. under low, moderate and high stress conditions

1. Unacceptable Cannot use the terminal for even simple, low stress entries and retrievals. Cannot use keyboard at an acceptable rate of speed or accuracy. Cannot key information while receiving it by phone or radio.

4. Acceptable Utilizes the terminal in his or her assigned position in proper stress related situations. Enters information while receiving it over the phone or radio. Accurately keys information into the system.

7. Superior Utilizes the terminal with ease in all stress related situations, even in the most complex situations. Enters information while receiving it over the phone or radio, while also conversing and questioning for more information. Keys information at high rates of speed and accuracy.

Order #: I.5.2 **Date:** 03/14/2011
Category: DEPARTMENT ORDERS
Title: COMMUNICATIONS TRAINING OFFICER MANUAL

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 5.2

REVISION DATE: N/A

SUBJECT: COMMUNICATIONS TRAINING OFFICER MANUAL

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BRIDGETON POLICE DEPARTMENT

COMMUNICATIONS TRAINING OFFICER MANUAL

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BRIDGETON POLICE DEPARTMENT

VALUE STATEMENT

This law enforcement agency shall strive to meet all objectives and goals of the police mission with an unwavering commitment to personal and organizational integrity.

We will recognize the wealth of our community's cultural diversity and act with appropriate tolerance and dignity, striving for the impartial and responsible fulfillment of our assignments and duties.

We shall uphold the spirit, as well as the statement, of our Public Oath of Office, having accountability to those we serve.

We recognize and acknowledge that all members of this law enforcement agency are valuable resources. We accept our obligation to each other and to our community to provide each agency member with the appropriate opportunities to achieve his or her professional potential.

Mandatory Conduct For Communications Training Personnel

Training

A Communications Operator who becomes a Communications Training Officer (CTO) must commit to a philosophy of teaching. He/she must realize that training is the first priority and evaluation the secondary. The CTO must be willing to bear the responsibility for the progress of the trainee, or lack of it, until such time as it is determined that other factors are the root cause of a trainee's performance.

The Communications Training Program philosophy states:

CTOs will make every effort to train and to direct each trainee in ways that maximize the opportunities for a trainee to succeed.

CTOs must remember that the training staff must ensure that each trainee receives the maximum opportunity to show that he/she can do the job. CTOs will always attempt to set a positive atmosphere for the trainee in which learning is maximized and in which the trainee will be able to perform to the best of his or her ability. As much as is possible, stress felt by

the trainee should be caused by the task being taught, not from any unrelated comments or actions on the part of the CTO. It is impossible to entirely eliminate stress caused by evaluation, but it should be minimized as much as possible.

CTOs must conduct themselves in a professional manner at all times. They must teach Department policy and procedures. CTOs should set an example by virtue of their knowledge, behavior, and appearance. They should remember that a trainee is a product of what he/she is taught and of the behavior demonstrated by the CTO. For a CTO to say, "Do as I say and not as I do," is not acceptable.

The productivity and appearance of the CTO must meet the Department's standards. CTOs must strive to be above standard in all areas at all times.

Daily Communications Training Evaluation Reports.

When completing the Daily Communications Training Evaluation Report, CTOs shall refer to the programs standardized guidelines. This is to ensure evaluations are consistent with the programs standards.

Training Scenarios

CTOs will not set up training or mock scenarios without the approval of the Administrative Bureau Commander or his/her designee.

The trainee will always be told when a situation is a mock scenario. Trainees will never be "set up", with a mock scenario without their knowledge.

CTO/Trainee Relationship

The relationship between the CTO and the trainee will be a teacher/student and/or supervisor/subordinate relationship. As part of this relationship, the following is expected:

A) The hallmark of this relationship will be one of mutual respect. Trainees will be treated with respect at all times, and they will be expected to respect the CTO and to follow his/her directions. Trainees will not be harassed, intimidated, intentionally embarrassed or treated in a demeaning manner. Name calling or use of derogatory terms by the CTO is not acceptable and will not be tolerated. CTOs will try not to show their anger or frustration while they are working with a trainee. Remember: praise in public, correct in private.

B) CTO personnel will not make discriminatory or sexist remarks and will behave at all times in a manner consistent with the Departments Rules and Regulations.

C) CTOs will not accept gifts from nor give gifts to the trainees while they are in the Field Training Program.

Communications Trainee -Training Rules

Trainees are to be respectful of the CTOs. The CTOs lawful direction is to be accepted and followed at all times. If a trainee believes that a specific instruction or order is unlawful or improper, or an evaluation is unfair, he/she will discuss the matter with the CTO. If the trainee is still not satisfied, he/she should address the matter with the Administrative Bureau Commander or his/her designee.

Trainees will complete all assignments in a prompt, timely manner. They will comply with all policies and procedures.

Trainees will be prepared for all Communications Training assignments and will be responsible for their completion. CTOs will review assignments with the trainee after the trainee has studied the assigned material.

Trainees will be receptive to constructive criticism given by CTOs. They may verbalize an explanation for their actions; however, repeated rationalization, excessive verbal contradictions and hostility are not acceptable.

Violation of Communications Training Program Policy by CTO
Violation of the Communications Training Program policy and rules of conduct may result in disciplinary action, to include removal from the Communications Training Program. A CTOs immediate supervisor is instructed to document any violations on a memorandum and to forward them to the Patrol Bureau Commander. If appropriate, this documentation should include a statement of the action taken or recommended by the reporting supervisor.

Orientation and Observation Period
The first week of training is the orientation and observation period. It is preferred that this time be used for the CTO to gradually demonstrate dispatch responsibilities. During the first week, the majority of training will be devoted to CAD training and other equipment training. He/she may be gradually eased into performing some dispatching tasks, but should primarily observe. The performance objectives in the Dispatcher Training Manual shall be reviewed during the orientation and observation period.

Duties and Responsibilities of the Communications Training Officer

The Communications Training Officer is the essential means by which the goal of the program is achieved, specifically, the production of a communications operator able to work a

solo assignment in a safe, skillful, productive and professional manner.

In the role of trainer, the CTO provides on-going instruction in the traditional sense, utilizing innovative and practical techniques.

The CTO must have the requisite skills necessary to become a reliable evaluator of a trainee's performance. The CTO is required to write daily evaluations of the trainee's performance and submit additional documentation as required.

During the trainees first week they will receive only verbal evaluations and suggestions from the CTO. This "Orientation and Observation" period is designed to allow the trainee to become familiar with his/her new surroundings without stress of daily critiques. The trainee's written evaluation begins after the "Orientation and Observation" week.

The CTOs performance is also subject to evaluation; the CTOs professional and personal conduct shall be exemplary. A CTO should possess and recognize the need for possessing a higher sense of professionalism than is generally found throughout the Department. A CTO understands that the effectiveness, image and future of the Department are substantially decided by the quality of its personnel.

Duties and Responsibilities of the CTO Training Coordinator

The CTO Training Coordinator has the responsibility of the training and evaluation of probationary personnel.

As trainees are assigned to the Communications Training Program, the duties of the Training Coordinator become more complex. In addition to their own responsibilities, the Training Coordinator must ensure that the training and evaluation process are accomplished. Various sources of information should be utilized to achieve this goal. Evaluation Reports, oral communication with the CTO, trainee, tests and personal observations of trainee performance are all used to summarize the trainee's weekly progress.

The Training Coordinator is also responsible for the weekly review of the trainee's Daily Evaluations to determine if it is up to date and properly filled out. If it is not current, the Training Coordinator should ascertain why it is not, giving special attention to the possible need for remedial training of the trainee.

The Training Coordinator and the CTO must understand the importance of documenting the trainee's training. Documentation addresses both deficient and acceptable performance, providing a ready reference to use in response to questions concerning the program and/or the trainee's performance in the program.

Should the question of termination of a trainee arise, it is the responsibility of the Training Coordinator to request memorandums and other supporting data from the current CTO and

from each of the CTOs with whom the trainee may have previously been assigned. Should there be disagreement concerning the decision to terminate, it then becomes the role of the Training Coordinator to call together those CTOs who have been involved with the trainee and mediate the disagreement. Further, the Training Coordinator has the responsibility of keeping the Administrative Bureau Commander informed of the progress of any trainee who may be terminated.

The Training Coordinator must monitor the overall training and evaluation of trainees to insure that personality conflicts between the CTO and the trainee do not arise and that the CTO maintains objectivity throughout their contact with the trainee.

A fully effective Training Coordinator will constantly strive to improve the overall operation of the program and will work with all other program participants towards the goal of organizational excellence.

Communications Training Officer Evaluation Meetings
The Training Coordinator may periodically schedule a meeting with the CTO and the trainee during the Communications Training Program to access the program and monitor the course of training. Any below standard evaluations received by a trainee is immediate grounds for a meeting with the CTO and the Administrative Bureau Commander in an attempt to enhance performance.

Evaluation Process Schedule
The evaluation procedures employed in the Communications Training and Evaluation Program are multifaceted in that they utilize input from a variety of verbal and written sources.

Detailed descriptions and exemplars of the actual evaluative instruments are found in this manual.

Evaluation Schedule

DAILY The Training Coordinator and the Administrative Bureau Commander shall review the completed Daily Summary Report for each week of the trainee's field training.

TRAINING RECORD The CTO shall teach the performance objectives and document all training in the book.

Distribution of Reports and Evaluations
COMMUNICATIONS TRAINING

Week 1 No Daily Field Training Evaluation Reports. "Observation and orientation" period.

Week 2-8 Daily Field Training Evaluation Report by CTOs

Week 8 If qualified, including certification, trainee shall work their own schedule without CTO.

If a trainee is found to be unacceptable in any area, the Training Coordinator and the Administrative Bureau Commander will determine if proceedings towards termination should be initiated, or an extension of training granted.

Development of Standardized Guidelines
In this section thirty specific communications operators behaviors are discussed in great detail. The performance criteria for these behaviors are the basis for the evaluation form currently used in the Bridgeton Police Department's Communications Training and Evaluation Program.

In order to promote standardization of the evaluation process, there is a clear need to articulate, define and document the reference points. In other words, the discussed common reference points used in the evaluation process need to be articulated in order to explain the rationale behind a numerical score of "1", "4", or "7" in each of the thirty performance criteria.

Because public safety communications, like so many other professions, has within it a wide variety of techniques and procedures, it becomes very important that a standardization of performance evaluation take place.

Scale Value Application
Perhaps the most difficult task facing CTO's is the application of numerical values to the behaviors they are evaluating. The rater's dilemma usually involves their rating philosophy versus that of another, prompting the question, who is right? The following explanation should clarify the issue and ease the concerns of the rater and the ratee.

The first principle of value application that must be understood is that each of us has different perceptions on nearly everything in life. While standardization of ratings is an acute necessity, an attempt to standardize perceptions is doomed to failure from the start. For example: CTO "A" based on a prior negative experience of his own, might see a trainee's neglect of getting a callback number on an important call as worth a "1" rating. CTO "B", on the other hand, might see the same trainee behavior as a "3" level performance. Should we (or the trainee) really be concerned? Our answer is "No"... As long as both CTO's see the performance as "unacceptable" under the guidelines of the performance criteria, Caller Interview Skill.

A lack of standardization occurs when "A" sees the behavior as Unacceptable (Scale 1,2, or 3) and "B" sees the same behavior as Acceptable (Scale Values 4 through 7). Again, we have no difficulty accepting differences in CTO's perceptions unless these

perceptions vary from the unacceptable values to values reflecting acceptable performance.

The second principle that may come into play in the above example, or any other performance of the job task items, has to do with the value assigned as a result of the trainee not responding to training. A trainee who responds at a less than acceptable level might be assigned a "2" or "3" for that task.

The CTO is under an obligation to remediate that mistake and assess the trainee's performance when next he/she has the opportunity to do so. If the CTO retrained and the trainee fails again, a reduction in the scale values might be appropriate.

CTO Instructional Techniques
CTO's interested in transmitting skill and knowledge to others must answer three important questions. What should be taught? What materials and procedures will work best to teach what we wish the student to learn? How will we know we have taught it? Not only must these questions be answered to instruct effectively, they must be answered in the way they are listed.

Once course objectives are developed, lesson plans and the duration of the lessons must be established. Instructional methods that enable police candidates to progress more rapidly toward the course objectives should be used. Moreover, procedures to evaluate the trainee's progress toward the objectives should be implemented.

The course objectives must be communicated to the trainee. He/she must fully understand them, recognizing that a clearly stated objective succeeds in communicating to the trainee a visual conception of a successful trainee's skills at the end of the course or at the end of part of a course. Objectives are only fully realized when the trainees can demonstrate competence. A statement of specific course objectives is not sufficiently explicit unless it indicates how the instructor intends to sample understanding. The CTO must describe what the trainee will be asked to do to demonstrate their understanding. Thus the statement which communicates best will be one that describes the expected behavior of the trainee. Such a statement should identify and define the desired behavior as well as specify the criteria of acceptable performance.

Specifying the minimum acceptable level of ability for each objective creates a performance standard against which instructional programs can be assessed, it can then be readily ascertained whether or not a program has been successful in achieving the instructional intent.

Time limits and minimum numerical scores are not necessarily essential. What is essential is there is a reliable, accurate method to measure trainee performance according to the stated course objective.

Research reveals that participating students learn more effectively than non-participating

students do. The more a person participates in an incident, the better he/she becomes in handling its demands, providing, of course, that their responses are accompanied by effective critiques. If participation is to be effective, students should acquire basic knowledge prior to formal training sessions. Additional assignments may assist in the acquisition of this foundation.

Because individuals learn at different speeds, a standardized program can hold some students back while others move ahead. Self-paced, individualized programs of instruction are a method for overcoming the learning rate problem. The individualized instructional technique must be goal oriented, there must be a clear definition of what a student will be able to do after the training.

CTOs should plan lectures, discussions and individualized programs carefully. Well thought out lesson plans, utilizing visual aids and demonstration, should be used as aids to teaching as well as for the promotion of standardized training. An acceptable standard in the field of vocational education is the Five Step teaching Process. These five steps are, (1) Rehearsal.. testing the competency of the lesson plan. (2) Preparation.. preparing the students mind for receiving the information. (3) Presentation.. giving the student new knowledge or demonstrating the new operation, through an organized lesson plan. (4) Application.. giving the student an opportunity to apply his newly gained knowledge. (5) The Test.. checking the ability of the student to perform the operation or to apply the knowledge in a new situation.

An explanation of the lesson planning follows:

Lesson Planning

Lesson Plan Format
What to teach is one of the first problems confronting a new teacher. Teachers of trade and technical classes choose the content of their teaching from an analysis of their occupation. This must be organized into lessons and listed in the proper teaching sequence.

The beginning teacher is also confronted with trying to determine how much to include in each lesson and how to present the material effectively.

The Lesson
A lesson is not a period of time, it is a body of instruction, and although there is a limit to the time an instructor can maintain interest in a lesson. This amount of time varies according to the purpose of the lesson and the amount and kinds of student participation connected with the lesson.

Unfortunately the teacher must often consider the time factor when actually presenting the lesson. The lesson should be planned in its complete form and changes due to a lack of time can be made while a lesson is being presented. If possible, the teacher should plan their teaching so as to allow enough time to complete a lesson in its entirety when presenting it.

Order #: R/R **Date:** 06/10/2009
Category: DEPARTMENT ORDERS
Title: DUTY MANUAL - RULES & REGULATIONS

The Bridgeton Police Department
Rules & Regulations -/- Duty Manual
Adopted, Resolved and Promulgated: 1-15-2008
Resolution #: 193-07

MISSION STATEMENT

This law enforcement agency is dedicated to the equitable and impartial enforcement of the laws and ordinances to protect human life, property, and to maintain the public peace. In accomplishing
our mission of protection and service, the members of this agency will respect Constitutional rights,
human dignity and community values.

We commit to the enhancement of a police-community partnership, and will assist the members of our community with the identification and resolution of problems, in the effort to improve quality of
life. We will give our community the highest quality of law enforcement services possible, while
continuously striving for the highest professional standards.

VALUE STATEMENT

This law enforcement agency shall strive to meet all objectives and goals of the police mission with an unwavering commitment to personal and organizational integrity.

We will recognize the wealth of our community's cultural diversity and act with appropriate tolerance and dignity, striving for the impartial and responsible fulfillment of our assignments and duties.

We shall uphold the spirit, as well as the statement, of our Public Oath of Office, having accountability to those we serve.

We recognize and acknowledge that all members of this law enforcement agency are valuable resources. We accept our obligation to each other and to our community to provide each agency member with the appropriate opportunities to achieve his or her professional potential.

OUR OBLIGATIONS

1st The Bridgeton Police Division is obliged to take action when investigating or observing any violation, no matter how trivial it may seem.

2nd The Bridgeton Police Division is obliged to deliver police services with the highest degree of

professionalism possible.

3rd The Bridgeton Police Division is obliged to forge the strongest possible ties to the neighborhoods and communities that we protect.

4th The Bridgeton Police Division is obliged to stand by its officers whenever they make honest,
good faith efforts to enforce the law.

THE 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 right of all persons 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 regulations of my Division. 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 police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God and to my chosen profession- Law Enforcement.

FOREWARD

The purpose of this manual is threefold: 1) to set forth rules and regulations governing the conduct of police officers and civilian employees of the Division, 2) to define personnel procedures, and 3) to provide procedural guidance for members of the department in carrying out the duties imposed upon them by law.

The success of a police force in the performance of its duties is largely measured by the degree of support and cooperation it receives from the people of the community which it serves. It is of paramount importance that we secure the confidence, respect, and approbation of the public. The cultivation of such desirable attitudes is dependent upon

proper performance of duty by every member of the department.

A professional responsibility no less grave than that of other administrators of the law is imposed upon members of the Division. Professionalization of police services is gaining general recognition, but it can win universal acclaim and permanent status only if the actions of the police are reflected in intelligent, sincere, efficient, and courteous service. The police profession must embody the highest attributes of every other profession. Not private profit, nor personal reward, but the service of the community is the earmark of the professional police officer.

The contents of this manual have been developed to guide and assist members in reaching these goals. Adherence to these principles and guidelines by all members of the Division will eliminate the need for disciplinary action and will insure our acceptance by the community as a truly professional police agency.

Chief of Police

I. Establishment of police division rules and regulations

A. Police Division authority

1. The Police Division of the City of Bridgeton is established pursuant to N.J.S.A. 40A:14-118 and Bridgeton City ordinance number 3-21. The Bridgeton Police Division shall after this be called the Division.

B. Division rules

1. Rules and regulations established. The appropriate authority of the City of Bridgeton hereby adopts and promulgates the department rules and regulation, known as the Bridgeton Police Division Rules and Regulations and after this called the "rules".

2. Right to amend or revoke. In accordance with N.J.S.A. 40A:14-118, the right reserved by the appropriate authority to amend or to revoke any of the rules contained herein.

3. Previous rules, policies, and procedures. All rules previously issued, and policies and procedures that are contrary to the rules contained herein, are hereby revoked to the extent of any inconsistency. All other policies and procedures shall remain in force.

4. Application. These rules are applicable to all police officers of the

Division and to all civilian employees of the division where appropriate.

5. Distribution. One copy of these rules shall be distributed to each employee of the Division.

6. Responsibility for maintenance. It is the continuing responsibility of each employee to maintain a current copy of the rules, including all additions, revisions and amendments as issued.

7. Familiarization. Employees shall thoroughly familiarize themselves with provisions of the rules. Ignorance of any provision of these rules will not be a defense to a charge of a violation of these rules. It is the continuing responsibility of each employee to seek clarification through the chain of command for any rule which is not fully understood.

II. Definitions

A. Appropriate Authority. The person designated by Bridgeton City Ordinance 3-21 as "The Appropriate Authority".

B. Appointing Authority. The Business Administrator for the City of Bridgeton.

C. Authority. The right to issue orders, give commands, enforce obedience, initiate action and make necessary decisions commensurate with rank or assignment as provided for in the Division rules, policies and procedures. Authority may be delegated by those who designated. Acts performed without proper authority or authorization shall be considered to be in violation of the rules.

D. Chain of Command. Vertical lines of communication, authority and responsibility within organizational structure of the division.

E. Day off. Those days determined by the appropriate supervisor on which a given employee is excused from duty.

F. Directive. A document detailing the performance of a specific activity or method of operation. "Directive" includes:

1. General order: Broadly based directive dealing with policy and procedure and affecting one or more organizational subdivisions of the Division.

2. Special order: A directive dealing with a specific circumstance or event that is usually self-canceling.

3. Personnel order: A directive initiating and announcing a change in the

assignment, rank or status of personnel.

G. Employee. All employees of the Division, whether sworn, regular, special officers, or civilian employees.

H. May/Should. As used herein words "may" and "should" mean that the action indicated is permitted.

I. Order. Any written or oral directive issued by a supervisor to any subordinate or group of subordinates in the course of duty.

J. Policy. A statement of department principles that provides the basis for the development of procedures and directives.

K. Procedure. A written statement providing specific direction for performing Division activities. Procedures are implemented through policies and directives.

L. Shall/Will. The words "Shall" and "Will", as used herein, shall indicate that the action required is mandatory.

M. Supervisor. Employee assigned to a position requiring the exercise of immediate supervision over the activities of other employees.

III. General Duties and Responsibilities

A. Police officers shall:

1. Take appropriate action to;

a. Protect life and property;

b. Preserve the peace

c. Prevent crime;

d. Detect and arrest violators of the law;

e. Enforce all federal, state, and local laws and ordinances coming within Division jurisdiction;

f. Safely and expeditiously regulate traffic;

g. Aid citizens in matters within police jurisdiction;

h. Take appropriate police action in aiding fellow officers as needed;

i. Provide miscellaneous services.

2. Support and defend the individual protections, rights and privileges guaranteed by the Constitutions of the United States and New Jersey.

3. Exercise authority consistent with the obligations imposed by the oath of office and in conformance with the policies of the Division.

4. Abide by all rules, regulations and departmental procedures and directives governing police officer employees.

5. Be accountable and responsible to their supervisors for obeying all lawful orders.

6. Coordinate their efforts with other employees of the Division to achieve Division objectives.

7. Conduct themselves in accordance with high ethical standards, on and off duty.

8. Strive to improve their skills and techniques through study and training.

9. Familiarize themselves with the area of authority and responsibility for the current assignment.

10. Perform their duties promptly, impartially, faithfully, and diligently.

11. Perform all related work as required.

B. Supervisors in the Division shall:

1. Enforce Division rules and insure compliance with Division policies and procedures.

2. Exercise proper use of their command within the limits of their authority to assure efficient performance by their subordinates.

3. Exercise necessary control over their subordinates to accomplish the objectives of the Division.

4. Guide and train subordinates to gain effectiveness in performing their duties.

5. Use Division disciplinary procedures when necessary

6. When using discipline, comply strictly with the provisions of the Division disciplinary process.

C. Chief of Police

1. Pursuant to N.J.S.A. 40A:14-118 and municipal ordinance, the Chief of Police shall be the head of the Police Division and shall be directly responsible to the appropriate for the efficiency and day to day operations of the department. Pursuant to policies established by the appropriate authority, the Chief of Police shall:

a. Administer and enforce the Rules and Regulations of the Police Division and any special emergency directives for the disposition and discipline of the Division and its members and officers;

b. Have, exercise and discharge the functions, powers and duties of the Police Division;

c. Prescribe the duties and assignments of all members and officers;

d. Delegate such authority as may be deemed necessary for the efficient operation of the Police Division to be exercised under the direction and control of the Chief; and

e. Report at least monthly to the appropriate authority in such form as shall be prescribed on the operation of the Police Division during the preceding month and make such other reports as may be requested by the appropriate authority.

2. Responsibilities. The Chief of Police is responsible to:

a. Establish and maintain the efficient operation of the Division.

b. Organize, control and maintain all property and resources of the Division.

c. Develop the written organizational structure of the Division, including chain of command and duty assignments.

d. Develop and implement policies and procedures necessary to govern and direct the day to day operations of the police department.

e. Provide for the proper training of all Division employees.

f. Provide for periodic inspections of all police operations to insure compliance with Division rules, policies, and procedures.

g. Maintain the overall discipline of the Division.

h. Maintain a constructive relationship with the public, community organizations, the media and other law enforcement agencies.

i. Prepare and submit the annual budget and proposed expenditure programs to the appropriate authority or other designated officials.

j. Allocate funds within the budget, which are appropriated by the governing body.

k. Provide for performance evaluations of all Division employees.

D. Civilian employees shall:

1. Take appropriate action to perform the duties of their positions promptly, faithfully and diligently.

2. Exercise authority consistent with the obligations imposed by their position and in conformance with the policies of the Division.

3. Be accountable and responsible to their supervisors for obeying all lawful orders.

4. Coordinate their efforts with other employees of the Division to achieve Division objectives.

5. Conduct themselves in accordance with high ethical standards on and off-duty.

6. Strive to improve their skills and techniques through study and training.

7. Familiarize themselves with the area of authority and responsibility for the current assignment.

8. Abide by all rules, regulations and departmental procedures and directives governing civilian employees.

9. Perform all related work as required.

IV Rules of Conduct

A General conduct

1. Performance of duty. All employees shall promptly perform their duties as required or directed by law, Division rule, policy or directive, or by lawful order of a superior officer.

2. Action off duty. While off duty, police officers shall take appropriate action as needed in any police matter that comes to their attention within their jurisdiction as authorized by New Jersey law and Division policy.

3. Obedience to Laws and Rules. Employees shall obey all laws, ordinances, rules, policies, and procedures and directives of their Division.

4. Withholding Information. Employees shall report any information concerning suspected criminal activity of others.

5. Reporting violations of Laws and Rules. Employees knowing of other employees violating laws, ordinances, or rules of the Division, shall report same, in writing to the Chief of Police through official channels. If the employee believes the information is of such gravity that it must be brought to the immediate, personal attention of the Chief of Police, official channels may be bypassed.

6. Insubordination. Employees shall not:

a. Fail or refuse to obey a lawful order given by a supervisor;

b. Use any disrespectful or abusive language or action toward a supervisor.

7. Conduct toward other Division employees. Employees shall treat other Division employees with respect. They shall be courteous and civil at all times in their relationships with one another. When on duty and in the presence of the public, officers should be referred to by rank.

8. Compromising Criminal Cases. Employees shall not interfere with the proper administration of justice.

9. Compromising Administrative cases. Employees shall not interfere with the proper administration of Justice.

10. Recommending Services Prohibited. Employees shall not suggest, recommend, or advise the retention of any attorney, bail bond broker, tow service or any other service provider of any kind as a result of police business.

11. Posting Bail. Employees shall not post bail for any person in custody, except relatives. In the event a labor organization made up of employees decides to post bail it shall be done through an intermediary, who is not employed by the Division.

12. Use of Force. Employees shall follow Division policy and procedure on the use of force.

13. Fitness of Duty. Police officers shall maintain sufficient physical and psychological condition in order to handle the variety of activities required of a law enforcement officer.

14. Driver's License. Employees operating Division motor vehicles shall possess a valid New Jersey driver's license. Whenever a driver's license is revoked, suspended, or lost, the employee shall immediately notify the appropriate supervisor giving full particulars.

15. Address and Telephone Numbers. Employees are required to have a telephone in the place where they reside. Changes in address and telephone numbers shall be reported in writing to the appropriate supervisor within 24 hours of the change.

B. Orders

1. Issuing Orders

a. Manner of issuing orders. Orders from a supervisor to a subordinate shall be in clear and understandable language.

b. Unlawful Orders. No supervisor shall knowingly issue any order, which is in violation of any law or ordinance.

c. Improper Orders. No supervisor shall knowingly issue any order which is in violation of any Division rule, policy, or procedure.

2. Receiving Orders

a. Questions Regarding Orders. Employees in doubt as to the nature or detail of an order shall seek clarification from their supervisors through the chain of command.

b. Obedience to Unlawful Orders. Employees are not required to obey any order, which is contrary to any law or ordinance.

Responsibility for refusal to obey rests with the employee, who will be required to justify the refusal to obey.

c. Obedience to Improper Orders. Employees who are given any order which contrary to Division rule, policy, or procedure must first obey the order to the best of their ability, and then report the improper order as provided.

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

e. Reports of Unlawful or Improper Orders. An employee receiving an unlawful or improper or order shall, at first opportunity, report in writing to the next highest ranking supervisor above who issued the unlawful or improper order. Actions regarding such a report shall be conducted by the Chief of Police.

f. Criticism of Official Acts of Orders. Employees shall not criticize the actions or orders of any department employee in a manner which is defamatory, obscene or which tens to impair the efficient operation of the Division.

C. Police Records and Information

1. Release of Information. Employees shall not release any information nor reveal any confidential business of the Division to the public or the press except as provided in Division policy and procedure.

2. Division Records. Contents of any record or report filed within the Division shall not be exhibited or divulged to any person other than a duty authorized police officer, except with the approval of the appropriate supervisor, or under due process of law, or as permitted under Division policy and procedures.

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

D. Gifts, rewards, etc.

1. Soliciting or Accepting Benefits. Employees shall not directly or indirectly solicit, accept or agree to accept any benefit not allowed by law to influence the performance of their official duties.

2. Rewards. Employees shall not accept any gift, gratuity, or reward in money or other compensation for services rendered in the line of duty, except that which may be authorized by law and Division policy.

3. Disposition of Unauthorized Gifts, Gratuities. Any unauthorized gift, gratuity, loan, fee, reward, or other object coming into the possession of any employee shall be forwarded to the Chief of Police together with a written report explaining the circumstances.

E. Alcoholic Beverages and Drugs.

1. Consuming Alcoholic Beverages Before Duty. Employees shall not consume alcoholic beverages within eight hours prior to reporting for duty.

2. Being Under the Influence. Employees shall not report for duty under the influence of alcoholic beverages.

3. Consuming Alcoholic Beverages on Duty. Employees of the Division shall not consume any alcoholic beverage while on duty.

4. Exception. Employees while assigned to duty in civilian clothes may consume alcoholic beverages only if such consumption:

a. is absolutely necessary in the performance of duty, and

b. has been approved by the appropriate supervisor, and

c. does not render the employee unfit for proper and efficient performance of duty.

5. Consuming Alcoholic Beverages Off Duty In Uniform. Employees shall not consume alcoholic beverages while off duty and in uniform or any recognizable component of the uniform.

6. Alcoholic Beverages in Police Buildings. Alcoholic Beverages shall not, at any time, be consumed in police buildings or facilities.

7. Supervisors' Responsibility. Supervisors shall not assign to duty, nor allow, to remain on duty, any employee whose fitness for duty is questionable due to the use of alcoholic beverages or medication.

8. Possession of Alcoholic Beverages. Employees shall not have alcoholic beverages on their person while on duty or in uniform, nor in any police Division building or vehicle, except for evidential or other authorized purpose.

9. Entering Licensed Premises. Employees in uniform shall not enter any licensed premises where alcoholic beverages are sold or stored, except in the performance of duty and in compliance with Division policy.

10.Taking Medication on Duty. Employees of the Division shall not take any medication which may diminish their alertness or impair their senses prior to or after reporting for duty unless directed by a physician.

11. Notification about Medication. When employees are required to take any prescription medication or any non-prescription medication or any medication which may diminish their alertness or impair their senses, the employee shall notify their supervisor as to the medication required, its properties, the degree and the period during which the employee is required to take the medication. This notification shall be by the prescribing physician. If the medication is a non-prescription drug the employee shall make this notification. The required notification shall be made prior to the employee reporting for duty. This information so provided shall be confidential.

12. Drug Testing. This Division shall conduct random drug testing of police officers in accordance with the Drug Testing Policy of the Attorney General and in accordance with the Division standard operating procedure.

F. Duty Conduct

1. Reporting for Duty. Employees shall report for duty at the time and place specified, properly uniformed and equipped.

2. Absence from Duty. An employee who fails to appear for duty at the date, time and place specified without the consent of competent authority is absent without leave. Supervisors shall immediately report to their supervisor in writing any employee who is absent without leave.

3. Prohibited Activity on Duty. Employees who are on duty are prohibited from engaging in activities, which are not directly related to the performance of their duty (e.g. sleeping, conducting private business, or gambling).

4. Use of Tobacco While On Duty. Employees shall not use tobacco except in authorized areas. Employees shall not use tobacco while in direct contact with the public, and shall be as unobtrusive as possible.

5. Distracters. The use of any item or object that distracts an employee from the performance of duty other than equipment authorized by the Division is prohibited while on duty.

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

7. Meals. All meals are to be consumed within authorized areas, subject to modification by the supervisor.

8. Training. Employees shall attend training at the direction of the appropriate supervisor. Such attendance is considered a duty assignment, unless the prevailing collective bargaining agreement provides otherwise.

9. Inspections. Employees directed to attend full dress inspections shall report in the uniform prescribed, carrying the equipment specified. Unauthorized absence from such inspection shall be considered absence without leave.

G. Uniforms, appearance and identification

1. Regulation Uniforms Required. All police officers and uniform civilians shall maintain uniforms prescribed in Division policy and procedure. Uniforms shall be kept neat, clean and well pressed at all times.

2. Manner of Dress on Duty. Employees shall wear uniform or civilian clothing on duty as prescribed by Division policy and procedure for the employee's current assignment.

3. Wearing Jewelry on Duty. Police officers on duty shall not wear loose fitting jewelry which may be grasped during a struggle or which can inflict injury or retard mobility of the officer. This provision shall not prohibit non-uniform officers on duty from wearing jewelry appropriate for the conditions of their current assignment in accordance with Division policy.

4. Personal Appearance. Employees, while on duty, shall be neat and clean in person, with uniform or clothes clean and pressed. The provision shall not prohibit non-uniformed officers on duty from dressing appropriately for the conditions of their current assignment in accordance with Division policy.

5. Wearing or Carrying Identification. Employees shall wear or carry their Division identification at all times, provided that it is practical under the circumstances.

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

H. Division equipment and property

1. Equipment on duty. Employees shall carry all equipment on duty as prescribed in Division policy and procedure based on their assignment.

2. Equipment off duty. Employees shall carry equipment off duty as prescribed in Division policy and procedure based on their assignment.

3. Firearms. Employees shall follow Division policy and procedure on the care and handling of firearms.

4. Division Property and Equipment. Employees are responsible for the proper care of Division property and equipment assigned to them or used by them in the course of duty.

5. Use of Division Property and Equipment. Employees shall not use any Division property or equipment for personal business or pleasure.

6. Damaged or Inoperative Property or Equipment. Employees shall immediately report to their supervisors any loss of or damage to Division property assigned to or used by them. The supervisor shall also be notified of any defects or hazardous conditions existing in any Division equipment or property.

7. Care of Division Buildings. Employees shall not mark or deface any surface in any Division building. No material shall be affixed to any wall in Division buildings without specific authorization from the appropriate supervisor.

8. Notices. Employees shall not mark, alter or deface any posted notice of the Division. Notices or announcements shall not be posted on bulletin boards without permission of the appropriate supervisor, except those areas designated for use by the collective bargaining units.

9. Use of Division Vehicles. Employees shall not use any Division vehicle without permission of a supervisor. Division vehicles shall never be used for personal business or pleasure except as provided for in Division policy.

10. Operation of Division Vehicles. When operating Division vehicles, employees shall not violate traffic laws except in cases of emergency

and then only in conformity with state law and Division policy and procedure regarding same.

11. Transporting Citizens. Citizens will be transported in Division vehicles only in conformance with Division policy.

12. Reporting Accidents. Accidents involving Division personnel, property, equipment and vehicles must be reported in accordance with Division policy and procedure.

13. Inspection. Division property and equipment is and remains the property of the Division and is subject to entry and inspection without notice.

14. Liability. If Division property is damaged or lost as a result of misuse or negligence by an employee, that employee will be held liable to reimburse the Division for the damage or loss and is subject to disciplinary action.

15. Surrender of Division property.

a. Upon Separation from the Division. Employees are required to surrender all Division property in their possession upon separation from the service. For failure to return a non-expendable item, the employee will be required to reimburse the Division for the fair market value of the article.

b. Under Suspension. Any employee under suspension shall immediately surrender their identification, firearm (if applicable), and all other Division property to the appropriate supervisor pending disposition of the case.

I. Communications, Correspondence

1. Restrictions. Employees shall:

a. Not use Division letterheads for private correspondence.

b. Only send correspondence out of the Division under the direction of the appropriate supervisor.

2. Forwarding Communications. Any employee who receives a written communication for transmission to another employee shall forward same, without delay.

3. Use of Division Address. Employees shall not use the Division as a

mailing address for private purposes. The Division address shall not be used for any private vehicle registration, driver license, credit/bank accounts or as a billing address.

4. Telephones. Division telephone equipment may not be used for personal use involving toll charges without the express approval of a supervisor.

5. Radio Discipline. Employees operating the police radios shall strictly observe the procedures and restrictions for such operations as set forth in Division policy and procedures and by the Federal Communications Commission.

J. Conduct Toward Public

1. Courtesy. Employees shall be courteous and orderly in their dealings with the public. They shall perform their duties politely, avoiding profane language and shall always remain calm regardless of provocation.

2. Request for Identification. Upon request, employees are required to supply their name and identification number in a courteous manner.

3. Impartiality. Employees shall not exhibit bias or favoritism toward any person because of race, sex, sexual orientation, creed, color, national origin, ancestry influence or political affiliation.

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

5. Affiliation with Certain Organizations Prohibited. No employee shall knowingly become a member of any organizations which advocates the violation of law, or which professes hatred, prejudice, or oppression against any racial or religious group or political entity, except when necessary in the performance of duty and at the direction of the Chief of Police.

6. Representing the Police Division. Employees shall not give public speeches or demonstrations on behalf of the Division, nor shall they endorse any product or service as a representative of the Division, without prior approval from the Chief of Police.

K. Political activities

1. Employees shall not be candidates for or hold office in elective public positions or political organizations within or inclusive of the jurisdiction in

which the are employed unless authorized to do so by the county prosecutor.

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

3. Employees shall not engage in any political activity while on duty, or while in uniform, or at any other time if to do so would conflict with their duties or impair their ability to perform their duties.

4. Employees shall not directly or indirectly use or attempt to use their official position to influence the political activity of another person.

5. Employees shall not engage in any polling duties except in the performance of their official duties.

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

L. Judicial appearance and testimony.

1. Duty of Employee to Appear and Testify. Employees shall appear and testify on matters directly related to the conduct of their office, position or employment before any court, grand jury, or State Commission of Investigation.

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

3. Court Appearance. When appearing in court on Division business, employees shall wear either the Division uniform or appropriate business attire.

4. Testifying for the Defendant. Any employee subpoenaed to testify for the defense or against the municipality or Division in any hearing or trial shall notify the appropriate supervisor immediately upon receipt of the subpoena.

5. Division Investigations. Employees are required to answer questions, file reports, or render material and relevant statements, in a Division investigations when such questions and statements are directly related to job responsibilities. Employees shall be advised of, and permitted to invoke, all applicable constitutional and statutory rights, including

consultation with their designated representative.

6. Truthfulness. Employees are required to be truthful at all times whether under oath or not.

7. Civil Action, Subpoenas. Employees shall not volunteer to testify in civil actions arising out of Division employment and shall not testify unless subpoenaed. If the subpoena arises out of Division employment or if employees are informed that they are party to a civil action arising out of Division employment, they shall immediately notify the appropriate supervisor.

8. Civil Depositions and Affidavits. Employees shall confer with the appropriate supervisor before giving a deposition or affidavit on a civil case relating to their police employment.

9. Civil Action, Expert Witness. Employees shall not volunteer or agree to testify as expert witnesses in civil actions without the prior written approval of the county prosecutor.

10. Civil Process. Employees shall not serve civil process or assist in civil cases unless such service is approved by the appropriate supervisor.

V. Personnel Regulations

A. Hours and Leave

1. Hours of Duty. Employees shall have regular hours assigned to them for active duty, and when not so employed, they shall be considered off duty. Employees subject to be recalled to duty as needed.

2. Scheduled Days Off. Employees are entitled to days off pursuant to appropriate collective bargaining agreements and are to take such days according to a schedule arranged by the appropriate supervisor.

3. Vacation Leave. Employees are entitled to vacation days off pursuant to appropriate collective bargaining agreements, Division policy and procedure, and approval of the vacation schedule by the appropriate supervisor.

4. Other Leaves. Employees are entitled to other leave as provided for in collective bargaining agreements, by law and by Division policy and procedure, subject to approval of the schedule by the appropriate supervisor.

5. Sick Leave. Employees are entitled to sick days off pursuant to

appropriate collective bargaining agreements and department policy and procedures.

6. Abuse of Sick Leave. Employees who take sick leave in violation of Division policy shall be subject to disciplinary action.

7. Suspension of Leave. Any vacation leave, scheduled day off, or other leave of absence may be suspended when an emergency which reasonably could not have been foreseen is declared by appropriate Division authority, and which unavoidably requires utilization of additional employees who are not scheduled to work.

B. Secondary Employment

1. Secondary Employment. Employees may engage in secondary employment consistent with Division policy.

C. Resignation

1. Resignation to be in Writing. All resignations of employees must be in writing and bear the signature of the person resigning. Employees shall provide no less than two weeks notice to the Chief of Police.

VI. Discipline

A. Disciplinary Action

1. Disciplinary Action. Employees, regardless of rank, shall be subject to disciplinary action, according to the nature or aggravation of the offense, for:

a. committing an offense punishable under the laws or statues of the United States, the State of New Jersey or any other State, or municipal ordinances;

b. failure, either willfully or through negligence or incompetence, to perform the duties of their rank or assignment;

c. violation of any rule, policy, procedure, or directive of the Division; or

d. failure to obey any lawful instruction, order, or command of supervisor.

2. Repeated Violations. Repeated violations of the rules of conduct shall

be indicative of employees' disregard for their duty and may be cause of dismissal. This shall apply regardless of the type or severity of the offenses.

3. Other Violations. In addition, any infractions of N.J.A.C. 4A:1-1.1 et seq, and N.J.A.C. 4A:2-2.3 (a) 1 through 11, shall be a violation of these rules and regulations.

B. Disciplinary Procedure

1. Specific Disciplinary Procedures.

a. Requirement. All personnel are directed to report in writing to the Chief of Police any violation of law, policy, procedure, directive or rule/regulation by another member of the organization. In the event of crisis or depending on the seriousness of the incident the notification shall be immediate and shall be made in person or via telephone.

b. Notification. Upon receipt of such notification the Chief of Police shall determine the course of action for that violation, be it further investigation, review by the Cumberland County Prosecutor's Office, further interview and or immediate action.

c. Review of Discipline. After a fair and impartial review of the matter, the Chief of Police, and review if necessary, by the Cumberland County Prosecutor's Office, the Chief shall direct an appropriate coarse of action and determine whether the matter is to be turned over to the Cumberland County Prosecutor for charging of the offending employee with a criminal complaint or by signing the appropriate DOP forms for the notice of discipline.

d. Administrative Only. In the event the issue is handled as an administrative matter all standard DOP forms and procedures apply. The appointing authority shall sign as the charging authority on all disciplinary matters.

e. Hearing Officer. The hearing officer, as specified by ordinance, shall be the Appropriate Authority, or the Appropriate Authority's designee.

f. Negotiation of Discipline. As is standard practice on matters involving a final disciplinary action, of major or minor proportion, the employee facing final disciplinary action

may enter into negotiations with the charging authority in an effort to work out the final discipline without the need for hearing, if applicable, if that negotiated settlement is agreeable to both the charging authority and the employee facing discipline.

g. Minor Discipline. In the event an employee is found to have violated rule, regulation, directive or policy and the appropriate discipline is 5 days suspension or less hearing may be requested. There will be no administrative appeal process.

h. Major Discipline. In the event an employee is found to have violated law, rule, regulation, directive or policy and the appropriate discipline is greater than 5 days suspension or greater the employee facing this discipline may accept the discipline or request a hearing and have rights to appeal the decision of that hearing through New Jersey Department of Personnel procedures.

2. Penalties; under progressive system of discipline:

a. Counseling

b. Oral reprimand or performance notice

c. Written reprimand

d. Monetary fine

e. Transfer/ Reassignment

f. Suspension without pay

g. Loss of promotion opportunity

h. Demotion

i. Dismissal

Penalties must be imposed on a case basis. Some rule violations are major or serious by their very nature and must be addressed appropriately in order to maintain discipline within the Division. Other matters are considered moderate or minor in nature. In each case, the hearing officer should consider all the aggravating and mitigating circumstances surrounding the accused or employee.

Examples of penalty classification would be:

Class	Violation
A	SEVERE/SERIOUS VIOLATION:
A	Soliciting, accepting, or agreeing to accept, directly or indirectly any benefit not allowed by law to influence the performance of official duty.
A	Insubordination; failure to obey lawful order.
A	Neglect of Duty; major case of neglect; such as failing to take appropriate action to protect victim of domestic violence, or failure to take official action on occasion of discovery of DWI.
B	MAJOR VIOLATION :
B	Insubordination, disrespectful behavior toward supervisory officer or mocking orders issued by supervisory officer.
B	Reporting for duty under the influence of an alcoholic beverage.
B	Failing to carry out duty; leaving officers or citizens at potential risk.
C	MODERATE VIOLATION:
C	Knowingly issue an order which is in violation of any Division rule, policy or procedure. Resulting in minor affect on Division.
C	Reporting Late For Work; 2nd offense.
D	MINOR VIOLATION:
D	Transport citizens in Division vehicle not in conformance to Division policy.
D	Reporting to work late for shift; 1st offense.

RECOMMENDED DISCIPLINARY MEASURES

A Sever/Serious Violation = Suspension to Termination

B Major Violation = Suspension to Demotion

C Moderate Violation = Written Reprimand to Suspension

D Minor Violation = Counseling to Suspension

All employees must bear in mind that in a case by case analysis of each disciplinary matter, the employee being disciplined will be disciplined according to their overall record.

Order #: I.44 **Date:** 02/08/2010
Category: DEPARTMENT ORDERS
Title: DUTY TO TRANSPORT - FRISK

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY & PROCEDURE

SECTION: I
CHAPTER: 44

SUBJECT: Duty To Transport - Frisk

Effective Date: July 6th, 2009
Chief of Police: Mark W. Ott

PURPOSE

The purpose of this directive is to establish in writing the procedure for making certain that Bridgeton PD officers perform a frisk of subjects for weapons when they have a duty to transport a person who is not under arrest, unless they can cite specific reasons for not conducting the self protective frisk.

POLICY

Effective immediately all officers shall:

1. Upon being noticed to transport an individual from any particular location to another location, the officer carrying out the transport shall perform a pat-down frisk (as determined by procedure, and with same sex guidelines) unless:

    a. The Officer can cite specific reasons not to conduct the pat down:

        i. The subject is wearing clothing that could not possibly conceal a weapon.

        ii. The person is personally known by and trusted by the transport officer.

        iii. The person is a law enforcement officer.

        iv. The person to be transported is a young child.

        v. The person is elderly and infirm.

    b. Race or ethnicity may play no part in the officer's decision either for or against this administrative frisk.

c. The person to be frisked will, prior to being frisked, be advised that it is the policy of the Department to pat-down any person to be transported prior to entering the vehicle and that they are in no way being considered a suspect or believed to be carrying a weapon.

d. Should the person have baggage/luggage, these items will be secured in the trunk of the police vehicle and will not be frisked/searched.

Order #: I.18.1 **Date:** 10/16/2009
Category: DEPARTMENT ORDERS
Title: FIELD TRAINING MANUAL

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 18
SUBSECTION: 1

SUBJECT: FIELD TRAINING MANUAL

EFFECTIVE DATE: 12-1-2009
CHIEF OF POLICE:Mark W. Ott

PURPOSE:

A guidebook to standardize the training of newly hired officers.

MECHANICS:

To Field Training Officers, there seems to have been some confusion in the past regarding use of this manual. It is hoped that the following schematic will help in reducing problems.

Remember, one of the most vital features of Police work is DOCUMENTATION. As a trainee moves through this training program the FTOs assigned are charged with DOCUMENTING everything.

SECTION ONE:

You will find our mission statement and the end of phase tests. Each trainee MUST complete each end of phase testing. They should complete this as a SOLO officer. NO HELP from anyone. After this is completed, the testing materials along with all of the evaluations, both daily and weekly, and the intermediate OR's, for that phase should be removed from the book and turned over to the Training Supervisor.

SECTION TWO:

Recruit Training Manual. The goal is to complete all sections of this manual by the end of Phase III. It may not be possible for the recruit to actually perform all of the activities, however, the trainee should have received some training by you on all sections. As you see the section is now labeled "TRAINING SPECIFICS" and you should fill the areas as they are trained and performed, regardless of what week they are performed.

See IMPACT, Departmental Orders, I.18. for the Directive on Field Training Program.

SECTION THREE:

Evaluation guidelines: you should ALWAYS use these guides to complete your evaluations. The recruit should be rated following these guides. A new trainee should not receive a 4 or above unless they actually meet the criteria. They are not being graded on the knowledge they are expected to know at any given point in their training, but rather what they are expected to know or how they are expected to perform at the end of training. If they do not know ALL of the radio codes that we use, they should never receive a 4 or above. You can use these guides to show the trainee what is expected of them. All trainees should be receiving a 4 or above in all areas by phase 4.

SECTION FOUR:

Weekly evaluations: complete these at the end of each week. Use the scores from the daily ORs to complete this weekly. The purpose of this is to show the trainee that their numbers or score, are improving, or not, as the week progressed. Experience tells us that all trainees are constantly wondering if they are performing well or better than before. It's also important to let them know in a professional manner if they are not performing to standard and to explain what is lacking. If their rating is improving they will see it here.

SECTION FIVE:

Intermediate observation report: to be completed by the FTO at the end of each phase (1 through 3). A copy will be provided to the next FTO so that they can focus on identified weaknesses, and hopefully work on correcting these identified problems. If remedial training is needed then this needs to be communicated to the Training Supervisor.

SECTION ONE:

Order #: I.18.1 **Date:** 10/16/2009
Category: DEPARTMENT ORDERS
Title: FIELD TRAINING MANUAL

MISSION STATEMENT
BRIDGETON POLICE DEPARTMENT

This law enforcement agency is dedicated to the equitable and impartial enforcement of laws and ordinances to protect human life, property and to maintain the public peace. In accomplishing our mission of protection and service, the members of this agency will respect Constitutional rights, individual rights, human dignity and community values.

We commit to the enhancement of a police-community partnership, and will assist the members of our community with the identification and resolution of problems, in the effort to improve quality of life. We will give our community the highest quality of law enforcement services possible, while continuously striving for the highest professional standards.

I, _____, have read and understand the Mission Statement of the Bridgeton Police Department and will do my utmost to follow this mission throughout my career.

Signed:_____ Date:____/____/_____

VALUE STATEMENT
BRIDGETON POLICE DEPARTMENT

This law enforcement agency shall strive to meet all objectives and goals of the police mission with an unwavering commitment to personal and organizational integrity.

We will recognize the wealth of our community's cultural diversity and act with appropriate tolerance and dignity, striving for the impartial and responsible fulfillment of our assignments and duties.

We shall uphold the spirit, as well as the statement, of our Public Oath of Office, having accountability to those we serve.

We recognize and acknowledge that all members of this law enforcement agency are valuable resources. We accept our obligation to each other and to our community to provide each agency member with the appropriate opportunities to achieve his or her professional potential.

I,_____, have read and understand the Value Statement and will do my utmost to live by these values throughout my career with the Bridgeton Police Department.

Signed:_____ Date:____/____/_____

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, 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.

I, _____, have read and understand this code of ethics and I will do my utmost to follow this code throughout my career with the Bridgeton Police Department.

Signed:_____ Date:____/____/_____

I, _____, have received a copy of the Bridgeton Police Department Rules & Regulations and I have been shown where I can find a copy on the BPD records management system, whenever I need to view it. I understand that it is my duty to become thoroughly familiar with the Rules & Regulations and to keep abreast of any future changes.

Signed:_____ Date:____/____/_____

I, _____, have received a copy of the Patrol Handbook and been shown how to use it. I understand that I should carry this with me at all times to aid in

carrying out my assigned duties.

Signed:_____ Date:____/____/_____

I,_____, have been shown the BPD Online forms center as well as the Departmental Orders section of the records management system. I understand that I am duty bound to follow Chief of Police Directive's and understand that it is my responsibility to read, understand and follow these Directive's. I understand that it is my duty to keep abreast of changes to and additions to the Chief of Police Directives.

Signed:_____ Date:____/____/_____

I,_____, understand that Police work and being a police officer is not a job, it is a Professional Career. I understand that becoming a professional involves committing to a lifestyle of continuing education and a responsibility to personally keep abreast of changes in society affecting police work.

Signed:_____ Date:____/____/_____

I,_____, understand that becoming a municipal Police Officer ties me to the community I serve regardless of where I actually live. I become a part of and must consider myself as an integral and vital part of the City of Bridgeton.

Signed:_____ Date:____/____/_____

SECTION TWO

BRIDGETON POLICE DEPARTMENT

Order #: I.18.1 **Date:** 10/16/2009
Category: DEPARTMENT ORDERS
Title: FIELD TRAINING MANUAL

TRAINING MANUAL

TRAINEE's NAME:_____ Badge #:_____

PHASE I COACH:_____ Badge #:_____

PHASE II COACH:_____ Badge#:_____

PHASE III COACH:_____ Badge #:_____

TRAINING SPECIFICS

	Date Trained-Demonstrated	Date Performed	FTO	TO
1. DISPATCH CENTER				
A. Telephone Console	_____	_____	___	___
B. Telephone Extensions	_____	_____	___	___
C. Lighting Controls Inside/Outside	_____	_____	___	___
D. Blotter Log	_____	_____	___	___
E. Sign In Sheet	_____	_____	___	___
F. Signing In/Out	_____	_____	___	___
G. Tow Rotation List	_____	_____	___	___
H. Tow Log	_____	_____	___	___
I. Video Equipment	_____	_____	___	___
J. VCAD	_____	_____	___	___
K. NCIC/SCIC	_____	_____	___	___
L. Communication With	_____	_____	___	___
M. Responsibility To Accept Calls/Acknowledge	_____	_____	___	___

2. SHIFT SUPERVISOR ROOM

A. Printer/Fax/Copier _____ _____ ____ ____

B. Shredder _____ _____ ____ ____

C. Vine Form Storage _____ _____ ____ ____

D. TRO/FRO Storage _____ _____ ____ ____

E. Key Storage _____ _____ ____ ____

F. Report Drop _____ _____ ____ ____

G. Records Drop _____ _____ ____ ____

H. BMC Paperwork Drop _____ _____ ____ ____

I. BMC Bail Drop/Safe _____ _____ ____ ____

J. Overtime Binders _____ _____ ____ ____

K. Supply Rack _____ _____ ____ ____

L. Contact Sheets _____ _____ ____ ____

M. Handheld Radar +
Spare Battery/Charger _____ _____ ____ ____

N. Patrol Camera +
Spare Battery/Charger _____ _____ ____ ____

O. Patrol Fingerprint Kit _____ _____ ____ ____

P. ACO Chemicals _____ _____ ____ ____

3. ARREST PROCESSING ROOM

A. Live Scan _____ _____ ____ ____

B. IMPACT Mug Shot _____ _____ ____ ____

C. Arrest Report _____ _____ ____ ____

D. Alcotest _____ _____ ____ ____

E. Restroom _____ _____ ___ ___

F. Control Bench _____ _____ ___ ___

4. INVESTIGATION ROOM

A. All three rooms _____ _____ ___ ___

B. Complaint Prep. (ECDR) - Warrant/Summons _____ _____ ___ ___

C. Complaint Prep. (Paper) Warrant/Summons _____ _____ ___ ___

D. Charging Manuals _____ _____ ___ ___

E. Special Complaint Forms- Police/Civilian _____ _____ ___ ___

F. Typing Skills _____ _____ ___ ___

G. Logging Evidence _____ _____ ___ ___

H. Evidence Locker _____ _____ ___ ___

I. Narcotics Evidence _____ _____ ___ ___

J. Chain of Command _____ _____ ___ ___

K. When to Notify Sgt. _____ _____ ___ ___

L. Notification Matrix _____ _____ ___ ___

M. Care/Transport Prisoner Policy _____ _____ ___ ___

N. Weapon Removal _____ _____ ___ ___

O. Weapon Locker _____ _____ ___ ___

5. HOLDING ROOMS

A. Inspection For Foreign Objects _____ _____ ___ ___

B. Removal of Dangerous

Objects	_____	_____	____	____
C. Unsafe Items	_____	_____	____	____
6. PORTABLE RADIO				
A. Batteries/Charger	_____	_____	____	____
B. Radio Pouch	_____	_____	____	____
C. Channel Selection/ Channel Use	_____	_____	____	____
D. Personal Alarm Tone	_____	_____	____	____
7. POLICE VEHICLE INSPECTION				
A. Inspect for Damage	_____	_____	____	____
B. Inspect for Cleanliness	_____	_____	____	____
C. Front/Rear Seat Check	_____	_____	____	____
D. Trash Removal Before/After Shift	_____	_____	____	____
E. Vehicle Sheet	_____	_____	____	____
F. Fire Extinguisher	_____	_____	____	____
G. Flares	_____	_____	____	____
H. Fuel Level - Refueling Procedure	_____	_____	____	____
I. Water Rescue Rope	_____	_____	____	____
J. Defibulator/Battery	_____	_____	____	____
K. PPE	_____	_____	____	____
L. Lights Non-Emergency	_____	_____	____	____
M. Lights Emergency	_____	_____	____	____
N. Horn/Siren/Air Horn/				

Loud Speaker (PA)	_____	_____	____	____
O. Police Radio	_____	_____	____	____
P. Long Gun & Rack	_____	_____	____	____
8. PATROL AREA PLAN				
A. Patrol Areas	_____	_____	____	____
B. Car/Personal Call #s	_____	_____	____	____
C. Location of Hospitals	_____	_____	____	____
D. Location of Schools	_____	_____	____	____
E. BFD Facilities	_____	_____	____	____
F. City Garage	_____	_____	____	____
G. Water Facilities	_____	_____	____	____
H. Leaving Assigned Area	_____	_____	____	____
I. Other Prime Terrorist Target Facilities	_____	_____	____	____
9. RESPONSE TYPES				
A. Emergency	_____	_____	____	____
B. Priority	_____	_____	____	____
C. Routine	_____	_____	____	____
D. Code 55	_____	_____	____	____
10. USE OF FORCE				
A. Verbal Commands	_____	_____	____	____
B. Physical Contact	_____	_____	____	____
C. O.C. Spray	_____	_____	____	____
D. Physical Force	_____	_____	____	____

E. Mechanical Force _____ _____ ____ ____
OC Spray _____ _____ ____ ____
Baton _____ _____ ____ ____
K9 _____ _____ ____ ____

F. DEADLY FORCE _____ _____ ____ ____

11. SICK LEAVE PROCEDURE

A. Notify Communications _____ _____ ____ ____

B. Required Time Frame _____ _____ ____ ____

C. Affect on Subpeonas _____ _____ ____ ____

12. PERSONAL TIME PROCEDURE

A. Meal Breaks (30 Min) _____ _____ ____ ____

B. Coffee Breaks (15 Min) _____ _____ ____ ____

C. Vacation/Comp. /
Kelly/Personal Days _____ _____ ____ ____

13. ARREST/CONTROL TECHNIQUES

A. OC Spray _____ _____ ____ ____

B. Handcuffing _____ _____ ____ ____

C. Searching _____ _____ ____ ____

D. Suspect Injuries _____ _____ ____ ____

E. Officer Injuries _____ _____ ____ ____

SUPERVISOR SIGNATURE:_____

SUPERVISOR PRINTED NAME:_____BADGE:_____

DATE:____/____/_____

TRAINING SPECIFICS CONTINUED

BRIDGETON POLICE DEPARTMENT
TRAINING MANUAL

	Date Trained - Demonstrated	Date Performed	FTO	TO
1. ASSIST OFFICER CALLS				
A. Requesting	_____	_____	___	___

B. Answering _____ _____ ____ ____

2. ALARM CALLS

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Audible _____ _____ ____ ____

D. Unsecured Property _____ _____ ____ ____

E. Secure Property _____ _____ ____ ____

F. Tactics On Scene _____ _____ ____ ____

3. BANK ALARMS

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Tactics On Scene _____ _____ ____ ____

D. Making Contact W/Rep. _____ _____ ____ ____

4. VEHICLE PURSUITS

A. Initiating _____ _____ ____ ____

B. Number Of Units Involved _____ _____ ____ ____

C. By Other Jurisdictions _____ _____ ____ ____

D. Continuing _____ _____ ____ ____

E. Crashes/Injuries _____ _____ ____ ____

F. Roadblocks _____ _____ ____ ____

G. Terminating _____ _____ ____ ____

H. Stop Sticks _____ _____ ____ ____

5. EMERGENCY VEHICLE OPERATION

A. Authorization _____ _____ ____ ____

B. Escort Assignment _____ _____ ____ ____

C. Blood/Organ Run _____ _____ ____ ____

D. Discontinuing Emergnecy Resp._____ _____ ____ ____

E. Code 55/Equipment On _____ _____ ____ ____

6. PRISONERS

A. Advising Dispatch _____ _____ ____ ____

B. Temp. Holding Facilities

1. Bench _____ _____ ____ ____

2. Handcuffing _____ _____ ____ ____

3. Leg Shackles _____ _____ ____ ____

4. Search Incident To Arrest/ (Contemporaneous) _____ _____ ____ ____

C. Medical Treatment

1. BFD _____ _____ ____ ____

2. Hospital _____ _____ ____ ____

D. Hospitalized _____ _____ ____ ____

E. Male / Female _____ _____ ____ ____

F. Adult / Juvenile _____ _____ ____ ____

G. Parking / Unloading _____ _____ ____ ____

H. Mugshots

1. Impact _____ _____ ____ ____

2. Live Scan _____ _____ ____ ____

J. Fingerprinting _____ _____ ____ ____

1. Proper Live Scan Entry _____ _____ ____ ____
2. When to Print Juveniles _____ _____ ____ ____
3. When to Get Palms _____ _____ ____ ____

K. Reports

1. Arrest _____ _____ ____ ____
2. Miranda Warning _____ _____ ____ ____

L. Prisoner Property

1. Valuables _____ _____ ____ ____
2. Bulk _____ _____ ____ ____
3. Perishables _____ _____ ____ ____
4. Tobacco/Lighters/Matches
   Alcoholic Beverages _____ _____ ____ ____

M. Weapons/Dangerous Items _____ _____ ____ ____

7. ASSOCIATED AGENCY LOCATION

A. County Sheriff's Department _____ _____ ____ ____

B. County Prosecutor's Office _____ _____ ____ ____

C. NJSP - Bridgeton _____ _____ ____ ____

D. South Wood Prison _____ _____ ____ ____

E. County Jail _____ _____ ____ ____

F. Juvenile Detention Center _____ _____ ____ ____

8. ARREST/CONTROL TECHNIQUE

A. Placing Prisoner In & Taking Prisoner
   Out of Police Vehicle _____ _____ ____ ____

SUPERVISOR SIGNATURE:_____

SUPERVISOR PRINTED NAME:_____BADGE:_____

DATE:____/____/_____

TRAINING SPECIFICS CONTINUED

BRIDGETON POLICE DEPARTMENT
TRAINING MANUAL

	Date Trained - Demonstrated	Date Performed	FTO	TO
1. PEDESTRIAN STOPS				
A. Mere Inquiry	_____	_____	_____	_____
B. Investigative Detention	_____	_____	_____	_____

C. Violation Stop _____ _____ _____ _____

2. TRAFFIC STOPS

A. Filling Out Traffic Summons _____ _____ _____ _____

B. Approach/Intro. To Driver _____ _____ _____ _____

C. Amending Traffic Summons _____ _____ _____ _____

D. D.W.I. Procedures _____ _____ _____ _____

E. High Risk Stop Procedures _____ _____ _____ _____

F. Radar Operations _____ _____ _____ _____

G. Recording Notes _____ _____ _____ _____

H. Suspended/Revoked Drivers _____ _____ _____ _____

I. Unlicensed Drivers _____ _____ _____ _____

J. Selecting Court Date _____ _____ _____ _____

K. Selective Enforcement Assignments _____ _____ _____ _____

L. Uninsured Motor Vehicles _____ _____ _____ _____

M. Unregistered Motor Vehicles _____ _____ _____ _____

N. Voilator Contact _____ _____ _____ _____

O. Vioding Traffic Summons _____ _____ _____ _____

P. Written Warnings _____ _____ _____ _____

Q. Verbal Warnings _____ _____ _____ _____

3. DISORDERLY PERSONS CALLS

A. Response _____ _____ _____ _____

B. Arrival _____ _____ _____ _____

C. Tactics Upon Arrival _____ _____ _____ _____

D. Completion of Appropriate Reports _____ _____ _____ _____

4. JUVENILE ARRESTS

A. Holding Room _____ _____ _____ _____

B. D.Y.F.S. _____ _____ _____ _____

C. Fingerprinting _____ _____ _____ _____

D. Handcuffing _____ _____ _____ _____

E. Detention (Incarceration) _____ _____ _____ _____

F. Intoxication/CDS _____ _____ _____ _____

G. Statement of Rights (Miranda) _____ _____ _____ _____

H. Parent/Gaurdian Notification _____ _____ _____ _____

I. Photographing _____ _____ _____ _____

J. Processing _____ _____ _____ _____

K. Report Procedures _____ _____ _____ _____

L. Arrest _____ _____ _____ _____

M. Responsibilities _____ _____ _____ _____

N. Counseling Services _____ _____ _____ _____

5. MOTOR VEHICLE CRASHES

A. Response _____ _____ _____ _____

B. Arrival _____ _____ _____ _____

C. Scene Safety _____ _____ _____ _____

D. Support Services _____ _____ _____ _____

E. Witness Information _____ _____ _____ _____

F. Serious/Fatal Crash Procedures _____ _____ _____ _____

G. Completion of Appropriate Reports _____ _____ _____ _____

6. ARREST / CONTROL TECHNIQUE

A. Search and Cuffing While Standing _____ _____ _____ _____

SUPERVISOR SIGNATURE:_____

SUPERVISOR PRINTED NAME:_____BADGE:_____

DATE:____/____/_____

TRAINING SPECIFICS CONTINUED

BRIDGETON POLICE DEPARTMENT
TRAINING MANUAL

1. POLICE RADIO PROCEDURES AND CODES

A. Radio Codes (Thorough Knowledge) _____ _____ ____ ____

B. Radio Procedure (Must be competent in judgement of FTO) _____ _____ ____ ____

2. C.D.S. ARRESTS

A. Field Tests _____ _____ ____ ____

B. Inventory of Evidence _____ _____ ____ ____

C. Pedestrian Stop _____ _____ ___ ___

D. Reports _____ _____ ___ ___

E. Traffic Stops _____ _____ ___ ___

3. REPORTS

A. Location of Forms _____ _____ ___ ___

B. Motor Vehicle Crash (NJTR1) _____ _____ ___ ___

C. Motor Vehicle Crash (SR 21) _____ _____ ___ ___

D. Investigation Report (IR) _____ _____ ___ ___

E. Supplemental Report (IR) _____ _____ ___ ___

F. Medically Aided Case Report _____ _____ ___ ___

G. Miscellaneous Operations Report _____ _____ ___ ___

H. Field Interview _____ _____ ___ ___

I. Blotter Narrative _____ _____ ___ ___

J. Recovered Property/Vehicle _____ _____ ___ ___

K. Impound _____ _____ ___ ___

L. Work Related Injury _____ _____ ___ ___

M. Special Report _____ _____ ___ ___

N. Use of Force _____ _____ ___ ___

O. Vehicle Pursuit _____ _____ ___ ___

P. DV 1 _____ _____ ___ ___

Q. Turning In Reports _____ _____ ___ ___

R. Review - Changes/Corrections _____ _____ ___ ___

4. TOWING VEHICLES

A. Abandoned Vehicles _____ _____ ____ ____

B. Crash Involved _____ _____ ____ ____

C. Involved In Crime _____ _____ ____ ____

D. Stolen/Recovered _____ _____ ____ ____

E. Unregistered/Suspended Reg. _____ _____ ____ ____

F. Unlicensed Driver _____ _____ ____ ____

G. Impound Inventory Form _____ _____ ____ ____

5. FIRE SCENE

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. First Officer Responsibilities _____ _____ ____ ____

D. Police Duties on Scene _____ _____ ____ ____

E. Coordination of Emergency Services _____ _____ ____ ____

F. Completion of Appropriate Reports _____ _____ ____ ____

6. POLICE BLOTTER

A. IMPACT System

B. Entry Type/Criteria/Proper Info _____ _____ ____ ____

7. ARREST / CONTROL TECHNIQUE

A. Weapon Retention _____ _____ ____ ____

SUPERVISOR SIGNATURE:_____

SUPERVISOR PRINTED NAME:_____BADGE:_____

DATE:____/____/_____

TRAINING SPECIFICS CONTINUED

BRIDGETON POLICE DEPARTMENT
TRAINING MANUAL

1. BURGLARY

A. Response	_____	_____	____	____
B. Arrival	_____	_____	____	____
C. Duties of First Officer At Scene	_____	_____	____	____
D. Preserving the Crime Scene	_____	_____	____	____
E. Tactics on Scene	_____	_____	____	____
F. Processing Scene (or CID)	_____	_____	____	____
G. Appropriate Reports	_____	_____	____	____

2. ROBBERY

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Duties of First Officer At Scene _____ _____ ____ ____

D. Preserving the Crime Scene _____ _____ ____ ____

E. Documenting/Collecting Evidence _____ _____ ____ ____

F. Appropriate Reports _____ _____ ____ ____

3. PROWLER CALLS

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Tactics on Scene _____ _____ ____ ____

D. Appropriate Reports _____ _____ ____ ____

4. SUSPICIOUS INCIDENTS

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Tactics On Scene _____ _____ ____ ____

D. Suspicious Vehicles _____ _____ ____ ____

E. Suspicious Persons _____ _____ ____ ____

F. Warrant Checks (NCIC/Local) _____ _____ ____ ____

G. Appropriate Reports _____ _____ ____ ____

5. COURT APPEARANCES/PROCEDURES

A. Attendance/Dress Code _____ _____ ____ ____

B. Date/Time Of Sessions _____ _____ ____ ____

C. Location of Municipal Court _____ _____ ____ ____

D. Location of Superior Court _____ _____ ____ ____

E. Parking At Superior Court _____ _____ ____ ____

F. Preparation for Criminal Case _____ _____ ____ ____

G. Preparation for Traffic Case _____ _____ ____ ____

H. Review of Schedule _____ _____ ____ ____

I. Testifying in Criminal Case _____ _____ ____ ____

J. Testifying in Traffic Case _____ _____ ____ ____

K. Use of Vehicle for Appearances _____ _____ ____ ____

6. WEAPONS SECURITY

A. Gun Locks _____ _____ ____ ____

B. Storage _____ _____ ____ ____

7. ARREST / CONTROL TECHNIQUE

A. Kneeling and Prostrate Handcuffig _____ _____ ____ ____

SUPERVISOR SIGNATURE:_____

SUPERVISOR PRINTED NAME:_____BADGE:_____

DATE:____/____/_____

TRAINING SPECIFICS CONTINUED

BRIDGETON POLICE DEPARTMENT
TRAINING MANUAL

1. TRAFFIC DIRECTION

A. Hand Signals	_____	_____	____	____
B. Proper Uniform & Safety Equipment	_____	_____	____	____
C. Signalized Intersection	_____	_____	____	____
D. Use of Traffic Cones / Barriers	_____	_____	____	____
E. Use of Flares	_____	_____	____	____
F. Proper Use of Whistle	_____	_____	____	____

2. BICYCLES

A. Abandoned	_____	_____	____	____
B. Stolen	_____	_____	____	____

C. Recovered _____ _____ ____ ____

D. Crashes _____ _____ ____ ____

E. Title 39 Violations _____ _____ ____ ____

F. Motorized _____ _____ ____ ____

G. Off Road Vehicles / ATVs _____ _____ ____ ____

3. SEX CRIMES

A. Preserving the Crime Scene _____ _____ ____ ____

B. Medical Attention For Victim _____ _____ ____ ____

C. SART Protocols _____ _____ ____ ____

D. Referrals _____ _____ ____ ____

E. Victim's Sensitivity _____ _____ ____ ____

F. Victim's Clothing _____ _____ ____ ____

G. Appropriate Reports _____ _____ ____ ____

4. DOMESTIC VIOLENCE

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Evidence & Photographs _____ _____ ____ ____

D. Mandatory Arrest/Complaints _____ _____ ____ ____

E. Recognition _____ _____ ____ ____

F. Collecting/Documenting Evidence _____ _____ ____ ____

G. Temporary Restraining Orders _____ _____ ____ ____

H. Appropriate Reports _____ _____ ____ ____

5. BARRICADED / HOSTAGE INCIDENT

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Tactics On Scene _____ _____ ____ ____

D. Obtain/Provide Pertinent Information_____ _____ ____ ____

E. Supervisor Notification _____ _____ ____ ____

F. Appropriate Reports _____ _____ ____ ____

6. HAZARDOUS MATERIAL INCIDENT

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Tactics on Scene _____ _____ ____ ____

D. Obtain/Provide Pertinent Information _____ _____ ____ ____

E. Outside Agency Notification _____ _____ ____ ____

F. Appropriate Reports _____ _____ ____ ____

7. CHILD ABUSE CALLS

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Initial Investigation _____ _____ ____ ____

D. Outside Agency Notification _____ _____ ____ ____

E. C.I.D. Notifications _____ _____ ____ ____

F. Provisions For Medical Treatment _____ _____ ____ ____

G. Appropriate Reports _____ _____ ____ ____

8. ARREST / CONTROL TECHNIQUE

A. Holding Suspect at Gunpoint/Back Up _____ _____ ____ ____

SUPERVISOR SIGNATURE:_____

SUPERVISOR PRINTED NAME:_____BADGE:_____

DATE:____/____/_____

TRAINING SPECIFICS CONTINUED

BRIDGETON POLICE DEPARTMENT
TRAINING MANUAL

1. SUICIDE CALLS

A. Response	_____	_____	____	____
B. Arrival	_____	_____	____	____
C. Tactics On Scene	_____	_____	____	____
D. Preserving The Scene	_____	_____	____	____
E. Documenting Scene	_____	_____	____	____
F. EMS For Attempted Suicide	_____	_____	____	____
G. Briefing Hospital Staff	_____	_____	____	____
H. Appropriate Reports	_____	_____	____	____

2. MENTALLY ILL PERSONS

A. Transportation	_____	_____	____	____

B. Counseling Services _____ _____ ____ ____

C. Crisis Center Procedures _____ _____ ____ ____

3. SUDDEN DEATHS

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Tactics On Scene _____ _____ ____ ____

D. Preserving The Scene _____ _____ ____ ____

E. Notifications _____ _____ ____ ____

F. Pronouncements _____ _____ ____ ____

G. Appropriate Reports _____ _____ ____ ____

4. MISSING PERSONS

A. Adults _____ _____ ____ ____

B. Juveniles _____ _____ ____ ____

C. Radio Broadcast of Info _____ _____ ____ ____

D. Search Procedures _____ _____ ____ ____

E. NCIC/SCIC Forms _____ _____ ____ ____

F. Time Frame For Entry NCIC _____ _____ ____ ____

G. Collecting Photo/DNA _____ _____ ____ ____

5. ARREST / CONTROL TECHNIQUE

A. Multiple Prisoners _____ _____ ____ ____

SUPERVISOR SIGNATURE:_____

SUPERVISOR PRINTED NAME:_____BADGE:_____

DATE:____/____/_____

TRAINING SPECIFICS CONTINUED

BRIDGETON POLICE DEPARTMENT
TRAINING MANUAL

1. BOMB THREATS

A. Response	_____	_____	____	____
B. Arrival	_____	_____	____	____
C. Evacuation	_____	_____	____	____
D. Tactics On Scene	_____	_____	____	____
E. Search Procedure	_____	_____	____	____
F. Communication Procedures	_____	_____	____	____
G. Device Located	_____	_____	____	____
H. Explosive Device Technician	_____	_____	____	____
I. Appropriate Reports	_____	_____	____	____

2. DRIVING UNDER INFLUENCE ARREST

A. Probable Cause for Traffic Stop	_____	_____	____	____

B. MV Crash Involved _____ _____ _____ _____

C. Tests At Scene _____ _____ _____ _____

D. Recognizing the Diabetic/ Epileptic _____ _____ _____ _____

E. Recording Facts _____ _____ _____ _____

F. Processing _____ _____ _____ _____

G. Balance/Coordination Tests _____ _____ _____ _____

H. Alcotest _____ _____ _____ _____

I. Blood Sample Requests _____ _____ _____ _____

J. Hospitalized _____ _____ _____ _____

K. Impound Protocol _____ _____ _____ _____

L. Appropriate Reports _____ _____ _____ _____

3. ANIMAL COMPLAINTS

A. Injured Animal _____ _____ _____ _____

B. Dog Running Loose _____ _____ _____ _____

C. Barking Dog _____ _____ _____ _____

D. Bites to Humans _____ _____ _____ _____

E. Notifications To ACO _____ _____ _____ _____

F. Rabid Animals _____ _____ _____ _____

G. SPCA Location/Animal Drop Off _____ _____ _____ _____

H. Appropriate Reports _____ _____ _____ _____

4. ARREST / CONTROL TECHNIQUES

A. High Risk Vehicle Stops _____ _____ _____ _____

Order #: I.18.1 **Date:** 10/16/2009
Category: DEPARTMENT ORDERS
Title: FIELD TRAINING MANUAL

SUPERVISOR SIGNATURE:_____

SUPERVISOR PRINTED NAME:_____BADGE:_____

DATE:____/____/_____

TRAINING SPECIFICS CONTINUED

BRIDGETON POLICE DEPARTMENT
TRAINING MANUAL

1. SEARCHES

A. Consent Searches	_____	_____	____	____
B. Emergent Searches (Exigent Circumstances)	_____	_____	____	____
C. Incident to Arrest	_____	_____	____	____
D. Obtaining Search Warrants	_____	_____	____	____
E. Opposite Sex	_____	_____	____	____
F. Strip Search	_____	_____	____	____
G. Stop & Frisk	_____	_____	____	____
H. Vehicle Search	_____	_____	____	____

2. DEMONSTRATIONS

A. Court Orders/Injunctions	_____	_____	____	____
B. Strike Reports	_____	_____	____	____

3. BIAS INCIDENTS

A. Response _____ _____ ____ ____

B. Arrival _____ _____ ____ ____

C. Determination of Bias Incident _____ _____ ____ ____

D. Preservation of Scene _____ _____ ____ ____

E. Appropriate Reports _____ _____ ____ ____

SUPERVISOR SIGNATURE:_____

SUPERVISOR PRINTED NAME:_____BADGE:_____

DATE:____/____/_____

TRAINING NON-SPECIFIED

BRIDGETON POLICE DEPARTMENT
TRAINING MANUAL

ADDITIONAL TRAINING/REMEDIAL TRAINING:

TOPIC	DATE TRAINED DEMONSTRATED	DATE PERFORMED	FTO	TO

TRAINING NON-SPECIFIED

BRIDGETON POLICE DEPARTMENT
TRAINING MANUAL

ADDITIONAL TRAINING/REMEDIAL TRAINING:

TOPIC	DATE TRAINED DEMONSTRATED	DATE PERFORMED	FTO	TO

SUPERVISOR SIGNATURE:_____

SUPERVISOR PRINTED NAME:_____BADGE:_____

DATE:____/____/_____

Order #: I.18. **Date:** 10/15/2009
Category: DEPARTMENT ORDERS
Title: FIELD TRAINING OFFICER PROGRAM

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 18

SUBJECT: FIELD TRAINING OFFICER PROGRAM

EFFECTIVE DATE: 12-1-2009
CHIEF OF POLICE:Mark W. Ott

PURPOSE:

The primary purpose for establishing a Field Training Officer Program is to promote an objective, structured monitoring and evaluation system for newly hired officers, and a system for remedial training of any officer who may need it. Newly hired officers will have already successfully completed a basic police academy. An assigned Field Training Officer (FTO) will provide probationary officers with positive role modeling, hands-on training and guidance. They will also counsel, assess needs as related to job performance, and evaluate probationary officers. Secondly, the FTOs will provide the same service to lateral transfer officers and officers upgraded from a Class II designation. FTO officers will as appropriate and authorized, assist in remedial training of any officer needing this service.

OBJECTIVE:

It is necessary to provide newly hired officers will all the training and skills possible in today's complex environment of law enforcement. It is the objective of this agency to hire the best qualified persons and to give these persons every opportunity to succeed as police officers. Upon successful completion of academy training, probationary officers will be enabled by the experience gained under the watchful eyes of a FTO coach.

This program will also provide the department with an OBJECTIVE, STRUCTURED MECHANISM to determine the trainees' ETHICS, ATTITUDE, ABILITIES, and WILLINGNESS to perform their job functions.

By putting this program in place, the department is providing continuity in training to all it's new officers and an opportunity to correct deficiencies in seasoned officers. All officers who are placed in this program are evaluated on a daily basis through the use of the Standard Evaluation Guidelines.

MECHANICS:

I. Definitions:

A. TRAINEE - newly hired officer, Class II officer or an officer

who comes to the department as a lateral transfer.

*Class II officer's shall complete an abridged version of the FTO Program authorized by the training coordinator.

B. COACH - an officer assigned as a Field Training Officer or remedial instructor to another officer, regardless of rank.

II. COACH FUNCTIONS:

A. Role Model - the coach must exemplify excellence as laid out in the "Law Enforcement Code of Ethics."

B. Trainer - the coach must possess the skill to assess the training needs of the new officer and be able to apply the technique of teaching to meet those needs.

C. Evaluator - the coach must give timely feedback and clear directions to guide the trainee to an acceptable level of competence.

D. Supervisor - the coach HAS supervisory responsibility to plan and direct the field training.

E. Counseling - the coach will establish a rapport, provide informal guidance, and be perceptive to the trainees' needs as they relate to job performance.

III. SELECTION AND APPOINTMENT:

A. Officers interested in becoming involved in the FTO program should apply through the proper chain of command.

B. Officers will be selected based upon demonstrated abilities to be a trainer/coach.

C. The Chief of Police or his designee will make all appointments.

D. All selected personnel will receive training in the FTO program.

E. Trainees will be assigned a coach upon completion of the police academy.

IV. CHAIN OF COMMAND IN THE FTO PROGRAM:

A. The FTO program supervisor will be the head of the Police Department's training unit and is in overall charge of the recruit field training. All activities directly relating to the training program will move upward from the recruit level

through the coach, and then to the program supervisor. The program supervisor reports directly to the Chief of Police.

B. All non-training activities are subject to the normal chain of command. Shift supervisors will take an active role in the FTO program by working closely with the coaches.

V. PROGRAM FORMAT:

A. The program will be divided into (4) four phases. The minimum time spent to complete these phases will be 45 days (530 hours), the maximum time allowed is 54 days (638 hours).

B. PHASE I - 12 Days (144 hours)

1. Three days (36 hours) in limbo - this period is when the trainee is expected to learn a few basic tasks, but training is only documented NOT EVALUATED.

2. Nine days (108 hours) of scheduled training, documentation, and evaluation by the primary coach.

C. PHASE II - 14 Days (168 hours)

1. Rotate coaches and shifts

2. One day (12 hours) in limbo - this day is used for the trainee to become familiar with the new coach (and vice versa). The training is documented but NOT EVALUATED.

3. A written examination is administered at the end of this phase.

D. PHASE III - 14 Days (168 hours)

1. Rotate coaches and shifts

2. One day (12 hours) in limbo - this day is used for the trainee to become familiar with the new coach (and vice versa). The training is documented but NOT EVALUATED.

3. At the end of PHASE III the trainee MUST have completed the training manual and have scores on their Daily Activity Report (DOR) that are consistently a (4) four or above and pass all written examinations to enter PHASE IV. If a trainee has not met the requirements then they will return to their primary

coach for up to 9 additonal days (108 hours) of remedial training. If at the end of the remedial training the trainee still fails to meet the minimum standards then they will be referred to a PRETERMINATION HEARING.

E. PHASE IV - 5 Days (60 hours)

1. Trainee returns to primary coach OR Training Officer

2. No limbo period

3. Evaluation only - trainee should then be recommended for solo patrol or remedial training as stated in PHASE III.

F. ABBREVIATED TRAINING: this training, when appropriate, for lateral transfer trainees will consist of Phases I, II, and IV, and only after a needs assessment is done on the trainee and the trainee agrees to sign a waiver of abbreviated training.

VI. EVALUATIONS:

A. All evaluators will use the Standardized Evaluation Guidelines (SEG).

B. The trainee will receive a daily evaluation completed by the coach using a Daily Observation Report (DOR). The DOR will be completed regardless of the trainees' duty status or assignment.

C. The FTO coach will evaluate the trainee weekly and forward the evaluations to the FTO supervisor. Coaches and trainees will meet with the FTO supervisor at the completion of each phase of training.

D. The shift supervisor WILL DO monthly evaluations on the trainees UPON COMPLETION of the FTO program. This will be done for the first six months following completion of the FTO program.

E. ANY deficiencies noted in the trainee by the shift supervisor is to be forwarded immediately to the FTO Supervisor.

F. Remedial training reports will be submitted as needed by the coach.

VII. EXAMINATIONS:

A. During each phase the coaches are required to test the trainees in the areas covered in the Training Manual.

B. At the conclusion of each phase the trainee must pass a written examination

approved by the FTO supervisor.

VIII. SCHEDULING:

A. The trainees will be assigned the same working schedule as their coach and the shift supervisor WILL ENSURE that additional time off be held to minimum and only granted when training allows for it.

B. When a trainee is moved from one phase to another he will follow the work schedule of his new coach.

C. The FTO supervisor will facilitate these transfers.

D. The FTO patrol unit (coach and trainee) WILL BE CONSIDERED A ONE OFFICER UNIT AT ALL TIMES.

E. Communications/dispatch will detail that unit as if only one officer was in the patrol vehicle.

F. Coaches and trainees ARE NOT TO BE SEPARATED by the shift supervisor under any circumstances.

G. Trainees are PROHIBITED from functioning in any law enforcement capacity without a coach present, prior to being cleared for solo patrol.

H. Trainees are PROHIBITED from working any overtime or being ordered to work overtime in any form until they have been cleared for solo patrol.

IX. TRAINING:

A. Coaches will be allowed time to address training and training needs.

B. Training will be conducted daily.

C. If time is not available during normal working working hours, then the FTO supervisor will authorize compensatory time.

D. Shift supervisors will have to document the circumstances that prohibited training time for the coaches and trainees.

E. The FTO supervisor may place any officer, regardless of rank, or trainee into remedial training at any time that this is required to correct deficiencies in any officer.

F. The FTO supervisor should identify the areas where remedial training is needed and or required and assign the trainee or officer to a coach who would

then complete the DORs in those areas.

G. At the conclusion of any remedial training the coach will forward a report to the FTO supervisor.

X. TERMINATION PROCEDURES:

A. A comprehensive memo from the coach to the FTO supervisor recommending termination.

B. A comprehensive memo from the FTO supervisor to the Chief of Police recommending termination.

C. A review of all files and a comprehensive report from the FTO supervisor to the Chief of Police recommending termination.

D. The FTO supervisor advises trainee and goes over termination procedures.

1. Trainee placed on adminstrative leave.
2. Hearing held in a timely manner.
3. Trainee entitled to one (1) representative.
4. All department guidelines as well as statutory requirements met.

BRIDGETON POLICE DEPARTMENT
TRAINING UNIT
FIELD TRAINING OFFICER PROGRAM
WAIVER FORM

I, _____, being a lateral transfer from another agency, or
having prior patrol experience, and having been evaluated and approved for an abbreviated FTO program by the Field Training Officers and the Training Supervisor, do hereby agree to and waive my right to the full four phase FTO program.

Trainee:

Signed:_____ Date:____/____/_____

Field Training Officers:

Signed:_____ Date:____/____/_____

Signed:_____ Date:____/____/_____

Signed:_____ Date:____/____/_____

Training Supervisor:

Signed:_____ Date:____/____/_____

BRIDGETON POLICE DEPARTMENT
TRAINING UNIT
FIELD TRAINING OFFICER PROGRAM
RELEASE FORM

I, _____. have participated in the Bridgeton P.D. FTO program and I now feel competent enough to be released from the program and capable of performing the functions of Police Officer without the presence of a coach. I understand that my activities and work will be closely monitored and that I am still a probationary officer.

Signed:_____ Date:____/____/_____

We, the undersigned Field Training Officers, have trained the above named officer and at this point believe he/she is fit to perform solo patrol duties and has no further need of constant coaching.

Signed:_____ Date:____/____/_____

Signed:_____ Date:____/____/_____

Signed:_____ Date:____/____/_____

I concur with the opinion of the FTOs.

Signed:_____ (Training Supervisor)

Date:____/____/_____

Order #: I.18.EOPT **Date:** 11/11/2009
Category: DEPARTMENT ORDERS
Title: FTO PROGRAM - END OF PHASE TESTS

FIELD TRAINING PROGRAM
END OF PHASE TESTING - TEST #1
END OF PHASE ONE

1. You are patrolling the Riverfront area and you see Dirtweed Dudley urinating on a trash can. You advise dispatch of this and approach Dudley. As you reach Dudley, Dispatch advises that there is an active arrest warrant for him.

List all of the actions you would take to resolve this issued.

Facts:
a. case #: ___ - 999903
b. name: Dirtweed S. Dudley III
c. address: 100 Pine Street Bridgeton, NJ 08302
d. home phone: 856-555-5555
e. SSN: 123-45-6789
f. DOB: 1-1-1981
g. other characteristics: white; male; divorced; unemployed; born in Sweetwater, Louisiana; red hair; 5'09"; 198 lbs; tattoo of bear on right forearm; light freckled skin
h. Warrant: From Vineland Mun. Ct. FTA #09-1234 bail $75.00

2. You are traveling east on Broad St. when you hear music coming from a vehicle that is so loud, the sound causes pain in your ears. You see the vehicle and check the status of the tag, NJ reg. HH4692. BPD Dispatch advises that this tag # is not on file. You stop the vehicle and the reg. expired three years ago.

List all the actions you would take to resolve this issue.

Facts: Driver:
a. Jesus De Dios 12-25-1969
b. 456 Herbert Street, Millville, NJ 08362
c. he has no phone and works on a farm in Swedesboro NJ
d. he has no driver's license but is listed on NJ DMV files with D0001 00011 00111 as his suspended driver number.
e. his particulars:
- 5'05" / 215lbs / brown hair / brown eyes / single
has no social security number

Vehicle:
a. 1972
b. AMC Pacer 2 door / light blue
c. tag #VM 4692 NJ (not on file)
d. VIN JH879K329000VMH
e. valued at $500.00

Order #: I.18.EOPT **Date:** 11/11/2009
Category: DEPARTMENT ORDERS
Title: FTO PROGRAM - END OF PHASE TESTS

FIELD TRAINING PROGRAM
END OF PHASE TESTING - TEST #2
END OF PHASE TWO

1. You are on patrol at 7:30 pm and you are near the intersection of Irving Ave. and N. Pearl St. You observe two subjects engaged in a fist fight. You stop your patrol vehicle and order both subjects to the ground. They comply with your orders.

What is your next course of action?

List all actions you would take and reduce them all to report form. Refer to information sheet part A (numbers 1 & 2) to complete any tasks.

2. It is 02:00 am and you are flagged down by a female who is crying. She tells you she was just thrown out of her apartment by her boyfriend who happens to be the father of her child. The female is not injured, other than being physically upset. The female also tells you the boyfriend said "get out of my house if you can't be loyal to me, you cheating bitch!" The female left the apartment and flagged you down.

List all actions you would take to resolve this issue.

Refer to information sheet Part A number 2 & 3 to complete any tasks.

3. It is 11:00 pm and you observe a subject walking down the street. You pull along side of the subject and ask if you could speak with him. He agrees and you stop your car. As you exit your vehicle, the subject takes off running.

List all actions you would take to resolve this issue.

Refer to information sheet Part A number 1 to complete any tasks.

Order #: I.18.EOPT **Date:** 11/11/2009
Category: DEPARTMENT ORDERS
Title: FTO PROGRAM - END OF PHASE TESTS

INFORMATION SHEET
END OF PHASE TWO

A. Case #: ___ -999951

1. John T. Parminter 55 Tank St. Bridgeton, NJ 08302
home phone 856-555-5544
work phone 856-555-6655 works at McDonalds on Delsea Dr & Park in Vineland
Male / 5'09" / 156lbs / White / Blonde Hair / 4-1-1980 / blue eyes / tattoo of "I love Lucy" right shoulder

2. Herbert E. Hankok 42 Bleecher St. Bridgeton, NJ 08302
home phone 856-555-4455
work phone 856-555-6655 works at BJ's in Vineland
Male / 6'00" / 145lbs / black / brown hair / 5-2-1979 / brown eyes / burn scar palm of left hand

3. Stacy B. Good 42 Bleecher St. Bridgeton, NJ 08302
home phone 856-555-4455
work phone none
Female / 5'02" / 115lbs / black / brown hair / 6-30-1983 / brown eyes / mole over left eye

Order #: I.19 **Date:** 10/27/2014
Category: DEPARTMENT ORDERS
Title: FIREARMS, WEAPONS & TOOLS

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY & PROCEDURE

SECTION: I
CHAPTER: 19
REVISION DATE: 10-27-2014

SUBJECT: Firearms, Weapons and Tools

EFFECTIVE DATE: IMMEDIATELY
CHIEF OF POLICE:Mark W. Ott

I. POLICY

The Bridgeton Police Division recognizes that weapons are a very dangerous but equally necessary part of the Law Enforcement Profession. The following policy describes the general philosophy of the Bridgeton Police Division and its stand on weapons possessed by its police officers and employees. Officers are required to train with authorized weapons as described by Division Directives and consistent with Attorney General Guidelines.

Generally, Division policy concerning the use or deployment of weapons will be a means of last resort, depending on the attending circumstances when viewed in their totality. In all situations officers of the Bridgeton Police Division are expected to follow the Attorney General's Guidelines on the Use of Force.

II. Purpose

The purpose of this directive is to establish a division wide policy regarding firearms and other dangerous tools. This Standard Operating Procedure covers the following points:

1. Requirement of each officer to maintain proficiency with Division issued/authorized firearms, as well as, authorized alternate/off-duty/backup firearms.

2. Requirement of each officer to maintain their issued firearms/authorized alternate/backup/off duty firearms, weapons and tools in a clean and serviceable condition and ramifications for failing in this regard.

3. Requirement of each officer to remain thoroughly familiar with the function and handling of each Division issued firearm, weapon and tool, as well as, remaining thoroughly familiar with function and handling of any approved alternate/back up/off

duty firearm/weapon or tool.

4. Alternate/Off duty / Back up weapons: approval by Division/Re-Qualification / Ammunition / Method of Carry / Etc.

5. Deployment and requirements to carry: for firearms/weapons/tools.

6. Remedial training for those that fail to qualify during Division wide re-qualifications and ramifications for failure to qualify.

7. Record keeping for the Division Range Master, Armorers and Designated Training Officers.

8. Inform Division members of disciplinary measures associated with these matters.

It is the responsibility of this Division to ensure the protection of the public and Bridgeton Police Officers. This procedure is not designed to limit the individual officer's options in events where the use or threatened use of force/deadly force is imminent but is to be used as a guide in helping preserve life and ensure the safety of all persons. The secondary purpose of this procedure is to make certain that no person remains employed by this agency who is incapable of demonstrating and maintaining high levels of safety and proficiency in the use of and handling of Division issued or authorized firearms, weapons and tools.

III. Inserts

The following documents are to be considered inserts for this policy. Every officer (full/part time) is required to remain abreast of changes at the State level on these documents. These documents are to be obtained from the NJ Attorney General's website.

1. New Jersey Attorney General's Guideline on the USE OF FORCE.

2. New Jersey Attorney General's Guideline on FIREARMS QUALIFICATION

IV. Definitions – General

AGENCY: The Bridgeton Police Division.

ALTERNATE FIREARM: A firearm (Handgun, shotgun or rifle) approved by the Chief of Police to serve in place of an agency issued firearm as a primary duty weapon.

APPROVED AMMUNITION: Ammunition carried by officers which has been approved of by the Chief of Police or his designee for on or off duty. For all handguns in the same caliber as the agency handgun the agency issued duty ammunition shall be carried. Shotguns shall only be loaded with agency issued ammunition. Rifles shall be carried with Division issued ammunition or ammunition approved by the Chief of Police or his designee.

APPROVED HOLSTER: A duty or off duty method of carry which was issued by the Division or approved by the Chief of Police or his designee for use.

BACKSTOP: The area directly around a target, generally both sides, above and below, in front of and to the rear of a target (i.e. a wall, persons, property, homes, vehicles, etc. and consider what the backstop is made of: living persons, earth, walls of concrete/brick/wood, other materials.)

BACKUP FIREARM: A lethal force option, normally defensive in nature; an approved semiautomatic pistol or revolver carried by an officer in addition to the duty sidearm.

BATON: A mechanical force option; made of metal, composite material or wood. The baton is sometimes referred to as a nightstick or billy club, which is authorized for carry by the Chief of Police. The baton may be rigid or collapsible. Primarily, the authorized baton will be the Monadnock Auto-Lock Baton (MAB), unless, a substitute is authorized by the Chief of Police or his designee.

DUTY AMMUNITION: Ammunition supplied by the Division for carry in a particular weapon. In the case of alternate weapon the ammunition would have to be approved by the Chief of Police or his designee.

DUTY SIDEARM: A lethal force option, normally defensive in nature; the issued Glock 22 semiautomatic pistol or an alternate sidearm approved for carry by the Chief of Police or his designee as the primary sidearm.

FOLDING KNIFE: A necessary work tool, which is capable of lethal force delivery; a knife with a blade that folds into the handle when closed, commonly known as a pocket knife.

ISSUED PEPPER SPRAY: A mechanical force option; a canister containing a liquid solution designed to be sprayed at violent persons to end resistance or the threat of physical violence, which is issued by the agency to its officers.

KNIFE: A tool used for cutting.

QUALIFICATION/RE-QUALIFICATION: Twice a year each officer is required to achieve a passing score (minimum 80%) on a day light course of fire with their service and/or authorized handguns and shotgun. Twice a year each officer is required to achieve a passing score (minimum 80%) on a night course of fire with their service and/or authorized handguns and shotgun. Those officers designated as riflemen are required to achieve a passing score (minimum 80%) twice a year on a day light course of fire and a night course of fire with their service and/or approved rifle. Those officers designated as riflemen shall also be required to train with a minimum of ten rounds of live ammunition an additional two times per year. A failure to achieve a passing score with either handgun or shotgun on either a day or night course of fire shall be considered a NONQUALIFICATION. See NONQUALIFICATION section for further details.

MUZZLE: The part of a firearm's barrel where a fired projectile(s) leaves the weapon.

MUZZLE AWARENESS: The responsibility of an officer deploying a firearm to know where the muzzle of that weapon is pointed at all times. Also, that the deploying officer maintains a reserved knowledge of what the muzzle is pointing at and the potential for a round to be discharged at all times.

OFF DUTY: An officer's status while not assigned to work.

OFF DUTY FIREARM: A handgun selected by an officer other than their issued duty weapon that the officer may carry while off duty, after seeking approval for it, it's holster device and the ammunition to be carried in that weapon. The officer must then qualify with that weapon using the approved holster device and ammunition.

ON DUTY: An officer's status while assigned to work.

RAMIFICATIONS: Scheduled disciplinary action taken against an officer for some type of failure concerning this Directive.

REMEDIAL TRAINING: Training to be given to an officer that fails to qualify/re-qualify.

RIFLE: A lethal force option; Any agency owned or authorized long barreled weapon that fires a single projectile per cartridge through a rifled barrel that is issued to officers or authorized for use by the Chief of Police and controlled by a member of the agency. Typically the agency authorized rifle is the Bushmaster .223 XM-15 assault rifle.

SAFE DIRECTION: The muzzle of a firearm, when deployed shall be pointed at the ground and away from the body at all times, when the officer is not engaged in firing the weapon, covering a suspect or using the weapon to create an apprehension that it will be used. The officer may elect to point the muzzle towards the sky if there is a valid reason for not keeping the muzzle towards the ground (i.e. human occupation below and not above, etc).

SAFETY MECHANISM: A selector style switch or button found on some handguns, rifles and shotguns that be set to different positions (i.e. SAFE, FIRE, SEMI, FULL, AUTOMATIC, BURST, ETC) and controls the firing capability of the weapon.

SECONDARY KNIFE: A tool capable of delivering lethal force; a knife of fixed or folding blade, which would be secured on the person of the officer, generally in a concealed, yet secure location, to be used as a last resort to protect the officer's life.

SHOTGUN: Any agency owned or authorized long barreled weapon that fires a single or multiple projectile(s) from a single cartridge through a smooth barrel in 12 gauge that is issued to officers or authorized for use by the Chief of Police or his designee, and controlled by a member of the agency. Typically, the agency authorized shotgun will be the Benelli M90

Entry Gun in 12 gauge.

WEAPON: Any item capable of inflicting injury to another person or to property, which is permanent or temporary, lethal, potentially lethal or non-lethal.

V. General Firearms/Weapon/Tool Deployment/Proficiency

1. At any time, all officers are free to approach any agency firearm instructor to ask for guidance, additional training and/or practice equipment.

2. Officers shall treat all firearms as loaded and dangerous until the officer personally checks the weapon and renders it safe. Failing to treat a firearm properly in this regard shall result in the officer being charged with NEGLECT OF DUTY (a schedule A matter).

3. Officers shall not engage in horseplay of any kind with any weapon or tool nor use any weapon or tool in a non-professional or inappropriate manner. Officers found to be engaged in horseplay or using a firearm or weapon/tool inappropriately in this regard shall be charged with NEGLECT OF DUTY (a schedule A matter).

4. Before firing a round from any weapon the Officer must be certain of their target, the backstop around the target, and what is beyond the target.

5. Every officer shall be held accountable for muzzle awareness and safe direction.

6. Officers deploying a weapon will make certain that no foreign object enters the trigger guard that could cause an unintentional discharge. Officers found in violation of this shall be charged with NEGLECT OF DUTY (a schedule B matter).

7. Every officer is personally, responsible for becoming thoroughly familiar with the handgun issued to them by this agency. If an officer determines to choose an alternate duty weapon the same rule shall apply. Officers found to be in violation of this shall be charged with NEGLECT OF DUTY (a schedule B matter).

8. This is to include recognition of major parts, proper take down and re-assembly of those weapons. Proper care and treatment of the weapon as far as cleaning, oiling and safeguarding the weapon from persons not authorized to touch the weapon. Failing to properly care for or keep firearms clean shall be considered violations of this policy and the matter charged as NEGLECT OF DUTY (a schedule D matter).

9. It should be noted that only officers of this agency are authorized to handle weapons issued by or authorized for use by this agency. Officers found

allowing other parties, not authorized, to handle agency firearms will be charged with NEGLECT OF DUTY (a schedule A matter) as well as appropriate criminal charges. The only exception to this would be upon direction from other law enforcement personnel to surrender the weapon as evidence/safekeeping. No officer of this agency is authorized to surrender a weapon to any person who is not an authorized and sworn law enforcement officer. This section also applies to authorized alternate, back up or off-duty weapons. An officer found to be in violation of this will be charged with NEGLECT OF DUTY (a schedule A matter) as well as appropriate criminal charges.

10. No officer will attempt to or try dismantling agency firearms to a point further than what is normally referred to a field stripping. This is the basic break down level for cleaning and maintenance. Only those officers that are certified as an armorer for a particular weapon are permitted to disassemble a weapon past field stripping. No officer shall attempt to make repairs to any agency issued weapon unless that officer is a certified armorer and the repair has been authorized by the range master. Such repairs will be documented appropriately in Armory files. An officer found to be in violation of this will be charged with NEGLECT OF DUTY (a schedule A matter).

11. No officer will alter, tamper with or add additional features to an agency issued weapon without first checking with the range master. This is to include grip devices, light mounting devices, mountable lights or laser sighting devices, etc. An officer found to be in violation of this will be charged with NEGLECT OF DUTY (a schedule A matter).

12. Each officer shall personally be responsible for and held accountable for maintaining a high level of proficiency with each agency weapon assigned to them. This includes agency handguns, agency shotguns, and agency rifle or any off-duty/alternate or backup firearm. Each officer shall personally be responsible for and held accountable for knowing the proper handling procedures and use of weapons assigned/chosen for their use. Officers are responsible for maintaining a level of proficiency that allows them to re-qualify as prescribed by the New Jersey Attorney General's Guidelines on Semi-Annual Re-Qualification with all weapons assigned to them/authorized for their use. Any officer who is unable to achieve a passing score with or demonstrates unsafe handling techniques with service handgun or service shotgun on any mandatory course of fire (day or night) and fails to make a passing score on the subsequent remedial attempt shall be considered NEGLECT OF DUTY (a schedule A matter).

13. As soon as practical after a weapon is deployed and the situation is resolved the weapon should be returned to storage in the appropriate manner. As soon as possible after a SAFETY MECHANISM is moved to a FIRE position the SAFETY MECHANISM should be returned to a SAFE mode.

VI. Handgun Deployment/Proficiency

This section applies to agency issued handguns, as well as, any agency authorized off duty, back up or alternate handgun.

1. Deployment of handguns shall be consistent with New Jersey Attorney General Guidelines on the use of force and consistent with this directive.

2. Officers who draw their handgun from the holster during duty, or off duty, for purposes of controlling a situation, covering a suspect or the need to use the weapon in deadly force situation, shall always, immediately upon drawing the weapon and if equipped, move the SAFETY MECHANISM from the SAFE position to the FIRE position.

   The officer shall always keep their trigger finger outside the trigger guard area and will keep it flat along the frame above the trigger area until such time as it becomes necessary to fire the weapon. At that time and only at that time will the trigger finger enter the trigger guard to engage the trigger of the weapon.

3. Officers on duty shall maintain their handgun in the holster with the SAFETY Mechanism in the SAFE position (if equipped).

4. Any officer found violating this section shall be charged with NEGLECT OF DUTY (a schedule A matter).

VII. Shotguns Deployment/Proficiency

This section applies to agency issued shotguns, as well as, any agency authorized alternate shotgun.

1. Deployment of shotguns shall be consistent with the New Jersey Attorney General Guidelines on the use of force and consistent with this directive.

2. Officers shall make themselves thoroughly familiar with the agency issued shotgun and the in car shotgun mounting system. Officers are personally responsible for and shall be held accountable for maintaining a high level of proficiency, safety and handling of the agency shotgun. Officers shall maintain levels of proficiency with the agency shotgun that allow them to re-qualify as prescribed in the New Jersey Attorney General's Guidelines on Semi-Annual Re-Qualification.

3. Officers deploying the agency issued shotgun shall be held personally accountable for maintaining perfect knowledge of where the muzzle of the shotgun is pointed at all times. The officer shall also keep the muzzle pointed in a SAFE DIRECTION until such time the officer deems it appropriate to raise the muzzle to a target.

4. When the shotgun is deployed by an officer that weapon shall be loaded and charged. The SAFETY MECHANISM SHALL REMAIN ON SAFE until the officer determines that a shot or shots must be fired. While moving with the shotgun, the officer shall maintain the SAFETY MECHANISM in the SAFE position with the trigger finger near the SAFETY MECHANISM, but clear of the trigger, so that if the weapon needs to be fired the officer will first move the SAFETY MECHANISM to the FIRE position and then aim and fire the weapon. If the officer finds it necessary to cover a suspect the SAFETY MECHANISM shall be moved to FIRE position and the trigger finger shall remain outside the trigger guard. The trigger finger will remain flat along the receiver of the weapon until such time and only when firing the weapon becomes necessary will the finger enter the trigger guard and engage the trigger for firing.

5. Officers shall deploy the shotgun as the need demands when without direct supervision. When multiple officers are on scene the scene supervisor will determine who will deploy shotguns if shotguns are determined to be necessary.

6. Officers found to be in violation of this policy shall be charged with NEGLECT OF DUTY (a schedule A matter).

VIII. Rifles Deployment/Proficiency

This section applies to all agency issued rifles, as well as, any agency authorized alternate.

1. Deployment of agency rifles shall be consistent with the New Jersey Attorney General Guidelines on the use of force and this directive.

2. Officers assigned by this agency as a user of the Bushmaster .223 XM-15 assault rifle shall make themselves thoroughly familiar with the agency rifled issued to them and the in car rifle mounting system if equipped for same. Officers are personally responsible for and shall be held accountable for maintaining a high level of proficiency, safety and handling of the agency rifle. Officers shall maintain levels of proficiency with the agency rifle that allow them to re-qualify as proscribed in the New Jersey Attorney General's Guidelines on Semi-Annual Re-Qualification.

3. Officers shall deploy the rifle as the need demands when without direct supervision. When multiple officers are on scene the scene supervisor will determine who will deploy rifles if rifles are determined to be necessary.

4. Officers deploying the agency issued rifle shall keep the weapon SAFETY MECHANISM on SAFE until such time as the rifle is shouldered by the officer.

Once the officer puts the weapon to his shoulder the SAFETY MECHANISM will be switched to FIRE and the officer's trigger finger will rest along the lower receiver of the weapon outside of and above the trigger guard until such time the officer is going to fire the weapon. At that time and only that time will the officer move his finger inside the trigger guard and engage the trigger for firing.

5. Officers deploying the agency issued rifle shall be held personally accountable for maintaining perfect knowledge of where the muzzle of the rifle is pointed at all times. The officer shall also keep the muzzle pointed in a SAFE DIRECTION until such time the officer deems it appropriate to raise the muzzle to a target.

6. Officers that fail to re-qualify with the agency issued rifle shall have their rifle pulled from service and reissued to another officer who will maintain all appropriate levels of proficiency.

IX. Weapons/Tools Required/Authorized For Carry

UNIFORMED OFFICERS/SERGEANTS

1. When on duty uniformed officers and sergeants are required to carry the following equipment:

   a. Duty Sidearm & Approved Holster
   b. Folding Knife
   c. Approved Baton & Holder
   d. Issued Pepper Spray & Pouch
   e. Approved Magazines & Pouch
   f. Handcuffs, Pouch & Key
   g. Police Radio (handheld)
   h. Police Whistle
   i. Black Ink Pen
   j. Note Paper (cards, tablet or notepad)
   k. Police ID & Driver's License
   l. Flashlight
   m. Approved Ammunition to Capacity (in weapon and magazines)
   n. Bullet Resistant Vest

2. When on duty uniformed officers and sergeants are authorized but not required to carry the following equipment:

   a. back up firearm
   b. secondary knife

UNIFORMED COMMAND LEVEL OFFICERS

3. When on duty are required to carry the following equipment:

    a. Duty Sidearm & Approved Holster
    b. Folding Knife
    c. Issued Pepper Spray & Pouch
    d. Handcuffs, Pouch & Key
    e. Police Radio (handheld)
    f. Police Whistle
    g. Black Ink Pen
    h. Note Paper (cards, tablet or notepad)
    i. Police ID & Driver's License
    j. Approved Ammunition to Capacity (in weapon and magazines if extras carried)
    k. Bullet resistant vest (available for use, i.e. in car trunk etc)

4. When on duty are authorized but not required to carry the following equipment:

    a. Approved Baton
    b. Back Up Firearm
    c. Secondary Knife
    d. Any Other Approved Equipment

PLAIN CLOTHES PERSONNEL

5. When on duty are required to carry the following equipment:

    a. Duty Sidearm & Approved Holster
    b. Folding Knife
    c. Issued Pepper Spray (available for use; i.e. car glove box, etc)
    d. Handcuffs & Key
    e. Police Radio (handheld)
    f. Black Ink Pen
    g. Note Paper (cards, tablet or notepad)
    h. Police ID & Driver's License
    i. Flashlight (available for use; i.e. car glove box, etc.)
    j. Approved Ammunition to Capacity (in weapon and magazines if carried)
    k. Bullet Resistant Vest (available for use; i.e. in car trunk, etc)

6. When on duty are authorized but not required to carry the following equipment:

    a. Approved Baton
    b. Back Up Firearm
    c. Secondary Knife
    d. Any Other Approved Equipment

7. When on duty, officers who fail to carry specified equipment shall be charged with NEGLECT OF DUTY (a Schedule C matter).

X. Non-Qualification

This section applies to all agency issued weapons, as well as, all alternate, back up and off duty weapons.

1. When an officer fails to achieve a passing score on any mandatory service handgun or shotgun re-qualification course (day or night) that officer shall be deemed a non-qualifier. That officer will then be considered unfit for duty, said officer shall be charged with a 4A violation of Incompetence (a schedule C matter), and be scheduled for remedial training as soon as possible.

   When an officer fails to achieve a passing score on any re-qualification course with:

   a. an off duty weapon
   b. alternate duty weapon
   c. back up weapon

   That officer will not be authorized to carry that weapon.

2. On the assigned date/time of remedial training the non-qualifier shall be assigned a range instructor. That range instructor will go over the principles of good marksmanship with the non-qualifier. Those principles are:

   a.. Stance
   b. Grip
   c. Breath Control
   d. Sight Alignment
   e. Trigger Control
   f. Follow Through

FOR HANDGUN

3. The range instructor will then provide the non-qualifier with the required number of rounds of ammunition for the appropriate course of fire (HQC2 or HNQC). The non-qualifier will then fire that course with guidance from the range instructor. The range instructor will look for problems being displayed by the non-qualifier. Upon completion of that course of fire the non-qualifier will be issued the appropriate number of rounds of ammunition for another course of fire on the HQC2 or HNQC. The non-qualifier will again shoot the course with guidance from the range instructor.

   After these two courses of fire are completed the targets shall be pulled and

discussion between range instructor assigned to the non-qualifier, other range instructors available and the range master shall take place on why the non-qualifier is failing. The results of this analysis will be recorded. The non-qualifier will then be given additional guidance and advice. After approximately fifteen minutes the trainee shall be issued ammunition for the course of fire that the non-qualifier failed to qualify. The non-qualifier will then fire the remedial qualification course. If the non-qualifier attains a passing score the officer will be considered qualified. If the non-qualifier again fails to achieve a passing score that officer will have their weapon pulled and be considered unfit for duty, charged with a 4A violation of Incompetence (a Schedule A matter with termination as the appropriate charge) as continued service with the Bridgeton Police Division would pose an unacceptable and credible threat to the public safety.

FOR SHOTGUN

4. The range instructor will then provide the non-qualifier with the required number of rounds of ammunition for the appropriate course of fire (SQC or SNQC). The non-qualifier will then fire that course with guidance from the range instructor. The range instructor will look for problems being displayed by the non-qualifier. Upon completion of that course of fire the non-qualifier will be issued the appropriate number of rounds of ammunition for another course of fire on the SQC or SNQC. The non-qualifier will again shoot the course with guidance from the range instructor.

   After these two courses of fire are completed the targets shall be pulled and discussion between range instructor assigned to the non-qualifier, other range instructors available and the range master shall take place on why the non-qualifier is failing. The results of this analysis will be recorded. The non-qualifier will then be given additional guidance and advice. After approximately fifteen minutes the trainee shall be issued ammunition for the course of fire that the non-qualifier failed to qualify. The non-qualifier will then fire the remedial qualification course. If the non-qualifier attains a passing score the officer will be considered qualified. If the non-qualifier again fails to achieve a passing score that officer will be banned from possessing a shotgun, charged with a violation of 4A Incompetence (a Schedule A mater with termination as the appropriate charge) and be considered unfit for duty and continued service with the Bridgeton Police Division since the individual poses a very real and credible threat to the public safety.

XI. Off Duty/Alternate Duty/Back Up Firearms

1. The Division does authorize officers to carry a handgun other than the issued service weapon while off duty, as well as, authorizing officers to carry an alternate duty weapon as their primary sidearm. The Division does authorize officers to carry a back up firearm.

2. Officers wishing to carry a weapon for off duty purposes will seek approval of that weapon from the Chief of Police or his designee. The officer shall bring the weapon they intend to carry off duty, the holster device in which they intend to carry it and ammunition they intend to carry in the weapon to the range during designated off duty weapon qualification dates. The weapon, holster device and ammunition all need to be approved by the Chief of Police or his designee on the dates of off duty weapon qualification and only that weapon, holster device and ammunition will be authorized. The officer will be required to achieve a passing score on both a day and night course of fire with the off duty weapon.

3. If the officer selects a weapon in .40 S&W caliber that officer shall utilize the same ammunition that the agency uses for duty.

4. Officers wishing to purchase a handgun for off duty/alternate duty/back up carry may check with the Chief of Police or his designee prior to purchase to make certain the weapon they are thinking of purchasing will be approved. Off duty/alternate duty/back up weapons must be of one of the following caliber options:

   - .38 Special / .38 Special +P
   - .357 Sig / .357 Magnum
   - 9mm Parabellum (note – 9mm Kurz/9mm Makarov are not authorized)
   - .40 S&W
   - 10 mm
   - .44 Special / .44 Magnum
   - .45 Colt / . 45 ACP

5. Officers electing to employ an alternate duty weapon that is not of .40 S&W caliber will supply all necessary ammunition for training exercises (including Simmunition equipment and Simmunition Ammunition) and duty type ammunition for qualification and carry.

6. Officer electing to employ a back up weapon, regardless of caliber shall, supply their own approved ammunition for qualification and carry.

7. Officers shall only consider a weapon manufactured by a quality company. The weapon shall be of a semi-automatic or revolver design. Officers electing to qualify/carry an off duty/alternate duty/ back up weapon shall be held accountable and responsible for making certain that no unauthorized person handles the weapon or comes into possession of the weapon. A violation of this section would result in the officer being charged with NEGLECT OF DUTY (a schedule A matter), as well as any criminal charges.

8. Officers found carrying a firearm that was not approved or authorized shall also

be charged with NEGLECT OF DUTY (a schedule A matter).

9. No officer who fails to qualify with an elected alternate duty/off duty/back up weapon is authorized to carry same.

10. Officers who request to carry a weapon other than the agency issued firearms, inclusive of alternate duty/off duty/back up or other non-division issued weapon will maintain all required proficiency levels with the agency issued equivalent (handgun/shotgun).

11. Officers choosing to carry a firearm other than agency issued (alternate/off duty/back up), are required to provide a copy of the permit to purchase for that weapon to the Range Master for inclusion in Armory Files.

12. Officers choosing to carry a firearm as an alternate duty sidearm, shotgun or rifle are required to provide a letter (copy found at end of this directive) from the Chief of Police, or a certified armorer or a licensed gunsmith to the Range Master once per year for inclusion in Armory Files. The letter must be dated by the Chief, armorer or gunsmith by no later than December 15th of each year and turned in to the Range Master by no later than December 30th of each year. This letter from the Chief, armorer or gunsmith must indicate that the weapon is safe and operable. The letter if from other than the Chief, must bear the armorer or gunsmiths printed name, place of business address, telephone number and signature. A copy of the armorer's certificate or gunsmith credentials must also be attached.

XII. Ammunition

1. The agency issued .40S&W round will be the only authorized round for carry in any agency issued handgun, it shall also be the only authorized round for any off duty or alternate duty weapon or back up weapon in .40S&W caliber.

2. The agency issued .223 Remington caliber round will be the only authorized round for carry on duty in Bushmaster XM-15 Patrol Rifles.

3. The agency issued 12 gauge 2 ¾ inch round of Federal 00 Buckshot will be the only authorized round for carry in any agency issued or authorized 12 gauge shotgun.

4. Ammunition for weapons authorized for carry not issued by the agency in calibers other than .40 S&W, 12 Gauge or .223 Remington:

   a. For Handguns - shall be a premium brand hollow point (or civilian equivalent style round in behavior; i.e.: Hornady Critical Defense) round of the appropriate caliber.

b. For Rifle – shall be a Hornady T.A.P. Urban round of the appropriate caliber.

Whenever an officer opts for ammunition other than that issued by the agency it must always remain the same in caliber, bullet grain weight as used during qualification and for carry.

XIII. Holster Devices

1. Division Issued or Approved Alternate Sidearm: The duty holster for uniformed patrol sergeants and patrolmen will be the holster supplied by the division for the division supplied duty sidearm. Any officer wishing to carry an alternate holster must select one that is of a safe retention type and be approved by the Chief of Police or his designee and must be trained with prior to carry (meaning gone through qualification with same prior to deployment).

2. The duty holster for plain clothes personnel shall be issued by the division. Any plain clothes officer or command level staff officer wishing to purchase their own holster will choose at a minimum, a pancake style holster with security thumb break or higher retention level. The holster must be trained with prior to deployment.

3. Plain clothes personnel may wear a cross draw shoulder holster but will be required to bring this holster to the range and must qualify while wearing same.

4. Any officer found wearing a holster that was not used during the range or fails to meet the preceding specifications will be charged with NEGLECT OF DUTY (a schedule B matter).

XIV. Division Approved Back Up Firearm

Uniformed Personnel with bullet resistant vest under uniform shirt:

1. Uniformed officers and sergeants shall carry an approved back up firearm in an attachment pocket to the front of the officer's bullet resistant vest. The design of the attachment pocket will be a hook & loop closure release system accessed by unzipping or unbuttoning the uniform shirt, pulling down on the hook & loop closure flap which exposes the off duty weapon for drawing from a retention type sleeve.

Uniformed Personnel wearing external vest carrier:

2. Uniformed officers and sergeants may wear a suspension system similar to the aforementioned, or may be carried in the following manor with approval of the Chief of Police or his designee:

a. Commercially available belly band (under uniform shirt)
b. Commercially available undershirt with pistol holding pockets
c. Other method approved by the Chief of Police or his designee

Plain clothes personnel or Uniformed Command Staff:

3. Plain clothes officers of members of the Uniformed Command Staff may wear a holster or carry method for a back up firearm that is approved by the Chief of Police or his designee.

XV. Prohibitions/Additional Violations

1. No member of this agency shall carry any firearm into an Atlantic City Casino, State Law prohibits anyone from carrying firearms inside Casinos except certain Casino Control Commission approved persons. Bridgeton PD officers are not Casino Control Commission approved persons. Violations of this section would be charged as a schedule A matter, as well as appropriate criminal charges.

2. No member of this agency is authorized to carry an agency issued weapon while working for a private security business of any kind. Violations of this section would be charged as a Schedule A matter.

3. No member of this agency is authorized to carry or handle a firearm while under the influence of intoxicating liquor, narcotic, hallucinogenic or habit producing drug or medication which alters perception, coordination or alertness (tobacco/caffeine excluded).

   Officers intending to consume alcoholic beverages or medications which affect coordination, alertness, or perception are not authorized to carry weapons.

   Violations of this section would be charged as a schedule A matter.

4. While on duty and responding to calls at School locations of the Bridgeton Board of Education officers are authorized to carry weapons. Outside the city limits of Bridgeton, officers shall not carry weapons into schools or onto school property without authorization from appropriate school board officials/superintendent.

5. No member of this agency is authorized to carry agency issued weapon, outside of New Jersey, unless on approved and official police business. Violations of this section would be charged as NEGLECT OF DUTY a schedule A matter, as well as an relevant criminal charges.

   Note – Any officer intending to carry a weapon outside the limits of New Jersey is required to abide by all laws of the jurisdiction in which they find themselves. Officers found to be in violation of laws or ordinances in out of

state jurisdictions shall be charged as a Schedule A matter, apart from any violations of law in that jurisdiction.

6. Every officer is required to report to their supervisor any problems encountered with any agency issued weapon or tool. Each supervisor is directed to report these matters directly to the Range Master without delay. Failure to do so would constitute NEGLECT OF DUTY as Schedule A matter.

7. Unlawfully possessed or prohibited weapons: Any officer or employee found to be in possession of any weapon in violation of law will be in violation of this directive and be charged as a Schedule A matter, as well as appropriate criminal charges.

XVI. Knives

1. Each officer is required to carry a folding knife while on duty.

2. Purpose: To have each and every officer ready to act immediately to preserve life in the event a cutting tool is necessary. I.E. a person attempting suicide by hanging, a person trapped in seatbelt in collision where fire has or is likely to endanger said person, etc.

3. Knives, although capable of producing lethal injury, are generally carried as a life preserving tool. In the event an officer has no other option, (including flight) available to preserve their own life, may use the weapon as a form of last resort in defense.

4. Knives are to be kept closed and secure unless being used for an appropriate purpose.

5. Knives are not screw drivers and should not be used for that purpose.

6. Knives are dangerous and horseplay with knives is forbidden.

7. Violations of this section shall be considered as Schedule C matters (except #6 which would be charged as a Schedule A matter).

XVII. Training/Record Keeping

1. Twice per year every officer is required to have in-service training on the following topics:

   a. Use of Force/Use of Lethal Force

   b. Firearms Qualification/Re-Qualification

2. Once per year every officer is required to have in-service training on the following topics:

   c. Baton Training

   d. Knife Safety Training

   e. Pepper Spray Training

3. It is the responsibility of the Range Master, to make certain that training on the preceding topics is properly documented in both Armory files and on IMPACT records management.

XVIII. Final Stipulations – Conditions of Employment

1. No officer who has missed the mandatory agency re-qualification exercises shall be permitted to maintain possession of any agency firearm or weapon like equipment item. Any officer out on extended leave shall be required to surrender all agency weapons to the Range Master immediately after the agency's re-qualification process is complete. Members who are physically unable to surrender their weapons shall make arrangements with the Range Master to collect the weapons as soon as possible.

   Failure to surrender weapons shall be a violation and charged as a Schedule B matter.

2. Officers (Full/Part Time) are required to remain proficient with the use of both the duty sidearm and shotgun to the minimum state standards on firearms re-qualification as found in the Attorney General's Guidelines on Firearms (Semi-Annual Re-Qualification). Any officer found to be deficient or incapable of qualifying after one year shall be dismissed from their position.

3. As part of normal police duties every officer (full/part time) is required to be able to carry and utilize firearms while on duty. Should any officer be deemed incapable or ruled incompetent to carry firearms/weapons while on duty that officer shall be dismissed from service.

Order #: I.18.2 **Date:** 11/04/2009
Category: DEPARTMENT ORDERS
Title: FIELD TRAINING PROGRAM EVALUATION GUIDE

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 18
SUBSECTION: 2

SUBJECT: FIELD TRAINING PROGRAM EVALUATION GUIDE

EFFECTIVE DATE: 12-1-2009
CHIEF OF POLICE:Mark W. Ott

PURPOSE:

To establish a uniform method for evaluating the progress of newly hired officer trainees.

MECHANICS:

I. BENCHMARK SCORING

In order to measure or rate a new employee's performance a numerical scale of 1 through 7 shall be used. These numbers shall be benchmarked by three key numbers: 1 - 4 - 7.

A. ONE: Shall indicate a score of completely/entirely UNACCEPTABLE.

B. FOUR: Shall indicate an ACCEPTABLE level of performance.

C. SEVEN: Shall indicate a trainee's performance level as being SUPERIOR.

II. INTERMEDIATE SCORING

The following numbers indicate intermediate steps between the three "benchmark" numbers of 1 - 4 - 7.

A. TWO: Shall indicate a score of somewhat better than UNACCEPTABLE but is not ACCEPTABLE.

B. THREE: Shall indicate a score slightly better than TWO but still within the UNACCEPTABLE range.

C. FIVE: Shall indicate a score slightly better than ACCEPTABLE.

D. SIX: Shall indicate a score just short of SUPERIOR.

III. SPECIFIC AREAS:

A. APPEARANCE:

1. General Appearance - Evaluates physical appearance, dress, and demeanor.

   a. (1) UNACCEPTABLE - Overweight, dirty or unpolished shoes, wrinkled uniform. Uniform fits poorly or is improperly worn. Hair improperly groomed and/or in violation of Departmental Regulations. Dirty weapon or other equipment.

   b. (4) ACCEPTABLE - Uniform properly fitted, neat and clean. Weapon, equipment (such as leather gear) is clean and operative. Hair is within regulations, shoes shined.

   c. (7) SUPERIOR - Uniform neatly pressed, clean and properly tailored. Leather gear is shined, shoes highly shined. Displays command/professional appearance.

B. ATTITUDE

1. Acceptance of Feedback - FTO Program evaluates the way the trainee accepts coach's criticism and how that feedback is used to further the learning process and improve performance.

   a. (1) Unacceptable - Rationalizes mistakes, denies that errors were made, is argumentative, refuses to, or does not attempt to make corrections. Consider's criticism as a personal attack.

   b. (4) Acceptable - Accepts criticism in a positive manner and applies it to improve performance and further learning.

   c. (7) Superior - Actively solicits criticism/feedback in order to further learning and improve performance. Does not argue or blame others for errors.

2. Attitude Toward Police Work - Evaluates how trainee views new career in terms of personal motivation, goals, and acceptance of the responsibilities of the profession.

   a. (1) Unacceptable - Sees career only as a job, uses job to boost ego, abuses authority, demonstrates little dedication to the principles of the profession.

b. (4) Acceptable - Demonstrates an active interest in new career and in police responsibilities.

c. (7) Superior - Utilizes off-duty time to further professional knowledge, actively soliciting assistance from others to increase knowledge and improve skills. Demonstrates concern for the fair and equitable enforcement of the law, maintaining high ideals in terms of professional responsibilities.

C. KNOWLEDGE

1. Knowledge of Departmental Policies and Procedures - Evaluates trainee's knowledge of departmental policies and procedures and the ability to apply this knowledge under field conditions.

   REFLECTED BY TESTING

   a. (1) Unacceptable - When tested, verbally or written, answers with 20% or less accuracy.

   b. (4) Acceptable - When tested, verbally or written, answers with 70% accuracy.

   c. (7) Superior - When tested verbally or written, answers with 100% accuracy.

   REFLECTED BY FIELD PERFORMANCE

   a. (1) Unacceptable - Fails to display knowledge of Department Directives, Rules/Regulations, Procedures or violates same.

   b. (4) Acceptable - Familiar with most commonly applied Department Rules/Regulations, Directives, Procedures, Policies and complies with same.

   c. (7) Superior - Has an excellent working knowledge of Department Rules/Regulations, Directives, Procedures, Policies and complies with same.

2. Knowledge of Criminal Statutes - Evaluates trainee's knowledge of the criminal statutes and their ability to apply that knowledge in field situations.

   REFLECTED BY TESTING

a. (1) Unacceptable - When tested answers with 20% or less accuracy.

b. (4) Acceptable - When tested answers with 70% accuracy.

c. (7) Superior - When tested answers with 100% accuracy.

REFLECTED IN FIELD PERFORMANCE

a. (1) Unacceptable - Does not know the elements of basic sections of the criminal codes. Does not recognize criminal offenses when encountered or makes mistakes relative to whether or not crimes have been committed and, if so which crimes.

b. (4) Acceptable - Recognizes commonly encountered criminal offenses and applies appropriate section of the criminal code. Knows difference between criminal and non-criminal activity.

c. (7) Superior - Has outstanding knowledge of the criminal codes and applies that knowledge to normal and unusual criminal activity.

3. Knowledge of City Ordinances - Evaluates the trainee's knowledge of local ordinances and his ability to apply that knowledge to field situations.

REFLECTED BY TESTING

a. (1) Unacceptable - When tested answers with 20% or less accuracy.

b. (4) Acceptable - When tested answers with 70% accuracy.

c. (7) Superior - When tested answers with 100% accuracy.

REFLECTED BY FIELD PERFORMANCE

a. (1) Unacceptable - Does not know even the most often used ordinances. Does not recognize violations when committed or confuses criminal and non-criminal offenses.

b. (4) Acceptable - Knows and recognizes commonly encountered violations, applies the proper sections of the ordinances.

c. (7) Superior - Has outstanding knowledge of City Ordinances and applies that knowledge to violations appropriately.

4. Knowledge of Traffic Code.

REFLECTED BY TESTING

a. (1) Unacceptable - When tested answers with 20% or less accuracy.

b. (4) Acceptable - When tested answers with 70% accuracy.

c. (7) Superior - When tested answers with 100% accuracy.

REFLECTED BY FIELD PERFORMANCE

a. (1) Unacceptable - Does not know even the most often used traffic statutes. Does not recognize violations when committed and/or incorrectly identifies violation.

b. (4) Acceptable - Knows and recognizes commonly used traffic statutes. Applies appropriate sections of the code. Can locate lesser known sections in reference material.

c. (7) Superior - Displays outstanding knowledge of traffic laws including lesser known sections, quickly and effectively applies codes.

5. Knowledge of Codes of Criminal Procedure - Evaluates trainee's knowledge of criminal procedures, including laws of arrest, search, and seizure. Evaluates trainee's ability to apply those procedures in field situations.

REFLECTED BY TESTING

a. (1) Unacceptable - When tested answers with 20% or less accuracy.

b. (4) Acceptable - When tested answers with a 70% accuracy.

c. (7) Superior - When tested answers with 100% accuracy.

REFLECTED BY FIELD PERFORMANCE

a. (1) Unacceptable - Violates procedural requirements, attempts

to conduct illegal searches, fails to search when appropriate, attempts to seize evidence illegally, or fails to process evidence properly, attempts to arrest unlawfully.

b. (4) Acceptable - Follows required procedure in commonly encountered situations. Conducts proper searches and seizures, arrests within legal guidelines.

c. (7) Superior - Follows required procedures in all cases, accurately applying the law relative to arrest, search and seizure.

D. PERFORMANCE

1. Driving Skills: Normal Conditions - Evaluates the trainee's skill in operation of police vehicle under normal driving conditions.

(1) Unacceptable - Frequently violates traffic laws. Involved in chargeable accidents. Fails to maintain control of vehicle or displays poor manipulative skills in vehicle operation.

(4) Acceptable - Obeys traffic laws when appropriate. Maintains control of vehicle. Performs vehicle operation while maintaining an alertness to surrounding activity. Drives defensively.

(7) Superior - Sets example for lawful, courteous driving. Maintains complete control of the vehicle while operating the radio, checking hot sheets etc. Is a superior defensive driver.

2. Driving Skills: Moderate and High Stress Conditions - Evaluates trainee's skill in vehicle operation under emergency situations and in situations calling for other than usual driving skills.

(1) Unacceptable - Involved in chargeable accidents. Uses red lights and siren unnecessarily or improperly. Drives too fast or too slow for situation. Loses control of the vehicle.

(4) Acceptable - Maintains control of the vehicle and evaluates driving situations properly.

(7) Superior - Displays a high degree of reflex motor skills and ability and driving competence. Anticipates driving situations in advance and acts accordingly. Practices defensive techniques. Responds very well to the degree of stress present.

3. Orientation and Response Time to Calls - Evaluates trainee's awareness

of surroundings, ability to find locations and arrive at destinations within an acceptable period of time.

(1) Unacceptable - Unaware of location while on patrol. Does not properly use beat map. Unable to relate location to destination. Gets lost. Expends too much time getting to destination.

(4) Acceptable - Is aware of location while on patrol. Properly uses beat map. Can relate location to destination. Arrives within reasonable amount of time.

(7) Superior - Remembers locations from previous visits and does not need the beat map to get there. Is aware of shortcuts and utilizes them to save time. High level of orientation to the beat and the City.

4. Routine Forms: Accuracy/Completeness - Evaluates trainee's ability to properly utilize departmental forms necessary to job accomplishments.

   (1) Unacceptable - Is unaware that a form must be completed and/or is unable to complete proper form for the given situation. Forms are incomplete, inaccurate, or improperly used.

   (4) Acceptable - Knows the commonly used forms and understands their use. Completes them with reasonable accuracy and thoroughness.

   (7) Superior - Consistently makes accurate form selection and rapidly completes detailed forms without assistance. Displays high degree of accuracy.

5. Report Writing: Organization and Details - Evaluates the trainee's ability to prepare reports that accurately reflect the situation and in a detailed, organized manner.

   (1) Unacceptable - Unable to organize information and to reduce it to writing. Leaves out pertinent details in the report. Reports are inaccurate.

   (4) Acceptable - Completes reports organizing information in a logical manner. Reports contain required information and details.

   (7) Superior - Reports are complete and detailed accounting of events from beginning to end, written and organized so that any reader understands what occurred.

6. Report Writing: Grammar/Spelling/Neatness - Evaluates the trainee's ability to use proper English, to follow rules of for spelling and to write

neatly.

(1) Unacceptable - Reports are illegible. Reports contain excessive misspelled words. Sentence structure or word usage is improper or incomplete.

(4) Acceptable - Reports are legible and Grammar is at an acceptable level. Spelling is acceptable and errors are rare. Errors, if present, do not impair the understanding of the report.

(7) Superior - Reports are very neat, well organized and legible. Contain no spelling or grammatical errors.

7. Report Writing: Appropriate Time Used - Evaluates the trainee's efficiency relative to the amount of time taken to write a report.

(1) Unacceptable - Requires excessive amount of time to complete a report. Takes three or more times the amount of time a non-probationary officer would take to complete the same report.

(4) Acceptable - Completes reports within a reasonable amount of time.

(7) Superior - Completes reports very quickly, as quickly as a skilled veteran officer.

8. Field Performance: Non-Stress Conditions - Evaluates the trainee's ability to perform routine, non-stress police activities.

(1) Unacceptable - When confronted with a routine task, becomes confused and disoriented. Does not/can not complete task. Takes wrong course of action. Avoids taking action.

(4) Acceptable - Properly assesses routine situations, determines appropriate action and takes same.

(7) Superior - Properly assesses situations including unusual or complex one. Determines appropriate course of action and takes same.

9. Field Performance: Stress Conditions - Evaluates the trainee's ability to perform in moderate and high stress situations.

(1) Unacceptable - Becomes emotional, is panic stricken, can't function, holds back, loses temper, or displays cowardice. Over reacts.

(4) Acceptable - Maintains calm and self-control in most situations.

Determines proper course of action and takes it. Does not allow the situation to further deteriorate.

(7) Superior - Maintains calm and self-control in even the most extreme situations. Quickly restores control in the situation and takes command. Determines best course of action and takes it.

10. Investigative Skills: Evaluates trainee's ability to conduct a proper investigation with emphasis on crime scene investigation procedures.

    (1) Unacceptable - Does not conduct a basic investigation or conducts the investigation improperly. Unable to accurately diagnose offense committed. Fails to discern readily available evidence. Makes frequent mistakes when identifying, collecting, or booking evidence. Does not connect evidence with suspect when apparent. Lacks skills in collection and preservation of fingerprints. Does not protect the scene.

    (4) Acceptable - Follows proper investigation procedures in all but the most difficult or unusual cases. Is generally accurate in diagnosis of the nature of the offense committed. Collects, tags, logs and books evidence properly. Connects evidence with suspect when apparent. Collects readable fingerprints from most surfaces when available.

    (7) Superior - Always follows proper investigation procedures and always accurate in diagnosis of offense committed. Connects evidence with suspects even when not apparent. Has "evidence technician" collection and identification skills. Can collect "readable" prints from any possible surface when available.

11. Interview/Interrogation Skill: Evaluates the trainee's ability to use proper questioning techniques; to vary techniques to fit persons being interviewed/interrogated; to follow proper procedure.

    (1) Unacceptable - Fails to use proper questioning techniques. Does not elicit and/or record available information. Does not establish a rapport with subject and/or does not control interview or interrogation of suspect. Fails to give Miranda Warnings.

    (4) Acceptable - Generally uses proper questioning techniques. Elicits most available information and records same. Establishes a proper rapport with most victims/witnesses. Controls the interrogation of most suspects. Conducts a proper Miranda Admonition.

    (7) Superior - Always uses proper questioning techniques. Establishes rapport with all victim's/witnesses. Controls the interrogation of even

the most difficult suspects. Conducts successful interrogations of them.

12. Self-Initiated Field Activity: Evaluates the trainee's interest and ability to initiate police-related activities. To view the same and to act on even low priority situations.

    (1) Unacceptable - Does not see or avoids activity. Does not properly follow up on situations. Rationalizes suspicious circumstances. Does not have a broad orientation to the job.

    (4) Acceptable - Recognizes and identifies police-related activity. Has a broad orientation to the job including low priority activity. Develops cases from observed activity. Displays inquisitiveness.

    (7) Superior - Seldom misses observable activity. Maintains "Watch Bulletins" and information given at briefings and uses that information as "probable cause". Makes good quality arrests and/or proper dispositions from observed activity. Thinks well "on his/her feet".

13. Officer Safety: General - Evaluates the trainee's ability to perform police tasks without injuring self or others or exposing self or others to unnecessary risk or danger.

    (1) Unacceptable - Fails to follow accepted safety procedures or to exercise officer safety, IE:

    a. Exposes weapon to suspect (baton, pepper spray, pistol, etc)

    b. Fails to keep gun hand free during enforcement situations

    c. Stands in front of violators car door

    d. Fails to control suspect's movements

    e. Does not keep suspect/violator in sight

    f. Fails to use illumination when necessary or uses it improperly

    g. Fails to advise dispatcher when leaving police vehicle

    h. Fails to maintain good physical condition

i. Fails to utilize or maintain personal safety equipment

j. Does not anticipate potentially dangerous situations

k. Stands too close to passing vehicular traffic

l. Is careless with firearm or other weapons

m. Stands in front of doors when knocking

n. Makes poor choice of which weapon to use and when to use it

o. Fails to cover other officers

p. Stands between police and violator's vehicle on car stops

q. Fails to search police vehicle prior to duty and after transporting persons

(4) Acceptable - Follows accepted safety procedures. Understands and applies them.

(7) Superior - Always works safely. Foresees dangerous situations and prepares for them. Keeps partner informed and determines the best position for self and partner. Is not overconfident. Is in good physical condition.

14. Officer safety: Suspects, Suspicious Persons, and Prisoners - evaluates the trainee's ability to perform police tasks in a safe manner while dealing with suspects, suspicious persons, or prisoners.

(1) Unacceptable - Violates officer safety principles outlined in 13 above. Additionally, fails to "pat search", confronts people while seated in the patrol car, fails to handcuff when appropriate. Conducts poor searches and fails to maintain a position of advantage to prevent attack or escape.

(4) Acceptable - Follows accepted safety procedures with suspects, suspicious persons, and/or prisoners.

(7) Superior - Foresees potential danger and eliminates or controls it. Maintains position of advantage in even the most demanding situations. Is alert to changing situations and prevents opportunities for danger from developing.

15. Control of Conflict: Voice Command - Evaluates the trainee's ability to gain and maintain control of situations through verbal command and instruction.

    (1) Unacceptable - Speaks too softly, or timidly, speaks too loudly, confuses or angers listeners by what is said and/or how it is said. Fails to use voice when appropriate or speaks when inappropriate.

    (4) Acceptable - Speaks with authority in a calm, clear voice. Proper selection of words and knowledge of when and how to use them.

    (7) Superior - Completely controls with voice tone, word selection, inflection, and the bearing which accompanies what is said. Restores order in even the most trying situations through use of voice.

16. Control of Conflict: Physical Skill - Evaluates the trainee's ability to use proper level of force for the given situation.

    (1) Unacceptable - Uses too little or too much force for given situation. Is physically unable to perform the task. Does not use proper restraints.

    (4) Acceptable - Obtains and maintains control through the proper use of the proper amounts of techniques of force application.

    (7) Superior - Excellent knowledge and ability in the use of restraints. Selects the right amount of force for the given situation. Is in superior physical condition.

17. Problem Solving/Decision Making - Evaluates the trainee's performance in terms of ability to perceive, form valid conclusions, arrive at sound judgements, and make proper decisions.

    (1) Unacceptable - Acts without thought or good reason. Is indecisive, naive. Is unable to reason through a problem and come to a conclusion. Can't recall previous solutions and apply them in like situations.

    (4) Acceptable - Able to reason through a problem and come to an acceptable conclusion in routine situations. Makes reasonable decisions based on information available. Perceives situations as they really are. Makes decisions without assistance.

    (7) Superior - Able to reason through event the most complex situations and is able to make appropriate conclusions. Has excellent perception. Anticipates problems and prepares resolutions in advance. Relates

past solutions to present situations.

18. Radio: Appropriate use of Codes and Procedure - Evaluates the trainee's ability to use the police radio in accordance with Department policy and procedure.

    (1) Unacceptable - Violates policy concerning use of radio. Does not follow procedures or follows wrong procedures. Does not understand or uses improper codes/language.

    (4) Acceptable - Follows policy and procedure. Has good working knowledge of most often used sections of codes/language.

    (7) Superior - Always follows proper policy and procedures, adheres to policy. Has superior working knowledge of codes and radio language and applies that knowledge when using radio.

19. Radio: Listens and Comprehends - Evaluates the trainee's ability to pay attention to radio traffic and to understand the information transmitted.

    (1) Unacceptable - Repeatedly misses own call sign/dispatch number and is unaware of traffic in adjoining areas of patrol. Requires dispatcher to repeat radio transmissions or does not accurately comprehend transmissions.

    (4) Acceptable - Copies own transmissions, transmissions of others and information and takes advantage of this information.

    (7) Superior - Is aware of own transmissions, transmissions of others and information and takes advantage of this information.

20. Radio: Articulation of Transmissions - Evaluates the trainee's ability to communicate with others via the police radio.

    (1) Unacceptable - Does not preplan transmissions. Over or under modulates. Cuts messages off through improper use of microphone. Speaks too fast or too slowly.

    (4) Acceptable - Uses proper procedures with clear, concise, and complete transmissions.

    (7) Superior - Transmits clearly, calmly, concisely, and completely in in the most stressful situations. Transmissions are well thought out and do not have to be repeated.

E. RELATIONSHIPS

1. With Citizens: General - Evaluates the trainee's ability to interact with citizens (including suspects) in an appropriate, efficient manner.

   (1) Unacceptable - Abrupt, belligerent, overbearing, arrogant, uncommunicative. Overlooks or avoids "service" aspect of the job. Introverted, insensitive, and uncaring. Poor "non-verbal" skills.

   (4) Acceptable - Courteous, friendly, and empathic. Communicates in a professional unbiased manner. Is service oriented. Good "non-verbal" skills.

   (7) Superior - Is very much at ease with citizen contacts. Quickly establishes rapport and leaves people with feeling that the officer was interested in serving them. Is objective in all contacts. Excellent "non-verbal" skills.

2. With Ethnic Groups Other Than Own - Evaluates the trainee's ability to interact with members of ethnic or racial groups other than their own, in an appropriate, efficient manner.

   (1) Unacceptable - Is hostile or overly sympathetic. Is prejudicial, subjective, and biased. Treats members in this group differently than members of his own ethnic or racial group would be treated.

   (4) Acceptable - Is at ease with members of other ethnic or racial groups. Serves their needs objectively and with concern. Does not feel threatened when in their presence.

   (7) Superior - Understands various cultural differences and uses this understanding to competently resolve situations and problems. Is totally objective and communicates in a manner that furthers mutual understanding.

3. With Other Department Members - Evaluates the trainee's ability to effectively interact with other Department members of various ranks and in various capacities.

   (1) Unacceptable - Patronizes FTO / Superiors, peers or is antagonistic toward them. Gossips. Is insubordinate, argumentative, sarcastic. Resists instructions, considers self to be superior. Belittles others. Is not a team player. Fawns on others.

   (4) Acceptable - Adheres to the chain of command and accepts role in the organization. Good peer and FTO relationships and is accepted as a group member.

(7) Superior - Is at ease in contact with all, including superiors. Understands superior's responsibilities, respects and supports their position. Peer group leader. Actively assists others.

IV. REPORTING FORMS

A. DAILY OBSERVATION REPORT

1. Is to be filled out every day by the assigned FTO.

2. A blank is found as attachment A.

3. The form uses the number rating system found above and also has blocks for narrative on behaviors observed displayed by the Trainee.

4. These forms shall all be maintained. Once the Trainee shifts from one FTO to the next, these forms will be turned in to the Training Supervisor of the Administrative Bureau so that the next FTO will not be biased in their grading of the Trainee. The subsequent FTO's shall only be privy to the Intermediate Observation Report.

B. SPECIAL OBSERVATION REPORT

1. If while working an FTO observes a behavior or action on the part of a Trainee that deserves special comment; such as grossly inappropriate behavior or supremely excellent behavior, the FTO should file a Special Observation Report on the incident. This form shall be a standard word processor style report with the following information included:

   a. (Heading:) SPECIAL OBSERVATION REPORT

   b. Prepared by: Ptl. _____(Name of FTO)____

   c. Date: ____/____/_____

   d. BPD Case #:_____

   e. (Written narrative describing the incident.)

C. INTERMEDIATE OBSERVATION REPORT

1. Is to be filled out at the end of each FTO cycle by the assigned FTO and shall be kept in the Trainee's FTO binder.

2. A blank is found as attachment B.

3. The form is self explanatory and the FTO preparing the report shall make appropriate entries to give the next FTO information on the Trainee's:

   a. Significant strengths

   b. Significant weaknesses

   c. Remedial training requested

D. FINAL REPORT

1. This report would be reviewed and signed by the final FTO and the Training Sergeant certifying that in their opinion the trainee officer is finished the training program and is either deemed fit to be granted solo patrol status, requires additional remedial or is recommended for termination.

Attachment A DAILY OBSERVATION REPORT

General Appearance	1	2	3	4	5	6	7
Acceptance of Feedback	1	2	3	4	5	6	7
Attitude Toward Police Work	1	2	3	4	5	6	7
Knowledge of Departmental Policies/Procudures Reflected							
By Testing	1	2	3	4	5	6	7
By Field Work	1	2	3	4	5	6	7
Knowledge of Criminal Statutes Reflected							
By Testing	1	2	3	4	5	6	7
By Field Work	1	2	3	4	5	6	7
Knowledge of City Ordinances Reflected							
By Testing	1	2	3	4	5	6	7
By Field Work	1	2	3	4	5	6	7
Knowledge of Traffic Code Reflected							
By Testing	1	2	3	4	5	6	7
By Field Work	1	2	3	4	5	6	7
Knowledge of Codes of Criminal Procedure							
By Testing	1	2	3	4	5	6	7
By Field Work	1	2	3	4	5	6	7
Driving Skill: Normal Conditions	1	2	3	4	5	6	7
Driving Skill: Moderate/Risk	1	2	3	4	5	6	7
Orientation/Response Time	1	2	3	4	5	6	7
Routine Forms: Accur/Comp	1	2	3	4	5	6	7
Reports: Organization/Details	1	2	3	4	5	6	7
Reports: Gram/Spell/Neat	1	2	3	4	5	6	7
Reports: Time Used	1	2	3	4	5	6	7
Field Performance: No Stress	1	2	3	4	5	6	7
Field Performance: Stress	1	2	3	4	5	6	7
Investigative Skills	1	2	3	4	5	6	7
Interviews/Interrogations	1	2	3	4	5	6	7

Self Initiated Field Activity	1	2	3	4	5	6	7
Officer Safety: General	1	2	3	4	5	6	7
Officer Safety: Persons	1	2	3	4	5	6	7
Control of Conflict: Voice	1	2	3	4	5	6	7
Control of Conflict: Physical	1	2	3	4	5	6	7
Problem Solving/Decisions	1	2	3	4	5	6	7
Radio: Appropriate Use	1	2	3	4	5	6	7
Radio: Listens/Comprehension	1	2	3	4	5	6	7
Radio: Articulation	1	2	3	4	5	6	7
Relationships: Citizens	1	2	3	4	5	6	7
Relationships: Other Ethnic Grp	1	2	3	4	5	6	7
Relationships: Other BPD Offcrs	1	2	3	4	5	6	7

Trainee:_____ FTO:_____ Date:___/___/_____

Attachment A DAILY OBSERVATION REPORT (PAGE 2)

The most satisfactory area of performance today was Rating Category #_____.

A specific incident which demonstrates todays performance in this area is:

_____
_____
_____
_____
_____

The least satisfactory area of performance today was Rating Category #_____.

A specific incident which demonstrates todays performance in this area is:

_____
_____
_____
_____
_____

Documentation of performance and comments:

Category # Notes

_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____
_____ _____

_____ _____
_____ _____
_____ _____

Trainee's Signature:_____ FTO Signature:_____
Reviewed By:_____

FTO - Remember the following points:

1. Set the stage/scene
2. Use lists as appropriate.
3. Consider verbatim quotes.
4. Remember your audience.
5. Report the facts.
6. Critique performance.
7. Check spelling & grammar.
8. Think remedial.
9. The Golden Rule.

Attachment B INTERMEDIATE OBSERVATION REPORT

TRAINEE:_____ FTO:_____
DATE PREPARED:____/____/_____

TRAINING PERIOD: from _____/_____/_____ to _____/_____/_____

End of Phase #:_____

Field Training Officers: Complete this form on your trainee at the end of your phase of training. This form will stay in the binder so that the next FTO can reference same.

SIGNIFICANT STRENGTHS:_____
_____
_____
_____
_____
_____

SIGNIFICANT WEAKNESSES:_____
_____
_____
_____
_____
_____

REMEDIAL TRAINING SUGGESTED:_____
_____
_____
_____
_____
_____

(Use reverse side of form if necessary.)

FTO Signature:_____ TRAINEE SIGNATURE:_____

Attachment C FINAL OBSERVATION REPORT

FTO:_____ Date prepared:___/____/_____

TRAINEE:_____

I, _____, have had extensive opportunity to review the learning and work behavior's of _____ and I find that this trainee is:

___prepared and ready for solo patrol.

___requires additional remedial training.

___is incapable of performing solo patrol.

SIGNED:_____ Date:_____/____/_____

I, _____, being responsible for the training program of newly recruited officers have spoken extensively with the FTOs involved in the training of _____ _____, and fully concur with the opinion listed above.

SIGNED:_____ Date:____/____/_____

Order #: I.50 **Date:** 11/21/2013
Category: DEPARTMENT DIRECTIVE
Title: POLICE INTERN/RIDE ALONG

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 50
SUBJECT: POLICE INTERN//RIDE ALONG PROGRAM

EFFECTIVE DATE: 11-21-2013
REVISION DATE:

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARD(S):

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:50-1 PURPOSE

The purpose of this policy is to establish the process by which members of the public seeking an education in law enforcement/criminal justice and are currently enrolled in a bona fide criminal justice or law enforcement educational program at a recognized college or university may approach the Bridgeton PD to arrange for an internship. This directive will establish the manner by which candidates are to be investigated, approved and how many interns may be taken on at one time.

I:50-2 POLICY

The Bridgeton Police Department is interested in partnering with young college students in an effort to allow them to explore law enforcement as a career choice during their educational years. To that end the Bridgeton Police Department has authorized this program to assist with that endeavor. This ability is only open to approved college/university students who are enrolled in a bona fide criminal justice program and successfully complete an appropriate background check.

I:50-3 PROCEDURE

A. The Bridgeton Police Department recognizes the need to partner with local college level

schools in an effort to give students an opportunity to explore law enforcement as a career choice. To that end the Bridgeton Police Department has created this Police Intern/Ride Along Program.

1. This program is only open to bona fide college/university students currently enrolled in a criminal justice program at that school.

   a. Interested college students must come to the Police Department and fill out an application (found on BPD Online Forms).

   b. The college applicant will be screened by a member of the Professional Standards Bureau for suitability.

   (i.) This is due to the close proximity to criminal justice systems and applications the student will be exposed to, as well as, potentially sensitive information.

   (ii.) This screening process will include the filling out and returning of the BPD Police Student Internship Application/Questionnaire.

   Upon the return of this package the applicant will be fingerprinted on the LiveScan terminal for check as to whether the applicant has a criminal record. A positive criminal record will result in instant disqualification from consideration.

   The applicant will also have a warrant check performed. In the event the applicant has an active warrant listed in criminal justice systems that warrant will be immediately served upon the applicant and will result in instant disqualification from consideration.

   The applicant will also be checked through local Police Department Records for issues involving the applicant. Any discovered issues found will be viewed on a case by case basis and may result in disqualification for the

B. The Bridgeton Police Department maintains the right to disqualify any candidate for any issue found during the background check or known character issues. The candidate may request an interview with the Chief of Police as an appeal to any disqualification but that shall be the only appeal of disqualification.

C. A maximum of three persons may be taken on as interns during any recognized semester time period. There shall be a preference for selections if there are more than 3 approved applicants. The following is the order of preference with those at

the top receiving priority and then descending in order:

1. City of Bridgeton Residents
2. County of Cumberland Residents
3. State of New Jersey Residents

D. Those applicants who successfully complete the vetting process will sign a confidentiality agreement and liability waiver form at the beginning of their internship. Those forms can be found on BPD ONLINE FORMS. Any person failing to properly execute these agreements shall be removed from the intern program.

E. During the internship the intern is prohibited from the following:

1. Copying personal information of any subject
2. Discussing personal identifying information with any other person outside the Bridgeton PD
3. Recording any member of the Bridgeton PD or public via electronic device (Audio or Video)
4. Copying or sharing any information citing specifics of any crime, crime scene, personal information of any person

Note - Copying defined: Is meant to include but not be limited to;

a. Photocopies
b. Photographs (digital or otherwise)
c. Voice Recordings
d. Printing reproductions of BPD policies, or personal information of of citizens to which the intern gets exposed

F. During the internship the intern is expected to behave in a professional manner. Specifically the intern shall:

1. Dress in business casual mode of dress (i.e. khaki pants, polo shirt)
2. Be neatly groomed
3. Shall not carry purses, bags, backpacks, satchels or other storage gear
4. Shall only carry notebook and pencil or pen to take notes
5. Maintain a professional rapport with members of the Bridgeton PD

G. This program is not open to private citizens, friends, family members or law enforcement personnel from other jurisdictions unless they are currently enrolled in a bona fide criminal justice program in a recognized educational institution. In other words there are no authorized ride along except for approved college interns.

H. Approved interns are not permitted to carry an form of electronic recording device with them during intern/ride along or during BPD work/experiences. This includes but is not limited to:

1. Digital voice recorders or devices capable of voice recording
2. Digital or film cameras capable of taking still or motion pictures
3. Cellular telephones or electronic tablets capable of taking photos, movie clips or voice recordings

I. Approved interns may taken notes concerning police experiences, however, they are strictly prohibited from copying or relaying any personal information which they might become privy to during their internship. This prohibition is to include:

1. Names
2. Dates of Birth
3. Social Security Numbers
4. Specific Addresses
5. Other identifying characteristics or identification numbers (Driver's license numbers, County ID numbers, etc)
6. No photography (Video - still or moving pictures) of persons, equipment, information, crime scenes

J. VIOLATIONS:

1. Any intern found violating any provision of this policy will be removed from the program immediately, and could be subject to criminal and or civil penalties.

Order #: I.17.AB.PTL **Date:** 11/26/2009
Category: DEPARTMENT ORDERS
Title: EVAL - ADMIN BUREAU PATROLMAN

BRIDGETON POLICE DIVISION
SEMI-ANNUAL EVALUATION & PERFORMANCE
REPORT

Officer:_____ Badge:_____

Period: (circle one) Jan. 1st to Jun. 31 July 1st to Dec. 31st

Assignment: (circle one) Services Unit Community Police Unit

A. WORK ETHIC/PRODUCT

___Successfully Accomplishes Assigned Tasks Without Supervision In Timely Manner
___Accomplishes Assigned Tasks With Moderate Supervision When Expected
___Accomplishes Assigned Tasks With Correctable Errors & Within Specified Time
___Fails To Complete Tasks Or Requires Too Much Supervision & Not On Time

___Spends No Time Idle
___Spends Little To No Time Being Idle
___Spends Excessive Time Being Idle

___Works To Support The Department's Mission and Cultivates Harmonious Atmosphere
___Works To Accomplish Assigned Tasks & Goes A Step Further
___Accomplishes Assigned Tasks With No Extra
___Needs To Be Pushed On Getting Assigned Tasks Complete

C. COOPERATION WITH PARTNER (CPU OFFICERS ONLY)
1 - Poor 5 - Average 10 - Outstanding

Has Worked Within The Law To Please Management & Accomplish Objectives
1 2 3 4 5 6 7 8 9 10
Has Been Attentive To Management's Requests
1 2 3 4 5 6 7 8 9 10
Has Participated In Management's Activities & Planning Processes
1 2 3 4 5 6 7 8 9 10
Meets With Management Regularly To Discuss Issues & Concerns
1 2 3 4 5 6 7 8 9 10

Entries below (5) require additional explanation and a plan to correct the deficiency:

_____
_____
_____
_____

Ratee's Initials:_____ Rater's Initials:_____

B. REPORT WRITING

___Writes detailed and accurate reports
___Writes acceptable reports
___Writes reports that lack detail
___Writes unacceptable reports

___ Completes Reports In A Timely Manner
___ Completes Reports In Acceptable Time
___ Uses Excessive Time To Complete Reports

___Reports require little or no corrections
___Reports require moderate corrections
___Reports require excessive corrections

C. GENERAL CHARACTERISTICS: This section of the semi-annual evaluation will be based on the following scoring system. 5) Outstanding 4) Excellent 3) Satisfactory 2) Needs Improvement 1) Unsatisfactory. Any category listed with a 2) or 1) needs to be accompanied by notes.

___Observance Of Work Hours
___Grooming & Dress
___Compliance With Rules
___Safety Practices
___Suspect Contacts
___Public Contacts
___Interpersonal Relationships
___Knowledge Of Criminal Law
___Knowledge Of Search Warrants
___Knowledge Of Motor Vehicle Code
___Knowledge Of Case Law
___Knowledge Of BPD Rules & Regs.
___Knowledge Of BPD Directives
___Knowledge Of Responsibilities
___Planning & Organizing
___Accepts Direction
___Accepts Responsibility
___Accepts Change
___Effective Under Stress
___Initiative & Enthusiasm
___Respect For Supervisor
___Communicates Effectively
___Loyalty
___Attitude
___Processing For Prints
___Scene Photography
___Crime Scene Drawings

Ratee's Initials:_____ Rater's Initials:_____

D. ATTENDANCE:

Number of days off without doctor's note _____
Number of days off with doctor's note _____

E. SPECIFIC ACCOMPLISHMENTS DURING PERIOD

G. SPECIFIC JOB STRENGTHS:

H. SPECIFIC GOALS OR IMPROVEMENTS TO BE TAKEN DURING NEXT EVALUATION PERIOD:

Ratee's Initials:_____ Rater's Initials:_____

I. POTENTIAL FOR PROMOTION/TRANSFER:

I, _____, (ratee) certify that this evaluation has been discussed with me. I understand that my signature does not necessarily indicate agreement.

___ Ratee wishes to speak with Bureau Commander.
___ Ratee does not wish to speak with Bureau Commander.

Ratee Signature:_____ Badge:_____ Date:___/___/_____
Rater Signature:_____ Badge:_____ Date:___/___/_____

Order #: I.17.DB.DET **Date:** 11/26/2009
Category: DEPARTMENT ORDERS
Title: EVAL - DETECTIVE BUREAU DETECTIVE

BRIDGETON POLICE DIVISION
SEMI-ANNUAL EVALUATION & PERFORMANCE
REPORT

Detective:_____ Badge:_____

Period: (circle one) Jan. 1st to Jun. 31 July 1st to Dec. 31st

Assignment: (circle one) Case Squad Anti-Crime Team

A. SECONDARY INVESTIGATIONS: COMMENTS

___Does thorough and complete investigations
___Does competent investigations
___Does mediocre investigations
___Does unacceptable investigations

___Processes crime scene carefully and effectively
___Makes certain crime scenes are processed
___Lack of concern for crime scene processing
___No crime scene processing

___Aggressively follows upon on assigned cases
___Follows up on assigned cases
___Sometimes follows up on assigned cases
___Rarely follows up on assigned cases

B. REPORT WRITING COMMENTS

___Writes detailed and accurate reports
___Writes acceptable reports
___Writes reports that lack detail
___Writes unacceptable reports

___Reports require little or no corrections
___Reports require moderate corrections
___Reports require excessive corrections

___Completes reports in a timely manner
___Completes reports in acceptable time
___Uses excessive time to complete reports

Ratee's Initials:_____ Rater's Initials:_____

C. SUSPECT/WITNESS CONTACTS COMMENTS

___Communicates effectively with all contacts
___Develops and utilizes informants
___Adequately communicates with contacts
___Does not communicate well with contacts

___Conducts interviews in an effective manner
___Conducts interviews adequately
___Conducts interviews in an acceptable manner

D. GENERAL CHARACTERISTICS: This section of the semi-annual evaluation will be based on the following scoring system. 5) Outstanding 4) Excellent 3) Satisfactory 2) Needs Improvement 1) Unsatisfactory. Any category listed with a 2) or 1) needs to be accompanied by notes.

___Observance Of Work Hours
___Grooming & Dress
___Compliance With Rules
___Safety Practices
___Suspect Contacts
___Public Contacts
___Interpersonal Relationships
___Knowledge Of Criminal Law
___Knowledge Of Search Warrants
___Knowledge Of Motor Vehicle Code
___Knowledge Of Case Law
___Knowledge Of BPD Rules & Regs.
___Knowledge Of BPD Directives
___Knowledge Of Responsibilities
___Planning & Organizing
___Accepts Direction
___Accepts Responsibility
___Accepts Change
___Effective Under Stress
___Initiative & Enthusiasm
___Respect For Supervisor
___Communicates Effectively
___Loyalty
___Attitude
___Processing For Prints
___Scene Photography
___Crime Scene Drawings

Ratee's Initials:_____ Rater's Initials:_____

E. SEMI-ANNUAL STATISTICS COMMENTS

Total Cases Assigned _____
Case Clearance Rate _____
Cleared by Arrest _____
Exceptionally Cleared _____

F. ATTENDANCE:

Number of days off without doctor's note _____
Number of days off with doctor's note _____

G. SPECIFIC JOB STRENGTHS:

H. SPECIFIC GOALS OR IMPROVEMENTS TO BE TAKEN DURING NEXT EVALUATION PERIOD:

Ratee's Initials:_____ Rater's Initials:_____

Order #: I.16 **Date:** 01/01/2010
Category: DEPARTMENT ORDERS
Title: EVALUATING FITNESS FOR DUTY

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY & PROCEDURE

Section: I
Chapter: 16

Subject: Evaluating Fitness For Duty
Chief of Police: Mark W. Ott
Effective Date: 2-23-2010

PURPOSE

The purpose of this policy is to express to the public and to employees that the Bridgeton Police Department views fitness for duty to be an essential function of every member's position. This policy further expounds upon Rule IV.A.13. of the department's Rules & Regulations and the New Jersey Attorney General's Guidelines on Internal Affairs.

STATEMENT

This policy requires all members to be sufficiently fit to perform the essential functions of their positions in a safe, effective and efficient manner, always.

Should reasonable cause exist to question a member's fitness for duty, our policy is to temporarily remove an active member from normal duty; remove from all duties temporarily; or, to temporarily prohibit an inactive member from returning to duty, until such fitness is evaluated.

Only those members who successfully complete prescribed fitness evaluations will be eligible to remain in their positions. This policy does not intend to illegally discriminate against members or potential members of the Bridgeton Police Department based on sex, race, ethnic background, religion, age, disability or other category protected by law.

DEFINITIONS

Essential Function. A job function is essential if removal of that function would fundamentally change the job. An essential function is a function of the job exists to perform, or a function that only a few employees are available to share, or a function that is central to a highly specialized position. Employees are expected to be able to perform the essential functions of their job within the legal provisions for reasonable accommodations.

POLICY

All members of the Bridgeton Police Department are required to be sufficiently fit to perform the essential functions of their position in a safe, effective and efficient manner with

provisions for reasonable accommodations as provided by law. Sufficiently fit employees are physically, mentally and psychologically prepared and can perform the essential functions of their position with provisions for reasonable accommodations as provided by law.

Management has the responsibility and authority under law to decide and define the essential functions in the Bridgeton Police Department. It does this by drawing on its knowledge of the job, written job descriptions, knowing the time required to do the function, the criticality of doing the function properly or not doing the function properly and the terms and conditions of any employment contracts that may exist.

Without creating an exclusive listing of all possible essential functions for each position in this organization, the following illustrate essential functions inherent in all positions:

1. Have regular and predictable attendance.
2. Meet production standards established by management for the position.
3. Meet efficiency standards established for doing a function.
4. Perform a responsibility, duty or task efficiently and safely.
5. Subordinate personal preferences to the lawful directives of management.
6. Perform duties with coworkers without violence, harassment or intimidation.

Should a reasonable cause exist to question a member's fitness for duty, our policy is to temporarily remove an active member from duty; or to modify/restrict their duties to allow the employee to continue working until an evaluation can be made; or to temporarily prohibit an inactive member from returning to duty, until such fitness is evaluated.

Reasonable cause is based on substantive evidence. It is a subjective standard based on objective facts. Personal opinions that are unsupported by facts do not establish reasonable cause. Reasonable cause does not coexist with malice. Any member who is shown through the investigatory process to have used this policy as a subterfuge to maliciously damage another will be subject to disciplinary action up to and including termination.

Only those members who successfully complete prescribed fitness evaluations will be eligible to remain in their positions. The nature and circumstances surrounding the fitness claim will decide the types of fitness evaluation(s) required. Each situation must be judged on a case by case basis and an appropriate professional will be retained for the evaluation by the City. The City will pay the cost for any initial evaluation required of a member under this Policy and Procedure. The City will schedule any an all evaluations under this Policy and Procedure. Members subject to evaluations are expected to arrive promptly for the evaluation and to comply with all requests of them made by the evaluator. Members are expected to be honest and forthright during the evaluation.

Reports generated by medical/psychiatric/psychological professionals are property of the Department. They shall be maintained separate and apart from a member's personnel file and access shall be limited to those members of the command staff and the Department's Professional Standards Bureau on a need to know basis. Officers sent for fitness for duty evaluations are not entitled to copies or permitted to view the reports unless they are used as cause for dismissal or adverse employment action or permission for their release is specifically granted by the Chief of Police.

It is the Department's goal and practice to provide reasonable accommodations to employees should a physical/medical/mental disability be discovered as a result of the evaluation, so long as the member can continue to perform the essential functions of his/her position with said reasonable accommodation. If a physical/medical/mental disability is discovered as a result of an evaluation, the Department will engage in an interactive process with the employee in attempt to identify reasonable accommodations to allow the employee to continue in employment within the constraints of applicable law.

This Policy and Procedure is not intended to diminish any Member's rights and responsibilities under any State or Federal law, especially the Federal Family and Medical Leave Act. To the extent that this Policy and Procedure conflicts with any Member's rights and responsibilities under State or Federal law, including the Federal Family and Medical Leave Act, the applicable State or Federal law shall control.

Order #: I.17 **Date:** 11/26/2009
Category: DEPARTMENT ORDERS
Title: EVALUATIONS

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 17

SUBJECT: EVALUATIONS

EFFECTIVE DATE: 11-12-2010
CHIEF OF POLICE:Mark W. Ott

PURPOSE:

To develop the Department's personnel into more highly trained and capable police officers by providing written feedback to individual employees. The evaluations are also tools to be used by management in training development, and as required for other managerial concerns.

POLICY:

It is the Bridgeton Police Department's policy to evaluate employee performance periodically in an effort to correct deficiencies, provide a vehicle by which individual employees can receive feedback on their performance, to act as a mechanism for drawing attention to issues or to recognize outstanding performance.

DEFINITIONS:

RATEE - the officer or employee being evaluated.

RATER - the supervisory officer writing the evaluation.

I. GENERAL PROVISIONS

A. Employee performance evaluations are one of the most crucial problems facing supervisory personnel.

1. There are essential business necessities in having members of the organization achieve at least a minimal level of satisfactory performance.

2. It is vitally important to both the person being evaluated and management that the Rater carries out their responsibility in an entirely honest and straight forward manner.

B. All police officers (full & part time) and telecommunications officers will be evaluated in accordance with the guidelines set forth herein.

1. Police Lieutenant's shall be evaluated by the Police Captain annually.

2. Police Sergeant's shall be evaluated by their Bureau Commander semi-annually.

3. All Patrolmen and Detectives will be evaluated by their assigned Sergeant semi-annually.

   Note - Patrolmen in their first year of service shall be evaluated monthly by their sergeant. This is separate and apart from any Field Training Officer Program evaluations.

4. All Telecommunications Officers (TCOs) will be evaluated by the Patrol Sergeants they work with and Patrol Bureau Commander in a joint committee (i.e. Group A TCOs by Group A Sergeants & vice versa).

5. The Chief, Captain, or Bureau Commander may at any time require more frequent evaluations on any subordinate employee.

C. Personnel are to be evaluated as directed for their job performance, personal characteristics and supervisory potential.

D. Personnel are to be evaluated using the evaluation formats located on IMPACT:

1. Patrolmen assigned to the Patrol Bureau shall be evaluated with the form designed for them.

2. Patrolmen assigned to the Administrative Bureau shall be evaluated with the form designed for them.

3. Detectives assigned to the Detective Bureau shall be evaluated with the form designed for them.

4. Telecommunications Officers shall be evaluated with the form designed for them.

5. Sergeants shall be evaluated with the form designed for them.

6. Lieutenants shall be evaluated by the Captain in free form as based on their particular assignment.

7. Any form may have additional sheets of free formed action plans, etc. attached.

E. Evaluation Periods

1. Annual evaluation periods will be from Jan. 1st to Dec. 31st of the calendar year and shall be due by January 20th following the period.

2. Semi-Annual evaluation periods will be from Jan. 1st to Jun. 30th for the first period (due by July 20th), and July 1st to Dec. 31st for the second period (due by Jan. 20th following the period).

II. PURPOSE OF EVALUATION FORMS

A. Appraise and improve individual performance of employee.

B. To assist in:

1. Training needs

2. Retention decisions

3. Filling vacant positions

4. Promotional considerations

5. Demotions or dismissal from service

III. PERFORMANCE EXPECTATIONS

A. Informing personnel of performance expectations:

1. Supervisors shall describe to their subordinates what they are expected to do and how well they are expected to perform.

2. Consideration must be given for the various tasks undertaken and descriptions must relate to these tasks. Periodic meetings should be held with subordinates to indicate performance goals and progress. These can be documented on performance notice forms, which would be held by the employees supervisor until the end of period evaluation was prepared.

B. Appraising and discussing performance:

1. Discussions with personnel need not be limited to performance,

but should include development of the individual.

2. When appropriate, the supervisor should encourage the employee to indicate their career goals, such as next probable assignment, long range objectives and what he or she plans to do to better prepare for advancement.

3. Guidelines form the supervisor may include suggestions for available training, request for reassignment to gain experience and possible modifications or extensions of the officer's goals.

C. Indicators:

1. The ordinary performance evaluation of an officer is not a predictor of how well he or she is likely to do in a higher level or different job. It is an indicator to the extent that a poor performer is less likely than a good performer to do well on a more demanding job.

IV. RATING PROCEDURES

1. Rater's shall use the forms provided on IMPACT and shall be honest in making various marks on those forms.

2. It is important that the Rater have facts presented on the evaluation form concerning any marks or comments that show either below or above average.

3. Rater's shall provide a copy of the evaluation to the ratee. The original shall be forwarded to the next level of the chain of command. The evaluation will be placed into the ratee's personnel file.

V. OBJECTIONS FROM RATEE

1. Ratee's may during the presentation of the evaluation at the end of an evaluation period check an appropriate box to indicate that they dispute particular marks on their evaluation.

2. For officers in the rank of Patrolman, Class II Patrolmen, TCOs and Detectives this dispute will be handled in an informal hearing by the Bureau Commander.

3. For Sergeants this dispute will be handled in an informal hearing with the Captain.

4. For Lieutenants this dispute will be handled in an informal hearing with the Chief.

5. It is the ratee's responsibility to provide proofs that the marks given by the rater (which are in dispute) are inaccurate.

VI. REASSIGNMENTS DURING EVALUATION PERIOD

A. Should any employee be reassigned during an evaluation period:

1. Every supervisor in the evaluation chain who had this employee for a period of 60 days or more shall prepare an evaluation on that employee's performance during that time period.

2. In these instances the length of time the employee was assigned to the rater shall be indicated on the evaluation form.

Order #: I.13.5 **Date:** 11/12/2014
Category: DEPARTMENT DIRECTIVE
Title: PERSONAL APPEARANCE STANDARDS

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 13.5

SUBJECT: POLICY ON PERSONAL APPEARANCE FOR WORK

EFFECTIVE DATE: Immediately
CHIEF OF POLICE:MARK W. OTT

PURPOSE:

The purpose of this order is to provide guidelines for the manner of appearance and grooming for those officers and civilian employees currently working for the Bridgeton Police Department.

The aim of this policy is to show a presentable image to the public, an image that signifies professionalism.

DIRECTIVE:

I. PERSONAL APPEARANCE

A. Officers and employees on duty shall wear uniforms or other clothing in accordance with established departmental procedures.

B. Except when acting under proper and specific orders from a superior, officers and employees on duty shall maintain a neat well-groomed appearance and shall style their hair according to the following guidelines:

1. Hair must be clean, neat and combed. Hair may not be dyed unusual colors in whole or in part for non-natural hair colors (i.e. green, blue, red that does not appear naturally in human hair, purple, or other non-natural hair colors).

   Note - this does not exclude highlights which are done with genuine human hair colors so long as the effect is not done to appear shocking, unprofessional or unnatural in appearance.

2. Males shall not wear their hair longer than the top of the shirt collar at the back of the neck when standing with the head in normal posture.

The length of the hair shall not interfere with the normal wearing of all standard head gear. Sideburns shall be kept neatly trimmed and rectangular in shape and shall not be permitted past the top of the tragus of the ear.

It is recommended that hair be kept short to keep an aggressively inclined or combative subject from grabbing same.

3. Female officers shall not keep their hair at such as length to prevent it from being worn up so as not to interfere with the proper wearing of approved headgear/headwear.

   It is strongly recommended that hair be kept pinned up and offering as little opportunity as possible for an aggressively inclined or combative subject from grabbing loose hair.

4. No employee may have unusual shavings, or designs cut into the hair.

5. Wigs or hairpieces are permitted if they conform to the above standards of natural hair.

6. Male and female employees who are not officers shall follow all previously listed hair guidelines excepting the issue of concerns as they relate to the possible grabbing of hair by a combative or aggressive subject.

7. Officers shall be clean shaven except that they may have mustaches which do not extend below the level of the lower lip line, nor more than 1/2 inch past the point where the lower lip and upper lip meet. No hair is permitted on the chin or beneath the lower lip.

C. Employees will take normal accepted standards of personal hygiene into consideration prior to reporting to work. This includes bathing, use of anti-perspirants/deodorants, brushing of teeth etc. Any use of fragance (cologne, aftershave, perfume) will be done in a conservative manor.

D. Officers shall not wear earrings, or other visible piercing jewelry while on duty. These items pose an unacceptable safety hazard to officers working at times in physical atmosphere with combative persons.

E. Officers and employees shall not undergo gauging of the earlobes (the manner of piercing which causes the stretching of the ear lobe either one time or progressively larger and larger by use of plugs). This presents a non-professional appearance and subjects officers to potential for unnecessary tear type injuries if faced with a combative person.

F. Officers while on duty shall are only permitted to wear a total of two rings. Rings

shall be of a conservative nature when worn on duty. Officers on duty are permitted to wear a necklace but same shall not be visible while wearing he prescribed uniform.

G. Officers shall not wear unauthorized badges or insignia.

H. Officers may wear uniform when going to and from work, however, officers are cautioned regarding the potential for persons in the criminal world being able to see an officer who does not conceal their uniform by way of jacket, thereby allowing parties to possibly locate the officer's home address for later targeting.

II. VIOLATIONS

A. Violations of this directive will be handled as progressive discipline demands with first violation being viewed as a schedule D Offense.

Order #: I.17.SERGE **Date:** 11/27/2009
Category: DEPARTMENT ORDERS
Title: EVAL - SERGEANT

BRIDGETON POLICE DIVISION
SEMI-ANNUAL EVALUATION & PERFORMANCE
REPORT

Sergeant:_____ Badge:_____

Period: (circle one) Jan. 1st to Jun. 31 July 1st to Dec. 31st

Assignment: (circle one) 1st 2nd 3rd 4th NRTA NRTB SU CPU CS ACT

A. GENERAL CHARACTERISTICS: This section of the semi-annual evaluation will be based on the following scoring system. 5) Outstanding 4) Excellent 3) Satisfactory 2) Needs Improvement 1) Unsatisfactory. Any category listed with a 2) or 1) needs to be accompanied by notes.

___Observance Of Work Hours
___Grooming & Dress
___Compliance With Rules
___Safety Practices
___Suspect Contacts
___Public Contacts
___Interpersonal Relationships
___Knowledge Of Criminal Law
___Knowledge Of City Ordinances
___Knowledge Of Motor Vehicle Code
___Knowledge Of Case Law
___Knowledge Of BPD Rules & Regs.
___Knowledge Of BPD Directives
___Knowledge Of Responsibilities
___Planning & Organizing
___Accepts Direction
___Accepts Responsibility
___Communicates Effectively
___Loyalty
___Attitude
___Crime Scene Supervision
___Handling Of Major Events
___Scheduling & Coordinating
___Harmonious Environment Between Work Groups
___Operational Economy
___Evaluation Of Subordinates
___Displayed Leadership
___Training & Instructing
___Effective Under Stress
___Judgements & Decision Making
___Accepts Change
___Initiative & Enthusiasm

COMMENTS ON PRECEDING RATINGS

(Use additional sheet if more comments needed.)

Ratee's Initials:_____ Rater's Initials:_____

B. SPECIFIC SUPERVISORY SKILLS
(Check most appropriate line of each grouping.)

___Has mastered all technological systems routinely used by majority of unit.
___Has working knowledge of technological systems routinely used by majority of unit.
___Can assist subordinate with technological systems routinely used by unit.
___Can not assist subordinate with technological systems routinely used by unit.

___Report review by this supervisor show's no mistakes in the end result.
___Report review by this supervisor show's few mistakes in the end result.
___Report review by this supervisor show's mistakes in the end result.
___Report review by this supervisor is completely inadequate.

___This supervisor has mastered the core skills of his unit's area of responsibility (AOR).
___This supervisor has a working knowledge of the core skills of his unit's AOR.
___This supervisor can assist subordinates with the core skills of his unit's AOR.
___This supervisor has no understanding of the core skills of his unit's AOR.

C. NOTABLE ACCOMPLISHMENTS DURING THIS EVALUATION PERIOD:
(Attach additional sheet if more room is necessary.)

D. NOTED PROBLEMS DURING THIS EVALUATION PERIOD & REMEDIATION PLAN:
(Attach additiona sheet if more room is necessary.)

Ratee's Initials:_____ Rater's Initials:_____

E. RECORD SPECIFIC JOB STRENGTHS, PROGRESS ACHIEVEMENTS AND SPECIFIC JOB FUNCTION:
(Attach separate sheet if needed.)

F. RECORD SPECIFIC GOALS OR IMPROVEMENT PLANS TO BE UNDERTAKEN DURING NEXT EVALUATION PERIOD:
(Attach separate sheet if needed.)

G. PROMOTIONAL OR REASSIGNMENT POTENTIAL:

I, _____, (ratee) certify that this evaluation has been discussed with me. I understand that my signature does not necessarily indicate agreement.

___ Ratee wishes to speak with the Captain.
___ Ratee does not wish to speak with the Captain.

Ratee Signature:_____ Badge:_____ Date:___/___/_____
Rater Signature:_____ Badge:_____ Date:___/___/_____

Order #: I.17.SERGE **Date:** 11/27/2009
Category: DEPARTMENT ORDERS
Title: EVAL - SERGEANT

BRIDGETON POLICE DIVISION
SEMI-ANNUAL EVALUATION & PERFORMANCE
REPORT

Sergeant:_____ Badge:_____

Period: (circle one) Jan. 1st to Jun. 31 July 1st to Dec. 31st

Assignment: (circle one) 1st 2nd 3rd 4th NRTA NRTB SU CPU CS ACT

A. GENERAL CHARACTERISTICS: This section of the semi-annual evaluation will be based on the following scoring system. 5) Outstanding 4) Excellent 3) Satisfactory 2) Needs Improvement 1) Unsatisfactory. Any category listed with a 2) or 1) needs to be accompanied by notes.

___Observance Of Work Hours
___Grooming & Dress
___Compliance With Rules
___Safety Practices
___Suspect Contacts
___Public Contacts
___Interpersonal Relationships
___Knowledge Of Criminal Law
___Knowledge Of City Ordinances
___Knowledge Of Motor Vehicle Code
___Knowledge Of Case Law
___Knowledge Of BPD Rules & Regs.
___Knowledge Of BPD Directives
___Knowledge Of Responsibilities
___Planning & Organizing
___Accepts Direction
___Accepts Responsibility
___Communicates Effectively
___Loyalty
___Attitude
___Crime Scene Supervision
___Handling Of Major Events
___Scheduling & Coordinating
___Harmonious Environment Between Work Groups
___Operational Economy
___Evaluation Of Subordinates
___Displayed Leadership
___Training & Instructing
___Effective Under Stress
___Judgements & Decision Making
___Accepts Change
___Initiative & Enthusiasm

COMMENTS ON PRECEDING RATINGS

(Use additional sheet if more comments needed.)

Ratee's Initials:_____ Rater's Initials:_____

B. SPECIFIC SUPERVISORY SKILLS
(Check most appropriate line of each grouping.)

___Has mastered all technological systems routinely used by majority of unit.
___Has working knowledge of technological systems routinely used by majority of unit.
___Can assist subordinate with technological systems routinely used by unit.
___Can not assist subordinate with technological systems routinely used by unit.

___Report review by this supervisor show's no mistakes in the end result.
___Report review by this supervisor show's few mistakes in the end result.
___Report review by this supervisor show's mistakes in the end result.
___Report review by this supervisor is completely inadequate.

___This supervisor has mastered the core skills of his unit's area of responsibility (AOR).
___This supervisor has a working knowledge of the core skills of his unit's AOR.
___This supervisor can assist subordinates with the core skills of his unit's AOR.
___This supervisor has no understanding of the core skills of his unit's AOR.

C. NOTABLE ACCOMPLISHMENTS DURING THIS EVALUATION PERIOD:
(Attach additional sheet if more room is necessary.)

D. NOTED PROBLEMS DURING THIS EVALUATION PERIOD & REMEDIATION PLAN:
(Attach additiona sheet if more room is necessary.)

Ratee's Initials:_____ Rater's Initials:_____

Order #: I.18.SEG **Date:** 10/19/2009
Category: DEPARTMENT ORDERS
Title: STANDARD EVALUATION GUIDE - TESTS

TEST #1 Rules & Policy
Officer Trainee: _____ Date: ____/___/_____

1. The chain of command is only applied when you get the answer you want from the person
you ask. True _____ False _____

2. Prisoners should be handcuffed with their hands behind their backs.
True _____ False _____

3. You can pursue a vehicle for any motor vehicle violation when the suspect vehicle attempts to flee from you. True _____ False _____

4. When responding to a homicide with an active shooter, emergency response is required. You are not required to stop at any traffic control devices because of the emergency involved.
True _____ False _____

5. It is not necessary to document and report damage to your patrol vehicle because the next person driving it will be conducting a vehicle check. True _____ False _____

6. BPD Firearms & Tools Directive clearly states what weapos an officer can carry on duty
.
True _____ False _____

7. A slap jack can be carried when on duty as long as it is not purchased after January 27th, 1989. True _____ False _____

8. The City of Bridgeton has four basic area assignments of patrol.
True _____ False _____

9. It is not necessary to remove your duty weapon while processing a prisoner's fingerprints.
True _____ False _____

10. An assigned vehicle should be refueled at the end of every tour of duty.
True _____ False _____

My Field Training Officer has graded this test and found _____ incorrect answers. The F.T.O. has gone over all the noted errors with me and I now fully understand the material tested.

Trainee (Signature):_____
FTO Badge #:_____ FTO Signature:_____

ANSWER KEY TEST #1 (For FTO use Only)

1. False
2. True
3. False
4. False
5. False
6. True
7. False
8. False
9. False
10. True

Order #: I.18.SEG **Date:** 10/19/2009
Category: DEPARTMENT ORDERS
Title: STANDARD EVALUATION GUIDE - TESTS

Test #2 Title 2C:
Officer Trainee:_____
Date:____/____/_____

1. Conspiracy is the act of two or more persons agreeing to engage in conduct which constitutes a crime? True _____ False _____

2. If a person intends to break into a house by lifting an open window. but stops because he sees the police and walks away, you can not charge the person with an offense.
True _____ False _____

3. Simple Assault is a crime of what degree?

a. 1st Degree b. 2nd Degree c. 3rd Degree d. 4th Degree e. Disorderly Person

4. When a person enters a structure without license or privilege to do so, in order to commit a crime they are guilty of what offense?
a. Theft b. Conspiracy c. Criminal Trespass d. Burglary

5. While two kids are playing baseball, the ball strikes a house window and breaks the window. The homeowner tells you this is the second time it has happened and they want something done. Can you sign a complaint charging the kids with criminal mischief?
Yes _____ No _____

My Field Training Officer has graded this test and found _____ incorrect answers. The F.T.O. has gone over all the noted errors with me and I now fully understand the material tested.

Trainee (Signature):_____
FTO Badge #:_____ FTO Signature:_____

ANSWER KEY TEST #2 (For FTO use Only)

1. True
2. False
3. Disorderly Person
4. Burglary
5. No

TEST #3 Title 2C: Open Book Test (***USE 2C: MANUAL TO TAKE THIS TEST***)
Officer Trainee: _____ Date: ____/___/_____

1. If a 12 year old has sexual intercourse with a 17 year old. The 17 year old is guilty of aggravated sexual assault. Yes _____ No _____

2. Aggravated Sexual Assault is a crime of the 1st degree?
   Yes _____ No _____

TEST #3 Title 2C: Open Book Test (***USE 2C: MANUAL TO TAKE THIS TEST***)
Officer Trainee: _____ Date: ____/___/_____

1. If a 12 year old has sexual intercourse with a 17 year old. The 17 year old is guilty of aggravated sexual assault. Yes _____ No _____

2. Aggravated Sexual Assault is a crime of the 1st degree?
Yes _____ No _____

3. Theft of a notebook valued at $623.98 is a crime of what degree?
a. 1st Degree b. 2nd Degree c. 3rd Degree d. 4th Degree e. Disorderly Person

4. Theft of a motor vehicle valued at $195.00 is a crime of what degree?
a. 1st Degree b. 2nd Degree c. 3rd Degree d. 4th Degree e. Disorderly Person

5. For a person to commit an act of shoplifting, they do not have to leave the store with the property in their possession, when they conceal it with the intent to deprive the store of the value is when the shoplifting occurs. True _____ False _____

My Field Training Officer has graded this test and found _____ incorrect answers. The F.T.O. has gone over all the noted errors with me and I now fully understand the material tested.

Trainee (Signature):_____
FTO Badge #:_____ FTO Signature:_____

ANSWER KEY TEST #3 (For FTO use Only)

1. True
2. True
3. 3rd Degree
4. 3rd Degree (Under theft statute - grading) 4th Degree (Under Taking Means of Conveyance - Joyriding)
5. True

TEST #4 Title 39 Test
Officer Trainee: _____ Date: ____/___/_____

1. 39:3-4 deals with registration of a motor vehicle? True _____ False _____

2. A vehicle makes a left hand turn without utilizing a blinker during rush hour. This would violate one of the laws sections of Title 39. True _____ False _____

3. According to Title 39 an operator must utilize headlamps from dusk to dawn, or anytime windshield wipers are being used? True _____ False _____

4. A vehicle being operated in the State of NJ must be inspected, even if the vehicle is registered in another state? True _____ False _____

5. Window tint is not allowed on any window of the motor vehicles registered in the State of NJ. True _____ False _____

My Field Training Officer has graded this test and found _____ incorrect answers. The F.T.O. has gone over all the noted errors with me and I now fully understand the material tested.

Trainee (Signature):_____
FTO Badge #:_____ FTO Signature:_____

ANSWER KEY TEST #4 (For FTO use Only)

1. True
2. True
3. True
4. False
5. False

TEST #5 Title 39 Test (***OPEN BOOK Title 39 Portion)
Officer Trainee: _____ Date: ____/___/_____

1. A turn signal or stop lamp can be any color as long as it is visible to the rear of the vehicle. True _____ False _____

2. Parking near a fire hydrant is legal as long as the vehicle is not within _____ feet of the fire hydrant.
a. 10 b. 15 c. 20 d. 25

3. It is illegal to park within 20 feet of the driveway entrance to a Fire Station.
True _____ False _____

4. You must park no closer than _____ feet from a stop sign.
a. 20 b. 30 c. 40 d. 50

5. Pedestrians crossing the street is covered under title 39.
True _____ False _____

My Field Training Officer has graded this test and found _____ incorrect answers. The F.T.O. has gone over all the noted errors with me and I now fully understand the material tested.

Trainee (Signature):_____
FTO Badge #:_____ FTO Signature:_____

ANSWER KEY TEST #5 (For FTO use Only)

1. False
2. 10
3. True
4. 50
5. True

Order #: I.18.SEG **Date:** 10/19/2009
Category: DEPARTMENT ORDERS
Title: STANDARD EVALUATION GUIDE - TESTS

TEST #6 Arrest VS No Arrest - The Test
Officer Trainee: _____ Date: ____/___/_____

1. You respond to 88 That St. for a reported assault. Upon your arrival, you determine the assault victim is the spouse of the accused and the victim/accused have two children in common. The victim's lip is swollen and her chin and shirt are covered in blood. The victim tells you the spouse caused the injury during a fight. The spouse has no signs of injury and is calm.

Arrest _____ No Arrest _____

2. You respond to the dollar store for a fight call. Two subjects were involved in a mutual fight. There are no injuries to either person involved. One of the subjects tells you he wants to sign complaints for the assault. Arrest _____ No Arrest _____

3. While patrolling N. Pearl St. you see little Person A slap Person B in the face. The two subjects began arguing until you stop and approach them.
Arrest _____ No Arrest _____

4. It is 0400hrs and you see a subject walking on the sidewalk int he downtown area. You pull along side the subject and he starts running down the sidewalk. You yell to the subject to stop but the subject doesn't stop. Arrest _____ No Arrest _____

5. Utilizing scenario $4, before the subject runs from you, he gives you the middle finger, says "fuck you", and then runs. There is no one else around.
Arrest _____ No Arrest _____

My Field Training Officer has graded this test and found _____ incorrect answers. The F.T.O. has gone over all the noted errors with me and I now fully understand the material tested.

Trainee (Signature):_____
FTO Badge #:_____ FTO Signature:_____

ANSWER KEY TEST #6 (For FTO use Only)

1. Arrest
2. No Arrest
3. Arrest
4. No Arrest
5. No Arrest

Order #: I.17.PB.TC **Date:** 11/26/2009
Category: DEPARTMENT ORDERS
Title: EVAL - PATROL BUREAU TCO

BRIDGETON POLICE DIVISION
SEMI-ANNUAL EVALUATION & PERFORMANCE
REPORT

TCO:_____ ID #:_____

Period: (circle one) Jan. 1st to Jun. 31 July 1st to Dec. 31st

CALL TAKING ABILITIES

1 - Poor 5 - Average 10 - Outstanding

Voice Quality
1 2 3 4 5 6 7 8 9 10

Speaks Slowly & Clearly
1 2 3 4 5 6 7 8 9 10

Projects Authority & Knowledge
1 2 3 4 5 6 7 8 9 10

Uses Plain, Every Day Language, As Opposed To Police Jargon
1 2 3 4 5 6 7 8 9 10

Properly Greets All Callers And Includes Last Name
1 2 3 4 5 6 7 8 9 10

Demonstrates The Ability To Prioritize Calls
1 2 3 4 5 6 7 8 9 10

Demonstrates The Ability To Multi-Task
1 2 3 4 5 6 7 8 9 10

Maintains Police and Friendly Tone
1 2 3 4 5 6 7 8 9 10

Handles Difficult Callers Without Becoming Argumentative
1 2 3 4 5 6 7 8 9 10

Demonstrates The Ability To Direct Callers To Proper Department Or Agency
1 2 3 4 5 6 7 8 9 10

Ratee's Initials:_____ Rater's Initials:_____

CALL TAKING ABILITIES (CONTINUED)

Maintains A Professional, Business-Like Attitude When Taking Calls
1 2 3 4 5 6 7 8 9 10

Has The Ability To Calm Down An Upset, Hysterical, Hostile Or Angry Caller
1 2 3 4 5 6 7 8 9 10

Maintains Control Of All Telephone Conversations
1 2 3 4 5 6 7 8 9 10

Obtains All Necessary Information In The Least Amount Of Time
1 2 3 4 5 6 7 8 9 10

Asks Short, Specific Questions, To Gather Information Needed
1 2 3 4 5 6 7 8 9 10

Promptly Dispatches Emergency Calls Keeping The Caller On The Line
1 2 3 4 5 6 7 8 9 10

PERSONAL HABITS

Presents A Professional Appearance
1 2 3 4 5 6 7 8 9 10

Maintains A Clean And Orderly Work Space
1 2 3 4 5 6 7 8 9 10

Works Well With Officers, Other TCOs And Supervisors
1 2 3 4 5 6 7 8 9 10

Receives Only Emergency Personal Calls To Limit Disruption Of Work
1 2 3 4 5 6 7 8 9 10

Accepts Direction Well
1 2 3 4 5 6 7 8 9 10

Maintains Level Of Alertness During Entire Shift
1 2 3 4 5 6 7 8 9 10

Ratee's Initials:_____ Rater's Initials:_____

TECHNICAL ABILITY

Properly Enters And Removes Stolen Vehicles/Property - NCIC
1 2 3 4 5 6 7 8 9 10

Properly Handles Missing Persons Entries & Removals
1 2 3 4 5 6 7 8 9 10

Properly Completes And Files Copies Of Reports After NCIC Entries
1 2 3 4 5 6 7 8 9 10

Properly Enters All Necessary Information In the V-Cad System
1 2 3 4 5 6 7 8 9 10

Properly Completes Look-Ups, Warrant Checks, And Warrant Executions
1 2 3 4 5 6 7 8 9 10

Entries below (5) require additional explanation and a plan to correct the deficiency:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

I, _____, (ratee) certify that this evaluation has been discussed with me. I understand that my signature does not necessarily indicate agreement.

___ Ratee wishes to speak with Bureau Commander.
___ Ratee does not wish to speak with Bureau Commander.

Ratee Signature:_____ Badge:_____ Date:___/___/_____
Rater Signature:_____ Badge:_____ Date:___/___/_____
Rater Signature:_____ Badge:_____ Date:___/___/_____
Rater Signature:_____ Badge:_____ Date:___/___/_____

Order #: I.13 **Date:** 01/01/2010
Category: DEPARTMENT ORDERS
Title: DRESS UNIFORM & APPEARANCE

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 13

SUBJECT: DRESS- UNIFORMS AND APPEARANCE

EFFECTIVE DATE: 8-15-08
CHIEF OF POLICE:MARK W. OTT

BRIDGETON POLICE DEPARTMENT

1. All members shall maintain serviceable regulation uniforms and equipment according to initial issue.

   A. Unless otherwise assigned, members shall report for duty in clean uniforms.

   B. Uniforms shall be neat and pressed.

   C. Officers shall be properly equipped for their tour of duty.

      Patrol and Neighborhood Response Teams (Uniformed Personnel)

2. Uniformed members shall, generally, wear the duty uniform on a tour of duty.

   A. Supervising officers, with the Bureau Commander's approval, may change the authorized clothing.

   B. Other clothing will be based on the nature of the duty or duties assigned.

3. Required equipment for uniformed personnel:

   * Proper uniform shirt
   * Proper uniform pants
   * Polished boots or shoes (depending on assignment)
   * Proper uniform hat to be worn when out of the vehicle at all times with the sole exception of an emergency exit of the vehicle and or upon entering court. Uniformed officers not wearing their hat shall, as soon as practical after the emergency exit, make certain to put their hat on.
   * Proper identification (breast badge/name/badge #).
   * For summer and winter uniform - white undershirt.
   * White socks, if worn, shall not be visible from any position.

* Proper police duty belt:

- Approved firearm, magazines/mag. pouch, ammunition and holster
- Approved baton and holder
- Approved pepper spray and holder
- Flashlight and holder
- Handcuffs, key and pouch
- Whistle
- Folding knife
- Handheld radio and holder
- Bullet resistant vest
- Black Ink Pen
- Note Paper
- Motor Vehicle Summons Book
- Special Complaint Summons Book
- Patrol Handbook

When a member is in regulation uniform, the police badge will be worn on the left breast of the outermost garment, exposed to immediate public view.

4. All sworn members of the department shall, when in uniform, wear the regulation nameplate in accordance with department instructions.

5. Award or Commendation bars are to be worn in accordance to department instructions.

   All commendation bars, excepting those noted below are to be worn on the left breast, over the police badge.

   A. Order of commendation bars:

      RIGHT BREAST

      Medal Of Honor
      Purple Heart
      Medal of Valor (Red towards center of chest)
      Firearms Instructor Pin
      Firearms Expert Award

      (Max of three devices on right breast)

      LEFT BREAST

      Combat Cross Medal
      Meritorious Service Medal (Green towards center of chest)
      Life Saving Medal (Red towards center of chest)
      Exceptional Duty Medal

Honorable Service Medal
Negotiator's Medal
Community Policing Medal (Green towards center of chest)
Good Conduct Medal
K9 Medal (Black towards center of chest)
Firearm/Narcotics Enforcement Medal
Educational Achievement Medal (Green towards center of chest)
Unit Citation Medal
Veteran's Service Medal (Stars towards center of chest)

(Max. of six medals on left breast)

(Note – the bar itself signifies first award, 2nd and 3rd awards are represented by affixed stars, 4th and 5th by affixed acorns, 6th and 7th awards by affixed oak leaves and 8th & 9th awards by affixed crosses.)

(Note - Officers are not be required to wear medals.)

Pistol badges will be worn on the right breast, over the nameplate.

Officers will be allowed to incorporate a leather appurtenance to hold a maximum of six (6) commendation bars and police badge.

Hash marks are authorized for wear on the left sleeve of a long sleeve uniform shirt and coat. Officers having completed their fifth year of service with the Bridgeton PD may wear one hash mark. Officers having completed their tenth year of service with the Bridgeton PD may wear two hash marks and one additional hash mark for every five additional years of service completed with the Bridgeton PD.

6. Uniforms shall be in the style and material prescribed by the Chief of Police. Excepting tailoring for fit, no alterations shall be made, unless approved and authorized by the Chief of Police.

While on duty and unless assigned to an office function or duties, members required to wear the regulation uniform shall carry all prescribed duty equipment.

A. This includes all issued equipment pertinent to duty functions.

If an officer is assigned to office functions, the officer is to maintain duty equipment in a secured but immediately available manner, unless the duty is considered a light duty assignment.

(1) Uniforms transition will take place on the 1st of May to summer uniforms and the 15th of October for winter uniforms, or as otherwise specified by

Captain or Chief of Police. This will commence with the day shift personnel on each of these dates.

Investigations Bureau Personnel and Other Sworn Members

Members assigned to non-uniform duties shall dress appropriately.

Detective personnel assigned to secondary investigations:

a. Winter (October 15th to April 30th) – Detective personnel shall wear dress slacks, shoes, shirt, and tie.

b. Summer (May 1st to October 14th) – Detective personnel shall wear respectable dress style pants (khaki style pants) and presentable polo style shirts and presentable shoes.

c. Equipment required while outside City Hall:

Police Radio
Approved Handgun, Ammunition, Holster
Handcuffs and key
Pepper Spray
Police Badge and ID (Badge to be conspicuously displayed while firearm is unconcealed).

B. ACT unit personnel shall be allowed to dress as necessary in order to accomplish the police mission in narcotics enforcement.

Members of certain special units, that is, forensics, K9 and special services may be provided second class uniforms that may be worn in performance of special duty functions.

C. All members are to dress appropriately for all court appearances. This includes Grand jury testimony.

(1) Regulation uniform or coat and tie, or suit for males; appropriate ensemble for females

D. Members and employees attending schools and training seminars shall dress in accordance with the parameters set by the school or the instructors. First day of class shall always be with dress pants, shoes, shirt and tie or Class A duty uniform.

7. All members and employees of the department, while on duty, shall be neat and clean in person, as well as clothing. Uniforms will be in conformity to standards and regulations.

Leather will be properly maintained and shirt buttons buttoned. Uniform coats shall not be worn open and will be zipped or buttoned closed when worn at all times.

8. Initial Issue:

(1) Class A Shirt Long Sleeve
(1) Class A Shirt Short Sleeve
(1) Class A Tie
(1) Class A Tie Bar
(1) Class A Pants
(1) Class A Police Hat
(1) Metal Breast Badge
(1) Metal Hat Badge
(1) Metal Name Plate
(1) Collar Devices For Class A Shirt (NJ and PD)
(1) Pair of Leather Boots
(1) Whistle
(1) Class B Hat
(1) Rain Coat – Reversible to orange
(1) Traffic Vest
(1) Jacket
(1) Leather Garrison Belt
(1) Leather Pistol Belt With Metal Buckle
(1) Duty Holster for Issued Sidearm
(1) Leather Magazine Pouch for Issued Magazines
(1) Leather Handcuff Pouch
(1) Set of Handcuffs
(1) Leather Pepper Spray Pouch
(1) Monadnock Auto-Lock Baton and Holder
(1) Four Leather Belt Keepers
(1) Radio Belt Holder
(1) Belt Ring For Mag Lite
(4) Glock 22 Magazines
(1) Bullet Resistant Vest
(1) Police Radio
(1) 3 D Cell Mag Lite
(1) Glock 22 Pistol
(1) Folding Pocket Knife

9. Violations.

A. Officers found in violation of this policy shall be viewed as a Class D violation for first offense.

Order #: I.38 **Date:** 01/31/2014
Category: DEPARTMENT ORDERS
Title: POLICE CHAPLAINS

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 38
REVISION DATE: 1-31-2014

SUBJECT: Police Chaplain Program

EFFECTIVE DATE: January 31st, 2014
CHIEF OF POLICE:Mark W. Ott

Purpose:

The Bridgeton Police Department recognizes the influence and impact that religious leaders have on people's lives within the community. This directive creates a partnership with the various religious leaders of the community to respond and assist Police with providing an overall better quality of service to the citizens of the City of Bridgeton.

Policy:

It is the policy of the City of Bridgeton Police Department to work together in a partnership with qualified religious leaders, regardless of denomination, who are available to respond during a crisis or time of need in providing a more personalized quality of service to the community. The goal is to have the Police & Clergy working together during certain crisis or incidents so that a more comprehensive response will be given to those in need. The religious leader will perform tasks of a more spiritual nature while the Officer handles those tasks that are of a law enforcement nature.

Being a Chaplain of Police is a vital position. The Chaplain's role is to embrace the pulse of the Department and its personnel. As the world becomes more complex, facing the problems of life become more difficult. People may become emotionally and spiritually crippled when they find that what used to work is no longer effective in coping with life's pressures. Many times people under stress look to public servants such as the Police for answers and assistance to their problems. The public sometimes sees the Police as the 'perfect' person who can do almost anything. They expect the Police to solve problems, make the complex simple, and perform emergency responses without experiencing any emotional turmoil in the process. The truth is that Police and emergency service personnel do sustain a tremendous amount of stress because of what they do, more so than perhaps any other profession.

Enter the Chaplain. The role of the Chaplain is to be the 'balancer'. The Chaplain program is established to provide support for Police Officers and civilians who are stressed in either a spiritual or emotional way. Chaplains are there to provide appropriate assistance, advice, comfort, counsel, and referrals to those in need who request such support.

Procedure:

1. Definition
2. Eligibility
3. Training
4. Duties
5. Chief's responsibilities & duties.

1. Definition.

   a. A Police Chaplain

      Chaplains must be a duly ordained clergy person with a degree from an accredited institution or a certificate from an accredited course of instruction. They must be an active participant in their respective place of worship and presently affiliated with a duly recognized religious group within the City limits of Bridgeton or within a five mile radius of the City limits of Bridgeton.

2. Eligibility.

   a. The candidate for Chaplain must possess a valid New Jersey driver's license.
   b. Maintain high spiritual and moral standards.
   c. Never have been convicted of a criminal offense or an offense involving moral turpitude.
   d. Not be currently under indictment, on bail pending court, on parole, probation or in any way be associated with any current criminal court proceedings.
   e. Willing and able to respond to situations where the presence of a Chaplain is requested.
   f. Must not be supporting or involved in any questionable activity or subversive activity against the governments of the United States or the State of New Jersey.
   g. Able to demonstrate compassion, understanding and love for fellow humans and be tactfully and considerate in their approach to all people regardless of race, creed or religion.
   h. Those who wish to apply for the position of Police Chaplain will send in writing a letter to the Chief of Police requesting same and include the following:

      1. Copy of degree from an accredited institution/certificate from an accredited course of study.
      2. Identify place of worship where you are an active leader in the congregation.
      3. Name of duly recognized religious group.

4. Copy of driver's license
5. Social Security Number
6. Telephone number

3. Training.

   a. Attend an orientation class hosted by the BPD that acquaints them with the personnel, code of conduct, policies and procedures of the BPD.
   b. Participate in a 'ride along' with a Police Supervisor for at least two hours.
   c. Trained in station house adjustment procedures for juveniles.
   d. Trained in the procedure to follow should a person reveal information that indicates criminal acts or other offenses while the Chaplain is working in his role as Police Chaplain.

4. Chaplains Responsibilities and Duties.

   a. A polo shirt, baseball cap and jacket will be issued to each Chaplain. These items will only be used when a Chaplain is performing official duties in conjunction with the BPD.
   b. Chaplains perform a volunteer service and should agree to be available (on call) for a time period set by the Chaplains themselves.
   c. Police Chaplains will wear clothing representative of their faith or proper business attire. While at Police HQ, during ride along(s), or at the scene of incidents they are asked to wear at least one form of the issued identification wear (shirt/jacket/hat).
   d. Perform the station house adjustment task in accordance with BPD Directive that will include initial interview with juvenile (and parent/guardian) , service required by juvenile in lieu of official complaints(s), and follow-up to ensure juvenile fulfilled service required.
   e. Because of the nature of the information received in personal counseling and through confidential reports or observations, the Police Chaplain will maintain strict professional privilege in these matters. (It is noted that any conversations held which indicate criminal activity on the part of the person speaking to the Chaplain are not privileged conversations and the information is to be relayed to the Bridgeton Police Department as required by law).

   Note: Chaplains and BPD personnel will be instructed that when a BPD member is in potential need of non-mandatory counseling the Division will recommend that they avail themselves of the whatever options are available through their medical insurance program and/or spiritual guidance available through the Police Chaplain's Program or both.

   f. Police Chaplains are accorded no police powers. Chaplains are not authorized to verbally or physically interfere with any Officer during any incident.

   g. Police Chaplains may also be asked to do the following:

1. Counsel members experiencing personal problems at their request.
2. Officiate at weddings.
3. Attend funerals/viewings of BPD employees or employees family members.
4. Visit sick employees at home or in hospitals.
5. Assist the BPD when making death notifications.
6. Respond to scenes of tragedy such as homicides, suicides, situations involving fatalities, etc.
7. Respond to Police Headquarters to offer counseling to victims and or suspects in Domestic Violence situations.

5. Department's Responsibilities and Duties.

a. The Chief of Police must approve all Chaplains based on the requirements set forth in 1.a. and 2.h.
b. The Department shall hold meetings with Chaplains to gauge progress, address issues, and review procedures on an as needed basis.
c. The Lieutenant in Charge of the Special Services function or his designee shall be designated as the Police Chaplain Coordinator that can handle issues such as equipment, scheduling, ride along(s), new Chaplain applicants.
d. Present the Chaplain program to all Division employees explaining how it works, referrals, station house adjustment program etc.
e. Ensure that a current list of Chaplains is on the BPD intranet.

NOTE - Police Chaplains are permitted and encouraged to ride along on patrol with officers at any time. The members of the Police Chaplain program are not covered by the standard "Ride-Along" directives of the Department as they are not ordinary citizens and are in effect part of the Department's cadre of professional personnel. Officers may not refuse a "ride-along" assignment with a Police Chaplain.

Order #: I.21 **Date:** 01/01/2010
Category: DEPARTMENT ORDERS
Title: INCIDENT COMMAND

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 21
OF PAGES: 12
REVISION DATE

SUBJECT: INCIDENT COMMAND SYSTEM
EFFECTIVE DATE:

CHIEF OF POLICE
COURTLANDT A. TURNER

CROSS REFERENCE #:

I. POLICY STATEMENT:

This agency is forthwith adopting a standardized Incident Command System for integration with day to day duty functions. Officers in the matter of simple incidents already use the Incident Command System (ICS). The ICS needs to be recognized as a means of controlling more complex or high risk incidents and the advantages in successfully accomplishing the police mission.

II. DEFINITIONS:

Incident Command System (ICS): an organized, systematic set of procedures used to manage incidents reported to the police, involving assessment of incident priorities, chain of command, integrated communications, a clearly delineated span of control and unity of command.

Incident Commander (IC): that person in overall charge in managing any specific incident, from the very simple to the very complex.

Incident Priorities: life safety (inclusive of personnel), incident stabilization, and property conservation.

Integrated Communications: management of communications at an incident through a common (multi- agency) communications plan, using common terminology and CLEAR TEXT.

Designated Incident Facilities: refers to the command post (CP), the incident base or

staging area, press/media area, etc. as determined by the IC.

Span of Control: refers to the number of personnel supervised by an individual supervisor. Optimal number ratio is 1:5, but never more than 1:7.

Task Force: is any combination of single resources put together for a temporary assignment involving the incident.

Single Resources: Traffic units, K9 teams, patrol units are considered single resources. Crews (specific number of personnel assembled for an assignment) are considered Single Resources.

Strike Teams: a team comprised of a set number of resources of the SAME KIND and TYPE (examples: Tactical units, emergency medical transport units). Both task force units and strike teams are use to reduce span of control in a complex incident.

Divisions: are organizational levels responsible for operations in a specific geographical area at an incident.

Groups: are organizational levels responsible for a specified functional assignment at an incident, i.e., Security Group and Entry Group.

A DIVISION AND GROUP OPERATE AT THE SAME COMMAND LEVEL- ONE DOES NOT WORK FOR THE OTHER. One assignment is geographical and the other is functional. When a GROUP'S function crosses established DIVISION boundaries, and a SPECIFIC ASSIGNMENT IS GIVEN TO GROUP, the DIVISION is no longer responsible for that task.

Unity of Command: each individual officer will report to only one supervisor during the duration of the incident.

UNIFIED Command: is the concept of shared responsibility for the overall incident management as a result of multi- agency or multi-jurisdictional incident.

Operations Officer: the officer responsible for the implementation of the Action Plan to meet strategic goals and tactical objectives as set by the IC.

Safety Officer: the officer assigned to specific overall safety responsibilities within the parameters of the incident, pertaining to all emergency workers, occupants and bystanders at an incident.

Liaison Officer: an officer assigned as the point of contact for assistance or coordination with other agencies, where coordination of assisting agencies allows each agency to do what it does best without duplication of efforts. The Liaison officer will interact with others agency's personnel having decision-making authority.

Information Officer: this officer is responsible for interfacing with the members of the media and other appropriate agencies. The Information Officer also acts as the central clearinghouse for dissemination of information, thereby reducing the risk of receiving conflicting information from multiple sources.

Logistics Section (Officer): the officer responsible for providing facilities, services and materials for the incident.

III. ICS Command and Command Staff Functions

A. Assessing Incident Priorities: each incident must be assessed in the following manner:

1. Life Safety: issues involving all emergency workers, occupants and bystanders at an incident. Law Enforcement has three basic goals: protection of life, protection of property and enforcement of the law.

2. Incident Stabilization: the IC is responsible for determining the strategy that will minimize the impact the incident may have on the surrounding area as well as his/her jurisdiction. Size and complexity of the ICS should be directly proportional to the size and complexity of the incident to be managed.

3. Property Conservation: refers to achieving goals and objectives at an incident while minimizing property damage.

B. Determining strategic goals and tactical objectives

1. Proper direction of available resources to minimize injuries and damage

2. IC must determine the broad strategic goals for the incident and,

3. Transforms same into obtainable, tactical objectives.

4. Example: GOAL: Save human life (hostage situation);
TACTICAL OBJECTIVES: hostage negotiation, hostage- taker(s) containment, prepare sharpshooter team and entry team.

C. Developing and Implementing the Action Plan

1. The action plan, particularly in a simple incident, is primarily developed by the IC and may not need to be written down.

2. Complex incidents the action plan will be written document developed by the command staff, headed by the IC.

3. Action plans must be flexible and continually assessed due to the dynamic nature of incidents usually involving law enforcement personnel.

D. Developing an appropriate Organizational Structure

1. Organizational structure is dependent on COMPLEXITY of the incident.

   a. It is NOT based on size or area of involvement

2. It is the numerous functions that need to be staffed in a complex incident that calls for expansion of the organizational structure; i.e., building fire and building collapse, hazardous materials and several exposures, etc., call for many functions to be accomplished and would need an expanded organizational structure.

E. Management of Resources

1. Effective management of resources requires that personnel safety be given first priority.

2. Goals and objectives must be weighed against the benefit/risk factor. As an incident escalates, the IC will have need to appoint a Safety Officer.

3. The IC must continually evaluate and adjust deployment of resources.

   a. Initial incident assessment and resource assessment is only a first step.

   b. Upon determining Goals and Objectives and deploy the resources to attain same, one of two actions will occur:

      (1) The plan will be successful

      (2) The plan will have to be revised

   c. Additional resource requirements will lead to reorganization.

   d. Do not gamble on having enough resources-- if it appears to the IC he/she has "just enough" resources, it is time to get additional resources.

F. Coordination of overall emergency activities

1. Coordination is essential to effective incident management.

2. It keeps resources from doing wasted tasks.

3. The IC must constantly monitor incident activities.

4. A goal is the obtainment of maximum productivity from all on-scene resources.

G. Additional Functional Responsibilities

1. Scene Safety

2. Liaison Functions

3. Information Dissemination

4. The IC in simple incidents may handle these three areas

a. In more complex incidents, these functions should be delegated by the IC to command staff individuals.

IV. Command Post Need

A. May vary in type and size for various incidents.

B. Should be established for all incidents.

1. Provides a central, stationary location to assist the IC with incident command and control.

2. The CP is the field office for management functions

a. Gathering, analyzing and disseminating information

C. A CP is normally established because of an incident's size or complexity; and, can start out as a patrol car and end up in a command trailer.

1. The CP should be isolated from noise and confusion

2. It needs effective communications capacity

3. It should contain an incident status board.

4. The CP must be large enough to accommodate the number of people that will be working there.

5. A view of the incident is nice, but not essential.

D. Initial staffing

1. The IC and an assistant or advisor if necessary

2. The command staff if required: Safety officer, Liaison officer and Information officer.

3. Larger and more complex incidents may also call for additional command staffing: Operations Officer, Planning officer, Logistics officer and Financial officer can work out of the CP.

E. CP location

1. Should be announced upon being established.

2. Identified by GREEN light and/or flag for other agency resources.

3. Controlled access to diminish unauthorized intrusion.

V. STAGING/Staging Area(s)

A. Staging is a resource marshalling area where units report while awaiting specific assignment.

B. Staging area units should be ready for immediate deployment.

C. Staging area for resources is under the command of a Staging Area Manager.

1. The IC appoints this officer.

2. The manager shall establish a resources check- in procedure for all reporting units.

3. The manager will respond to requests for resources.

4. The manager will keep the IC and Operations Officer advised of resources status within the staging area.

D. It may be necessary to establish more than one staging area.

1. Each area will need a manager.

2. In the event multiple staging areas are established, the managers will report to the Operations Officer.

3. Staging areas for different emergency disciplines may have to be established based simply on the number and amounts of resources and equipment (police, fire, ambulance, etc.).

VI. Media

A. In any type of incident that is prolonged, a threat to the public, etc., the agency can expect media coverage of it.

B. The IC will designate a member of the agency as Information Officer (Public) and same will establish a media staging area near the incident scene, but outside of the scene's perimeters.

1. No member of the media will be allowed within the perimeters without the express permission of the IC.

2. It can be expected that members of the television media will attempt to find locations enabling filming. If the camera crew is not in a position of physical jeopardy; and, they are outside the established perimeters of the incident scene, no member of this agency will take it upon himself/herself to interfere.

C. Only the PIO or IC will provide on- scene releases to the media.

D. Arrangements for press conferences at the incident conclusion will be made through the PIO.

E. Only media members exhibiting valid press credentials will be permitted into the media staging area.

VII. Financial Officer

A. A financial officer will usually only be appointed during a multi-.agency, multi-jurisdictional incident, such as HazMat or disaster.

B. This officer is responsible for maintaining cost documentation on the incident.

1. To this agency in resources

2. Necessary rented/leased equipment

3. Cost to the other participating agencies, for total cost of the incident.

C. Other participating agencies should assign a member to assist the Financial Officer with documentation of cost figures to their particular agencies.

VIII. CHAIN OF COMMAND/SITUATION CONTROL

A. The first arriving officer (two or more arriving simultaneously, the senior officer) upon arriving at the incident scene assumes the role of IC; and, initiates the direction of other responding officers. The working supervisor will be notified of the incident promptly.

B. Chain of Command Structure:

1. The first arriving officer on scene automatically assumes the role of IC.

2. An arriving supervisor will assume command from this officer, provided an officer of equal or higher rank has not already assumed command.

3. Additional resources arriving at the scene should report to the CP (unless a staging area has been set up) for area of responsibility assignments.

4. Within the command chain, the following procedures will regulate the actual transfer of Incident Command:

a. The officer assuming command will communicate with the person being relieved FACE TO FACE. NO OFFICER NOT ON SCENE WILL BE GIVEN COMMAND OF THE SITUATION.

b. The person so being relieved will brief the officer assuming command of the following:

(1) General situation status:

(a) Incident conditions
(b) Safety conditions

(2) Deployment and assignments of personnel already on scene.

(3) Appraisals of need for additional resources.

IX. INCIDENT DOCUMENTATION

A. The IC will, establish a procedure for documenting the incident, through a chronological log and assignments log.

1. Arrival/departure of special equipment

2. Arrival/departure of all emergency personnel.

    a. If staging area or areas have been set up, personnel and equipment will report there.

    b. Logs for personnel and equipment become the responsibility of the Staging Site Managers.

3. Time and type of multi- agency assistance requested

4. Disposition of equipment

5. Personnel assignments and task functions, listing the supervisor or functional supervisor for each unit/team.

B. This function may be assigned to an appointed RECORDER in the larger or more complex incidents.

C. Whenever feasible, a unit should be assigned to video taping the incident from within the perimeter, keeping in mind personal safety.

X. Communications networking

A. The Incident Command System (ICS) will call for an Operational (working) Channel whenever regular radio transmissions will interfere with the incident being managed, the incident leads to multi- agency resource use and/or prolonged activity at the scene.

B. The IC must be cognizant that in choosing an Operational Channel each responding agency can communicate on same.

C. Procedures

1. Determine the need for a separate Operational Channel.

2. Report the Operational Channel frequency to the Central Dispatch Desk, and all responding personnel.

3. Inform other agencies of the location of the CP at the time aid requests are made.

4. Maintain one radio within the CP. to the primary agency channel.

XI. Incident Debriefing

A. At the conclusion of an incident and as soon as possible thereafter, the IC will call for a general debriefing of incident participants. The chiefs of all participating agencies should also attend the debriefing.

B. Purpose is that of HONEST critiquing of the situation, so as to more effectively respond to a future situation.

XII. Agency Review

A. The Chief of Police or his division commander may call for a review of the incident and agency personnel's involvement in same.

1. Interview all parties necessary; and, call for special reports as needed.

2. Review all written documentation and video pertaining to the incident.

3. Call for assessments on the event or the pertinent policy and procedures.

B. The chief may direct a panel of officers to review all or part of an ICS event, in order to establish strengths and weaknesses in training, communication, procedures, mutual aid guidelines or future financial needs of serious Critical Incidents whereby a complex ICS Command Structure is used.

XIII. OPERATIONS

A. INCIDENT COMMANDER RESPONSIBILITIES

1. Determination for need of formal ICS activation

2. Life Safety Issues addressed

a. Victims, innocent others

b. Accused parties as reasonable

c. Police personnel, all emergency rescue personnel

3. Situation Stabilization

4. Property Conservation

5. Goals and Objectives: The Action Plan

a. Resource needs

b. Perimeters, evacuations, traffic routing, etc.

c. Plan implementation

6. Assessment and revision

7. Command Post

a. Location

b. Communications links, Ops channels

8. Development of Command Staffing Positions in Large or Complex Incidents.

a. Operations Officer

b. Staging Manager

c. Formation of Branches and/or Groups

d. Additional Resource Needs/Mutual Aid assistance

9. Incident Documentation

a. Assigned Recorder, if necessary

b. Public Information Officer

(1) Media Staging Area

(2) Information Releases

(3) Press Conference arrangements

10. Situation Control

11. After Action Debriefing

B. SITUATIONAL CONTROL (CHAIN OF COMMAND)

1. First arriving officer becomes Incident Commander until properly relieved of said role.

a. Life Safety Issues

b. Situation Stabilization

c. Property Conservation

d. Assign additional officers to necessary perimeter functions, as applicable.

(1) Necessary Evacuation, Traffic Routing, Etc.

(2) Developing Action Plan: GOALS & OBJECTIVES

(3) Based on information, observations

2. Responding Supervisor

a. Total Briefing of Situation, Resources available

b. Additional Resource needs

c. Taking Command (face-to-face)

(1) Proper Notifications made

(2) Set up Command Post if not already established

(3) Assess Action Plan, make any necessary adjustment:

(a) Resources requirements

(b) Reallocation of Resources

(c) Staging Areas

(4) Incident Documentation

(a) Appoint a Recorder in a large or complex situation

(b) In a simple incident the IC is also the "Recorder"

(c) Make use of MEMO BOOK, ASSIGNMENT SHEETS, SCENE SURVEY FORMS, MAJOR CRIME LOG FORMS SCENE SIGN- IN LOG FORM

C. COMMUNICATIONS NETWORKING

1. DISPATCHER RESPONSIBILITIES:

a. Upon receipt of a call with characteristics involving a situation calling for a formal ICS structure, dispatch appropriate unit or units and advise the supervisor.

b. Handle all communications necessary toward Life Safety, Situation Stabilization and Property Conservation under direction of the IC until a command Post is established and Ops Common Channel(s) are established; and, "on-line"

c. Verify all necessary Department Notifications have been made.

d. Upon direction, make call-up contacts with Department personnel for necessary additional Resources.

(1) Upon direction of the Chief Law Enforcement Officer or his designee, the Dispatcher may become involved in Mutual Aid Notifications.

(2) Usually, the CLEO or his designee will make these calls.

e. Maintain responsibility for all normal city- wide Radio, telephone operations during the Critical Incident.

f. Any and all additional responsibilities as directed by the IC, the CLEO or their designees in order to maximize efficient operations.

Order #: I.40 **Date:** 11/01/2008
Category: DEPARTMENT ORDERS
Title: INTER-DEPARTMENTAL COMMUNICATIONS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 40
SUBJECT: INTER-DEPARTMENTAL COMMUNICATIONS AND CORRESPONDENCE

EFFECTIVE DATE: NOVEMBER 1, 2008

REVISION DATE: SEPTEMBER 14, 2011

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS:

THIS POLICY SUPERCEDES AND INCORPORATES PREVIOUS DIRECTIVE I.5 - COMMUNICATIONS AND CORRESPONDENCE; EFFECTIVE 11/01/2008

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:40-1 PURPOSE

It is a priority for the Bridgeton Police Department to disseminate information in a timely and accurate manner to ensure that its mission of protection and service are carried out efficiently and properly.

I:40-2 POLICY

It is the policy of the Bridgeton Police Department to communicate effectively and professionally, while at the same time limiting interference with working conditions due to inappropriate disruptions. The extended purpose of this directive is to reduce down time and prevent unnecessary litigation or other problems.

I:40-3 PROCEDURE

I. DEFINITIONS

A. COMMUNICATION: The transference of information, ideas or other concepts from one person to another.

B. COMMUNICATIONS CENTER: The dispatch area of the police department.

C. DISSEMINATION OF INFORMATION: The authorized passing of information from one source to another by some means of communication.

D. DEPARTMENT ADDRESS: The official mailing address for the Bridgeton Police Department.

E. DEPARTMENT LETTERHEAD: Official correspondence paper with the department address and other source location identifying information.

F. DEPARTMENT MAIL CENTER: A shelving system with slots for department personnel by which they can receive various types of notices, mailings, etc.

G. FAMILY EMERGENCIES: A situation requiring the immediate attention of the employee. Non-serious communications do not apply.

H. FCC: Federal Communications Commission

I. PERSONAL RECORDING DEVICE: Any device capable of recording noise, speech, conversation or sounds produced by people, animals, machines or electronic devices.

J. PROFESSIONAL COMMUNICATION: Communications, be it verbal, written or which passes electronically from one employee to another person or persons. A communication which is free of inappropriate comments, inflection, ridicule, scorn or other inappropriate phrases, sounds or words.

K. SUBPOENA: Any court notice or other written or verbal notice to appear for court.

L. TELEPHONE: An electronic means of communication, be it standards land line, cellular telephone, push-to-talk telephonic or radio communication, text messaging or internet-type communications.

II. COMMUNICATIONS

A. Personnel who are assigned to the Communications Center, whether sworn or non-sworn, shall not carry a personal telephone while in the center, (Policy I.5)

1. During working hours, private telephone calls shall not be received by personnel assigned to the police dispatch function, unless the telephone call is a family emergency.

2. Department assigned dispatch personnel shall not, while operating a personal or department owned vehicle, utilize a telephone in a manner

that does not meet statutory requirements for hands-free use. Personnel are also subject to charges under the New Jersey Motor Vehicle & Traffic Laws, Title 39 for violations.

3. The Communications Center is to be considered off-limits to all non-essential personnel, (Policy I.5).

B. All department personnel are required to maintain a working telephone number for emergency contact purposes by this department (cellular and/or land line). Any changes to this emergency contact number are to be reported to the following entities within 24 hours:

1. Office of the Chief of Police;

2. Office of the Captain of Police;

3. Bridgeton City Hall Annex, Personnel Office

C. All department personnel are required to maintain their actual home address on file with the same entities as referenced in section II.B above. Any changes shall be forwarded to the above within 24 hours.

D. Violations for section II. A-C above shall be charged as a Schedule D matter for the first offense.

E. Police personnel (full or part-time) may carry a telephone while in the performance of their duties, with the following restrictions:

1. Officers, while on duty, shall not accept personal telephone calls, to the point of distraction, unless they are a family emergency.

2. Officers shall abide by all statutory provisions for hands-free telephone use while operating personal or department owned vehicles. Personnel are also subject to charges under the New Jersey Motor Vehicle & Traffic Laws, Title 39 for violations.

3. Violations for section II.E above shall be charged as a Schedule D matter.

F. Personnel shall never divulge police information that is learned while working for the department to any non-law enforcement persons or as prescribed by law.

1. Violations of section II.F above shall be charged as a Schedule B matter for the first offense.

G. Department personnel shall keep all communications as professional communications at all times.

1. Violations of section II.G above, depending on the seriousness of the breach in conduct shall be charged as a Schedule C matter for the first offense.

H. No department personnel are authorized to use the department address for personal mail delivery, nor as an address for a vehicle registration and/or driver's license.

1. Violations of section II.H above shall be charged as a Schedule D matter for the first offense.

I. Forwarding communications to a higher command:

1. Any member or employee receiving a communication for transmission to a higher command shall, in every case, forward such communication as soon as possible.

2. A member or employee receiving a communication from a subordinate, directed to a higher command shall endorse the communication, indicating approval or disapproval or acknowledgement of review.

3. Violations of section II.I above shall be charged as a Schedule D matter for the first offense unless the offense was so grossly negligent that it would be viewed as much more severe. In this case, the matter would be charged as a Schedule B offense.

III. INTERNET USAGE

A. Department members shall not utilize internet connections for any purpose that is not official police business.

1. The following are examples of approved internet usage:

a. Virtual Academy

b. NJLEARN

c. Complaint Generation

d. MVC/SCIC/NCIC

e. Checking State Websites

f. Researching Equipment and/or Training Information

g. Approved Usage by Commanding Officer

h. Any other work related issues

2. The following are examples of unapproved internet usage:

a. Social Media: Internet-Based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, You Tube), wikis (Wikipedia), blogs and news sites (Digg, Reddit).

b. Surfing the internet for non-police topics

c. Surfing pornographic sites or photographs

3. Violations of section III.A above shall be charged as a Schedule C matter for the first offense.

IV. MAIL SYSTEM

A. Department Letterhead

1. Members and employees shall not utilize department letterheads for private correspondence.

2. Department correspondence will only be sent through the Chief of Police or his explicit designee with a copy to the Chief of Police. The letterhead correspondence is subject to review by the Chief of Police or his designee prior to being sent.

3. Violations of section IV.A above shall be charged as a Schedule D matter for the first offense.

B. Department Mail Center

1. All officers who are assigned a mail slot in the department mail center shall keep that mail slot free of any paperwork and/or articles. Upon reporting for duty, each employee shall proceed to their respective mail slot and check same for new items, notices, information, etc. and shall remove those items and address them appropriately. No items are to be left inside of an employee's mail slot, as this will allow the employee to know that something new

has arrived or not and a timely dissemination of information shall occur.

2. Bureau commanders and supervisors are expected to monitor the status of the mail center for order and efficiency. Bureau commanders are also responsible for ensuring that each employee in their command is assigned a mail slot.

3. Violations shall include, but not be limited to the following:

   a. Failing to check and clear the mail slot. This is also applicable to those employees who are off on duty-injury status, if the employee is incapable of collecting the mail, then shall make arrangements with their supervisor to get any notices.

   b. Allowing the mail slot to be cluttered with articles and/or paperwork.

4. Violations of section IV.B above shall be charged as a Schedule D matter for the first offense.

C. Department E-mail / Mobile Data Terminal Messaging

1. Department e-mail shall be checked on a daily basis upon reporting for duty. Officers are expected to remain informed through this useful notification system.

2. Officers are expected to utilize the department e-mail system for police business only and shall remain professional while utilizing same.

3. Employees out on any form of extended leave are responsible to make certain that they remain in touch with the department e-mail system so that they do not miss important updates and/or court subpoenas.

4. Violations of this section shall include but not be limited to the following:

   a. Unprofessional language

   b. Non-police related information

   c. Utilizing the system as a frustration and/or venting platform.

5. Violations of section IV.C above shall be charged as a Schedule D matter for the first offense.

V. DEPARTMENT TELEPHONES

A. The department owned telephone system and department owned cellular telephones may not be utilized by any member or employee of this department for the transmission of personal messages and/or communications to the point of incurring extra costs or distractions while on duty. They may be utilized to make or receive communications concerning family emergencies.

B. Toll calls from department owned telephones require prior approval from a command level officer.

1. Some toll type calls are pre-approved and include the following:

a. Vehicle insurance information and/or verification

b. Contacts to other police agencies for department related matters.

c. Conducting secondary investigations

C. Violations of section V.A-B above shall be charged as a Schedule C matter for the first offense and the costs of the related toll charges will also be assessed against the member or employee.

D. Telephone / Intercom Etiquette

1. When answering a department telephone call, all members and employees shall answer with the appropriate information:

a. "Bridgeton Police (unit identifier), this is (title and name), how can I help you".

2. Violations of section V.D above shall be charged as a Schedule D matter for the first offense.

VI. PERSONAL RECORDING DEVICES

A. Every member of this department is permitted to carry a personal recording device for the following reasons:

1. Recording notes during an investigation for later transcription onto police reports, (Policy III.17).

2. To surreptitiously record conversations between the officer and the person reporting a crime / offense or providing a witness statement, (Policy III.17).

3. Recording police to citizen contacts to eliminate the possibility of false allegations.

4. Recording noise ordinance violations.

5. To record suspect statements taken during criminal investigations as prescribed by the Attorney General's Guidelines on electronic recordation of stationhouse interrogations and Bridgeton Police Policy III.15.

6. To record interviews for administrative investigations as per Policy I.6.

7. Other uses as approved in writing by the Chief of Police.

8. Whenever possible, communications of recorded statements shall be attached to the IMPACT system's Blotter or Case Entry for that particular case.

B. Prohibitions on recordings

1. No employee of this department is permitted to record telephone conversations, except those calls that are incoming or outgoing on the departmental standard recorded lines which contains the advisory tone at intervals.

2. No employee may record a conversation with another department employee without the express written permission of the Chief of Police and/or the County Prosecutor.

3. No employee may record a conversation with any other City official or employee without their knowledge unless it is approved by the Chief of Police and/or the County Prosecutor.

4. Violations of section VI.B above shall be charged as a Schedule A matter for the first offense. Criminal charges for illegal wiretap or other matters may also apply.

VII. SUBPOENAS

A. Records personnel, upon receiving subpoenas, (i.e. Superior Court, Municipal Court, etc.) will log the subpoena by hand for signature collection by the subpoenaed party. Records personnel shall maintain

the hard copy of the subpoena in the records bureau until such time as the employee arrives to collect the subpoena and sign for same in the log.

B. Records personnel, upon receiving subpoenas, will issue an e-mail via the IMPACT e-mail system with a return receipt to the subpoenaed party. The e-mail will contain the following information:

1. The nature of the subpoena (i.e. stand-by trial, trial, grand jury, etc.)

2. The date and time of the appearance or time frame in case of stand-by.

3. The name and/or general location of the court and the Judge's name.

4. Any other relevant information.

C. Employee's receiving the e-mail notification are expected to read and comply with the provisions of these electronic subpoenas as if they were the hard copy. If an e-mail is not shown to have been received in a reasonable amount of time, records personnel will send another notification to the subpoenaed party with an attachment to their respective supervisor.

1. Failure to read this e-mail, abide by or appear for the court appearance shall be viewed as a Schedule C offense on the first occurrence.

D. Employees, receiving this electronic subpoena notification shall appear in the records unit to sign for the hard copy subpoena, but shall also be held accountable for the electronic service.

VIII. RADIO COMMUNICATIONS

A. The FCC monitors radio use for the purpose of curbing radio abuse.

1. Radio abuse will result in FCC sanctions in the form of:

a. Monetary fines

b. Suspension of frequency usage

c. Revocation of frequency usage

2. Regulations as set forth in department policies and promulgated by the FCC will be strictly observed by all department users of the police department radio system. Therefore, employees shall not abuse radio procedures established by the department.

B. Radio transmissions are subject to monitoring by supervisors, command officers and the Chief of Police.

1. Monitored abuses or misuses of the department's police radio will not be ignored.

2. Consistent and/or heinous abuses will lead to severe disciplinary action directed at the abuser.

C. Radio broadcasting procedures

1. Avoid unnecessary repetition of messages

2. Speak clearly, as well as, slow enough to be understood.

   a. Avoid broadcasting in excessive interference whenever possible.

   b. Avoid slurring and/or stuttering.

3. If it is necessary to transmit while the vehicle siren is in use:

   a. Attempt to transmit during the lower tones, if possible.

   b. Attempt to hold the microphone against the larynx to block as much of the outside sounds as possible.

   c. Make certain to put up all vehicle windows.

   d. Utilize established radio codes when feasible.

4. When calling in names to the communications center, they should be spelled out by the officer to avoid being misunderstood.

5. Telephone, address, social security, motor vehicle registration or vehicle identification numbers shall be repeated for accuracy.

6. Broadcasting descriptions:

   a. Plan the broadcast before beginning.

   b. Obtain clear frequency, alerting other units to the purpose.

   c. Describe one person or thing at a time when multiples are involved.

   d. If the matter requires an excessive amount of air time and

is not urgent, officers may utilize a telephone instead of the radio.

7. Broadcasts for inter-departmental services (i.e. street & roads, Bridgeton Fire Department, etc.):

    a. Provide accurate and concise reasons for the requested service.

    b. Cancel requests for service if and when the need for the service no longer exists.

8. Broadcasts for back-up units, supervisors and/or investigators:

    a. Provide accurate and concise reasons for request in specific terms.

    b. Radio transmissions for "HELP" by officers, (i.e. Code 99 – Officer Down)

        i. Highest priority calls.

        ii. Should be reserved for instances of imminent danger.

        iii. Officers must realize that the officers who are responding to these types of calls may be placed in unjustifiable danger or expose the public to unwarranted danger.

        iv. Assistance calls do not imply the same degree of immediacy as a call for help, but still requires immediate backup broadcast.

9. Officers shall be sure that the radio is clear of traffic before beginning their transmission.

    a. More than one officer transmitting at the same time will garble the transmission, resulting in a lack of communication.

10. Refrain from utilizing the radio for non-essential purposes.

    a. Unnecessary communications may deprive another officer from communicating a call for assistance or priority call for help.

    b. Overuse of the radio for non-essential communications may

affect operational efficiency.

11. Restrictions:

    a. Officers will refrain from profane and/or vulgar language use over the police radio.

    b. No music, disruptive or disreputable remarks are to be made over the police radio.

    c. Attitudes portraying sloth or unprofessional demeanor shall not be projected over the police radio.

    d. Officers shall call for a radio check when there are no broadcasts heard for a period of fifteen (15) minutes.

Order #: I.6 **Date:** 07/26/2011
Category: DEPARTMENT ORDERS
Title: INTERNAL AFFAIRS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 6
SUBJECT: INTERNAL AFFAIRS

REVISION DATE: JULY 26, 2011

EFFECTIVE DATE: JULY 26, 2011

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARD(S): 26.1.4
26.1.6
52.1.1
52.1.2

THIS DIRECTIVE SUPERCEDES AND INCORPORATES PREVIOUS DIRECTIVE I.6 - INTERNAL AFFAIRS / COMPLAINT REVIEW, DATE 01/15/2009

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:6-1 PURPOSE:

This agency is committed to providing law enforcement services that are fair, effective, and impartially applied. Toward that end, officers are held to the highest standards of official conduct and are expected to respect the rights of all people. Officer's adherence to these standards, motivated by a moral and professional obligation to perform their job to the best of their ability, is the ultimate objective of this agency. The effectiveness of a law enforcement agency is dependent upon public approval and acceptance of law enforcement authority. The department must be responsive to the community by providing formal procedures for the processing of complaints from the public regarding officer performance both individually and collectively.

The purpose of this policy is to improve the quality of law enforcement services. Citizen confidence in the integrity of this department increases through the establishment of meaningful and effective complaint procedures. This confidence engenders community support for the department. Improving the relationship between the officers and the citizens they serve facilitates cooperation vital to the department's ability to achieve its goals. An effective disciplinary framework also permits law enforcement officials to monitor officers' compliance with department policies and procedures. Adherence to established policies and

procedure assists officers in meeting department objectives while a monitoring system permits managers to identify problem areas requiring increased training or direction. Finally, this policy will ensure fairness and due process protection to citizens and officers alike in the handling of complainants against the department and its officers.

The internal affairs process shall also be used to identify and correct unclear or inappropriate agency procedures. In addition it will highlight organizational conditions that may contribute to any misconduct, such as poor recruitment and selection procedures or inadequate training and supervision of officers.

I:6-2 POLICY:

It is the policy of this department to accept and investigate all complaints of alleged officer misconduct or wrongdoing from any citizen, agency employee or any other sources, including anonymous sources. Following a thorough and impartial examination of the available factual information, the officer shall either be exonerated or held responsible for the alleged misconduct. Discipline shall be administered according to the degree of misconduct.

Officers and employees, regardless of rank, shall be subject to disciplinary action for violating their oath and trust. Committing an offense punishable under the laws of the United States, the State of New Jersey, or municipal ordinances constitutes a violation of that oath and trust. Officers are also subject to disciplinary action for failure, either willfully or through negligence or incompetence, to perform the duties of their rank or assignment. In addition, officers may be disciplined for violation of any rule and regulation of the department or for failure to obey a lawful instruction, order or command of a superior officer or supervisor. Disciplinary action in all matters will be determined based upon the merits of each case.

In order for a police department to be able to effectively carry out its mission it must have the public trust and confidence. For this reason and in consideration of the awesome authority that a police department has over its citizens, the ability of any such agency to effectively investigate the conduct of its employees is of critical importance. The public must have absolute confidence in the integrity of the internal affairs process since it represents the standard for addressing allegations of employee misconduct. All employees, especially those sworn to uphold the law, must accept as part of their office the obligation to be truthful in all investigations. Therefore, it is essential that all employees be completely truthful and forthright in all facets of the internal affairs process. To mislead or lie is to demonstrate a character flaw that is inconsistent with the law enforcement calling. Additionally, lying in an internal affairs investigation will frustrate the process and quickly erode the public trust and discipline within the department. This agency is committed to taking the necessary steps of removing from our ranks any employee who is untruthful in an internal affairs investigation. Accordingly, all employees must understand that lying in an internal affairs investigation is synonymous with forfeiting one's employment with the department.

Officers conducting the investigation of any allegation of misconduct must strive to conduct a thorough and objective investigation without violating the rights of the subject officer or any other law enforcement officer or civilian, and show proper respect to all members of the

public. Accordingly, all supervisors and any other officer who may be called upon to do an internal investigation must be thoroughly familiar with the department's internal affairs policy.

Prevention is the primary means of reducing and controlling misconduct. To that end, it is the policy of this department to discover and correct organizational conditions, which permit the misconduct to occur and/or go undetected. Special emphasis is placed on recruitment, selection and training of officers and supervisors, community outreach, and the analysis of misconduct complaints and their outcome.

Each officer shall be provided ready access to this directive and the Bridgeton City Police Department manual of rules and regulations which contains specific direction for conducting all aspects of law enforcement work. Categories of misconduct have been clearly described and defined, and the disciplinary process shall be thoroughly explained in the manual as well as this written directive. This directive has been established in accordance with the New Jersey Attorney General's Office guidelines for Internal Affairs.

I:6-3 PROCEDURE:

I. Professional Standards Bureau

A. The Internal affairs Unit is herein established as a function of the Professional Standards Bureau. The unit shall consist of those officers of the department assigned by the Chief of Police. Personnel assigned to the Internal Affairs Unit shall serve at the pleasure of the Chief of Police.

1. The Chief of Police shall designate a supervisor for the Professional Standards Bureau.

2. The Chief of Police shall not assign any person responsible for the representation of employees of the collective bargaining function to the internal affairs function.

B. The goal of internal affairs is to ensure that the integrity of the department is maintained through a system of internal discipline where fairness and justice are assured by objective, impartial investigation and review.

C. Notwithstanding any other notification protocol herein included, the chief of police must be immediately advised of any allegation of wrongdoing on the part of an employee that would constitute a criminal offense or has the potential to have a significant negative impact on the operation or reputation of the department.

II. Duties and Responsibilities

A. The Professional Standards Bureau is responsible for the investigation and review of all allegations of misconduct by officers of this department.

1. Misconduct is defined as:

   a. Commission of a crime or an offense; or

   b. Violation of departmental rules, regulations, policies and procedures; or

   c. Conduct that adversely reflects upon the officer or the department.

B. In addition to investigations concerning allegations of misconduct, the Professional Standards Bureau shall be notified immediately and be responsible for the review and/or investigation of:

   1. The discharge of firearms by department personnel in situations other than training and qualifications.

   2. Vehicular pursuits involving department personnel.

   3. Use of force incidents that result in injury to a defendant or a third party.

   4. Collisions involving department vehicles.

   5. All internal affairs complaints at the time they are received, except in the event of a minor violation, such as a demeanor complaint.

C. The Professional Standards Bureau shall be responsible for any other investigation as directed by the chief of police. Professional Standards Bureau officers may conduct an internal affairs investigation on their own initiative upon notice to the chief of police or at his direction.

D. The Professional Standards Bureau may refer investigations to the employee's supervisor for investigation of minor policy and/or rules and regulations infractions.

E. Professional Standards Bureau officers or officers temporarily assigned to that function shall have the authority to interview any officer of the department and to review any record or report of the department relative to their assignment.

   1. Requests and orders from the Professional Standards Bureau personnel, in furtherance of their duties and responsibilities, shall be given full cooperation and compliance as though the request or order came directly from the chief of police.

2. Officers assigned to the Professional Standards Bureau come under the direct authority of the chief of police, reporting directly to the chief of police through the Professional Standards Bureau supervisor.

F. The Professional Standards Bureau shall maintain a comprehensive central file on all complaints received by this department whether investigated by internal affairs or assigned to the officer's supervisors for investigation and disposition.

G. The Professional Standards Bureau shall prepare monthly reports that summarize the nature and disposition of all misconduct complaints received by the department for submission to the Chief of Police.

H. An annual report summarizing the types of complaints received and the dispositions of the complaints should be made available to the public. The names of complainants, witnesses and subject officers shall not be published in this report.

I. An annual internal affairs summary report, which includes data collected during the preceding year on internal affairs investigations shall be forwarded to the Cumberland County Prosecutor's Office.

J. This department shall periodically release a brief synopsis of all complaints where a fine or suspension of 10 days or more was assessed to a member of the department. This synopsis shall not contain the identities of the officers or complainants.

III. Philosophy of Discipline

A. In keeping with the objectives of proper agency management, the disciplinary system established herein shall reflect the overarching emphasis for improving the quality of service being delivered by the employees of this department. Discipline should not engender a strictly negative connotation, as the disciplinary process is meant to correct employee actions and conduct that tend to impede the efficient and effective operation of the department. The proper use of discipline can achieve this objective without realizing a reduction in morale.

B. Training is a component of discipline that may be the desirable alternative to other discipline in situations where the actions giving rise to the initial complaint were not deemed to be an intentional violation of established department directives. Training may also be appropriate in situations where the complaint reveals a very minor or

technical violation that likely requires no more than a reinforcement of existing directives to correct the employee's behavior.

C. Counseling as a component of discipline is an alternative for adjudicating minor complaints that should be considered when the need to address the employee in a forthright manner clearly exists, but the greater good will likely be served by limiting the discipline to formal counseling in lieu of punitive discipline. Counseling is not appropriate for serious violations or in situations where the offending employee's behavior is part of a continuing course of problematic behavior.

D. Serious violations and those committed as one in a series of repeated violations require swift and certain punitive measures in order to maintain proper discipline within the department. The Rules and Regulations set forth a schedule depicting the classes of offenses and recommended penalties for all violations charged under the rules and regulations.

IV. Accepting Reports Alleging Officer Misconduct

A. All department personnel are directed to accept reports of officer misconduct from all persons who wish to file a complaint regardless of the hour or day of the week.

1. Citizens shall be encouraged to submit their complaints in person as soon after the incident as possible.

2. If the complainant cannot file the report in person, a department representative shall visit the individual at his or her home; place of business or at another location in order to complete the report, if feasible.

3. All citizen complaints shall be audio recorded and that audio recording shall be preserved and forwarded to the Professional Standards Bureau. In the event that a complainant refuses to be audio recorded, then the complainant's statement must still be taken by other means, with great care given to document the entire statement. The reason for not audio recording the interview will also be noted.

4. The citizen should be allowed to clearly state their complaint. The receiving officer shall then clarify the allegations made including the who, what, when, where and why of the events that are alleged to have occurred.

5. Every effort shall be made to obtain the correct contact information, including the home address and telephone number of the complainant, where a member of the Professional Standards Bureau may contact them.

B. Complaints shall be referred to the Professional Standards Bureau if an officer is immediately available.

1. If a Professional Standards Bureau officer is not immediately available, all supervisory personnel are directed to accept the report of officer misconduct.

2. If a Professional Standards officer and a supervisor are not available, any law enforcement officer shall accept the complaint.

3. This requires the completion of the Internal Affairs Complaint Form on all complaints.

C. The officer receiving the complaint will:

1. Advise the complainant that he or she will be kept informed of the status of the complaint and its ultimate disposition, providing them with a Citizen Complaint Information Sheet.

2. Complete the Internal Affairs Complaint Report according to the instructions provided.

3. Have the complainant sign the completed form. If the complainant will not sign the form, the officer receiving the complaint will so note that fact. However, the failure of a citizen to sign a complaint will in no way preclude the investigation of the allegations.

D. All department personnel are directed to accept reports of officer misconduct from anonymous sources. If the anonymous complainant is talking to an officer, the officer should encourage them to submit their complaint in person. In any case, the complaint will be accepted.

1. In the case of an anonymous complaint, the officer accepting the complaint shall complete as much of the Internal Affairs Complaint Report as they can with the information provided.

E. Complaints shall be handled as follows:

1. All complaints shall be forwarded to the Professional

Standards Bureau Supervisor who is responsible for screening and entry into the internal affairs centralized logging system. The Professional Standards Bureau supervisor shall:

a. Create a case file.

b. Designate a return date and forward the case file to the assigned investigator.

2. Complaints of demeanor and minor rules infractions may be forwarded to the supervisor of the subject officer for investigation and disposition.

3. All other complaints shall be retained by the Professional Standards Bureau, including complaints of:

a. CRIMINAL ACTIVITY: Complaint regarding the involvement in unlawful behavior;

b. EXCESSIVE FORCE: Complaint regarding the use or threatened use of excessive force against a person;

c. IMPROPER ARREST: Complaint that the restraint of a person's liberty was improper or unjust;

d. IMPROPER ENTRY: Complaint that entry into a building or onto property was improper or that excessive force was used against property to gain entry;

e. IMPROPER SEARCH: Complaint that the search of a person or property was improper, unjustified or otherwise in violation of established police procedures;

f. DIFFERENTIAL TREATMENT or DEMEANOR: Complaint that the taking, failing to take or method of police action was predicated upon irrelevant factors such as race, appearance, age or sex. Complaint that a department employee's bearing, gestures, language or other actions were inappropriate;

g. OTHER RULE INFRACTIONS: Complaint such as untidiness, tardiness, faulty driving, or failure to follow procedures, disrespect toward a supervisor(s), drunkenness on duty, sleeping on duty, neglect of duty, false statements, or malingering;

h. REPEATED MINOR RULE INFRACTIONS;

i. HARASSMENT IN THE WORKPLACE: Complaint such as unwelcomed sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature;

j. ALL VEHICLE PURSUIT REVIEWS AND INVESTIGATION;

k. ALL USE OF FORCE REVIEWS AND INVESTIGATION THAT RESULT IN INJURY TO A DEFENDANT OR A THIRD PARTY.

F. If the complaint is accepted during hours when the Professional Standards Bureau supervisor is not on duty, and the complaint is of such gravity that immediate attention is required, the supervisor accepting or receiving the complaint shall contact the Professional Standards supervisor and advise him of the complaint. If the Professional Standards Bureau supervisor is not available, the chief of police shall be contacted.

G. If a complainant wants to make a complaint against an employee of another law enforcement agency, he/she will be referred to that agency. If the complainant expresses fears or concerns about making the report directly, he/she will be referred to the appropriate county prosecutor's office.

H. Any department employee who witnesses an employee's misconduct shall immediately report the misconduct up the chain of command. Any accused officer in the chain of command shall be by-passed.

I. Any officer that is a witness to a civil rights violation shall immediately cause the action creating the civil rights violation to cease. He shall then report the conduct up the chain of command by-passing any accused officers. Failure to intercede may result in a violation of the Bridgeton City Police Department manual of rules and regulations and directives, as well as violations of federal law. (18.U.S.C.241)

J. The subject officer shall be notified in writing of the complaint as soon as possible, unless the nature of the investigation requires secrecy.

V. Suspension Pending Disposition or Investigation

A. Any department supervisor or command officer may immediately suspend an employee from duty if he or she determines that one of the following conditions exists:

1. The employee is unfit for duty; or

2. The employee is a hazard to any person if permitted to remain on the job; or

3. An immediate suspension is necessary to maintain safety, health, order or effective direction of public services; or

4. The employee has been formally charged with a first, second or third degree crime; or

5. The employee has been formally charged with a first, second, third, fourth degree crime or a disorderly persons offense while on-duty, or the criminal act related to his or her employment.

B. The supervisor imposing the immediate suspension must:

1. Immediately notify the Chief of Police and/or Professional Standards Bureau supervisor for consultation.

2. Advise the employee in writing of why an immediate suspension is sought and the charges and general evidence in support of the charges.

   a. If the employee refuses to accept the written notification of immediate suspension, it shall be given to a representative of the employee's union.

3. Provide the employee with sufficient opportunity to review the charges and the evidence and to respond either orally or in writing.

4. Advise their immediate supervisor in writing of the suspension and the facts and circumstances requiring the suspension.

5. Order the suspended employee to appear before the chief of police on the next regular business day.

C. Within five days of the suspension, the department must complete and file a preliminary notice of disciplinary action against the suspended employee or return the employee to work.

D. Administrative reassignment

1. In cases involving use of force that results in death or serious

bodily injury the officer involved may be reassigned to administrative duty pending the outcome of the investigation, unless the officer is suspended or placed on administrative leave.

2. Any officer under investigation or pending a hearing on charges may be reassigned by the chief of police to administrative or modified duties pending the outcome of the investigation or hearing if, in the discretion of the chief of police, such reassignment is necessary to protect the integrity and image of the police department.

3. These reassignments are subject to change at the discretion of the chief of police.

VI. Investigation and Adjudication of Minor Complaints

A. Complaints of demeanor, minor rules infractions and any other violation that would normally result in minor discipline may be forwarded to the subject officer's supervisor. The supervisor shall investigate the allegation of misconduct.

B. The investigating officer shall interview the complainant, all witnesses and the subject officer, as well as review relevant reports. The investigating officer shall then prepare a report summarizing the matter, indicating the appropriate disposition. Possible dispositions include the following:

1. Exonerated: the alleged incident did occur, but the actions of the officer were justified, legal and proper.

2. Sustained: the investigation disclosed sufficient evidence to prove the allegation, and the actions of the officer violated provisions of rule and regulation or department written directives.

3. Not Sustained: the investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.

4. Unfounded: the alleged incident did not occur.

C. Upon completing an internal affairs investigation, the assigned investigator shall complete an Internal Affairs Investigation Report, which shall have a conclusion, disposition and a recommendation for each allegation of misconduct and forward the entire investigation package to the internal affairs supervisor for review.

1. The internal affairs supervisor shall review the case file and

complete a report which shall include his agreement or disagreement with the recommendation(s).

2. The case file, including the supervisor's review report shall be forwarded to the chief of police for his review. The chief will approve or modify the recommended disposition(s) based upon the report and recommendations set forth in the report.

D. Upon final disposition of the complaint, a letter shall be sent by mail to the complainant by the Professional Standards Bureau explaining the outcome of the investigation.

E. Initiation of corrective/disciplinary action and oral reprimands for minor complaints:

1. A Performance Notice and Oral Reprimand shall be used in lieu of formal charges for the following areas of discipline:

   a. Advisements

   b. Counseling

2. A Written Reprimand may be issued to an employee by any superior officer within his/her line of authority as indicated by the department table of organization and the established chain of command. A written reprimand should be issued after an oral reprimand or a performance notice was previously issued for the same type of conduct or when the violation is of a more serious nature when a performance notice or oral reprimand is not warranted.

3. The officer or employee shall be advised of the discipline and given a copy of the disciplinary document.

4. A copy of the disciplinary document will be placed in the personnel file of the respective officer or employee:

   a. For performance notices

      (1) Six months after the date of the issuance, the Performance Notice shall be removed from the personnel file, provided no similar breach of discipline has occurred. Once removed from the personnel file, the Performance Notice shall be retained in the employee's internal affairs file.

b. For written reprimands

(1) The written reprimand will remain permanently in the personnel file of the respective officer or employee.

VII. Investigation and Adjudication of Serious Complaints

A. All serious complaints shall be investigated by the Professional Standards Bureau, including complaints of:

1. Criminal activity;
2. Excessive force;
3. Improper arrest;
4. Improper entry;
5. Improper search;
6. Differential treatment;
7. Serious rule infractions;
8. Repeated minor rule infractions.

B. The Professional Standards Bureau investigator shall interview the complainant, all witnesses and the subject officer, as well as review relevant reports and records, and obtain other relevant information and materials.

VIII. Investigation and Adjudication of Criminality Allegations

A. Where preliminary investigative data indicates the possibility of a criminal act on the part of the employee, or the investigation involves an allegation of the use of force which results in serious bodily injury or death, the Chief of Police shall be notified immediately. The Chief of Police or designee shall then immediately notify the Cumberland County Prosecutor's Office. No further action shall be taken, including the filing of charges against the employee until directed by the Chief of Police and the Cumberland County Prosecutor's Office.

1. The Professional Standards Bureau, at the direction of the Chief of Police shall forward a copy of the entire investigation file to the Cumberland County Prosecutor's Office, except the accused

officer's interview which shall not be forwarded to the Prosecutor's Office. The Chief of Police or designee shall be the liaison to the Prosecutor's Office.

2. The Chief of Police and Professional Standards Bureau Commander shall be immediately notified when an employee is accused of a crime, domestic violence violation, any incident that attracts media attention, and any incident that would affect the efficient and effective operation of the department. In addition, the duty supervisor shall take any immediate action necessary to preserve the integrity of the department until the Chief of Police's arrival.

3. All other notifications made to the Chief of Police shall be made on the next business day.

B. The Professional Standards Bureau shall interview the complainant, all witnesses as well as review relevant reports and records, and obtain other relevant information and materials.

1. A subject employee shall not be compelled to answer any questions in the absence of a grant of use immunity as conferred by the Cumberland County Prosecutor's Office.

C. Interviewing the subject officer:

1. Administrative Interviews

a. Before questioning begins, inform the subject employee of:

(1) The nature of the complaint;

(2) The name of the person in charge of the interview, and the names of all persons who will be present during the interview.

b. One person of the employee's choosing may attend the interview.

c. The employee will be advised of his or her duties and obligations to answer using the Administrative Advisement Form

d. If at any time during the questioning session the employee becomes a suspect in a criminal act, the employee shall

be so informed and the questioning shall end.

e. Questioning sessions may be electronically recorded.

2. Non-Administrative Interview (Allegation of Criminality)

a. Whenever there is a possibility that the investigation may result in criminal prosecution of the officer or that the county prosecutor may be conducting a separate criminal investigation, the investigator must consult with the county prosecutor prior to interviewing the officer.

b. Should the employee be afforded a grant of use immunity, the internal affairs investigator shall schedule an interview with the employee.

c. Before questioning begins, inform the subject employee of:

(1) The nature of the complaint;

(2) The name of the person in charge of the interview, and the names of all persons who will be present during the interview.

d. Should the employee so desire, they may be represented by an attorney of their choosing during the course of the interview, so long as the availability of the attorney does not in any way hamper or impede the on-going investigation. As the investigation is criminal in nature the employee's union representative is prohibited from attending the interview.

e. Questioning sessions shall be electronically recorded.

IX. Investigative Avenues

A. Physical Evidence

1. Investigators should obtain all relevant physical evidence. All evidence, such as clothing, hair or fabric fibers, stains and weapons should be handled according to established evidence procedures.

B. Witness Interviews

1. Taped statements shall be taken from all parties

C. Photographs

1. Photographs of the complainant at the time of arrest or following the alleged incident of excessive force.

2. Photographs of the subject employee in the event that employee was a victim.

3. A recent photo of the employee in the event a sequential photo display will be used for identification purposes. The photo display must be properly retained for possible evidentiary purposes.

4. Photographs of the scene of the alleged incident, if necessary.

D. Physical Tests

1. Subject employees may be compelled to submit to various physical tests or procedures to gather evidence. Such evidence may be used against them in a disciplinary proceeding.

2. No person has a constitutional right or privilege to refuse to submit to an examination to obtain a record of their physical features and other identifying characteristics of their physical or mental condition. Evid.R. 25(a). Evidence that may be obtained or procedures that may be used to obtain evidence under this rule include:

   a. Breath sample

   b. Blood sample

   c. Buccal Swab

   d. Requiring employee to speak

   e. Voice recordings

   f. Participation in a suspect lineup

   g. Handwriting samples

   h. Hair and saliva samples

i. Urine analysis

j. Videotaping

k. Field sobriety test

3.. Generally, a person cannot be physically forced to produce this or other evidence or submit to such tests, although a court order may be obtained to legally compel them to do so. Refusal to comply with the order can result in additional criminal, civil, and/or administrative sanctions.

E.. Polygraph

1. While an employee who is the subject of an internal affairs investigation may request a polygraph examination, an employer shall not influence, request or require an employee to take or submit to a polygraph examination as a condition of employment or continued employment (N.J.S.A. 2C:40A-1).

2. An employee cannot be required to submit to a polygraph test on pain of dismissal. Engel v City of Woodbridge, 124 N.J. Super. 307 (App.Div. 1973).

3. If a polygraph is used, the test must be administered by a qualified police polygraph operator.

F. Search and Seizure

1. All department assigned offices, lockers, desks, vehicles, computers, briefcases, and electronic devices are subject to a search/inspection absent a warrant.

2. Personal brief cases shall not be searched without a warrant.

G. Employees may be required to submit financial disclosure statements.

X. Investigative Conclusion

A. At the conclusion of an investigation concerning minor, major and criminal complaints, the Professional Standards Bureau shall report a disposition to the Chief of Police as follows:

1. Exonerated: The alleged incident did occur, but the actions of the employee were justified, legal and proper.

2. Sustained: The investigation disclosed sufficient evidence to prove the allegation, and the actions of the employee violated provisions of rule and regulation or department procedures.

3. Not Sustained: The investigation failed to disclose sufficient evidence to clearly prove or disprove the allegation.

4. Unfounded: The alleged incident did not occur.

5. Administratively Closed: In some cases, the complaint or investigation is closed prior to reaching a disposition. These should be counted as "Administratively Closed." Examples include situations when a complainant voluntarily requests that a complaint be withdrawn, or the subject employee terminates his or her employment prior to disposition of the complaint.

B. Upon completion of the investigation, the Professional Standards Bureau shall complete the Internal Affairs Investigation Report and submit all reports, statements and recordings to the Chief of Police. If charges are in order they must be served pursuant to the time limit set by N.J.S.A. 40A:14-147.

1. The investigation shall be an objective report of all of the investigative activity, including all of the information obtained during the course of the investigation. The report should be clear, concise, and satisfactorily answer all ancillary questions or collateral issues that arise from the investigation.

2. All charges must be filed within 45 days from the date that sufficient evidence is presented to the Chief of Police to substantiate a charge, or charges, for violations of rules, regulations, policy, procedures or special orders.

3. The internal affairs report shall have a conclusion, disposition and a recommended disciplinary penalty, if applicable.

C. The Professional Standards Bureau will forward the internal affairs file to the Chief of Police who will review all the reports, supporting documentation and information gathered during any supplemental investigation.

1. If there is a finding of exonerated, not sustained, or unfounded, the Chief of Police or designee shall notify the subject employee in writing of the disposition without undue delay.

2. If the complaint is sustained and it is determined that formal charges should be preferred, the Chief of Police shall see that a Preliminary Notice of Disciplinary Action form 31A is created and presented to the "appropriate authority" for signing and authorization. Once the charges are authorized and signed by the "appropriate authority", the charges will be filed and served upon the subject employee.

D. The Preliminary Notice of Disciplinary Action form shall direct that the employee charged must enter a plea of guilty or not guilty, in writing, on or before the date set forth in the notice for entry of plea. The date will be listed on the notice and must provide a reasonable time, at least 5 days after the date of service of the charges to enter a plea and request a hearing, if applicable.

E. If the employee charged enters a plea of guilty, the Chief of Police shall permit the employee to present factors in mitigation prior to assessing a penalty.

F. Conclusion of fact and the penalty imposed will be noted in the employee's personnel file after he or she has been given an opportunity to read and sign it. Professional Standards will cause the penalty to be carried out and complete all required forms. Note: the Final Notice of Disciplinary Action form 31B must be filed within 20 days of disposition.

XI. Hearing

A. Upon written notice of a request for a hearing from the subject officer the hearing date will be included on the Preliminary Notice of Disciplinary Action form 31A in accordance with NJSA 40A:14-147.

B. The Professional Standards Bureau shall be responsible for or assist the assigned supervisor or prosecutor in the preparation of the department's prosecution of the charges. This includes proper notification of all witnesses and preparing all documentary and physical evidence for presentation at the hearing.

C. In the event of a hearing, the Professional Standards Bureau will be responsible for preparing a discovery package from the internal affairs file, and providing it to the subject officer or his or her representative upon receipt of a written request for such materials.

D. The hearing shall be held before the appropriate authority or the appropriate authority's designee.

1. In accordance with N.J.S.A. 40A:14-148, except as otherwise provided by law, the officer, board or authority empowered to hear and determine the charge or charges made against a member or officer of the department or force shall have the power to subpoena witnesses and documentary evidence.

E. All disciplinary hearings shall be in accordance with the rules and regulations of the NJ Civil Service Commission and shall be closed to the public unless the defendant officer requests an open hearing. The department reserves the right to petition the hearing officer to conduct a closed hearing if a legitimate reason exists for such request.

F. The hearing authority is empowered to enter a finding of guilty or not guilty, or to modify the charges as deemed necessary. The decision of the hearing authority should be in writing and should be accompanied by finding of fact for each issue in the case.

G. The Appropriate Authority may elect to function in the capacity of hearing officer or appoint a hearing officer to prepare finding of fact and recommendation as to violations and quantum and type of punishment, if any.

H. The hearing authority, shall fix any of the following punishments deemed appropriate under the circumstances.

1. Counseling;
2. Oral reprimand or performance notice;
3. Written reprimand;
4. Monetary fine;
5. Transfer/reassignment;
6. Suspension without pay;
7. Loss of promotion opportunity;
8. Demotion;
9. Discharge from employment.

I. A copy of the decision or order and accompanying findings and conclusions shall be delivered to the officer or employee who was the subject of the hearing and to the chief of police, if he was not

the hearing authority.

J. Upon completion of the hearing, the Professional Standards Bureau supervisor will complete all required forms, including the Final Notice of Disciplinary Action (31-B), and the entry of the disposition into the index file.

K. If the charges were sustained, the Professional Standards Bureau will cause the penalty to be carried out. The Final Notice of Disciplinary Action shall be permanently placed in the personnel file of the respective officer or employee.

XII. Appeals

A. Minor Disciplinary Action - As outlined in collective bargaining agreements.

B. Major Disciplinary Action - As outlined in statutes and procedures under the New Jersey Civil Service Commission.

XIII. Criminal/MV Complaints Against Employees

A. Any employee who has been charged with an indictable offense, drug offense or any offense under the Prevention of Domestic Violence Act must make immediate notification to the on-duty supervisor at police headquarters setting forth the circumstances surrounding the complaint.

1. It will be the responsibility of the on-duty supervisor to make a prompt notification to the Professional Standards Bureau supervisor.

2. It shall be the responsibility of the Professional Standards Bureau supervisor to make an immediate notification to the Cumberland County Prosecutor's Office.

3. It will be the responsibility of the Professional Standards Bureau supervisor, in consultation with the Chief of Police, to evaluate the need for an immediate response by Professional Standards Bureau personnel.

B. Any employee who is charged with a minor offense (disorderly persons offense, petty disorderly persons offense or municipal ordinance), received a motor vehicle summons or stopped for a motor vehicle violation, or has been involved in (but not charged as a result of) a domestic violence incident must notify the Professional Standards Bureau in the form of a special report as outlined in XIII, section C.

C. Any employee contacted or questioned by a law enforcement agency concerning an unlawful act (as a suspect or witness) or a law enforcement internal affairs matter must provide notification of such contact to the Professional Standards Bureau supervisor, via special report as outlined in Policy I.6.1, on his/her next scheduled day of work.

D. The Professional Standards Bureau shall track the proceedings of any criminal or civil matters which officers of the department are involved in as a complainant, plaintiff or defendant.

XIV. Confidentiality

A. The progress of internal affairs investigations and all supporting materials are considered confidential information. All department employees are required to keep all aspects of any internal affairs case and/or investigation in strict confidence, whether involved in the investigation or not. This shall be construed as to prohibit any employee from revealing any information whatsoever, including, but not limited to:

1. An employee's participation in an internal affairs interview;

2. The existence of an internal affairs investigation;

3. The subject matter of an internal affairs investigation;

4. The target of an internal affairs investigation;

5. The identity of complainants and/or witnesses; and

6. Any other information related to an internal affairs investigation.

B. The contents of internal investigation case files will be retained in the Professional Standards Bureau. The files shall be clearly marked as confidential. The information and records of an internal investigation shall only be released under the following circumstances:

1. In the event that administrative charges have been brought against an officer, and a hearing will be held, a copy of those internal investigation reports to be used as evidence in the administrative hearing shall be provided to the officer or the officer's legal counsel, the department's legal counsel and the hearing officer.

2. In the event that the subject officer, police department or city has been named as a defendant in a lawsuit arising out of the specific incident covered by an internal investigation, a copy of the internal

investigation reports may be released to the attorney representing the subject officer, police department or city.

3. Upon the request or at the direction of the county prosecutor or Attorney General.

4. Upon a court order.

C. Only the chief of police or his designee is empowered to release publicly the details of an internal investigation or disciplinary action.

XV. Internal affairs Files

A. A separate internal affairs file system shall be maintained in a secured file cabinet under strict control of the chief of police and Professional Standards Bureau supervisor. Access shall be restricted to those approved by the chief who possess a bona fide need in connection with official department business.

B. The file system shall contain all investigative files resulting from internal affairs complaints and the original copy of the following reports:

1. Vehicular Pursuit Reports

2. Use of Force Reports

3. Firearm's Discharge Reports

C. Internal affairs investigation files will be numbered with a prefix corresponding to the four digit calendar year in which the complaint was received followed by the chronological number of the complaint in that calendar year.

D. An Internal Affairs Index File shall be maintained as a record control device. It will serve as an inventory of internal affairs case files and provide an overview of case status to authorized personnel. An index card file or computerized database shall be utilized.

E. All internal affairs complaints shall be recorded in the aforementioned index. Entries shall include the following basic information:

1. Subject officer/employee

2. Allegations

3. Complainant

DEPARTMENT ORDER

4. Date received

5. Investigator assigned

6. Disposition and disposition date

F. Upon completing a case, the Professional Standards Bureau supervisor will be responsible for entering the disposition in the index file and notifying the complainant and subject officer(s) of the disposition.

G. Personnel records are separate and distinct from internal affairs investigation files. Internal affairs investigation reports shall never be placed in personnel records.

1. When a complaint has a disposition of exonerated, not sustained, or unfounded, there shall be no indication in the employee's personnel file that a complaint was ever made.

2. When a complaint is sustained and discipline imposed, the only items to be placed in the employee's personnel file are a copy of Preliminary Notice of Disciplinary Action and a copy of the Final Notice of Disciplinary Action, with any attached agreements and/or hearing officers findings.

H. Investigative records created during an internal affairs investigation are included in the "Records Retention and Disposition Schedule for Local Police Departments" issued by the New Jersey Division of Archives and Records Management.

1. Files concerning a criminal homicide must be permanently maintained.

2. Files involving a criminal matter that resulted in the arrest of the subject officer must be maintained for 75 years.

3. All other criminal or administrative internal affairs investigative files shall be maintained for five years after the subject officer's retirement.

XVI. Source/Document Authority

A. Miranda v. Arizona 384 US 436, 460 S. Ct. 1602, 1620

B. Garrity v. New Jersey 385 US 993, 87 S. Ct. 616

Order #: I.6.1 **Date:** 02/07/2011
Category: DEPARTMENT ORDERS
Title: INVESTIGATION/NOTIFICATION INVOLVING LEO

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 6.1

SUBJECT: Investigation/Notification of Chief of Police & Prosecutor's Office On LEO Criminal Involvement or Potential Criminal Involvement

EFFECTIVE DATE: April 27th, 2011
CHIEF OF POLICE:Mark W. Ott

The Professional Standards Unit of the Cumberland County Prosecutor's Office investigates all internal matters of their office as well as potential criminal matters in the municipal police departments and Sheriff's Department.

Per requirement 6 of the Internal Affairs Policy and Procedures issued by the Attorney General:

"Where preliminary investigation indicates the possibility of a criminal act on the part of the subject officer, or the investigation involves the use of force by the officer which results in serious bodily injury or death, the county prosecutor must be notified immediately. No further action should be taken, including the filing of charges against the officer, until directed by the county prosecutor."

The following procedure will be followed by the Bridgeton Police Department in regards to notification to the Cumberland County Prosecutor's Office:

NON-EMERGENCY MATTERS:

A complaint is filed in Municipal Court charging an officer with a violation of the criminal code or a preliminary investigation into a complaint, which revealed a possible criminal act on the part of the subject officer:

The Professional Standards Bureau or Chief of Police of the Bridgeton Police Department will, during normal business hours contact SAC Cuff or a detective assigned to the PSU, notify them of the complaint and forward them a brief written synopsis of the preliminary investigation.

A CCPO PSU investigation number will be assigned to the complaint. The preliminary investigation will be reviewed by the CCPO and within seven (7) business days the CCPO PSU will respond to the Bridgeton PD in writing with one of the following decisions.

1. The Bridgeton PD will directed to handle the investigation administratively at that time. A written declination of criminal prosecution will be issued.

2. The CCPO PSU will assist the Bridgeton PD with further investigation into possible criminal activity. This is referred to as a bifurcated investigation.

3. The case will be completely turned over to the CCPO PSU for criminal investigation and prosecution by the CCPO.

EMERGENCY MATTERS:

Use of force by an Officer resulting in death or serious bodily injury, Investigation of Firearms discharges where there are any injuries, circumstances covered under AG Law Enforcement Directive No. 2000-3 and No. 2000-4 (LEO involved Domestic Violence Incidents):

During normal business hours the PSU will immediately be notified and will respond to the scene with any additional personnel deemed necessary by the Chief of Detectives or his designee.

After hours, notification will be made directly to SAC Cuff or his designee at one of the following numbers:

1. 609-381-4890 (office cell phone)
2. 856-899-7868 (cell phone)
3. 856-358-3752 (home)

This protocol is being instituted to assist the Bridgeton PD Professional Standards Bureau with their investigations as well as providing timely and accurate responses to complaints.

ANNUAL REPORTS:

The IA Summary Reports, Use of Force Summary Report and Vehicular Pursuit Summary Report, required to be filed annually will be submitted to the CCPO PSU no later than January 15th of the following calendar year. Bridgeton PD will use formats prescribed by the Attorney General and/or Prosecutor for proper reporting.

AUDITS:

The Cumberland County Prosecutor's Office will be conducting audits of the Bridgeton PD's Professional Standards Bureau for compliance with Attorney General Guidelines. These

audits will be conducted randomly with the approval of the Prosecutor or at the request of the Chief of Police.

The Cumberland County Prosecutor's Office will also be conducting annual audits of Forfeiture Accounts and Confidential Fund Accounts, for compliance with Attorney General Guidelines.

These audits will be conducted by a member of the CCPO who will prepare a written report.

ADDITIONAL INFORMATION:

All officers and employees of the Bridgeton Police Department are required to report to the Chief of Police immediately when any of the following occurs:

1. The agency member receives a motor vehicle summons
2. The agency member is stopped by another police agency for traffic or other suspected offense
3. The agency member is served with, charged, investigated for or arrested for any violation of State, Local, or Federal Law.
4. The agency member is served with any restraining order.

In all cases this immediate report is to be followed up with a written special report outlining the details of the event at the next earliest convenience (return to work) unless directed to do so earlier. That special report shall include at the minimum the following:

a. Location of incident (Jurisdiction)

b. Law Enforcement Agency Involved

c. Date of incident

d. Charge or nature of contact

All officers and employees of the Bridgeton Police Department are required to report to the Chief of Police immediately when they become aware that another member of the agency has met any of the four previously mentioned situations.

Order #: II.22 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: LABOR STRIKES

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 22
SUBJECT: LABOR STRIKES
EFFECTIVE DATE:
CHIEF OF POLICE:COURTLANDT A. TURNER

POLICY

This policy is designed to provide officers with guidelines for handling Labor Strikes.

Labor strikes and mass or circular picketing are not, in themselves, violations of the law. It is the illegal acts which sometimes arise from such activities which are the concern of the police.

I. PATROL RESPONSIBILITY

A. Two-fold Responsibility

1. Protect the peaceful strikes against outside interference from those people that are not in sympathy with strikes.

B. Periodic checks of picket lines should be conducted in one-half (2) hour intervals.

C. Personal Behavior

1. Stand your ground without yielding. Your job is to maintain order and protect life and property. Be courteous but not over friendly.

2. If a violation of the law occurs the violator should be arrested. Exercise discretion as to the time of the arrest in order to make sure adequate manpower is available in case mob violence erupts.

3. Do not use excessive force if an arrest has to be made.

4. Always remain on the fringe of a picket line.

D. If there appears that a problem may arise during your absence then your superior should be notified and a request should be made for additional manpower to be posted at the strike location.

E. Strikers do not have the right to:

1. Obstruct vehicular traffic

2. Obstruct pedestrian traffic

3. Violate a state law or ordinance

4. Interfere with people going to or from any location

F. If during your regular tour of duty you come upon unannounced strikers, the Uniform Division Commander should be notified IMMEDIATELY.

II. UNIFORM DIVISION COMMANDER

A. Notify the Uniform Division Commander of a strike location and advise them of any particular details that may be required, hours of the strike, etc.

B. Check with the business establishments to find out where the strikers will be picketing.

C. Get an approximate number of how many strikers will be present.

D. Assure that the strikers' location will not interfere with vehicles or pedestrians.

E. Keep Chief of Police informed of all necessary actions taken by the Department.

Order #: II.23 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: MISSING PERSONS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 23
SUBJECT: MISSING PERSONS
EFFECTIVE DATE:
CHIEF OF POLICE:COURTLANDT A. TURNER

POLICY

The investigation of a person reported missing must be initiated immediately after the police department receives a report that a person is missing. The prompt investigation of a Missing Person Report can be the determining factor towards a positive case conclusion.

Another area that is addressed within this policy are procedures that are to be followed when conducting an Unidentified Persons investigation. The use of the Violent Criminal Apprehension Program is also a viable tool to utilize when an investigation reveals that a Missing Person or Unidentified Person has been a victim of a violent act.

PROCEDURE

I. REPORTING and SEARCHING

A. Upon receiving a complaint of a MISSING PERSON:

The telecommunications operator will notify an officer to respond to the home or residence of the person reported missing. If the report is made by an out of town resident, the officer shall call the reporting party by telephone.

1. Ascertain if the person qualifies as a Missing Person.

2. Interview complainant and obtain details, including an accurate description of subject and wearing apparel.

3. Upon arriving at the residence, officer(s) should make every effort to put the family at ease. Then the officer(s) should begin to collect their data and initiate a report.

The following information should be collected in this phase. The officer(s), along with the parents or guardians or reporting party should do the following:

a. Check for a note.

b. Look in the person's wastebasket or schoolbooks for personal notes, timetables or brochures.

c. Make a list of close associates.

d. Be sure and get a recent photo.

e. Make a list of places that the person likes to go, i.e. eating, recreation, etc.

f. List the addresses of vacation spots frequented by the family.

g. Obtain the locations of local "tree houses", barns, forts and other areas where the youngster might go.

h. Check and see if the person has been corresponding with anyone lately.

i. Look at the most recent telephone bill for any new or frequently called telephone numbers or out-of-town telephone numbers.

j. Find out if any new friends have recently called or been to the house.

k. Check to see if the person has a bank account and obtain the name of the bank.

l. Attempt to determine if the Missing Person has been talking about any particular area or activity recently.

m. After collecting this information, be sure and advise the reporting party to make contact with the department should they hear anything from, or about, the Missing Person, or if the Missing Person returns home. (People often neglect to contact the department upon the return of the person.)

4. Notify the Telecommunications Center via telephone, giving complete description of person missing and pertinent facts. This notification should be made immediately after all the pertinent facts are obtained. An immediate broadcast should follow to surrounding towns.

5. Request Patrol Supervisor if necessary:

   a. Juvenile missing or unidentified.

b. Suspected criminal activity

c. Unusual circumstances

6. Begin to prepare an Investigation Report.

7. Make a thorough search of:

a. Premises

(1) Rooms (clothes, travel folders, letters, etc.)
(2) Closets
(3) Boxes
(4) Under beds
(5) Crawl spaces
(6) Any place a person could secrete himself or herself

(a) In the presence of a responsible member of the household, an officer, in person should make searches of these areas. DO NOT accept someone's word that they have checked the area. Keep in mind the age of the person missing and motive, if any, for absence.

8. Search surrounding area.

a. Areas of Travel

(1) To and from school
(2) School and grounds
(3) Area around house or playgrounds
(4) Direction to and from work, or place last seen

9. Interview friends of the Missing Person.

a. Neighbors

b. Relatives

c. Playmates

d. Friends

B. Complete the department's Investigation Report and the NCIC Record Entry

Report if the person is not found within a reasonable time period. A reasonable time period will vary from situation to situation. Officers should be guided, as follows:

1. Adult missing, no signs of foul play and no mental disability present. One (1) hour from the time of the report.

2. Juveniles missing are to be reported immediately.

3. The NCIC Record Report is to be completed immediately when any of the following situations exist:

   a. INVOLUNTARY: A person of any age who is missing under circumstances indicating that the disappearance was not voluntary, i.e. abduction, kidnapping.

   b. ENDANGERED: A person of any age who is missing and in the company of another person under circumstances indicating that his/her physical safety is in danger.

   c. JUVENILE: A person who is not emancipated in the state in which they reside and does not fit in any of the categories listed above.

   d. DISABILITY: A person of any age who is missing under proven physical/mental disability; or is senile, thereby subjecting himself/herself or others to personal and immediate danger.

   e. DISASTER VICTIMS: Victims of floods, tornadoes, etc.

   f. ATTEMPT TO LOCATE: When the person does not fit into any of the above categories.

C. The follow-up investigation conducted by the Investigative Section shall ensure that the following reports are completed.

1. Personal Description Report

2. Jewelry Type Report

3. Optic Information Report

4. Medical Information Report

5. Dental History Information Report

6. Complete NCIC Waiver Form (must be completed)

D. Broadcast a Missing Persons message with all the pertinent information via NJLETS.

II. PATROL SERGEANT/SENIOR OFFICER

A. Take charge of search, checking that everyone has followed all basic procedures.

B. If an area search is warranted, establish command post with direct contact to headquarters.

C. Appraise the Division Commander of facts.

1. Need for additional manpower

2. Need for additional publication

3. Need for special services:

a. K-9 Unit or Bloodhound

b. Ambulance

c. Lighting (fire company)

d. Rescue and Recovery

e. State Police

D. Notify Uniform Division Commander

E. Keep up-to-date reports on area searched, manpower involved and areas to be covered.

F. Patrol Sergeant/Senior Officer is to remain in charge unless directed otherwise by Division Commander.

III. INVESTIGATIVE SECTION

A. Secure necessary aid for Patrol Supervisor.

1. Manpower (area searches)

a. Officers on duty (only those that can be spared)

b. Fire Departments (start with district that person is missing from)

c. Other service groups (including Special Police)

d. Neighboring communities (department's County Alert System)

2. Special Services

a. K-9 Unit or Bloodhound

b. Ambulance Squads

c. Fire Departments, Rescue and Recovery (lighting)

d. Rescue and Recovery

e. Air Search (State Police)

f. State Police

3. Broadcast Alerts

a. Local Radio Stations (WSNJ; WVLT etc.)

b. Schools (when open)

c. Plectron System (Fire, Ambulance, Rescue and Recovery)

d. Police Radio Band

e. Postal Service

B. Have a Records Check made in reference to previous Missing Persons report.

C. Dispatch additional investigative personnel if the situation warrants it.

D. Have NCIC sent out for any person that meets the criteria of Section I, B, 2. Broadcast a message (File #8) via NJLETS.

E. Notify the Chief of Police.

1. Search requires manpower outside police department.

2. Search requires services outside police department.

3. Indications show grave or unusual circumstances.

F. Notify Missing Persons Unit of the County Prosecutor's Office in priority cases such as:

1. All persons missing under suspicious circumstances or circumstances out of the ordinary for the particular person.

2. Where foul play or suicide is suspected.

3. Anytime a K-9 Unit is requested or a search is to be conducted to locate an individual.

4. Unidentified bodies or body parts.

G. Make arrangements to feed, house and properly relieve men.

H. Keep command post clear of all unnecessary personnel.

I. Review all reports and have them properly channeled:

1. Telex the reports to the County Prosecutor's Office, Missing Person Unit, as soon as possible.

J. After finding Missing Person:

1. Notify person that originated the report

2. Cancel Missing Person Report

3. Cancel NCIC and remove from NCIC.

4. Advise all parties involved in search

K. Complete all reports.

1. Full facts of case

2. Action taken on case

3. Manpower and special services used

4. Result of investigation

IV. JURISDICTION

A. Whenever a person is reported missing and the missing person resides in this municipality, the police shall respond to the residence of the caller and complete the appropriate reports.

1. If a person is not a permanent resident of this municipality, but is staying with a permanent resident for a period of days, the officer will complete the necessary report forms and conduct an investigation in the same manner as if the person were a permanent resident.

B. Whenever it is suspected that a person may have been abducted or kidnapped from this municipality, the officer will conduct an investigation accordingly.

1. Interview the complainant

2. Notify the Detective on Duty

3. Notify the Uniform Division and CID Commander

4. Notify the Chief of Police

5. All interference with custody cases shall be screened by an Assistant Prosecutor (Juvenile Unit) prior to signing a complaint.

C. If a resident of another jurisdiction was last seen in this municipality, and there is no indication of criminal activity, the responding officer shall:

1. Speak to the caller and complete the appropriate Investigation Report.

2. Advise the caller to contact the police department in his/her jurisdiction.

3. Call the police department where the Missing Person resides and advise of the situation.

4. Check the surrounding area where the person was last seen.

5. Attach a copy of the computer printout to the Investigation Report.

V. RECOVERY FOLLOW-UP

A. A case IS NOT to be closed based upon information received from a third party.

1. Interview the person that was reported missing.

B. Complete a Supplemental Investigation Report.

C. Cancel NCIC Records and broadcast message.

VI. NEW JERSEY STATE POLICE

A. Missing Persons Newsletter

1. A copy of the New Jersey State Police Missing Persons Unit Newsletter will be placed in the Report Book when the Investigative Section receives them. Each officer should familiarize themselves with the contents. After reading the Newsletter, initial the Certification Sheet that will accompany the booklet.

VII. UNIDENTIFIED PERSON INCIDENTS

A. In the case of Unidentified Persons, living or deceased, the National Crime Information Center Unidentified Persons File shall be utilized as soon as the individual identifying characteristics become available which are necessary for the basic file entry.

B. A NJLETS teletype message with all available, pertinent information regarding the unidentified person shall be broadcast concurrently with the entry into the National Crime Information Center Unidentified Persons File. The teletype will be broadcast on a statewide basis and expanded as the need exists.

C. An investigation report and the Unidentified Persons Report shall be completed.

D. When an Unidentified Person is identified, the record entry shall be immediately cleared from the National Crime Information Center Unidentified Persons File (NCIC) and if appropriate, the relevant Medical Examiner's office shall be notified.

E. A NJLETS teletype message shall be immediately broadcast regarding the identification of the previously report Unidentified Person.

F. It is the responsibility of each entering agency to clear NCIC entries and update NJLETS File Messages upon identifying the previously Unidentified Person.

VIII. VIOLENT CRIMINAL APPREHENSION PROGRAM (VICAP)

A. The Violent Criminal Apprehension Program (VICAP), established by the Federal Bureau of Investigation, is a nationwide data information center designed to collect, collate and analyze a variety of violent crime information. VICAP provides all law enforcement agencies reporting similar patterns of violent crimes with the information necessary to initiate coordinated multi-agency investigations.

B. In cases where investigation reveals that a Missing Person or Unidentified Person has been a victim of a violent act, use of the Violent Criminal Apprehension Program (VICAP) should be explored.

C. Information regarding the VICAP Program is available from any local Federal Bureau of Investigation Office or by writing to VICAP Program, FBI Academy, Quantico, Virginia, 22135.

Order #: II.24 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: POLICE EMERGENCY RESPONSE

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 24
SUBJECT: POLICE EMERGENCY RESPONSE
EFFECTIVE DATE:
CHIEF OF POLICE:COURTLANDT A. TURNER

Held for security issues.

Order #: II.25 **Date:** 12/22/2010
Category: DEPARTMENT ORDERS
Title: FIELD INTERVIEWS AND PAT-DOWN SEARCHES

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 25
SUBJECT: FIELD INTERVIEWS AND PAT-DOWN SEARCHES

EFFECTIVE DATE: JANUARY 3, 2011
CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: 1.2.3; 1.2.4b

I. PURPOSE

The purpose of this policy is to provide background and establish guidelines for members of this department in the proper conducting of field interviews and pat-down searches, and in the completion and submission of the Field Interview Module in Impact.

II. POLICY

It will be the policy of the department to conduct field interviews and pat-down searches, in accordance with law, for the purpose of identifying actual or potential offenders and depriving them of the initiative in selecting the time, place, and circumstances for the commission of crimes, and to remove from their possession the weapons, tools, and implements used in the commission of crimes.

Field interviews will normally fall into one of two categories;

a. Terry stops
b. Voluntary encounters

Information obtained during field interviews will be recorded and entered into the Field Interview Module and submitted for review and filing.

III. PROCEDURE

A. Terry stops (background)

In 1968, the U.S. Supreme Court ruled, in the case of Terry v. Ohio, that an officer could stop an individual for questioning if the officer reasonably suspected that the individual had committed a crime or was about to commit a crime. It is not necessary that the officer have probable cause to arrest. All that is required is that the officer has reasonable suspicion that the individual is involved in criminal activity. To be reasonable, the suspicion must be based upon articulable facts that would lead a reasonable person to develop the same suspicion.

1. This suspicion must be based on facts that are known to or observed by the officer. Such facts can include, but may not be limited to the following:

   a. Demeanor/behavior of the individual (furtive movements).
   b. Time of day or night.
   c. Area in which the encounter occurs.
   d. Inappropriateness of the individual's presence in that area at that time.
   e. Individual is carrying suspicious object(s).
   f. Objective evidence that the individual may be armed (i.e. bulge in clothing).
   g. Knowledge that a crime has recently been committed in the area.
   h. Individual or individual's vehicle matches description of suspect or suspect vehicle.

2. Officers must be thoroughly cognizant of the limitations associated with the conducting of field interviews.

3. It is essential during field interviews that officers conduct the interview in such a manner so as not to elevate the encounter to an arrest when no probable cause exists for an arrest. Officers must also keep in mind that the broad view of the courts does not necessarily require that the words, "You are under arrest", be spoken in order for an arrest to take place. Therefore, the officer should;

   a. Avoid intimidating behavior –

      1. Officers should exercise reasonable courtesy and avoid intimidating or threatening behavior

   b. Minimize physical contact –

      1. Excessive physical contact can cause the courts to treat the encounter as an arrest

   c. Avoid detaining the individual any longer than is necessary –

      1. Detention for an excessive period of time is a common basis for judicial rulings that an encounter has become an arrest

4. Officers are encouraged to conduct Terry stops whenever appropriate and to obtain as much information as possible through the use of the Field Interview Module.

B. Voluntary encounters (background)

It is not necessary that an officer have a reasonable suspicion in order to approach and question a citizen. In such an encounter the officer may even ask questions intended to produce evidence of criminal activity as long as the encounter remains voluntary. Once an encounter ceases to be voluntary it becomes a Terry stop and is subject to Fourth Amendment considerations.

1. An encounter will usually be viewed as voluntary as long as the circumstances are such that a reasonable person would feel that they were free to terminate the encounter at any time.

2. The following are factors which do not of themselves negate the voluntary status of an encounter but are likely to be considered by a court or other authority during a review of the encounter to determine its voluntariness.

    a. Interference with the individual's freedom of movement

        1. If an officer positions himself or his vehicle in a such a manner as to block the individual's path, this may indicate to the individual that he is not free to leave

    b. Number of officers

        1. An individual confronted by more than one officer may be intimidated to the point that he does not feel free to break contact.

    c. Display of weapons

        1. Excessive display of weapons, especially firearms, that are drawn or pointed are likely to elevate an encounter to an arrest.

    d. Display of badges

        1. Prolonged or repeated display of badges or other police identification may be intimidating enough to an individual to affect the status of the encounter.

    e. Behavior of officers

        1. Officers should avoid exhibiting a threatening or bullying demeanor when conducting voluntary field interviews.

    f. Physical contact

1. Physical contact with an individual for the purpose of stopping them or holding them to search for weapons or evidence will almost certainly negate the voluntary status of the encounter.

g. Retaining personal property

1. Any personal property, such as a driver's license or other identification, taken from an individual should be returned promptly.

2. Individuals may not feel free to leave as long as such items are held.

3. Although officers conducting field interviews in voluntary encounters are not required to advise individuals stopped of their right to refuse to answer questions and of their right to terminate contact at any time, individuals are not to be misled should they inquire or exercise such rights.

4. Officers must keep in mind at all times when attempting to initiate voluntary encounters that the individual is under no legal obligation to stop, to speak with the officer, or to even acknowledge the officer's presence. These types of responses do not justify an intensified police presence.

C. Field Observations

There will be situations when an officer will want to record an unusual or suspicious occurrence. In these types of incidents there may be no field interview conducted, but a field interview module entry should be completed and submitted. These types of situations will include but may not be limited to the following:

1. An individual approached in a voluntary encounter refuses to give any information or speak with the officer. The officer should record a physical description of the individual and the location, date, and time of the encounter.

2. An officer observes a known individual in a specific place at a specific time but is either unable to make contact or feels contact is not the best course of action at the time.

3. An officer observes a suspicious vehicle but is unable to interview the operator/owner or other occupants.

D. Field interview module entries

The field interview module is an invaluable tool in the accumulation, analysis, and dissemination of criminal intelligence.

1. Although a field interview module entry need not be completed for every police/citizen encounter, a field interview entry should be completed anytime an officer investigates a suspicious activity or interviews an individual under suspicious circumstances, but does not develop sufficient probable cause on which to base an arrest.

2. A field interview entry must be completed and submitted anytime an officer determines that a "curbside warning" is the appropriate action in a juvenile matter.

3. The field interview entry should be filled out as completely as possible using information provided by the individual interviewed and observation made by the officer.

4. Officers will submit completed field interview entries to their supervisor at the conclusion of each shift. The supervisor will be responsible for forwarding the reports to the Records Division.

E. Terry v. Ohio, other court decisions, and various statutes give police officers the authority to conduct pat-down searches of individuals reasonably believed to possess weapons.

1. Officers must be aware of the following when determining the validity and scope of a pat-down:

a. If the stop is invalid, the pat-down is also invalid.

1. Only a stop based upon reasonable suspicion that a person possesses a weapon will justify a pat-down.

b. The right to stop an individual for questioning does not automatically give the officer the right to conduct a pat-down.

1. Even if the stop is valid, a pat-down may not be conducted until there is a separate articulable basis for believing that the individual stopped may possess a weapon and may harm the officer.

2. In determining the validity of a pat-down, officers should consider such factors as:

a. Type of crime suspected.

b. Number of suspects confronted.
c. Number of officers present.
d. Time of day.
e. Location of encounter.
f. Behavior/demeanor of suspect(s).
g. Visual indication that suspect(s) may be carrying weapons.
h. Prior knowledge that the suspect is prone to violence.

c. Pat-down searches are limited searches of a suspect's outer clothing.

1. Pat-downs should not be as thorough a search as a search that is incident to an arrest would be.

2. During pat-downs officers may not reach inside a suspect's clothing or into a suspect's pockets unless the pat-down has indicated that there is a weapon or other contraband present. In instances where contraband is involved the officer must be able to immediately identify the object detected as contraband. Identification must be based on the officer's training and experience. The officer must be prepared to justify and articulate the factors on which the identification was based.

d. The officer's belief that the suspect may be armed or dangerous must be reasonable and actual.

1. When called upon to justify the pat-down, the officer must be able to clearly articulate why it was that he was both reasonably and actually apprehensive for his safety.

e. Pat-downs should, if possible, be conducted by officers of the same sex as the suspect.

f. Treatment of containers found in the possession of suspects subjected to a pat-down.

1. Often suspects will have containers in their possession such as sacks, briefcases, or bags.

2. Although such containers may be subjected to a pat-down search, they are not to be opened without probable cause.

3. The officer should place containers and other like items out of reach of the suspect during the encounter.

4. Officers may acquire a suspect's consent to search a container, but such consent must be obtained and documented in accordance with department policy and procedure.

2. A field interview entry must be completed and submitted anytime an officer conducts a pat-down search as part of a Terry stop or voluntary encounter. It will not be necessary to file a field interview report if, during the course of the stop, sufficient probable cause is developed to affect an arrest and the arrest is made.

Order #: II.26 **Date:** 08/28/2013
Category: DEPARTMENT ORDERS
Title: PRISONER CARE/TRANSPORTATION

Bridgeton Police Department

Chief's Directive: Prisoner Care/Transportation
Date: 8-28-2013
Enacted by: Chief M. W. Ott
Section: II
Chapter: 26
Effective Date: Immediately

POLICY

This policy will set fourth guidelines that officers will follow when transporting or having a prisoner in their custody. The policy will cover female and male arrestees, as well as juvenile arrestees.

In order to protect officers and prisoners from injury, it is imperative that this policy be adhered to.

PROCEDURE

I. Adult Males Arrested by BPD personnel or prisoner transfers to BPD personnel

A. Search NOT Frisk

1. All clothing, including:

a. Hat
b. Jacket
c. Foot ware (inside and out)
d. Pockets
e. Gloves
f. Waist Bands
g. Any portion of clothing item contraband or weapons could be concealed

B. Handcuffing

1. Always handcuff behind the person, palms facing out, with handcuffs double locked. Always handcuff prior to searching.

C. Police Vehicle Search

1. Officers shall always search the prisoner compartment of the police vehicle they are assigned or using:

a. At the start of shift
b. Before and after any rear compartment transport
c. At the end of shift

2. The purpose of the search is to check for:

a. Evidence of criminal activity
b. Illegal drugs
c. Weapons
d. Other contraband

D. Male Prisoner(s) will be put in the rear seat of the police vehicle.

1. Seat belts will be used when practicable.

2. Prisoners should not be placed in the rear of the vehicle belly down.

3. If the transporting officer is different from the arresting officer the transporting officer shall conduct another search of the arrestee.

4. If necessary a male adult prisoner may be transported in the front seat but the seatbelt must be used. The reasons for this unusual form of transport will be documented in the IR or arrest report narrative.

E. The arresting officer will notify Dispatch of the following:

1. Number of prisoners

2. Mileage

3. Destination

F. In the event the arresting officer deems the prisoner as high risk, a decision should be made to include other officers as witness to the arrest, transport, processing and release activities:

When practicable at least one other officer should follow and be present during these functions if any of the following conditions exist:

1. The prisoner is deemed violent or suicidal

2. The prisoner is deemed a risk for making false allegations

3. The prisoner is deemed some other form of risk

NOTE - release would include release from Police Headquarters, or to correctional

or medical facility.

II. Adult Females Arrested by BPD personnel or prisoner transfers to BPD personnel

A. If a female police officer is not immediately available to respond to the scene, the arresting officer will (male officers only):

1. Conduct a "pat down" using the back portion of his hands. Obvious pocket bulges should be questioned.

2. Exterior clothing such as coats, hats etc. should be searched away from the prisoner's body.

B. Handcuffing

1. Always handcuff behind the person, palms facing out, with handcuffs double locked. Always handcuff prior to searching.

C. Police Vehicle Search

1. Officers shall always search the prisoner compartment of the police vehicle they are assigned or using:

a. At the start of shift
b. Before and after any rear compartment transport
c. At the end of shift

2. The purpose of the search is to check for:

a. Evidence of criminal activity
b. Illegal drugs
c. Weapons
d. Other contraband

D. Female prisoner(s) will always be put in the rear seat of the police vehicle.

1. Seat belts will be used when practicable.

2. Prisoners should not be placed in the rear of the vehicle belly down.

3. If the transporting officer is different from the arresting officer the transporting officer officer should conduct another "pat" down as described in II.A.1.

4. For a thorough search a female officer should be summoned to search the arrestee. If no BPD officer is available the prisoner could be searched by

a Cumberland County Sheriff's Officer or Corrections Officer.

E. The arresting officer will notify Dispatch of the following:

1. Number of prisoners
2. Mileage
3. Destination

F. In the event the arresting officer deems the prisoner as a high risk, a decision should be made to include other officers as witness to the arrest, transport, processing and release activities:

When practicable at least one other officer should follow and be present during these functions if any of the following conditions exist:

1. The prisoner is deemed violent or suicidal
2. The prisoner is deemed a risk for making false allegations
3. The prisoner is deemed some other form of risk

NOTE - release would include release from Police Headquarters, or to correctional or medical facility.

III. Male or Female Juveniles Arrested by BPD personnel or prisoner transfers to BPD personnel

A. A Juvenile Male

1. A male officer will search for weapons, drugs or other contraband at the place of arrest, as previously described.
2. A male juvenile obviously over the age of 14 should be handcuffed in the same manner as would adult males.
3. Juvenile males obviously under the age of 14 may be handcuffed in the same manner as adult males if they pose a risk of injury to the officer, self or others.
4. Juvenile males are to be transported in the rear of the police vehicle only, in the same manner as adult males.

B. A Juvenile Female

1. If there is a reason to suspect the juvenile is concealing a weapon or contraband a female officer should be summoned to the scene for searching purposes.

2. A female juvenile obviously over the age of 14 should be handcuffed in the same manner as adult females.

3. A female juvenile obviously under the age of 14 may be handcuffed in the same manner as adult females if they pose a risk of injury to the officer, self or others.

4. Juvenile females are to be transported in the rear of the police vehicle only, in the same manner as adult females.

C. Police Vehicle Search

1. Officers shall always search the prisoner compartment of the police vehicle they are assigned or using:

   a. At the start of shift
   b. Before and after any rear compartment transport
   c. At the end of shift

2. The purpose of the search is to check for:

   a. Evidence of criminal activity
   b. Illegal drugs
   c. Weapons
   d. Other contraband

D. In the event the arresting officer deems the prisoner as high risk, a decision should be made to include other officers as witness to the arrest, transport, processing and release activities:

When practicable at least one other officer should follow and be present during these functions if any of the following conditions exist:

1. The prisoner is deemed violent or suicidal

2. The prisoner is deemed a risk for making false allegations

3. The prisoner is deemed some other form of risk

NOTE - release would include release from Police Headquarters, or to correctional or medical facility.

E. The arresting officer will notify Dispatch of the following:

1. Number of prisoners
2. Mileage
3. Destination

F. In the event the arresting officer deems the prisoner as a high risk, a decision should be made to include other officers as witness to the arrest, transport, processing and release activities:

When practicable at least one other officer should follow and be present during these functions if any of the following conditions exist:

1. The prisoner is deemed violent or suicidal
2. The prisoner is deemed a risk for making false allegations
3. The prisoner is deemed some other form of risk

IV. General Guidelines

A. Weapon security

1. Officers should at all times have the triple retention mechanism for their holster activated, unless they have produced the weapon or plan on producing the weapon.
2. When the officer engaged in processing a prisoner is ready to take fingerprints and photographs the officer should secure their weapon in a lock box and not regain their weapon until the prisoner is again secured to holding bar.

Note - Officers shall always keep in mind the position of their body (weapon side) and that of any other person.

When processing prisoners (male/female/adult/juvenile) and fingerprints and/or photographs are required by the nature of the charges and by laws governing processing of prisoners the officer will make certain the fingerprints and/or photograph are taken as required.

Should the arrestee refused to be processed (printed/photographed) the officer will advise the arrestee that failure to cooperate with processing will result in the additional charge of 2C:29-1 Obstructing Justice.

The officer will then call the arrestee to the appropriate processing station. Should the arrestee fail to move and cooperate the officer will attempt to carry out the processing by physically stationing the arrestee at the appropriate station and carrying out the processing. Should the arrestee placidly remain still the officer will escort the arrestee to the processing station and attempt the processing. If the arrestee uses any level of physical force to prevent processing. The officer shall:

a. Cease the processing attempts.

b. File the additional charge of 2C:29-1 Obstruction of Justice and contact the Municipal Court Judge and request a warrant with a bail condition "Not to be released until fingerprinted/photographed".

B. Other General Rules

1. Prisoners are to remain handcuffed at all times while in custody accept for fingerprinting and photographing. Flight risk or violent prisoners should be leg shackled at all times after arriving at City Hall and until secured in correctional facility or released from custody.

2. Leg shackles may be used whenever the officer deems it necessary.

3. At no time shall a prisoner be left alone. When adult males need to use toilet facilities they should be watched by a male officer from behind. When adult females or juveniles need to use toilet facilities, the door to the toilet facility may be closed by the arrestee but an officer should be nearby to monitor the time the person is taking in the toilet facility.

4. The only time prisoner transportation shall be interrupted, will be when there is eminent personal danger to a citizen, prisoner or officer.

5. If a prisoner escapes, the following action shall be taken:

   a. The officer shall as soon as possible broadcast this information over the radio

      i. Include location
      ii. Direction of flight
      iii. Description (Physical/Clothing/Identity if Known)
      iv. Pursuit of escapee should be immediate

   b. Available officers shall respond to assist in recovery of the escaped prisoner

c. The Bureau Commander of the Officer suffering the escape shall be notified by the working supervisor

d. The officer suffering the escape shall file a detailed report.

6. A maximum of three prisoners may be transported in the rear of a police vehicle (i.e. three adult males, three adult females, but no combinations of prisoners i.e. two adults and one juvenile or two males and one female.)

   Note - During criminal investigations it is not recommended, as the suspects may conspire to concoct an alibi or make agreements etc., however, there may be times when manpower remaining on the street leaves this option impracticable.

7. Prisoners needing medical attention shall be provided the opportunity for medical attention:

   a. Whenever a prisoner complains of injury, has an obvious injury or complains of illness or has an obvious illness, the working supervisor shall be notified who shall make proper determinations.

   b. At no time while in treatment facility shall the prisoner be left unguarded.

   c. Handcuffing (leg shackling) shall be the determination of the officer in consultation with medical personnel (with the officer's being the final determination as to whether restraints remain on and in what fashion).

   d. The number of personnel assigned to a medical transport shall be the working supervisor's decision.

   e. No officer shall withhold the use of water or paper towels from a prisoner that has been sprayed with pepper spray, unless the prisoner is still violently assaulting officers.

8. Prisoners for court:

   a. Anytime a prisoner is transported to court, the judge is to be notified. It is important that the judge be advised if the prisoner is considered a safety hazard.

   b. Prior arrangement for detainee's court appearance will be conducted in a timely fashion.

9. Handicapped Prisoners

   a. Depending upon the disability, handicapped prisoners shall be transported as the policy states or other arrangements made as per the working supervisor.

   b. There may be times when a handicapped person cannot be transported in the manner spelled out. In cases such as this the working supervisor should be contacted and determination made by that supervisor.

   c. Searching is still mandatory and should not be overlooked because a person may be handicapped.

   d. A handicapped person shall be handcuffed if the officer has a reasonable belief that they are dangerous to the public, the officer or the individual himself.

10. Identification of prisoners is absolute. Arrest records, fingerprints and photographs are to be taken for future reference and identification.

11. Policy on Hitchhiking

    Under no circumstances will any hitchhikers, male or female, be picked up by any police vehicle for transportation.

12. Juvenile Prisoners

    a. Shall not be exposed to adult prisoners unless they were brought in during the same event and are close blood relations (i.e. parent/child, adult sibling/juvenile sibling).

    b. No civilian personnel should be having contact with prisoners unless there's an emergent need (such as translation, same sex searching purposes). These instances and the reasons shall always be documented.

V. HOSPITALIZED PRISONER

A. If an arrested subject must be admitted to the hospital, an officer shall be assigned to guard and remain with the prisoner.

B. There shall be no admittance of visitors while the prisoner is in custody. Only authorized hospital staff shall be allowed into the room and have contact with the prisoner.

C. The duty officer shall remain at the prisoner's room or inside and ensure that no unauthorized personnel enter. The prisoner shall be continuously monitored to avoid an escape or attempts self harm.

D. If the prisoner escapes or takes a hostage the Officer shall broadcast this information immediately to BPD Dispatch and request additional units. The officer shall also make certain that Hospital security is notified. The officer should begin pursuit, containment and/or negotiation activities.

VI. SANITIZING EQUIPMENT

A. After an officer removes the handcuffs from a prisoner, the officer shall, as soon as possible, wash the handcuffs with an alcohol "wipe".

B. After the officer has cleaned the handcuffs, the officer is to wash their hands thoroughly with soap and water.

C. Officers are encouraged to carry rubber gloves with them and wear them when handling prisoners.

VII. VIOLATIONS

Any officer found to have violated this policy shall face disciplinary action as directed by appropriate Department rules, regulations and standard operating procedures.

Order #: II.27 **Date:** 01/31/2014
Category: DEPARTMENT ORDERS
Title: TOWING POLICY & PROCEDURE

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

Chief's Directive: Towing/Impounding Motor Vehicles

Date: 09/16/2014
Enacted by: Chief Mark W. Ott
Section: II
Chapter: 27

I. Purpose:

The Bridgeton Police Department recognizes the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures. In considering these constitutional guarantees the Department also recognizes the importance and necessity to enforce traffic laws and ordinances in an effort to protect the citizens of this City by keeping the public highways, streets and alleys as safe and efficient means of travel.

The Bridgeton Police Department shall by this policy and standard operating procedure attempt to ensure those rights, while maintaining the safe and efficient regulation/maintenance of traffic on public streets, highways and alleys.

No officer of the Bridgeton Police Department shall remove a person's vehicle from any street, highway, alley or any other area without legal justification. Officers of the Bridgeton Police Department shall go to the furthest possible extent to notify owners of vehicles of why their vehicle was towed and of the proper manner by which it can be reclaimed. Officers found towing vehicles outside permitted/authorized times will be in violation of this policy (a schedule D offense for first time) and will be subject to payment of any fees involved in the improper towing/storage of the vehicle.

The Bridgeton Police Department will cooperate with other City of Bridgeton agencies/entities that would become involved in the towing or impound of vehicles to the extent that the Department shall act as the tracking agency for those vehicles towed by other City entities. Reports done on behalf of other City entities will cite the legal justification (ordinance or statute) for the tow/impound, the City Employee's name and office for which the employee works.

II. DEFINITIONS:

Highway. (39:1-1) means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic.

Impound. The status of a vehicle, whereby the Police or other City entity, lawfully seizes and/or removes a vehicle from public or private property and holds it until the owner or authorized representative of the owner obtains a release from the Police Department.

Impound Release. In order to properly release an impounded vehicle, the registered owner, or

the owner's designee, can come to the Bridgeton Police Department Headquarters with proof of identity, proof of ownership or guardianship for the vehicle, and proof of valid insurance information to obtain a release. If the vehicle may be lawfully driven (properly registered and insured) and the claimant presents valid Driver's license to the Police Department, the claimant may drive the vehicle from the impound facility.

If the vehicle may not be lawfully driven (not properly registered) from the impound lot, the release form for the vehicle will be marked "must be towed or hauled." Subjects wishing to recover vehicles which are principally housed or garaged in New Jersey without proper registration are still required to provide proof of valid insurance coverage.

Note – VEHICLES IMPOUNDED UNDER SUBSECTIONS OF 39:4-50:

Arrestee is not registered owner – then the vehicle may be released to the registered owner upon standard impound release requirements.

Arrestee is registered owner – prior to the end of the mandatory 12 hour hold; the person signing for the release of the vehicle at the request of the registered owner (arrestee), must meet all the following points:

1. All normal impound release requirements plus proof of registration and Driver's license, AND

2. Have signed (notarized) written permission to take charge of the vehicle from the owner, AND

3. The person accepting the vehicle MUST sign a POTENTIAL LIABILITY WARNING FORM for the vehicle.

4. The person accepting the vehicle must not exhibit signs of intoxication.

Arrestee is registered owner – after 12 hour (minimum) mandatory impound; the vehicle may be released under normal Impound Release requirements, plus must exibit D.L., Registration, proof of insurance and no signs of intoxication.

Note - if the registered owner was the arrested person and their BAC was high the vehicle may be held in impound longer should the registered owner be exibiting signs of intoxication beyond the 12 hour period.

In the event the registered owner of an impounded vehicle does not claim the vehicle but a lien holder or other party with vested and lawful rights to the vehicle claims same. The vehicle may be released to that agent (finance company/insurance company) with a hold harmless document holding the City of Bridgeton and Bridgeton PD harmless from any actions arising from the transfer of the vehicle to them.

Notice of Impound. Verbal report by officer ordering a vehicle to be towed, to the representative of the on scene towing service that the vehicle is not to be released until an Impound Release from the BPD is shown by the claimant.

Proof of Guardianship. A letter from the registered owner granting the named guardian/party permission to control the vehicle, this letter must be signed by the registered owner and the owner's signature must be notarized.

Reasonable Amount of Time. Is hereby established as fifteen (15) minutes for the purposes of this towing policy.

III. PROCEDURE:

A. Towing Services

1. The governing body of the City of Bridgeton, at the beginning of each year, will establish a list of authorized rotational towing services to be called by the Police Department on a weekly rotating basis. (CO 334.2 Appendix #1)

2. If for some reason a specialized wrecker is required or the authorized rotational towing service can not perform the task another service may be called.

3. Whenever there is a need for a towing service involving an impound, the authorized rotational towing service will be called to the scene. When there is a need for towing services not involving an impound the following exceptions apply:

   a. When an individual specifically requests a licensed tow company of their choice, who can respond to the scene within a reasonable amount of time.

b. When towing or impound is unnecessary.

NOTE – Only an authorized (rotation company or licensed tow service) towing service will be utilized at accident or crash scenes.

c. The officer at the scene, for some reason of safety, security, investigation or other emergent reasons, requests a towing service other than the authorized rotational towing service. The reason for this must be explained in the officer's report.

IV. MECHANICS:

A. Police Request for Towing Service

1. Towing services are generally not to be dispatched to the scene until the on scene officer has determined specific needs.

a. The officer at the scene shall determine when a towing service is required so as to eliminate unnecessary expense to the person whose vehicle is being towed.

b. When the officer at the scene determines that a towing service is needed, the officer will notify Operational Dispatch and advise the telecommunications operator of the following information:

- Vehicle make
- Vehicle model
- Vehicle year
- License plate number (if properly registered to vehicle),
  OR
- Vehicle Identification Number (VIN – if license plate does not belong on vehicle or some discrepancy exists),
- condition of the vehicle (i.e. overturned, flat tires, severe damage, etc)
- and mileage displayed on vehicle

NOTE – if the vehicle has a digital odometer display and the mileage can not be read, this should be documented.

c. The telecommunications operator will notify the towing service and give them the information relayed by the officer at the scene. The telecommunications operator will also document the received information on the tow sheet & VCAD narrative.

d. It will be the responsibility of the towing service to determine the type of wrecker needed to recover the vehicle.

e. The towing service shall be required to respond to calls for service without delay and in no event should they take longer than fifteen (15) minutes to respond to a request as per City Code. than fifteen (15) minutes from the receipt of the call for service as per City Code.

f. In the event that the tower can not provide adequate towing service upon being called, it is the responsibility of the tower to notify the telecommunications operator. The telecommunications operator will then contact the next towing operator on the rotational list.

B. Motorist Request for Tow

1. Disabled Motorist Interfering/Obstructing Traffic (Operator has preference) //No Reports Required

a. If a disabled motorist wishes to have his vehicle towed by a specific tow service other than an authorized rotational tow service the on scene officer shall make a reasonable attempt to comply with the request.

b. The officer on-scene will relay the motorist's request and any additional information to the telecommunications operator.

c. The telecommunication operator shall contact the tow company and relay the motorist's request and the information provided by the officer. The telecommunication operator shall advise the tow service that an on scene response is required within fifteen (15) minutes as per City Code.

Note – The requested tower must meet the same criteria for type of duty wrecker needed, response time and clean up as required by City Code and NJSA 39:4-56.8.

d. In the event that the requested tow service is unavailable to respond, the authorized rotational towing service shall be called.

2. Disabled Motorist Interfering/Obstructing Traffic (Operator has no preference) //No Reports Required

a. If a disabled motorist has no preference of tow service then the authorized rotational towing service shall be called.

3. Disabled Motorist No Interference With Traffic (Operator's choice)//No Reports Required

a. If officers discover a disabled motorist whose vehicle is not interfering with, nor obstructing the safe flow of traffic then the operator may ask the officer to contact whatever tow company they wish for safe removal. No report will be required as this becomes a private arrangement between the operator and the tow company.

Note – this section applies only to vehicles that are disabled and make no unsafe, nor difficult driving conditions for the rest of the motoring public.

C. City of Bridgeton Code Enforcement Request//Report Required

1. When City of Bridgeton Code Enforcement or other official representatives make a request for a tow the Police Department shall assign an officer to assist and complete any necessary reports so that all vehicles towed by the City of Bridgeton can be properly tracked.

   a. Information needed from the Code Enforcement representative:

      - Name
      - Title
      - Department or Division
      - Legal Justification for tow (i.e. City Ordninace # authorizing tow)

   b. Reports to be completed by Officer:

      - Recovered property report
      - Appropriate Impound Module entry

2. The officer will request an authorized rotational towing service and provide the telecommunications operator with the same information as would be provided under section IV A. 1. b. of this policy, as well as, any other information that might be needed by the tow service.

D. Vehicle Towing

1. To ensure that when officers of the Bridgeton Police Department authorize the impounding or towing of a vehicle, towing charges and storage are applied uniformly and consistent with what the governing body has adopted by ordinance. The officer on scene shall:

   a. Provide the owner or operator of the vehicle being towed in writing and if present, with the name, address and twenty four hour telephone number of the company providing the tow service.

b. Explain to the operator or owner, if present, that to obtain a release for the vehicle, the owner, with proof of ownership, proof of identity and proof of insurance will be required to obtain a release.

2. It is the responsibility of the towing service that responds to the scene to ensure the following:

   a. Ensure that the operator or owner, if present, has the opportunity to view and receive a printed fee schedule which will outline all costs associated with their service. These schedules shall also be presented to any officer upon request during inspection.

   b. Make certain that the scene is cleaned before departure.

   c. Large scenes may require the use of additional inter-governmental resources and/or approved licensed contractors for clean-up.

E. Spillage of Cargo on Roadway

1. If there is a load spillage on the roadway which the towing service, in the opinion of the officer on scene cannot handle, the Bridgeton City Department of Public Works, Cumberland County DPW or the NJDOT Maintenance Crews (depending on the roadway venue) shall be notified. Cargo shall not be disposed of by maintenance crews unless or until abandonment by the owner.

Note – The abandonment clause shall commence forty-eight (48) hours after the owner has been notified and has failed to take substantial steps to take possession of the property.

   a. In the event of spillage of perishable goods (food, drugs, alcohol) the County Health Officer shall be notified by the Bridgeton Police Department, and the request for an inspector to respond to the scene to inspect the goods and report on their condition or to condemn them if necessary.

   b. In the opinion of the Bridgeton Police Department, after consultation with the authorized towing service, that the cargo must be unloaded before the vehicle can be removed, the following procedure should be followed:

      Members of the Bridgeton Police Department must recognize the balance between removing the vehicle and its cargo as quickly as possible and at the same time attempt to have the trucking company assume as much responsibility as possible. The telecommunications

operator will contact the company and make arrangements for unloading. The company must agree to begin off-loading within sixty (60) minutes after notification by the telecommunications operator.

c. The preferred manner of handling unloading is as follows:

1. Company truck and company personnel
2. Company truck and authorized towing service personnel
3. Towing service truck and personnel
4. Towing service truck and Bridgeton City DPW (BDPW) personnel for Municipal Roadway
5. Towing Service truck and Cumberland County DPW personnel (CCDPW) – for County Roadway
6. Towing Service Truck and NJDOT personnel – for State Highways
7. BDPW, CCDPW, or NJDOT truck and personnel.

F. Spillage of Petroleum and Other Hazardous Materials

In the event of a spillage of petroleum or other hazardous materials refer to Bridgeton Fire Department protocols.

V. REPORTING:

A. Recovered Property Report

1. A Vehicle Recovery Report shall be completed for a motor vehicles towed on the authority of the Bridgeton Police Department or any other City of Bridgeton Entity. This is to include but not be limited to the following situations:

Note – All reports for police ordered tows must be completed and turned in prior to the end of the officer's tour of duty.

a. Impound and Non-impound - while on City of Bridgeton property, publicly maintained roadway, government property, or properties where power of attorney from owners has been granted/entrusted to the Bridgeton Police Department:

1. Unregistered Vehicles (NJSA 39:3-4)

2. Vehicles which have suspended or revoked registrations (NJSA 39:3-40)

3. Abandoned Vehicles (NJSA 39:4-56.5/C.O. 334-1)

4. Unsafe vehicles (NJSA 39:3-44)

5. Recovery of vehicles listed on NCIC/SCIC as stolen

   a. Vehicles listed on NCIC/SCIC as stolen from jurisdiction other than Bridgeton City:

   - A hit confirmation request through NCIC/SCIC message shall be sent to the originating agency immediately to notify the originating agency that the vehicle has been recovered.

   - Direct contact via telephone will be made to the originating case agency after the recovery. During this call the officer filing the recovered property report should collect the following information for inclusion in the report:

     * Will that agency be collecting the vehicle from impound

     * Will that agency be coming to BPD impound for processing

     * Confirming that the originating agency will remove vehicle from NCIC/SCIC and contact the owner for recovery procedures

     * Name and title of person from originating agency questioned

     * Provide originating agency with BPD report #, location of vehicle and other information as requested

   b. Vehicles listed as stolen by Bridgeton P.D.

     * Advise owner of recovery immediately if possible via phone or in person contact, advise the owner where the vehicle where vehicle is being stored and their need to contact Investigation Bureau for release of vehicle. If immediate notification is not possible this fact must be documented

in report as to why

* In the event the officer making recovery is unable to make contact with the owner, it shall be the responsibility of the recovering officer to notify the Investigations Bureau of the recovery. The Investigations Bureau personnel shall arrange for forensic processing and notification to the owner owner as soon as possible; by phone, in person or by first class mail.

* Make certain that both Investigation Bureau Detectives and Crime Scene processing personnel are made aware of recovery and that vehicle is waiting for processing

* Make certain that vehicle is removed from NCIC/SCIC

6. Vehicles involved in crashes and left inoperable or unsafe when the owner or operator is unavailable to authorize the removal of the vehicle.

7. Vehicles obstructing the safe flow of traffic (NJSA 39:4-67)

8. Vehicles towed for violations of 39:3-10/39:3-40 with no licensed driver available in reasonable time to recover vehicle (NJSA 39:3-40.3)

9. Vehicles towed for violations of 39:4-50 (NJSA 39:4-50.23)

10. Vehicles towed for being involved in a criminal event:

- Vehicles may be held for processing but must be released to proper owner as soon as possible after processing is finished and/or search warrants are obtained and executed.

- Vehicles that the police wish to have seized as proceeds or part and parcel of the criminal event must first be approved by someone from the Cumberland County Prosecutor's Office. All relevant information concerning this permission must be documented in the report.

11. At any time a member of the Bridgeton Police Department or other employee representing the City of Bridgeton orders a vehicle towed from the highway or private property for any other justifiable reason.

b. Impound and Non-impound while on private property:

- Violations of City Ordinances and requested by employees of the City of Bridgeton acting under color of law via City Ordinance or other governmental statute.

c. In All Towing Events:

- Officers ordering vehicle's towed will document in the recovered property report specific facts which include but not necessarily be limited to the following:

1. Why vehicle was towed

2. Contact having been made with owner or why no contact was made

3. Release requirements explained to owner or operator if present

4. Inventory results or why no inventory was completed

5. Attach copies of 64/65 results used to perform tow (i.e. confirmation vehicle was unregistered, suspended, etc.)

6. In the event the vehicle was towed for being driven by an unlicensed driver, the officer must include specific facts that would lead a reasonable person to believe that the owner knowingly allowed an unlicensed driver to drive the vehicle (i.e. the driver could produce no license, the driver was under the legal age to drive, etc. – a revoked driver who has maintained possession of their actual driver's license and could have produced it to the owner at the time the vehicle was borrowed should not trigger the belief that the owner would naturally have known the driver was revoked because the average citizen will not have access to MVC files to check status of produced license).

B. Impound Module

1. The Impound Module of the Department's records management system (IMPACT) shall be completed with all required information.

Note – Notice of impound should be given to the agent of the authorized tow service at the scene of the event.

C. Abandoned Vehicles

1. Defined, as per City Ordinance 334-1, A vehicle which is without a current, valid registration tag and has been left unattended on a public street or parking area for more than 30 days, or left upon private property for more than 30 days and is requested to be removed by the owner of such private property.

2. Defined, as per NJSA 39:4-56, A vehicle which has remained on or along any highway or other public property or on private property without such consent for a period of more than 48 hours or for any period without current license plates shall be presumed to be an abandoned motor vehicle.

D. Inventory Search: for every vehicle ordered towed by Police/City entity:

1. Prior to initiating a search the Officer will offer the operator and any occupants the opportunity to remove any property that is rightfully theirs or allow them to arrange for another to remove same within a reasonable period of time.

2. When vehicles are towed according to this policy, the officer will conduct an inventory of the contents as a routine, administrative function designed to both protect the vehicle and property within it and to protect members of the Department and others from potential danger and liability through false claims of loss.

3. Officers will properly list, on the recovered property report, items found within the vehicle, as well as, document the reason for being unable to search the vehicle or parts thereof if no search is conducted (e.g operator refuses to allow search/compartments locked/etc).

4. If the operator/owner of a vehicle refuses an administrative search then the officer will advise the operator/owner of the vehicle that no claims may be made regarding the loss of property after the vehicle leaves the scene.

VI. RESPONSIBILITY

A. Impounding Vehicles

1. It is the responsibility of the working supervisor to ensure that vehicles have been impounded/towed under legal circumstances and that proper reports/records management entries have been made.

2. Each officer is expected to become familiar with this policy and laws pertaining to proper towing/impounding of vehicles.

3. The officer ordering a vehicle's impound/tow is required to notify the owner of the impound/tow of that vehicle and to document that this notice has taken place or any reason why this was not possible.

   a. Document who spoken to and when

   b. Document outcome of attempts at notification

B. Tracking Impounds

1. It is the responsibility of the Professional Standards Bureau Commander or designee to properly track, make notices to owners/lien holders, and to research any vehicle left in impound beyond three business days.

2. The Professional Standards Bureau Commander or designee shall for each vehicle left in impound follow the attached Checklist for each vehicle.

3. On an annual basis, starting on or about November 1st (or the next following business day) the Professional Standards Bureau Commander will pull an IMPOUND Report from IMPACT and verify that all impounded vehicles are actually in the respective tow facility. This inspection shall be documented via Miscellaneous Operations Report done on Impact and submitted to the Chief of Police for review no later than December 1st or the next business day after.

VII. RELEASING OF IMPOUNDED VEHICLE

A. In order to recover this vehicle you must obtain a release form from Police Headquarters. To obtain a release form you will have to bring the following proofs to the Police Headquarters and pay a $30.00 release fee:

1. Proof of Identity

2. Proof of ownership

   or

3. Proof of guardianship (a letter signed by owner giving you permission to take control of vehicle, plus the owner's signature must be notarized)

4. Proof of registration (if none available release can be obtained but vehicle must be towed or hauled from impound/tow lot)

5. If the vehicle is registered or principally housed or garaged in New Jersey, you must bring proof of valid insurance.

The owner will be responsible for paying the towing fee and any accumulated storage fees in order to get the vehicle out of the impound lot. If the owner does not claim the vehicle within thirty days the vehicle will be sold at auction or destroyed.

NOTE: If the vehicle has special arrangements/needs, such as a requirement that the vehicle be towed from the storage facility those remarks must be made on the release form in bold print.

BRIDGETON POLICE DIVISION
IMPOUND CLEARANCE CHECKLIST

STEP 1. At end of every week pull list of impounded vehicles from IMPACT. Run 64/65 information on all listed impounds for both owner and any listed lien holders/leasing company. Prepare letters from IMPACT, and send out letter to both registered owner and any lien holder(s)/leasing company. Make copies of letters and attach to original recovered property report. Keep copy of letter with original case report.

Note – if the vehicle is registered out of state this format is followed with an additional letter being sent to the DMV or DOT to the home state of registration on the vehicle. When the junk title is finally requested copies of those letters to out of state DMV/DOTs are included with the request for junk title showing the state of New Jersey that we have been diligently pursuing the matter.

STEP 2 At end of 15 days get copy of original recovered property report, letters sent, and original 64/65 documents. Prepare new letters from IMPACT (both registered owner and lien holders/leasing companies) and send them out as certified mail. Keep copy of letter, along with certified mail receipts, with original case report. Verify, in person at tow lot, all Vehicle identification Numbers (VIN) on sheet. Make certain mileages are available for each one remaining in impound. Issue registered owner summons for Abandonment 39:4-56.5 if located within city of Bridgeton. Go to internet website HYPERLINK "http://www.nicb.org"ww.nicb.org and run the vehicle's VIN through "VINCHECK". This site is maintained by the National Insurance Crime Bureau. If a printout of the results of "VINCHECK" can be obtained include in the package, if not, make

notation of the results on the package (date/time/results of check).

STEP 3. On thirtieth day in impound, the certified mails are returned fill out an SS87 (Yellow) Form, attach copy to package and mail original to NJMVC.

NOTE – If the NJMVC returns the SS87 (Yellow) Form – follow the instructions stapled to form by NJMVC and mail it back to them.

STEP 4. Upon receipt of Junk title it is to be taken with a BPD Junk Title receipt to the impound lot storing that vehicle. The junk title will be turned over to the impound lot representative and they shall sign for receipt of the junk title. At that time the impound lot is free to either remove parts for resale and crush the remains or crush the remains of the vehicle as is. The only prohibition is that the vehicle may not be resold for use as a vehicle.

STEP 5. After the junk title has been turned over and signed for the IMPOUND module needs to be cleared and the original case closed. The package generated to obtain junk/sale title should be filed with the original case report Bridgeton Police Division

Bridgeton Police Division 168 E. Commerce St.Bridgeton, NJ 08302 856-451-0033
Date:___/___/_____ BPD Case #: ___-_____

This vehicle is being impounded/ordered towed for being in violation of the law or being unsafe to the point that the public has been endangered. You now have a reasonable amount of time to remove any valuables or arrange for their removal prior to the vehicle being towed. After you remove the property you wish to remove, the remaining contents of your vehicle will be inventoried by an officer. The officer is inventorying valuable items to protect the Bridgeton PD and the responding tow company from false claims of loss. In the event you refuse to allow this inventory you may make no claims of loss for any valuables contained in the vehicle.

___ I accept the conditions and authorize the inventory.
___ I refuse the inventory and understand that I may make no claims on any lost property.

Signed:_____

In order to recover this vehicle you must obtain a release form from Police Headquarters. To obtain a release form you will have to bring the following proofs to the Police Headquarters and pay a $30.00 release fee:

1. Proof of Identity
2. Proof of ownership
   or
3. Proof of guardianship (a letter signed by owner giving you permission to take control of vehicle, plus the owner's signature must be notarized)
4. Proof of registration (if none available release can be obtained but vehicle must be towed or hauled from impound/tow lot)
5. If the vehicle is registered or principally housed or garaged in New Jersey, you must bring proof of valid insurance.

You will be responsible for paying the towing fee and any accumulated storage fees in order to get the vehicle out of the impound lot. If you do not claim the vehicle within thirty days the vehicle will be sold at auction or destroyed.

Vehicle is stored at:

____ Quick Towing 877 N. Pearl St. Bridgeton, NJ 08302 856-452-0873
____ Tables Body Shop 620 Irving Ave., Bridgeton, NJ 08302 856-451-1648

Your vehicle is stored at: Case #____-_____

____ Quick Towing 877 N. Pearl St. Bridgeton, NJ 08302 856-451-0873
____ Tables Body Shop 620 Irving Ave. Bridgeton, NJ 08302 856-451-1648

Order #: II.28 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: VEHICLE REPOSESSIONS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 28
SUBJECT: MOTOR VEHICLE REPOSSESSIONS

EFFECTIVE DATE:
CHIEF OF POLICE:Courtlandt A Turner

POLICY:

As difficult economic times continue, the number of motor vehicle repossessions is likely to increase. Repossession is a process that is often misunderstood. The question also arises as to what role, if any, law enforcement should take when encountering these situations.

This directive is designed to both explain the repossession process and give local law enforcement some guidance in dealing with repossessions. These guidelines should be helpful in addressing a number of concerns within this area.

Departments should consider devising their own policies in this area, consistent with these guidelines. Since repossessions have civil overtones and since police involvement can lead to civil liability, departments may want to consult their town attorney before drafting a policy in this area.

PROCEDURE:

A repossession occurs when a bank or finance company, (the lender), takes back a motor vehicle which it has financed because the owner, (the debtor), has defaulted in his payments. The lender takes this action in hopes of selling the vehicle to recover the money that the debtor owes.

A. There are two types of repossessions:

1. Repossession under a court order

2. Self help repossession.

   In a self help repossession, the lender does not obtain any judicial intervention before taking the vehicle. Instead, the lender relies solely on statutory authority and in many cases, the terms of the loan agreement. Independent contractors, hired by the lender solely to conduct the repossession, (repossession agents) generally conduct these repossessions.

N.J.S.A. 12A:9-503 authorizes self help repossessions, provided they can be conducted without a breach of the peace. The loan agreement usually specifies that the borrower gives the lender permission to repossess the vehicle if the borrower defaults on his payments. If a self help repossession cannot be conducted without a breach of the peace, the lender must obtain a court order to authorize the action. Given the time and legal fees involved, the lenders much prefer to conduct self help repossessions.

Breaches of the peace are not uncommon in repossessions. A homeowner who looks out his bedroom window at 2 am has no way of distinguishing between a person lawfully repossessing his car and a thief who may be stealing it. Even a person who recognizes that his car is being repossessed may react in a hostile manner.

When the repossession is conducted by a private entity, constitutional rights are not implicated because there is no state action. However, when the police become involved, the repossession becomes a state action when a certain level of involvement is reached. Cf. Callen v. Sherman's Inc., 92 NJ 114 (1983). Because state action can activate due process rights, the police may be liable for damages if they become excessively involved in the repossession. The case law is less than clear on what that level of involvement is needed to convert self-help repossession into a state action.

B. The following Guidelines will assist police in handling repossessions:

1. The sole function of law enforcement in a repossession matter is to preserve the peace. The police must not seek to determine who is entitled to possession of the vehicle. The police role must be strictly neutral.

2. When a repossession agent reports that he plans a repossession in your town, that agent should be required to come to headquarters and produce the following information and documents which need to be noted in a report:

   a. A description of the vehicle to be repossessed including the make, model, color, registration number and VIN.

   b. The address where the vehicle is located.

   c. The name and address of the registered owner.

   d. The names and addresses of the person(s) who will conduct the repossession. It is recommended that you photocopy the driver's license and/or other photo identification of the person coming into headquarters.

   e. Copies of any documents from the lender purporting to authorize the

repossession.

3. A Repossession Information Report on CD should be completed by the telecommunications officer.

4. The repossession agent should be expressly advised of the following:

   a. The police are not sanctioning or authorizing the repossession.

   b. If the repossession agent violates any criminal statute or local ordinance, he will be prosecuted.

   c. The repossession agent shall not enter any structure, such as a garage, to effect the repossession.

5. The police should not accompany the repossession agent to the site of the repossession in any way that would give the appearance the police are authorizing or participating in the repossession.

   If the repossession agent is so concerned about potential problems, and believes that a police escort may be necessary, then it does not appear that the repossession can be conducted without a breach of the peace.

   If the repossession cannot be conducted without a breach of the peace, the lender losses the right to conduct a self help repossession.

6. Any altercation constitutes a breach of the peace. If the vehicle has not been taken, the repossession agent should be required to leave without the vehicle. The lender should then obtain a court order.

7. If the vehicle owner denies being in default, the repossession agent should be required to leave without the vehicle. The lender should then obtain a court order.

8. The police should not say or do anything which would make it appear that the police are authorizing or participating in the repossession.

9. If either the vehicle owner or the repossession agent wishes to sign criminal complaints, they can do so in the manner which citizens normally sign complaints. R. 3:2. The police should sign complaints only for offenses they actually witness.

Order #: I.41 **Date:** 01/10/2014
Category: DEPARTMENT ORDERS
Title: LEAVE REQUEST PROCEDURES

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 41
SUBJECT: Leave Request Procedures

EFFECTIVE DATE: January 10th, 2014
CHIEF OF POLICE:Mark W. Ott

CROSS REFERENCE #: G-2009-012

Purpose:

The purpose of this directive is to make every officer aware of the policy on granting of leave throughout the agency. The Police Department is perhaps the most vital service provided to the community and continuity of that service and ensuring adequate staffing to protect the citizens of this City and carrying out police missions and objectives are our highest priority.

In understanding this, the Department also looks to allow officers to utilize their various forms of leave at the times most desired by the employee barring any affect on services to the community
or the agency.

Policy:

The Police Department shall grant leave to employees at the time most desired so long as there is no negative effect on the minimum manning levels of the Department. All forms of leave requests must be pre-approved by the next higher officer in the chain of command prior to being used.

I. Types of Leave covered by this policy and their order of priority:

a. Compensation Time
b. Personal Days
c. Vacation Time
d. Kelly Time
e. PBA Days

II. Use of Leave Times

A. LEAVE CALENDARS

At the beginning of each year leave calendars will be provided to every unit

(Squad, Team, Unit, work group).

It must be understood by Police Department employees that there are no absolute guarantees involved in granting of leave time as this is an emergency service profession and there are times when unexpected incidents/emergencies arise that require the presence of officers regardless of pre-approved leave times.

The leave calendars offer the best opportunity of attempting to secure known and predictable leave periods to employees in advance. Officers are therefore encouraged to plot out at a minimum 90% of leave forms they wish to take throughout the year during this process, as it is the most certain way of assuring those chosen dates off.

Leave time for vacation, personal days and Kelly time may not automatically carry over to the next calendar year and therefore should be plotted on the leave calendar.

Leave calendars shall be sent out to the work groups by no later than January 15th of the calendar year. A leave calendar shall be generated for each work unit:

1. First Squad (Part of Group A)
2. Second Squad (Part of Group B)
3. Third Squad (Part of Group A)
4. Fourth Squad (Part of Group B)
5. TRT A
6. TRT B
7. Case Detectives
8. Anti-Crime Team
9. Records Unit
10. TCOs of Group A
11. TCOs of Group B
12. Sergeants of Group A
13. Sergeants of Group B
14. Any other unit or group subdivision not listed

Leave calendars shall first go to the senior most member of each unit who shall plot out all desired leave time, with the understanding that un-plotted forms of leave may not be available for use at a specific later time.

Once the senior most member of that unit has finished plotting their leave time the calendar is passed to the unit supervisor who shall check it and then turn it over to the next most senior person on the unit and the process will be repeated until the junior most member of the unit has filled it out. The unit supervisor, after checking the junior most person's entries shall then turn same in to the Bureau Commander who will ensure adequate

minimum manning requirements are met. Once this is done the Bureau Commander shall turn the calendar over to the Police Captain.

Leave calendars shall be returned to the Captain no later than March 2nd following the date of issue.

B. LEAVE REQUESTS AFTER MARCH 2nd

All leave requests after March 2nd shall be submitted by the employee wishing to use leave time to their supervisor for approval with a minimum of 24 hours notice.

If the employee's supervisor approves the leave request it shall be forwarded to the next level of supervision/management for review immediately.

Should the employee's supervisor deny the leave request, the officer may appeal to the Bureau Commander. It is the Shift OIC and Bureau Commander's responsibility to ensure adequate minimum manning requirements are met.

Should the Bureau Commander deny the leave the employee may appeal to the Captain. Should the Captain deny the leave request the employee may appeal to the Chief.

C. CONTRACTUAL LEAVE SPLITS

Contractually authorized splitting of vacation time shall be strictly adhered to.

D. NO LEAVES GRANTED DURING TRAINING PERIODS

Officers are not permitted to utilize or schedule time off during designated mandatory training periods.

E. PBA DAYS

The granting of PBA Days shall be governed by contract and State Law, with the following stipulations concerning 10% of membership.

During any approved convention or conference only the minimum number of personnel authorized by law/contract will be allowed to attend.

PBA mini-convention shall consist of five members of the PBA, the State Delegate and one representative of the SOA.

There is not granting of leave for fund raisers or any other function other than those specified above.

The union presidents shall request this form of leave through the Chief.

F. PERSONAL DAYS

Employees may, during legitimate emergent situations, call the working supervisor to request a personal day up to two hours before their shift which will be granted if the employee can show the situation to have emergent needs.

To show emergent need (barring protected information - such as specific information on medical problems) the officer should be able to produce some proofs that there was an emergency.

Otherwise there should be at least 24 hours notice, as with other forms of leave.

G. VIOLATIONS

Any violations of this policy shall be dealt with as a progressive disciplinary matter.

H. COMPLIANCE

This policy is intended to comply with all Federal, State and Collective Bargaining laws, rules and procedures.

H. SHIFT TRADING

When any employee is denied leave during a requested period that employee is free to communicate with another employee on a separate work group to arrange a trading of work shifts.

Example:

Officer Jones is scheduled to work the night shift on Saturday evening and attempted to take leave on that date but was denied due to the request leaving the working shift short.

Officer Jones then began making contact with officers scheduled to work on Monday night and requested that one of them cover his shift and Officer Jones would work that officer's shift. The other officer agreed, Officer Jones then takes this information to his supervisor who reports it to the Bureau Commander. The Bureau Commander confirms the agreement with the other officer and approves the trade and marks it on the desk calendar (and any other leave tracking calendar).

Officers are able to utilize this option even before attempting to schedule leave if they so desire.

Order #: I.23 **Date:** 12/16/2009
Category: DEPARTMENT ORDERS
Title: NOTIFICATIONS POLICY

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 23
SUBJECT: NOTIFICATIONS

ORIGINAL EFFECTIVE DATE: DECEMBER 16, 2009

REVISION DATE: JUNE 20, 2011
REVISION DATE: JANUARY 20, 2012

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS: N/A

THIS POLICY SUPERCEDES PREVIOUS DIRECTIVE I.23 - NOTIFICATIONS POLICY

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:23-1 PURPOSE:

To establish a clear procedure on how members of the Bridgeton Police Department's chain of command are to be notified during certain situations, and how to properly document required VINE notifications.

I:23-2 POLICY:

This department will follow set procedures in making notifications to the proper personnel in certain situations.

I:23-2 PROCEDURE:

I. Codes:

A. Patrol Bureau Commander – (P)

B. Investigations Bureau Commander – (D)

C. Professional Standards Bureau Commander - (PS)

D. Police Captain - (X)

E. Police Chief - (C)

II. Notifications to be Made Through the Chain of Command for Various Police Incidents:

A. When and by whom:

1. The notifications contained within the notification matrix in section III.A should be made as soon as possible by the working supervisor or case investigator.

2. The working supervisor or case investigator shall call the first Command Level officer identified on the notification matrix. All subsequent notifications will go up the chain of command. As each member up this chain of command is contacted by the preceding member they shall identify the origin (by name and contact number) of the notification, in the event that officer requires more information.

3. The Detective Bureau Commander shall be responsible for making certain that the Cumberland County Prosecutor's Office notification matrix is appropriately followed.

4. The origin of notifications should be prepared with as much information as possible when providing notifications. They should be prepared to provide details about the "What", "When", "Where" and "How", as well as what steps are being taken to resolve the issue or solve the incident.

B. If, at any point, an officer trying to make notification is unable to get in touch with the appropriate person they shall contact the next person in the order shown, or call the Chief of Police Directly.

III. Special Notifications to the Professional Standards Bureau Supervisor:

A. When and by whom:

1. The Professional Standards Bureau will conduct investigations of alleged misconduct by members of the department and review the adjudication of minor complaints handled by supervisors.

2. The Professional Standards Bureau supervisor will be notified immediately by the working supervisor if any of the following events occur:

a. Any firearms discharge which is not related to training;

b. All use of force incidents which result in injury to a defendant, third party or officer;

c. All vehicle pursuits undertaken by departmental personnel;

d. All collisions involving departmental vehicles.

3. Except in the event of a minor internal violation, such as a demeanor complaint, the Professional Standards Bureau supervisor will also be notified at the time an internal affairs complaint is received.

IV. Special Notifications To Victim/Witnesses From the VINE System:

A. VINE Notifications are to be considered a priority call.

B. Upon Police Dispatch receiving a call from the VINE System or any other source, the dispatcher shall enter the call in VCAD under the heading "Notifications" and document in the appropriate fields the necessary information.

C. Officers responding to VINE notification calls shall make every effort to contact the subject of the VINE notification and if the subject is not located, word should be left at the home with another person (whose name is collected and recorded in IMPACT records) or a note left at the house (such information shall also be recorded in the blotter record). Neighbors should also be contacted with information, (such information shall also be recorded in the blotter record).

V. The Notification Matrix:

A. Incident Type:

1. Agg. Assault (Weapon/Serious Injury) - P/D/X/C
2. Agg. Assault (Serious injury) - P/D
3. Arson (Injury/Substantial Loss) - P/D/X/C
4. Arson (Inclusive) - P/D
5. BIAS Incident (Inclusive) - P/D/X/C
6. Bomb Threat (Inclusive) - P/D/X/C
7. Burglary (Significant Loss/Occupied) - D
8. Child Abuse - D
9. Civil Unrest - P/X/C
10. Communications Failure - P/PS/X
11. Computer (System) Failure - PS

12. Death (Homicide) - P/D/X/C
13. Death (Attempted Homicide) - P/D/X/C
14. Death (SIDS or Infant) - P/D/X/C
15. Death (Suicide) - P/D/X/C
16. Death (Suspicious) - P/D/X/C
17. Death (Unattended-Dr./Alone) - P/D
18. Death (Unknown Cause) - P/D
19. Death (Fatal/Possible Fatal MVA) - P/D/X/C
20. Detective Assistance - P/D
21. Fire (Suspicious - Fire Dept.) - P/D
22. Firearms Discharge (Not related to Training) – P/D/PS/X/C
23. Forensic Unit Assistance - P/D
24. Internal Complaints (Minor) - P/PS
25. Internal Complaints (Significant) - P/PS/X/C
26. Investigations Bureau Assistance - P/D
27. Missing Person (Juvenile Abduction) - P/D/X
28. Missing Person (Kidnapping/Suspicious) - P/D/X/C
29. MVA (Fatal or potentially fatal) - P/D/X/C
30. MVA (Police Vehicle) - P/PS/X
31. Officer Being Ordered/Held Over - P
32. Officer Injury - Notify Correct Bureau Commander/X
33. Officer Involved MVA (w/injury) - P/PS/X/C
34. Officer Misconduct - Notify Correct Bureau Commander/PS/X/C
35. Property Damage (Department) - P/X/C
36. Robbery (Armed) - P/D
37. Robbery (Armed - Commercial) - P/D/X/C
38. Robbery (Home Invasion) - P/D
39. Robbery (Strong Arm) - Depending on Circumstances
40. Robbery (Strong Arm w/Injury) - P/D
41. Sexual Assault (Inclusive) - D
42. Shots Fired (Substantiated) - D
43. Terrorism (Inclusive) - P/D/X/C
44. Use of Force (Injury To Any Party) – P/PS/X/C
39. Vehicle Pursuits – P/PS/X

VI. Violations of this Policy:

Violations of this policy shall be handled as progressive disciplinary action.

Order #: I.24 **Date:** 07/20/2012
Category: DEPARTMENT ORDERS
Title: OFF DUTY ARRESTS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 24
SUBJECT: OFF-DUTY INCIDENTS

ORIGINAL EFFECTIVE DATE: JANUARY 4, 2010

REVISION DATE: JULY 20, 2012

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS: N/A

THIS POLICY SUPERCEDES PREVIOUS DIRECTIVE I.24 - OFF-DUTY INCIDENTS

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:24-1 PURPOSE

The purpose of this directive is to provide uniform guidelines regarding involvement in any off-duty incident requiring an official action and the reporting and review mechanisms resulting from the involvement.

I:24-2 POLICY

In order to promote safety and protect both the officer and this department, it is the policy of this department to identify and regulate those situations when a police officer feels compelled to take a law enforcement action while off-duty.

I:24-3 PROCEDURES

I. General Provisions

A. Off-duty police officers may be faced with situations involving criminal or quasi-criminal conduct that they are neither equipped nor prepared to handle in the same manner as if they were on duty. This may lead to unnecessary injuries to off-duty officers, confusion for those on-duty officers arriving at a scene trying to correctly assess the facts, unpleasant

litigation, and confusion by the public in satisfactorily identifying off-duty personnel as police officers.

B. In no way does this directive infer that police officers should ignore a situation warranting an official action. On the contrary, a police officer's work obligations extend beyond the narrowly defined workplace and the ordinary period of duty. Off-duty police officers have the right and the obligation to take an official action when an incident normally requiring an on-duty action comes to their attention.

C. Changing legal principles have altered the way courts look at law enforcement actions taken while off-duty. Officers have been held personally liable for claims of false arrest, unlawful searches, use of force, and abuse of authority.

D. Contemporary society may be distrustful of any encounter with any agent of law enforcement that is not immediately recognizable.

E. Off-duty encounters requiring police action are inherently dangerous as off-duty officers are normally at a distinct disadvantage, especially when dealing with an incident that develops spontaneously in their presence.

F. Of greater significance, nearly 15% of police officers killed feloniously in the line of duty died off-duty, typically while attempting to arrest armed felons. These statistics demonstrate that off-duty police officers are not adequately equipped to handle high-risk situations. Lack of communications, lack of essential equipment, and absence of body armor all contribute to the danger. Additionally, off-duty officers may be mistaken for criminal participants with tragic results.

G. Police officers are required to take appropriate action at any time, whether on or off duty, when they become aware of a crime or impending crime.

1. Appropriate action shall be liberally construed to include notification to a law enforcement agency and does not necessarily mean actual involvement in the incident.

2. Notification to the appropriate law enforcement agency may be the only official action required. Police personnel should recognize that they are highly trained credible witnesses.

H. Police officers generally have liability protection for the on and off duty performance of their official duties. This protection does not extend to acts intended to cause injury or damage, or to those actions that the police officer knew, or reasonably should have known, were in conflict

with the law or the established directives of this department.

II. Definitions and Statutes

A. For purposes of this directive, the following terms are defined:

1. Detention: includes custodial arrests and motor vehicle stops.

2. Official action or official capacity: includes any act, process, or procedure that, when taken, would constitute a police officer's regular or expected duty.

3. Off-Duty Incident includes:

a. Any incident in which a City of Bridgeton police officer is involved while in an off-duty capacity and they take an official action; or

b. Any incident in which a City of Bridgeton police officer is involved as a witness, complainant, defendant or suspect in a criminal or quasi-criminal matter, in this or any jurisdiction; or

c. Any incident in which a City of Bridgeton police officer provides assistance in an official capacity, to a police officer, police agency, or citizen.

4. Personal Interest: an officer is deemed to have personal interest where the off-duty officer, a family member, or a friend becomes engaged in a dispute or incident involving a personal matter with any person to be arrested or any person connected with the incident. This does not apply to situations where the police officer, family member or friend is a victim of a crime or offense.

5. NJSA 40A:14-152 reads in pertinent part, "The members and officers of a police department and force, within the territorial limits of the municipality, shall have all the powers of peace officers and upon view may apprehend and arrest any disorderly person or any person committing a breach of the peace."

6. NJSA 40A:14-152.1 reads in pertinent part, "Notwithstanding the provisions of N.J.S. 40A:14-152 or any other law to the contrary, any full-time, permanently appointed municipal police officer shall have full power of arrest for any crime committed in said officer's presence and committed anywhere within the territorial limits of

the State of New Jersey."

III. Restrictions on Off-Duty Detentions

A. Restricting an officer's off-duty detention powers are a prudent means of minimizing the dangers inherent to off-duty detention scenarios. Note the following restrictions:

1. The detaining officer does not have a personal interest in the incident underlying the arrest.

   a. This directive prohibits officers from making detentions where they have a personal interest in the incident leading to the detention.

   b. This ensures that officers are truly acting within the scope of their employment.

   c. The focus is on whose purposes are most served by the detention. Personal interest may affect an officer's judgment and an abuse of authority may be alleged.

2. There is an immediate need to prevent a crime or apprehend a suspect and the crime would usually require a custodial arrest.

   a. Officers are generally prohibited from making off-duty detentions for disorderly person offenses. Disorderly person offenses include traffic offenses (not involving DWI), municipal ordinance violations, and minor public disorder violations.

   b. Police officers lack the statutory authority to make an arrest for disorderly person offenses outside of their employing jurisdiction.

   c. Problems of these types should be referred to the police department with jurisdiction for the area or to this department.

3. The detaining officer must possess appropriate police identification.

   a. Prior to any permissible off-duty detention, officers must have complete police identification with them. This includes a badge and photo identification. This will lessen the possibility that an officer will be mistaken as

an actor when on-duty personnel arrive at the scene.

4. The detaining officer must not be engaged in an off-duty capacity and the detention action is in the furtherance of the interests of the off-duty employer.

    a. When engaged in off-duty employment officers should not make detentions that solely or primarily serve the interests of the employer as opposed to the public in general.

IV. Reporting Off-Duty Incidents

A. When off-duty, police officers are responsible for reporting any suspected or observed criminal activity to the authorities responsible for the jurisdiction in which the activity occurred.

1. This may include a call to 9-1-1 or to the jurisdiction's regular telephone number. Police officers are permitted to participate in an off-duty incident except to the restrictions delineated in this directive.

B. As soon as practicable, the officer involved in an off-duty incident shall notify the on-duty supervisor of this department either in person, by radio, or by telephone of the incident. At a minimum, the following shall be provided:

1. Type of incident; and

2. Date and time incident occurred; and

3. Type and degree of officer involvement; and

4. Location and law enforcement jurisdiction where the incident occurred; and

5. The name and title of the supervisor or ranking officer in charge of the scene or incident; and

6. Location and telephone number where the officer can be contacted.

C. Depending on the seriousness or magnitude of the incident, the on-duty supervisor of this department may direct the officer to remain at the scene, and await further instructions. Further instructions may include, but are not limited to:

1. Remain at the scene and await the arrival of a departmental

supervisor; or

2. Respond to the nearest law enforcement agency; or

3. Report to this agency, a hospital or other agency; or

4. Respond home or normal place of abode.

D. The on-duty supervisor of this department must assess the incident to determine if further immediate departmental notifications are necessary. Serious or sensitive incidents will usually require an immediate command level notification. Off-duty incidents requiring immediate command notifications include, but are not limited to:

1. When an off-duty incident results in death or injury to any party;

2. When an off-duty incident involves a crime, as defined by statute;

3. When an off-duty incident results in an investigative detention of the involved officer;

4. When the off-duty incident involved the use of force by the involved officer;

5. When an off-duty incident involves a custodial arrest of any party;

6. When an off-duty incident has the potential for high publicity.

E. All officers participating in an off-duty incident must submit a special report thoroughly documenting the incident.

1. Depending on the seriousness or magnitude of the incident, the officer may be directed to immediately respond to this department to complete the report.

2. Less serious incidents may permit the participating officer to wait until their next normal tour of duty to complete the report.

3. Incidents normally requiring immediate command notification should warrant an immediate reporting requirement.

V. Command Review

A. All off-duty incidents must be reviewed by the officer's bureau commander to determine whether the actions taken by the involved officer are in

Order #: I.13.3 **Date:** 06/10/2010
Category: DEPARTMENT ORDERS
Title: DRESS OFF DUTY - OFF DUTY FIREARM CARRY

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 13.3

SUBJECT: POLICY ON DRESS OFF DUTY - CARRYING FIREARM OFF DUTY

EFFECTIVE DATE: Immediately
CHIEF OF POLICE:MARK W. OTT

PURPOSE:

The purpose of this order is instruct officers on how to carry a firearm off duty if they decide to do so and to limit activities involving uniform/partial uniform wear while not on duty.

POLICY:

OFF DUTY CARRY OF FIREARM

When an officer who is off duty decides to carry a firearm that firearm shall be kept concealed at all times that it is not being used consistent with the Attorney General's Guidelines on the Use of Force and with BPD Directive I.19.

The only exceptions to this would be:

1. An organized shooting sports event. Even then the weapon should only be openly displayed when at the event site and in clearly permitted areas/times.

2. Range practice at the BPD range. Even then the weapon should be concealed until the officer actually arrives at the range.

OFF DUTY - UNIFORM WEAR

When an officer who is off duty, they shall not wear part of nor the full uniform unless engaged in some activity authorized by competent higher authority at the Bridgeton Police Department. Any authorized activity of this sort and the officer is expected to wear full uniform. (Example: giving a presentation to members of a scouting organization, etc.)

Other:

1. Officers may not carry out personal business in full or partial uniform.

Examples: An officer leaving work at the end of shift would not be permitted to go grocery shopping in full or partial uniform on the way home.

Example: An officer on their way to work may not stop in a car dealership to arrange for purchase of a vehicle.

2. Officers may briefly stop at a convenience store (i.e. Wawa to make make a quick purchase / gas, milk, etc) in partial uniform so long as they wear a jacket which covers a t-shirt if they are not in full uniform and the duty belt and its equipment. If the officer is in full uniform the covering jacket is not necessary.

3. Exceptions to this rule:

   a. The officer is off duty and responding to a family emergency and they are in full or partial uniform at the time they receive the emergency notification (hospital, etc).

   b. The officer is off duty and suffers mechanical failure of their personal vehicle (i.e. flat tire, etc).

Order #: I.25 **Date:** 01/04/2010
Category: DEPARTMENT ORDERS
Title: OFFICER INJURY & DEATH POLICY

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 25
REVISION DATE

SUBJECT: OFFICER INJURY & DEATH POLICY

EFFECTIVE DATE:
CHIEF OF POLICE:COURTLANDT A. TURNER

CROSS REFERENCE #:

BRIDGETON
POLICE DEPARTMENT:

POLICY

This policy is to direct the Bridgeton Police Department and its personnel to provide proper emotional care for the injured/deceased officer's family. It should be remembered that the funeral arrangements are to be decided by the FAMILY, with their wishes taking precedence over the agency's.

I. DEFINITIONS:

A. Beneficiary: Those designated by the officer as recipients of specific death benefits.

B. Benefits: Financial payments made to the family to insure financial stability following the loss of a loved one.

C. Funeral Payments: Financial payments made to surviving families of an officer killed in the line of duty which are specifically earmarked for funeral expenses.

D. Line-of-Duty Death: Any action, criminal or accidental (automobile accidents, hit by passing vehicle during a traffic stop, training accidents, etc.), which claims the life of a police officer who was performing work-related functions either while on or off duty.

E. Officer: A representative of an emergency response agency (police officer, deputy sheriff, salaried firefighters, etc.)

F. Officer In Charge: The agency representative ordered or assuming responsibility to carrying out a specific task.

G. Public Safety Personnel: Firefighters, law enforcement officers and emergency medical service personnel whether in a paid or volunteer status.

H. Survivors: Immediate family members of the deceased officer; spouse, children, parents, siblings, fiancee, and/or significant others.

I. Liaison Officer: An officer responsible for communications between groups or units.

II. DEATH NOTIFICATION

A. The name of the injured or deceased officer MUST NEVER be released to the media before immediate survivors living in the area are notified.

B. If there is knowledge of a medical problem with an immediate survivor, medical personnel should be dispatched to the residence to coincide with the death notification.

C. Notification MUST ALWAYS be made in person and never alone. The Chief of Police or another ranking officer shall be responsible to notify, in person, the surviving family members immediately.

1. If the Chief or next in command are not readily accessible, notification should not be delayed until these people can gather. If the opportunity to get the family to the hospital prior to the demise of the officer presents itself, DON'T wait for the appropriate delegation to gather.

2. As soon as most public safety families see you, they will know something is wrong. Ask to be admitted to the house, NEVER make a death notification on the doorstep. Gather everyone in the home and ask them to sit down. Inform them slowly and clearly of the information you have about the incident. Make sure you use the officer's name during the notification.

3. If the officer has already died, relay that information. NEVER give the family a false sense of hope. Use words like "died" and "dead" rather than "gone away" or "passed away".

4. If the person responsible for the death/injury notification has been seriously affected by the death/injury, he/she should understand that showing emotions is perfectly acceptable.

5. If specifics of the incident are known, the officer should relay as much information as possible to the family.

NOTE: Reactions of the family may include hysteria, anger, fainting, physical violence, shock, etc.

D. If the family wants to go to the hospital, they should be transported via department vehicle. It is strongly recommended that the family NOT drive themselves to the hospital. Should there be serious resistance and the family insists on driving, please have an officer accompany them in the car.

1. The department should know if there are young children in the home. The survivor may wish to leave the children at home. The department should be prepared to handle immediate baby-sitting needs. This is where co-workers' spouses or a spouse support group can be used.

2. Because of the nature of possible radio transmissions, the officer making the transport should notify the officer in charge at the hospital that the family is en route.

3. Keep in mind that the surviving parents should also be afforded this courtesy of personal notification if they live in the same geographic area.

E. If immediate survivors are from out of town, request personal death/injury notification from the public safety agency in that area. Logistical arrangements should enable simultaneous telephone contact with the fallen officer's department.

F. It is most reassuring to the family when the Chief or another high-ranking designee responds to the home or hospital. (In some cases, the absence was viewed by both the family and fellow co-workers as not only insensitive but poor leadership as well.)

III. ASSISTING THE FAMILY AT THE HOSPITAL

A. The ranking Bridgeton Police Department official at the hospital should meet with designated hospital personnel to arrange appropriate waiting facilities for the family and a separate area for co-workers. This official should also insure that medical personnel relay pertinent information to the family on the officer's condition on a timely basis. These same medical personnel should make the family aware of hospital policy about visitation with the injured officer and/or visitation with the body following the demise, and explain why an autopsy is needed.

1. If it is possible for the family to visit their officer prior to the death, they most certainly should be afforded that opportunity. Too often, public

safety officials discourage and sometimes bar the family from visiting with the injured/deceased officer. IT IS THE FAMILY'S RIGHT to visit their loved one. Bridgeton Police Department officials should "prepare" the family for what they might see in the emergency room and accompany the family into the room for the visit if the family requests it. DO NOT BE OVERLY PROTECTIVE OF THE FAMILY. There is a definite need to touch and hold the body while there is still life, and being present when death occurs can be comforting to the family.

B. The same ranking Bridgeton Police Department official or designee will see that the family is updated on the incident as soon as the family arrives at the hospital.

C. A ranking Bridgeton Police Department official or designee should be present the entire time the family is at the hospital and should arrange whatever assistance the family may need at that time.

D. The people who made the initial notification should be among those at the hospital.

E. A survivor should not be sedated unless medication is requested by the survivor.

F. Idle promises should not be made to the family at this time. (i.e. "We'll promote him/her posthumously." "We'll retire his/her badge.")

G. Arrangements should be made for transportation of the family back to their residence.

H. A designee of the Chief of Police shall make arrangements for all medical bills relating to the services rendered to the deceased/injured officer to be sent to the appropriate governmental agency for payment. The family should NOT receive any of these bills at their residence address.

IV. SUPPORT FOR THE FAMILY DURING THE WAKE AND FUNERAL

A. A designee of the Chief of Police shall be appointed as Liaison Officer. The appointment of a liaison officer is a critical assignment. Although the liaison officer should know the deceased officer and be aware of the family relationships, the officer should not be so emotionally involved with the loss that he/she would become ineffective. The liaison officer must know that THIS IS NOT A DECISION-MAKING POSITION. THIS IS A ROLE OF "FACILITATOR" BETWEEN THE FAMILY AND THE BRIDGETON POLICE DEPARTMENT. The liaison officer will:

1. Insure that the NEEDS OF THE FAMILY come before the wishes of the department.

2. Meet with the family and tell them what his responsibilities will be during this time.

3. Meet with the family regarding funeral arrangements. Since most officers have not prearranged their wishes for the handling of their own funeral, the family will most likely need to decide all aspects of the funeral. The department should only make the family aware of what they can offer in the way of assistance if the family decides to have a "line-of-duty funeral".

4. Be issued a pager immediately so there is an immediate line of communication with the Bridgeton Police Headquarters and the family.

5. Know all information concerning the death and the continuing investigation to answer family questions.

6. Provide as much assistance as possible, oversee arrangements for travel and lodging for out-of-town family members.

7. Be constantly available to the family throughout this traumatic time.

8. Ascertain what the public safety fraternal/labor organization involvement will be and what financial assistance they are willing to provide for out-of-town family travel, feeding the funeral attendees following the burial, etc.

9. See that the surviving parents are afforded recognition and will have proper placement arranged for them during the funeral and funeral procession.

10. See that the family is briefed on the funeral procedure; (i.e. 21-gun salute, presenting of flag, playing of taps., etc.)

B. A public information officer should be designated to handle the media throughout this traumatic ordeal. In the unlikely event that the family should decide to accept an interview, this officer should attend and "screen" all questions presented to the family so as to not jeopardize upcoming legal proceedings.

C. The department can make the family aware of alternate churches with seating capacities large enough to accommodate attendance at the funeral. However, any alternate churches will need to be aware of the fact that the family minister will officiate at the service. REMEMBER: THE DEPARTMENT SHOULD ONLY MAKE THE FAMILY AWARE OF THE ALTERNATIVES. IT'S THE FAMILY'S CHOICE.

D. Departmental vehicles should be made available to the family if they desire transportation to and from the funeral home.

E. The family should have access to other public safety survivors or other support groups (Concerns of Police Survivors, Survivors of Homicide Victims, Compassionate Friends, Parents of Murdered Children, etc.). Members of Concerns of Police Survivors make themselves available to meet with new surviving families.

F. The department should send routine residence checks by the survivor's home for 6-8 weeks following the tragedy. This service is necessary since large amounts of money are passing through the residence and the survivors will be spending much time away from the home with legal matters. The department should also check with the survivor to see if any harassing telephone calls are being received.

V. PROVIDING INFORMATION AND ASSISTANCE ON BENEFITS TO THE SURVIVING F AMILY

A. The Chief of Police shall designate a Benefits Coordinator. A "benefits coordinator" should gather information on ALL benefits/funeral payments available to the family. Insure that this benefits coordinator has the department's full support to fulfill the responsibility to the survivor to coordinate ALL death benefits/payments; (i.e., insurance policies, outstanding debts, etc.). This officer should be completely responsible for filing appropriate paperwork and following through with the family to insure that these benefits are being received.

B. The benefits coordinator should visit with the surviving family to discuss the benefits they receive within a few days following the funeral. A prepared printout of the benefits/funeral payments due the family, listing named beneficiaries, contacts at various benefits offices, and when they can expect to receive the benefit should be given to the family. This same explanation procedure should be repeated within a month following the death since the initial contact is clouded by the emotional numbness of the family during that first benefits meeting. Check once again in about six months to make sure the family is receiving/has received every payment possible.

C. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of what benefits the child(ren) will be receiving.

D. The benefits coordinator should pay special attention to the problems with possible revocation of health benefits to the surviving family. The vast majority of survivors are given a 30-day grace period before being canceled from the coverage or of being responsible for monthly payments for the coverage.

E. If criminal violations surround the death or injury, the family should be informed of all new developments prior to any press release.

F. If there will not be any court proceedings surrounding the circumstances of the officer's death or injury, at the earliest opportunity, the department should relay all details of the incident to the family.

G. The chief and other high-ranking officials should be highly visible during these days.

H. The Bridgeton Police Department fraternal organization (PBA Local#94) or community support groups should make their attorney/financial counselor available to the surviving family for whatever legal/financial counseling is necessary; (i.e., establish trust funds, educational funding, etc.). The attorney should not be affiliated with the jurisdictional government and should work as an avid advocate for the family's interests.

VI. CONTINUED FOLLOWED-UP WITH THE FAMILY IS ALSO A DEPARTMENTAL RESPONSIBILITY

A. The department should be sensitive to the needs of survivors other than the spouse. Adult-aged or younger children, parents, siblings, etc. are all experiencing grief. Realize that grief is a process and that everyone handles grief differently.

1. Too often surviving families stated they felt totally isolated by the department within a short time following the funeral. Death of the officer does not take away that love for public safety that the entire family feels. Below are listed some ideas to help your survivors continue to feel a part of "the family" for which their officer gave his/her life.

a. Plaques/memorabilia shall be given to the surviving spouse, consider making the same available to the surviving parents. They have lost a child that can never be replaced. Remember to invite the surviving family to agency activities. They need that continued contact.

b. Remember those children from a former marriage. Even though they did not live with the officer-parent, they are nonetheless still that officer's child. They, too, shall be given personal memorabilia of their parent.

c. Departments can easily keep in touch with the family through monthly phone calls the first year, dwindling off to quarterly

contact. Close co-workers of the deceased officer should also be encouraged to "drop" by the home on a regular basis. But the department shall try to observe the officer's death date with a short note to the family and/or flowers on the grave. Keep in mind that ALL holidays are traumatic events for the family the first year. Show your support during these times, too.

d. When co-workers or agency representative visit the family, don't be afraid to use the deceased officer's name or ask, "How are you doing since (name) death?" Even though tears may flow from your question, they are not flowing because "you brought back bad memories". They are tears of appreciation, knowing that you remembered and loved the fallen officer, too.

e. Remembrance books may be presented to the family.

f. Department personnel shall not make idle promises to the surviving family. It hurts children more to be promised a day with co-workers and be stood up rather than never to have been invited at all. "Oh, we'll have to get together for lunch," is a void statement to make to the surviving spouse, Set a definite time, place and date--AND KEEP IT!

g. The department shall maintain support as long as the family feels the need for the support. In time, the family will let you know when they are ready to move on with their lives without assistance from the department.

VII. DEPARTMENTAL SUPPORT FOR THE SURVIVING FAMILY AWAITING TRIAL OF THE SUSPECT IN THE KILLING

A. The family should NEVER hear of court or parole proceedings through the newspaper or television news. It is the department's responsibility to keep the family informed of the legal proceedings. A contact person from within the department designated by the Chief of Police shall be assigned to notify the family of upcoming court proceedings.

B. Public safety's surviving families are no different than any other victim. They MUST know how the incident occurred, down to the smallest detail. Many departments keep the family in the dark about the incident stating that it could influence the outcome of the trial if the family is informed of the investigation. If this is the case, the department should sit down with the family and explain their reasons.

1. At the earliest opportunity following the trail, the investigators should sit down with the family and answer ALL their questions about the

ordeal. The facts will be far less shocking then what they have already imagined happened during the incident. Should the department show a reluctance to share information on the incident, the survivors may view it as an attempt to "hide something" from the family. DON'T BE OVERLY PROTECTIVE OF THE SURVIVORS.

C. The department all too often tells the victim assistance specialists, "We take care of our own" and then the survivors walk into the courtroom totally unaware of their rights as a victim/survivor.

D. Encourage the family to attend the trial. We have found that the vast majority of survivors attend so they can find out all the details of the incident that have thus far been denied them. Many survivors feel they are the only ones who can represent the deceased officer's interests. The department should assign a "support person" to accompany the survivors to the trial. If physical material evidence is going to be presented that will be upsetting to the family, this support person can suggest that the family leave the courtroom for that portion of the trial or prepare the family for what they will be seeing.

E. The department should show support for the fallen officer during court proceedings by having as many co-workers as possible attend. This support should come from all segments of the department; management, the labor organization, co-workers and even friends from other departments.

VIII. FUNERAL ARRANGEMENTS

A. The Chief of Police or his/her designee, assisted by a Division Commander will take direct charge of the funeral arrangements. The Uniform Division Commander or his/her designee will assure the proper conduct of all uniformed members attending and in addition shall:

1. Interview the next of kin or representative concerning funeral arrangements, explaining what facilities and personnel are available and describing what type of funeral ceremony and internment can be arranged.

a. Civilian - No formal department representation and/or escort

b. Fraternal - Department representation and escort

(1) Uniformed honor guard (4 or 6) and escort (1)

(2) Active pallbearers (6)

(3) Attendance by members in civilian clothes

c. Formal Department Funeral with Military Honors

(1) Uniformed honor guard and escort

(2) Active pallbearers

(3) Attendance by members in uniform

3. Secure the following information from the family soon as possible so that the necessary orders may be issued, including body bearers (if desired by the family):

a. A history of the deceased, including names and addresses of survivors.

b. Membership in fraternal (or service) organizations.

c. Time and date of death

d. Cause of death.

e. Name and address of the funeral director.

f. Time and place of viewing.

g. Time and place of service.

h. Place of internment.

4. Obtain four (4) copies of the death certificate with a raised seal, a certificate from the attending physician with original signature, and the New Jersey Police and Fire Retirement System Insurance Policy certificate of the deceased, and forward them to the police department as soon as possible.

5. Requisition, when the burial is to be in uniform and the deceased member's clothing is not in excellent condition, the following clothes will be obtained:

a. Cap with deceased member's badge

b. Shirt and tie

c. Shirt with nameplate and decorations attached

d. Slacks

e. Pistol belt

f. Shoes and socks

g. U.S. flag (Veterans of Armed Forces of U. S., Reservists and National Guardsmen)

h. N. J. State flag (non-veterans)

6. Arrange to be present with the funeral director during the attiring of the deceased to assure the uniform is properly worn.

7. Arrange a meeting with the family, convenient to them, to discuss benefit options the family may be entitled to.

E. The Uniform Division Commander or his designee in charge of the funeral arrangements shall coordinate with the funeral director, the participation of uniformed members in accordance with the following procedures:

1. Uniform and Personnel

a. Members will wear the Class A Uniform or unless directed by the Chief of Police.

b. The Chief of Police will determine the number of personnel detailed to attend the funeral from the department

2. Transportation

a. Vehicles transporting personnel will be coordinated by the Chief of Police or his designee and held to a minimum to prevent lengthy funeral processions.

3. Assembly Point

a. The Uniform Division Commander or his designee shall select a pre-designated assembly location away from the immediate area of the funeral home or church where briefing procedures shall be conducted.

b. Whenever possible, members shall be formed into ranks to facilitate their orderly movement to the services as a group.

4. The Guard of Honor

a. The Uniform Division Commander or his/her designee shall establish a Guard of Honor consisting of four or six officers.

b. The Guard of Honor shall be dressed in the Class A uniform. Caps will be worn.

c. The Guard of Honor shall be posted whenever the body of the deceased is on public view.

d. The Guard of Honor shall stand guard in shifts of two, taking positions at the head and foot of the casket and stand at Parade Rest. No salutes are required when posted.

e. The Guard of Honor detail shall be concluded when the body bearers take possession of the casket.

5. Guard of Honor Relief Procedures

a. The relieving Guard shall march forward and halt facing the duty Guard and shall assume the position of Attention.

b. The duty Guard shall come to Attention at which time a salute shall be exchanged.

c. The duty Guard shall take two side steps and march off and the relieving Guard shall step forward, execute and about-face and assume the Parade Rest position.

NOTE: The Procedures outlined shall be conducted in a military manner.

d. The length of Guard tours shall be designated by the Uniform Division Commander but shall not be longer than twenty (20) minutes except during the services.

e. During the period the family wishes to be alone with the deceased, the Guard of Honor shall leave the room.

f. The last change of the Guard should be timed to take place immediately prior to the start of the services.

6. Body Bearers

a. Body bearers (6) as designated by the Uniform Division Commander or his/her designee shall be dressed in the uniform of the day, along with white gloves shall be worn.

Note: No weapons.

b. The Uniform Division Commander or his designee shall arrange for two (2) marked cars and drivers for use by the body bearers.

c. The body bearers and drivers shall assemble, prior to the funeral, for instructions from the Uniform Division Commander or his/her designee and the funeral director.

d. The body bearers, assisted by the Guard of Honor, shall relay the floral pieces to the honorary pallbearers in formation outside, for placement in the flower cars.

7. Firing Party

a. The Uniform Division Commander or his/her designee shall arrange for the use of an available firing party.

8. Bugler

a. When appropriate, the Uniform Division Commander or his/her designee shall appoint a bugler to play Taps.

b. The bugler shall be responsible to report to the graveside well in advance of the funeral procession.

c. The bugler shall assume a conspicuous position at an appropriate distance from the gravesite.

F. Funeral Home Services Procedures

1. Arrival should be timed to permit immediate entry into the funeral home without extended delay.

2. Members shall remove their caps and place them under their left arm as they enter the funeral home. They shall move in an orderly manner to the space reserved for uniformed members (usually the left front) and remain standing until given the command (in a low voice), "Be Seated". When seated, the caps will be placed in their laps.

NOTE: If seating is not available, uniformed members will file past the casket (do not pause or stop) and arrive outside the funeral home.

3. Upon termination of the service, members on the command "Detail Rise" shall rise and place their caps under their left arm preparatory to filing

past the casket. They shall hold their cap in this position until they have passed the casket and arrive outside the funeral home.

G. Post Funeral Home Services Procedures

1. The Uniform Division Commander or his/her designee shall notify the Chief of Police, or ranking officer, several minutes before the immediate family takes leave, in order that he or she may pass by the body followed by members of the department present.

2. After passing by the body, department members shall file out and form two facing ranks, approximately eight (8) feet apart, forming an aisle from the hearse to the funeral home or church, and assume the position of Parade Rest.

3. Uniformed personnel shall form the aisle only.

4. The aisle shall be formed in correct precedence of rank with the Chief of Police or ranking officer to the right and at the hearse. (See Appendix)

5. The hearse shall be parked at a distance to allow sufficient space for the alignment of department personnel.

6. Department personnel in civilian dress and representatives of other agencies shall form ranks to the rear of the uniformed personnel.

7. Immediately upon the appearance of the casket, the Uniform Division Commander or his/her designee shall give the command "Detail Attention" followed by the command "Present Arms".

   a. All uniformed personnel shall execute and maintain the hand salute as the casket is carried through the aisle and placed in the hearse.

   b. At this time, the command "Order - Arms" shall be given.

8. After placing the casket in the hearse, the body bearers shall stand at Attention in two (2) files facing the hearse in the same position as when carrying the casket.

9. The Uniform Division Commander or his/her designee shall then give the command "Detail - Dismissed". At this time personnel should move silently to their vehicles and proceed to the church.

H. Chapel/Church Services Procedure

1. Upon arrival from the funeral home or if no funeral home, services are conducted, after the briefing, the Honorary Pallbearers (members in uniform) at the command of the Uniform Division Commander or his/her designee will form two facing ranks approximately eight fee apart, forming an aisle from the street to the church, and assume the positions of Parade Rest. (Appendix)

2. The department chaplain (when used) will stand directly in front of the church.

3. When the hearse arrives at the church, the Uniform Division Commander, or his/her designee shall give the command, "Detail Attention". After the family and friends are seated in the church, the body bearers shall move in formation to the rear of the hearse ready to remove the casket. The chaplain shall take a position near the hearse.

4. The body bearers shall remove the casket from the hearse, and led by the chaplain/civilian clergyman, carry it feet first into the church. The honorary pallbearers execute the hand salute at the command "Present Arms" given by the Uniform Division Commander or his designee as the casket is started in motion toward the church. As soon as the casket has been carried into the church, the Uniform Division Commander shall give the command, "Order, Arms" and "At Ease".

5. In the church, the body bearers, preceded by the chaplain/civilian clergyman, shall place the casket on the church truck and two body bearers, one in the front and one in the rear, shall guide it down the aisle. They will return to the vestibule after it is in place.

6. Members shall remove their caps and place them under their left arm as they enter the church. They shall move in an orderly manner to the space reserved for uniformed members (usually the left front). They shall remain standing until the Uniform Division Commander issues the command "Be Seated". When seated, the caps will be placed in their laps.

NOTE: If seating is not available (see "7" below)

7. Upon termination of the service, members upon the command, in a low voice by the Uniform Division Commander in charge or his/her designee, "Detail Rise", shall rise and place their caps under their left arm preparatory to filing past the casket. They shall hold their caps in this position until they have passed the casket and arrive outside the

church.

I. Post Chapel/Church Services Procedures

1. The Uniform Division Commander or his/her designee shall notify the Chief of Police or ranking officer several minutes before the immediate family takes leave, in order that he or she may pass by the body followed by members of the department present.

2. After passing by the body, department members shall file out and form two facing ranks, approximately eight (8) feet apart, forming an aisle from the hearse to the church, and assume the position of Parade Rest.

3. Uniformed personnel shall form the aisle only.

4. The aisle shall be formed in correct precedence of rank with the Chief of Police or ranking officer to the right and at the hearse. The next highest-ranking officer will stand across the aisle from the Chief of Police. (Appendix)

5. The hearse shall be parked at a distance to allow sufficient space for the alignment of department personnel.

6. Department personnel in civilian dress and representatives of other agencies shall form ranks to the rear of the uniformed personnel.

7. Immediately upon the appearance of the casket, the Uniform Division Commander or his/her designee shall give the command "Detail Attention" followed by the command "Present Arms".

   a. All uniformed personnel shall execute and maintain the hand salute as the casket is carried through the aisle and placed in the hearse.

   b. At this time, the command "Order, Arms" shall be given.

8. After placing the casket in the hearse, the body bearers shall stand at Attention in two files facing the hearse in the same position as when carrying the casket.

9. The Uniform Division Commander or his/her designee shall then give the command "Detail Dismissed". At this time, personnel should move silently to their vehicles and proceed to the gravesite.

J. Funeral Procession

1. The funeral procession shall be formed in the following order, but is subject to change by the funeral director or family of the deceased. (Appendix)

2. The Uniform Division Commander or his/her designee shall arrange for two (2) marked escort vehicles. One vehicle shall lead the funeral procession and the other vehicle shall be in the rear.

3. In long funeral processions, marked vehicles shall be staggered with unmarked vehicles throughout the procession to keep traffic from breaking into the procession.

4. When circumstances are such that the procession cannot reach the grave site in a timely fashion, i.e., large details, etc., the Uniform Division Commander or his/her designee shall have an appropriate number of officers proceed to the cemetery prior to the procession and form in appropriate ranks leaving space for department staff and officer.

K. Grave Side Service Procedure

1. At the cemetery, department personnel shall form two (2) facing ranks, approximately eight (8) feet apart, forming an aisle from the grave to the hearse and assume the position of Parade Rest.

2. The hearse shall be parked at a distance to allow sufficient space for the alignment of department personnel.

3. Uniformed personnel shall form the aisle only.

4. The aisle shall be formed in correct precedence of rank with the Chief of Police or ranking officer to the right and at the grave. Other uniform personnel shall form ranks to the rear of the aisle. (Appendix)

5. Department personnel in civilian dress and representatives of other agencies shall form ranks to the rear of the uniformed personnel.

6. Immediately upon the casket being removed from the hearse, the Uniform Division Commander or his/her designee shall give the command "Detail Attention", followed by the command "Present, Arms".

   a. All uniformed personnel shall execute and maintain the hand salute as the casket, preceded by the chaplain/clergyman, is carried through the aisle and placed over the grave.

   b. Personnel in civilian dress shall, in the above cases, stand at

Attention (uncovered) and place hand or headdress over the left breast.

7. The body bearers upon reaching the grave shall place the casket on the lowering device. They shall remain in place facing the casket. The bearers shall raise the flag from the casket and hold it in a horizontal position, waist high, until the conclusion of Taps.

8. When the flag has been raised off of the casket, the Uniform Division Commander or his/her designee shall give the command "Order Arms" followed by the command "Parade, Rest".

9. When department personnel have been brought to Parade Rest, the chaplain/clergyman shall conduct the graveside service. At the conclusion of the benediction, the chaplain/clergyman shall move two steps to the side or rear. During the benediction, all personnel shall bow their heads.

10. When the service has been completed, the Uniform Division Commander or his/her designee shall command personnel to attention, followed by the command, "Present, Arms", at which time the firing party will fire three volleys. The firing party shall fire three volleys of blank cartridges, assume the position of present arms at the command of the officer in charge of the firing party, and remain in that position until the conclusion of Taps. The bugler, positioned near the firing party and in view of the next of kin, shall sound Taps immediately following the last volley.

11. At the conclusion of Taps, the rifles of the firing party shall be locked and all department personnel shall be commanded by the Uniform Division Commander or his/her designee to "Order Arms". The body bearers shall then fold the flag into the shape of a cocked hat. (Appendix) The flag shall not touch the casket. The flag, when folded, shall be passed to the body bearer at the head of the grave who shall face left and place the flag at chest level in the hands of the Chief of Police or representative. The body bearer will salute the flag for three seconds and then face right to assume the original position.

12. At that time, as the Chief of Police presents the flag to the family of the deceased, the command, "Detail, Parade Rest", shall be given by the Uniform Division Commander, or his/her designee. Department personnel will remain at Parade Rest until the family moves away from the grave.

13. When the family has cleared the aisle, the Uniform Division Commander or his/her designee shall command, "Detail, Attention", followed by the

command, "Dismissed".

L. Traffic Responsibilities

1. Prior to the funeral date, the Uniform Division Commander or his designee shall survey the site of the funeral home, church, home of the deceased and cemetery and coordinate parking arrangements, in order that the funeral procession may be formed with maximum efficiency.

2. In the like manner, the Uniform Division Commander or his/her designee shall survey the procession route in order to pre-determine traffic intersection posts.

3. A traffic detail shall be assigned by the Uniform Division Commander or his/her designee to assist in parking, to line up the funeral procession and to direct traffic at key intersections along the route to the cemetery.

4. In other municipalities, the Uniform Division Commander or his/her designee shall arrange for their cooperation in the direction of traffic at the location of services and along the procession route.

M. Cremated Remains

1. When the remains are cremated and the ashes interred, prescribed procedures as set forth by the funeral director and the next of kin shall govern.

N. Commemoration of Deceased Member

1. A black crepe shall be draped at the police department for a period of fifteen (15) days.

DEPARTMENT ORDER

Order #: 1 **Date:** 01/08/2010
Category: DEPARTMENT ORDERS
Title: ORDERS & DIRECTIVES MASTER LIST

SECTION: I ADMINISTRATIVE

#	Title
1.	Absenteeism
2.	Administrative Leave
3.	Care of Dept. Buildings/Property
4.	Communicable Disease Control
5.	Dispatching and Communications Center
5.1	Dispatch Training Program
5.2	TCO Trng Manual
5.3	TCO Daily Observation Report
6.	Internal Affairs
6.1	CCPO Notification
7.	Computer Operations/Report Writing
8.	Computerized Mug Shot Camera System
9.	Courtroom Testimony
10.	(Vacant Order Number)
11.	Overtime & Minimum Manning
12.	Code of Ethics & Truthfulness
13.	Dress Uniform & Appearance
13.1	Bridgeton P.D. Awards
13.2	New Class B Summer Shirts - Specifications
13.3	Dress Off Duty - Carrying of Firearm Off Duty
13.4	Uniform Appearance - Tattoos/Piercings
13.5	Policy On Personal Appearance For Work
14.	Drug Screening For Law Enforcement
15.	Performance Notices
15.PN	Performance Notice Form
16.	Evaluating Fitness For Duty
17.	Evaluations
17.AB.PA	Evaluation Form - Admin. Bur. Police Assistant
17.AB.PTL	Evaluation Form – Admin. Bur. Patrolman
17.DB.DET	Evaluation Form – Detective Bur. Detective
17.PB.PTL	Evaluation Form – Patrol Bureau Patrolman
17.PB.TCO	Evaluation Form – Patrol Bureau TCO
17.SERGEANT	Evaluation Form – Police Sergeant
18.	Field Training Program
18.1	F.T.O. Manual
18.2	F.T.O. Rating Guide
18.EOPT	End of Phase Testing
18.SEG	Standard Evaluation Guide Tests
19.	Firearms, Weapons & Tools
20.	Harassment In the Work Place
21.	Incident Command

22. Press Releases/Media Relations/Public Info.
22.1 Press Releases - Supplement #1
22.2 Press Releases - Supplement #2
23. Notifications
24. Off Duty Incidents
25. Officer Injury and Death Policy
26. Domestic Violence Incidents Involving BPD Personnel
27. Special Reports
28. Social Media
29. Tort Claims
30. Seatbelt Usage
31. Strip Search/Body Cavity Search
32. Training
33. Use of Force
33.1 Conducted Energy Devices
34. Vehicular Pursuit
35. BMC Court Orders – No Trespassing
36. Traffic Enforcement
37. Impact Offenders
38. Police Chaplains
39. Department Structure
40. Interdepartmental Communications & Correspondence
41. Leave Request Procedures
42. Warrant Execution
43. Signing In/Out For Work
44. Duty to Transport - Frisk
45. Affirmative Action Plan
46. Supervisor On-Duty Accident Investigation Procedure
47. Records
48. Criminal Justice Information Systems
49. Body Armor
50. College Intern/Ride Along

SECTION: II OPERATIONAL

1. Aerosol Irritant Projectors
2. Alternate Care For Arrestee's Dependants
3. Arrest Search & Seizure
4. Barricaded Persons
5. Patrol OIC Duties/Responsibilities
6. Bomb Threats/Evacuations
6.1 Bomb Threat Checklist
7. Call Back Audits by Supervisors

8. Civil Disturbances
9. Criminal Complaints
10. Death Notifications
11. Decision Not To Arrest
12. Domestic Violence
13. DWI Investigations
13.1 DWI/Crimes Involving Need For Blood/Urine Etc
14. Financial Institution Alarm Response
15. Fingerprinting
16. General Patrol Practices
17. Handling Mentally Ill Persons
18. Haz/Mat Crimes
18.1 Anthrax Procedures – Suspicious Letters/Powders
19. Juvenile Administration
20. School Lockdowns
21. Rapid Response to Active Shooter
22. Labor Strikes
23. Missing Persons
24. Police Emergency Response
25. Field Interviews & Pat Down Searches
26. Prisoner Care/Transportation
27. Towing Motor Vehicles
28. Vehicle Repossessions
29. (VACANT ORDER #)
30. Zoo Animal Escape Pan
31. Amber Alert Plan
32. Court Security
33. Emergency Action & Fire Prevention
34. Traffic Safety Vests
35. Emergency Ops Plan – L.E. Annex
36. Emergency Evacuation Plan
37. ROR Program
37.1 ROR PROGRAM Addendum
38. Mobile Video Recorders
39. Automated License Plate Reader
40. Selective Enforcement
41. Tactical Entry Team
42. Unwanted Rx Medication Surrender
43. Nasal Narcan

SECTION: III CRIMINAL INVESTIGATIONS

1. Alcohol Beverage Control

2. Anti-Crime Team Operations
3. Bias Crime Investigations
4. Drug Enforcement
5. Property and Evidence Procedures
6. Fire Investigations
7. Forfeiture Procedures
8. Criminal Intelligence
9. Investigation Procedures
10. Megan's Law Process and Registration
11. Vacant
12. Organized Crime & Vice Suppression
13. Juvenile Sexual Assaults/Child Abuse Victims
14. Seized Currency Accountability
15. Constitutional Requirements Involving Custodial Interviews
16. Photo and Live Line Up Procedures
17. Retention and Transmittal of Contemporaneous Notes

OTHER

1	Order/Directive Guide & Listing
6-10-1987	Unlocking Vehicles
2003-001	Parking of Police Vehicles
2003-002	$. Messages
2003-003	B.B.O.E. Campus Police (NJ0061700)
2003-004	Missing Person/Stolen Vehicle NCIC Entries
2003-005	Wanted Person Entries (NCIC/NJWPS)
2005-001	Leaving City Limits
2006-004	Call Out Breaks/Leaving Post
A-2007-005	Warrant Checks
CELLPHONECOS	Cellular Phone Companies - Subpeona Centers
G-2007-004	Uniform Appearance: Hash Marks
G-2008-001	Directive On B.B.O.E. Access
G-2008-007	Criminal History Requests From B.M.C.
2009-P.B.	Mail Boxes – Restrictions
JUDGELIST	List of All Municipal Court Judges In Vicinage 15
MUNICPALCODES	List of All N.J. Four Digit Municipality Codes
PAYCODES	List of All Payroll Deduction Codes
R/R	Duty Manual – Rules & Regulations

DEPARTMENT ORDER

Order #: I.11 **Date:** 01/01/2010
Category: DEPARTMENT ORDERS
Title: OVERTIME & MINIMUM MANNING

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 11
REVISION DATE:
SUBJECT: Overtime & Minimum Manning
EFFECTIVE DATE: 12-16-2008
CHIEF OF POLICE: Mark W. Ott

I. PURPOSE

The purpose of this directive is to ensure that the Bridgeton PD maintains a safe number of working personnel at all times and controls overtime spending to ensure fairness to union members as well as keeping an ethical safeguard over taxpayer money.

II. POLICY

It shall be the policy of the Bridgeton PD to closely control overtime spending while at the same time ensuring appropriate levels of police protection throughout the City.

III. DEFINITIONS

Executive Level - Chief or Captain are the executive level officers.

IV. PROCEDURE

A. Minimum Staffing For Patrol

The following minimum Patrol Bureau staffing levels shall be maintained unless otherwise directed by Executive Level authority:

Minimum:

1 Officer In Charge
[redacted] Patrol Officers
1 Desk Officer (Certified)

* When on duty a working Lieutenant or higher can assume the role of Officer in Charge. So check with superior officer on calling list prior to doing so. If no one

Note: The # of patrol officers is a security concern and is not available for release.

else knows about the problem there's no problem with asking for guidance.*

When calculating this figure, it shall consist of all personnel working at the time with a uniform function (inclusive of NRT members, Traffic Officers, Warrant Officers – those previously mentioned officers shall when necessary be assigned to the shift to assist with coverage).

B. Overtime Procedures

1. Shift Overtime – any Division Paid Extra Duty Assignment approved by Executive Level Officer or the minimum manning provision.

   a. Shift supervisor – see REGULAR OVERTIME (SHIFT COVERAGE ONLY) – SUPERVISORS LIST for Directions.

   b. Patrolmen – see REGULAR OVERTIME (SHIFT COVERAGE ONLY) – PATROLMANS LIST for directions.

   c. Telecommunications operator – see REGULAR OVERTIME (SHIFT COVERAGE ONLY) TELECOMMUNICATIONS OFFICER LIST for directions.

   d. Shift expansion – are those times when extra personnel are deemed necessary. Examples could be Bridgeton High School graduation night, Mischief Night, during the date and times of Halloween Trick or Treat, 4th of July celebrations, etc.

2. Special Overtime – any Extra Duty Assignment being paid for by some entity other than the Division requiring coverage.

   Examples: Bridgeton Board of Education Sporting Events, Bridge or Construction Zone Projects, Etc.

   a. For all instances the SPECIAL OVERTIME – POLICE LIST shall be utilized.

   b. Instructions for filling of these positions are listed on the SPECIAL OVERTIME – POLICE LIST form.

   However to further clarify how it is to be used the following is offered.

      i. Each SPECIAL OVERTIME form is equipped with a set of seven boxes. Six are labeled PBA and the seventh is labeled SOA. These boxes are an important tracking

mechanism for following a method of operation agreed upon by both Unions.

ii. It shall be the responsibility of the person arranging for filling of overtime slot to ensure the slot is first offered to the appropriate Union list and individual, and when slot is filled to properly prepare the next SPECIAL OVERTIME – POLICE LIST for calling.

Each time the list is used and a spot filled that Union block should be checked off. When the person who called for that spot to be filled prints out the new form they should be highlighting the next Union block for use and the names of the next in line to be called for both unions should be highlighted.

iii. When calling the list if an occasion should arise where the officer calling the list goes through the entire list for that particular union (starting at highlight and moving all the way down and then back to top and down to the name just prior to the highlighted name with no one accepting that slot) the officer shall then move to the starting point for the other union and call the list until someone accepts the overtime.

When this presumably rare circumstance arises the new list for use will show in the same manner as previously listed. Meaning the next union block of the seven would be highlighted and the names of the next to start with Union members highlighted.

c. If the officer responsible for calling the list becomes confused they are directed to reach out to the next level or another supervisor for guidance.

3. Overtime approval

a. All overtime must be approved by an authority higher than the person intending to work same.

Examples:

i. Your tour ends in ten minutes and you have approx. an hours worth of typing to do. You must communicate with the Officer in Charge who will determine if overtime is to be authorized.

ii. All overtime must be pre-approved by supervisory officer or above prior to being worked.

iii. Supervisors need to make wise decisions when authorizing overtime.

Example – Officer is near end of day shift tour with reports to complete and scheduled to work the following day shift. The officer in charge should direct that officer to finish the reports the following morning first thing.

Example – Officer is near end of day shift tour and scheduled for days off the following day. The officer in charge should direct that officer to complete necessary reports prior to securing but also look for avenues of assistance to minimize time this officer needs to stay on overtime. Such as getting new shift officers to process arrestee, etc.

Example – Officer is working mid shift and scheduled for the following days mid shift, but is near the end of tour with an outstanding recovered property report on a vehicle. The supervisor should have this report filed before the officer is sent home.

Example – Supervisors when calling in extra personnel should consider the need for how many officers and not go to extremes.

4. Violations of this Policy

a. Failing to follow this order or directive causing a grievance to be filed shall result in the party responsible being charged with 4A:2-2.3 (a) 1. - Incompetency, inefficiency or failure to perform duties a Schedule C matter.

b. Causing unnecessary overtime expense or abusing overtime expenditures shall result in the party responsible being charged with 4A:2-2.3(a) 1. – Incompetency, inefficiency or failure to perform duties as a Schedule C matter.

Examples, but not limitations to, abuse of overtime:

i. Officers conducting little or no business during the majority of tour and showing a pattern of stopping a car at the end of shift to generate overtime.

ii. Personnel consistently holding reports till the end of shift.

5. Responsibility

a. It shall be the responsibility of every officer, regardless of rank, and telecommunications operator to ensure that any changes in phone number are reported to the Lt. in charge of the Administrative Bureau in writing of any phone number changes for the overtime list and to follow up by examining the overtime list to ensure those changes were made.

Order #: I.15 **Date:** 11/27/2009
Category: DEPARTMENT ORDERS
Title: PERFORMANCE NOTICES

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 15

SUBJECT: PERFORMANCE NOTICES

EFFECTIVE DATE: 1-1-2010
CHIEF OF POLICE: Mark W. Ott

PURPOSE

To establish a system to assist in ensuring uniformity in the Department's evaluation process, as well as, creating a vehicle to recognize inappropriate or outstanding performance.

PROCEDURE

I. Performance Notices

A. Is a mechanism for assisting in preparing required periodic evaluations.

B. Is a timely mechanism to aid supervisors in recognizing commendable actions or addressing noted problems through counseling.

1. It is essential to professional development to provide timely feedback and training (retraining) when a problem occurs.

II. Mechanics

A. Performance notices are to be utilized by all personnel who are supervisors, acting supervisors or staff officers. Although, counseling is defined as a step in the disciplinary process, performance notices are not considered disciplinary in nature. They are a vehicle by which to guide, teach, inform and recognize specific events.

B. Performance notices may be hand written (so long as it's contents are legible) or typed.

C. Upon completion of a notice by a unit supervisor, three copies will be made:

1. One will be given to the officer whose actions are being reviewed.

2. One will be kept by the supervisor creating the performance notice.

3. One will be sent to the Chief of Police.

D. A performance notice to an individual officer will only be issued by his direct supervisor, excepting that any command level officer (Lt. or above) may issue a performance notice to any member, as can any supervisor assigned to perform some type of command inspection by the Chief of Police or the Police Captain.

E. When a performance notice is issued by someone outside the persons normal chain of command, three copies will be made:

1. One will be given to the officer whose actions are being reviewed.

2. One will be given to the unit supervisor of the officer whose actions are being reviewed.

3. One will be sent to the Chief of Police.

F. If an person issuing the notice is in an acting capacity for the unit, upon the return of the regularly assigned unit supervisor a copy shall be provided to that supervisor.

G. A supervisor shall not prepare a performance notice upon another supervisor, unless that initial supervisor has been formally assigned the other's direct supervisor.

H. A subordinate officer may not file a performance notice upon a supervisor. Should a subordinate officer feel a performance notice is required, that subordinate officer shall prepare a special report and deliver same to the Bureau Commander of the supervisor or the next level in the event the Bureau Commander is involved.

I. Any officer generating performance notice may be required by higher authority (Lt. or above) to provide a special report further defining the matter.

J. Information to be included in any generated performance notice:

1. Name, rank and badge number of officer being noticed.

2. Name, rank and badge number of issuing supervisor.

3. Date of the issue.

4. Identification of the notice as "Commendation" or "Counseling" or "Other"

   Note - "Other" could be used as a mid evaluation period appraisal such as when a supervisor recognizes problems with a particular subordinate and is attempting to correct problem areas etc.

5. Brief statement of circumstances will be in narrative form and relate to the subject matter. Pertinent information such as names, dates, places will be included in this narrative.

6. Signatures

   a. Of issuer

   b. Of receiving employee

   c. Receiver's signature does not imply agreement, it implies receipt.

7. Those intending to utilize a performance notice should use the pre-formatted version found on IMPACT.

K. Nothing in this program is to be construed as limiting any command level officers or unit supervisors from correcting any action or situation that is deemed necessary.

DEPARTMENT ORDER

Order #: I.15.PN **Date:** 11/27/2009
Category: DEPARTMENT ORDERS
Title: PERFORMANCE NOTICE FORM

PERFORMANCE NOTICE

___ COMMENDATION ___ COUNSELING ___ OTHER

Recipient: _____
(Rank Name Badge #)
Recipient's Assignment:_____

Date: ___/___/_____ Case #:___-_____

NARRATIVE:

Recipient's Signature:_____ Date:___/___/_____
Issuer:_____Signaure:_____

Order #: I.20 **Date:** 11/25/2009
Category: DEPARTMENT ORDERS
Title: HARASSMENT/VIOLENCE IN WORKPLACE

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 20

SUBJECT: HARASSMENT/VIOLENCE IN WORKPLACE POLICY

EFFECTIVE DATE: 12-4-2009
CHIEF OF POLICE:Mark W. Ott

PURPOSE:

To maintain a healthy, safe and productive work environment that is free from all forms of harassment and/or violent conduct, sexual or otherwise, as well as, providing clearly defined procedures for reporting, investigation and resolution of complaints of harassment (sexual or otherwise) or violent behaviors in the workplace.

POLICY:

All employees of the Department have an absolute right to work in an environment that is free from all forms of harassment or violence as carried out by any fellow employee. Accordingly, employees are strictly prohibited from engaging in the harassment, sexual or otherwise, or violent conduct towards any fellow employee or any other person. The Department shall take immediate action to prevent such behavior, and to remedy all reported incidents of harassment or violence. This shall include the harassment (violent abuses) of Department employees by co-workers, other City employees and persons conducting business with the Department.

PROCEDURE:

I. PROHIBITED ACTIVITY

A. No employee shall either explicitly or implicitly ridicule, mock, deride, tease or belittle any person for any reason whatsoever.

B. Employees shall not make offensive or derogatory comments, either directly or indirectly to another person, or otherwise engage in any other prohibited activity listed in this written directive, based on race, color, age, sex, religion, national origin, disability or protected activity. Such harassment is a prohibited form of discrimination under state and federal employment law, is also considered misconduct subject to disciplinary action by this Department, and may in fact be criminal in nature as well.

C. Employees shall not hang or post anything that is distasteful, offensive, lewd, obscene, derogatory, prejudicial or that would otherwise tend to embarrass or offend any employee or group of individuals, or would be considered inappropriate for the workplace environment.

D. No employee shall make unwanted sexual advances toward another employee. SEXUAL HARASSMENT is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;

   or

2. Submission or rejection of such conduct by an employee is used as the basis for employment decisions affecting the employee;

   or

3. Such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile, or offensive working environment.

4. Specific examples of sexual harassment include, but are not limited to:

   a. Physical contact of a sexual nature such as:

      i. Aggravated Sexual Assault/Sexual Assault

      ii. Aggravated Criminal Sexual Contact/Criminal Sexual Contact

      iii. Lewdness

      iv. Attempts at i. through iii.

      v. Touching

      vi. Pinching

      vii. Patting

      viii. Grabbing

ix. Brushing against another's body

x. Poking another's body

b. Communications of a verbal or non-verbal nature, such as but not limited to the following:

i. Unwelcome sexual advances, such as offensive sexual flirtations, repeated requests for dates or love letters after a rejection of overtures.

ii. Discussing sexual activity.

iii. Pressure or coercion for sexual activity.

iv. Remarks to or about a person with sexual or demeaning implications.

v. Unwelcome intentional touching, such as patting, pinching or brushing against another's body.

vi. Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's evaluation, transfer, promotion, raise, etc.

vii. Display of nude or pornographic photographs, lewd or vulgar cartoons, offensive objects of any nature, etc.

viii. Practical jokes about protected class or activity - specific traits.

ix. Sexually oriented physical gestures, noises, remarks, jokes or comments.

5. Sexual harassment may also consist of intimidating, abusive or hostile behavior of a non-sexual nature toward an employee because of his or her gender. Verbal abuse and hostility that is not sexual in character but is directed at a specific employee or group of employees strictly because of their gender is likewise considered sexual harassment.

E. Violence in the workplace will not be tolerated by the Department. Violent acts or threats made by an employee against another person or property are cause for immediate dismissal and will be fully prosecuted. This

includes any violence or threats made on municipal property, at City of Bridgeton events or under other circumstances that may negatively affect the City of Bridgeton's ability to conduct business.

Prohibited conduct includes but is not limited too:

1. Causing or attempting to cause physical injury to another person;
2. Making threatening remarks to another person;
3. Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another person to emotional distress;
4. Intentionally damaging employer property or property of another employee;
5. Use or threatened use of any weapon against another employee;
6. Placing another in imminent fear of bodily injury;
7. Committing any of the following acts defined in Title 2C:
    a. 2C:12-1
    b. 2C:12-2
    c. 2C:12-3
    d. 2C:12-10
    e. 2C:12-11
    f. 2C:12-13
    g. 2C:16-1
    h. 2C:17-1
    i. 2C:17-3
    j. 2C:18-2
    k. 2C:18-3
    l. 2C:20-5

m. 2C:28-5

n. 2C:33-2

II. EMPLOYEE'S RESPONSIBILITIES

A. Supervisors

1. All Department supervisors are responsible for preventing acts of harassment/violence through the employment of the following:

   a. Monitoring the work environment on a daily basis for signs of possible harassment/violence.

   b. Instructing all employees on the types of behavior prohibited, and the Department procedure for reporting and resolving complaints of harassment/violence in the workplace.

   c. Stopping any acts of perceived harassment or violent behavior and advising the offender that conduct constituting harassment/violent behavior is inappropriate and will not be tolerated. This action shall be taken regardless of whether or not the involved individuals are in the supervisor's line of supervision.

   d. Supervisor's are required to report any perceived or actual harassment/violent behavior up through the chain of command but may by-pass any individual in the chain of command who may be responsible for or involved in the prohibited activity.

   e. Taking immediate action to limit the work contact between any employees where a complaint of harassment/violent behavior has been made or observed.

2. Supervisors are required to assist any employee of the Department who comes to the supervisor with a complaint of harassment/violent behavior. This shall include documenting and filing a complaint in conformance with this procedure.

B. Employees

1. Employees are responsible for assisting in the prevention of

harassment/violent behavior through the following acts:

a. Refraining from participation in, or encouragement of, actions that could be perceived as harassment/violent behavior.

b. Informing co-workers or supervisors in no uncertain terms that specified conduct is offensive, unwelcome, prohibited by law and Department directives.

c. Immediately reporting any acts of harassment/violent behavior to a supervisor.

d. Encouraging any employee, who confides that he/she is being harassed/subject to violent behavior, to report those acts to a supervisor.

C. All employees are required to take necessary action to immediately stop any actual or perceived harassment/violent behavior and any employee of the department who fails to do so may be subject to disciplinary action.

III. COMPLAINT PROCEDURE

A. Any employee who believes that he/she is being harassed shall tell the individual that their actions are unwelcome and offensive.

B. Any employee who has or is being subjected to violent behavior or harassing behavior after having communicated that the actions are unwelcome and offensive, as defined in this procedure, shall immediately report such incident(s) to her/his respective supervisor. When this is not possible or practical, the employee may go outside of the chain of command and make a report to any Department supervisor.

1. The superior officer receiving the complaint shall meet with the employee and record the allegations including: the date, place and time of the incident or incident(s); the specifics of the alleged harassment; and any witnesses to the incident or incidents.

2. The superior officer receiving the complaint must transmit the complaint through the chain of command in the most expeditious means possible. No superior officer has the authority to pass judgement on the merits of any allegation of harassment/violent conduct and therefore shall not discourage or hinder any employee from pursuing a complaint.

3. If the offending party is in the complainant's chain of command, the offending party shall be bypassed.

C. The Chief of Police, upon receipt of a complaint of harassment or violent behavior, shall appoint a member of the Department to conduct an internal affairs investigation regarding the allegations.

1. The Department investigator shall immediately notify the Chief of Police if the investigation reveals evidence of any criminal conduct, such as, sexual assault, criminal sexual contact, unlawful confinement, etc. or any crimes of a violent nature.

2. The Department investigator shall determine if any other Department employees are being harassed/abused by violent conduct by the offender, and whether or not any other Department employees participated in or encouraged the harassment/violent behavior.

3. The Officer assigned the investigation will advise all parties in writing of the outcome of the investigation.

4. All complaints of harassment/violent behavior shall be maintained in the offices of the Professional Standards Bureau.

D. There shall be no retaliation against any employee for filing a complaint of harassment, or assisting, testifying, or participating in the investigation of such complaint. This is true regardless of the outcome of the investigation unless it is proved the entire allegation was pursued with malice and was completely without merit.

1. Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled by the same complaint procedures as established for harassment complaints.

2. Monitoring to ensure that retaliation does not occur is the responsibility of the Chief of Police, command officers, supervisors and internal affairs investigators.

E. Complainants and accused employees may file an appeal in accordance with Department procedures when they are in disagreement with the investigation or disposition of a harassment claim.

F. This procedure does not preclude any employee from filing a complaint or grievance with an appropriate agency outside and independent of the department and/or City.

G. If an allegation of sexual harassment is proven to have merit, the Chief of Police shall immediately order remedial action designed to correct the underlying problem. This action may include counseling, transfer, etc. In addition, the offending employee may be subject to disciplinary action up to and including dismissal.

IV. CONFIDENTIALITY

A. Department employees who intentionally or inadvertently discover information regarding harassment of employee, as defined in this written directive, must consider the information confidential and shall not disclose this information to any other person except in fulfilling his or her reporting obligations as set forth above, or while cooperating in an official investigation of reported harassment.

V. TRAINING

A. It is the responsibility of the Training Coordinator to schedule and conduct annual training (Department Wide) on this policy/procedure.

VI. VIOLATIONS

A. Violations of this policy shall be handled as progressive disciplinary actions on a case by case basis,but due to the nature of these types of incidents dismissal or other forms of major discipline shall be the logical best practice.

VII. APPEALS

A. This policy does not preclude any employee from filing a complaint or grievance with the New Jersey Division on Civil Rights and the United States Equal Opportunity Commission in accordance with N.J.A.C. 4A:7-3(b).

B. The City of Bridgeton Administrator shall decide the matter and any appropriate action to be taken. If the person responsible for the harassment or the complainant is not satisfied with the proposed resolution, he/she shall have the right to have the matter addressed before City Council. If the complainant disagrees with the determination of the City of Bridgeton City Council, he or she may submit a written appeal, within twenty (20) days of the receipt of the letter of determination from the City of Bridgeton City Council, to the Department of Personnel, Division of the EEO/AA, PO BOX 315, Trenton, NJ 08265 or to the Merit System Board, PO BOX 312, Trenton, NJ 08625. The appeal should contain a concise explanation of the disagreement. Regulations governing the appeal process are set forth in N.J.A.C. 4A:7-3.3.

C. Any disciplinary action taken against the offender shall be handled through normal Civil Service Appeals processes.

VIII. INVESTIGATIONS

A. Investigations of harassment in the workplace or violent behavior in the workplace shall be conducted under the same guidelines as other internal affairs investigations, including the use of various forms and notices.

B. Typical questions that should be asked during an investigation of this type of conduct could include but not necessarily limited too:

1. Questions for the alleged victim: who, what when where and how;

a. Who committed the alleged harassment/violent behavior?

b. What exactly occurred or was said?

c. When did it occur and is it still ongoing?

d. Where did it occur?

e. How often did it occur?

f. How did it affect you?

g. How did you react?

h. What response did you make when the incident(s) occurred or afterwards?

i. How did the harassment affect you?

j. Has your job been affected in any way?

k. Are there any persons who have relevant information?

l. Was anyone present when the alleged incident occurred?

m. Did you tell anyone about it?

n. Did anyone see you immediately after the incident?

o. Did the person who did this to you do it to anyone else?

p. Do you know whether anyone complained about the conduct by that person?

q. Are there any any notes, physical evidence, or other documentation regarding the incident(s)?

r. How would you like to see the situation resolved?

s. Do you know of any other relevant information?

2. Questions to ask the target of the investigation:

a. What is your response to the allegations?

b. If the target claims the allegations are false, ask why the complainant might lie?

c. Are there any persons who have relevant information?

d. Are there any notes, physical evidence, or other documentation regarding the incident(s)?

e. Do you know of any other relevant information?

3. Questions to ask potential witnesses:

a. What did you see or hear?

b. When did this occur?

c. Describe the alleged offender's behavior toward the complainant and toward others in the workplace.

d. What did the complainant tell you?

e. When did he/she tell you this?

f. Do you know of any other relevant information?

g. Are there other persons who have relevant information?

4. Credibility Determinations: if there are conflicting versions of relevant evens, the employer will have to weigh each party's credibility. Credibility assessments can be critical in determining whether the alleged conduct in fact occurred.

Factors to consider include:

a. INHERENT PLAUSIBILITY: Is the testimony believable on its face? Does it make sense? Does the party have any documented history of lying?

b. DEMEANOR: Did the person seem to be telling the truth or lying?

c. MOTIVE TO FALSIFY: Did the person have a reason to lie.

d. CORROBORATION: Is there witness testimony (such as testimony by eyewitnesses, people who saw the person soon after the alleged incidents, or people who discussed the incidents with him or her at around the time that they occurred) or physical evidence (such as written documentation) that corroborates the party's testimony?

e. PAST RECORD: Did the alleged offender have a history of similar behavior in the past?

Note - none of the above factors are determinative as to credibility. For example, the fact that there are no eyewitnesses to the alleged harassment by no means necessarily defeats the complainant's credibility, since harassment often occurs behind closed doors. Furthermore, the fact that the alleged offender engaged in similar behavior in the past does not necessarily mean that he or she did so again.

Order #: II.21 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: RAPID RESPONSE TO AN ACTIVE SHOOTER

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 21

SUBJECT: RAPID RESPONSE TO AN ACTIVE SHOOTER

No release security concerns...

Order #: II.1 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: AEROSOL IRRITANT - OC SPRAY

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 1

SUBJECT: AEROSOL IRRITANT PROJECTORS

Revision Date: 3-4-2009

EFFECTIVE DATE: 3-4-2009
CHIEF OF POLICE: Mark W. Ott
CROSS REFERENCE #: G-2009-004
Section I Chapter 32

POLICY

The only aerosol projector approved for use by this Police Department is OLEORESIN CAPSICUM or O. C., which shall be issued by the Department.

This policy will address the proper use, decontamination, training and incident reporting.

The purpose for the use of pepper spray (OC) is to minimize and/or protect the officers against physical attacks, and to reduce physical injuries to both officers and suspects where the need for force is necessary, as the use and effects of OC is non-permanent.

I. OPERATION

A. An aerosol irritant projector is an alternative to traditional weapons (i.e. Firearm, baton).

1. When used properly it is a non-lethal weapon.

B. A new canister shall be issued to an officer when needed by Departmental Firearms instructors.

C. Force Continuum

1. Presence of a uniform officer.

2. Verbal commands

3. Aerosol - O. C.

4. Touch or physical force

5. Aerosol - O. C.

6. Impact weapon – expandable baton.

7. Lethal weapon – expandable baton, Firearm

8. Police Officers are to use the force necessary to effect a lawful objective, pursuant to Use of Force Policy.

   a. Officers may progress to the next higher force level to combat the force used against the officer.

   b. Illustration: An officer is pushed during an arrest situation. He/she may use aerosol irritant to combat the resistance.

D. Firing methods

1. Recommended range for use is 3 to 12 feet.

   a. Using beyond this range or closer than this range could prove ineffective.

   b. Appropriate aiming point the face (specifically eyes, nose)

E. Precautions

1. Never discharge into the wind.

2. Wash hands after use and/or handling O. C. aerosols.

II. DECONTAMINATION

A. Expose to fresh air and flush the contaminated areas with large amounts of cold water.

B. Remove contact lenses immediately, if applicable, and flush the eye area thoroughly.

1. An officer must bear in mind that the subject will have impaired vision without his/her contact lenses.

a. Advise correctional facility, if applicable.

b. Do not allow to drive

c. Contact a competent individual for release into custody.

C. Do not use creams, oil, salves or lotions which can contain irritating agent.

D. If suspect requests or appears to be in need of medical attention, notify the 911 Center to request an ambulance from Bridgeton Fire Department (officer must accompany), when necessary officers may transport the subject to the Hospital ER.

E. After ½ hour, check on the suspect to ascertain his/her condition.

F. Indicate decontamination treatment that was used in your report.

III. REPORTING

A. When O. C. aerosol is used, officers shall complete a Use of Force Report as required, along with other department reports.

B. The report shall be submitted to the internal affairs officer after notification is made to the supervisor or division commander.

C. The internal affairs officer shall review the incident in accordance with Section I Chapter 32.

IV. PROHIBITIONS

A. Suspects who have been sprayed with OC shall not be left lying on their stomachs and should be put in a standing or sitting position.

B. Officers shall not withhold or bar the suspect's use of water when at City Hall to cool the effects of OC, except when the suspect continues to be physically combative.

C. Officers shall not engage in horseplay with OC spray

V. TRAINING

A. Training

1. An M.O.I. certified training officer (preferably a certified OC spray

instructor) shall conduct the department training.

2. The training shall include the following subject areas:

   a. Overview of OC

   b. Overview of Department's OC Projector/Cannisters

   c. Operational Guidelines

   d. Type of solvent and/or carrier

   e. Type of propellant

   f. Safety factors

   g. Operation of Pepper spray canister

   h. Decontamination of persons

   i. Decontamination of indoors

   j. Student practice (with live or inert spray)

Order #: II.2 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: CARE FOR ARRESTEES DEPENDENTS

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 2
REVISION DATE

SUBJECT: CARE FOR ARRESTEE DEPENDENTS

EFFECTIVE DATE: January 7th, 2008
CHIEF OF POLICE:Mark W. Ott

CROSS REFERENCE #: G-2009-001

Purpose

The purpose of this policy directive is to reasonably insure that children or other persons dependent upon an arrestee for their care, sustenance or supervision are provided with alternate care, sustenance or supervision as arranged for by the arrestee or an appropriate agency.

Policy

This Department will provide persons taken into custody by this Department a reasonable opportunity to arrange for the care of children or persons dependent upon the arrestee for their care, sustenance and supervision. When the arrestee is unable to arrange for the care of dependent persons, this Department will notify the appropriate State Agency (DYFS) of the need for alternate care for the arrestee's dependents. This Department will not take direct responsibility for providing alternate care for arrestee's dependents but will ensure that dependent children or other dependent persons are not left to fend for themselves.

While the need for alternate care for an arrestee's dependents is to be determined, the existence of arrestee dependents should not be the determining factor as to whether the arrestee is held in custody or released. Where a summons in lieu of arrest is inappropriate or the taking into custody is required by law, public safety or safety of the arrestee, the individual should be held until released in accordance with law.

Procedure

A. Custodial Arrests

Order #: II.2 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: CARE FOR ARRESTEES DEPENDENTS

1. Whenever an arrestee is taken into custody, and is accompanied by a child or other person dependent upon the arrestee for care, sustenance or supervision, the following procedures are to be followed.

   a. If another appropriate adult is present with the arrestee, the arrestee will be permitted to place the dependent child or dependent person in the care of that adult.

   b. If another appropriate adult is not present or refuses custody of the dependent person, the dependent person will be transported to police headquarters. The dependent person may be transported with the arrestee, so long as the arrestee is not acting out in a violent manner, or may be transported via separate police vehicle.

   c. The arrestee shall be permitted a reasonable opportunity to make arrangements by telephone for alternate care for the dependent. When contact cannot be made by telephone, an officer from this or the appropriate police agency shall be assigned to make the necessary notifications.

   d. If the arrestee is unable to arrange for the alternate care for the dependents, the shift supervisor or arresting officer shall notify the appropriate State Agency (DYFS) of the arrest and the need for alternate care. The arrestee is to be informed as to the agency taking charge of his or her dependents and this notification is to be documented in police reports filed on the incident.

   e. When the arrestee has dependents requiring their care, the following must be included in the written reports covering the incident:

      i. The arrangements made for the care of those dependents.

      ii. The person or agency taking charge of the dependent(s).

      iii. The name of the agency's representative, phone number, and information as to how the arrestee can regain custody of the dependent child(ren) or person(s) when released from custody.

   f. The shift supervisor or arresting officer shall contact the appropriate judge as soon as possible for the setting of bail. If the arrestee has dependents requiring the arrestee's care, the judge is to be informed of this and of the arrangements made for the temporary care of those dependents.

2. Whenever a person is arrested or taken into custody and is likely to be detained more than two hours, that person shall be questioned as to whether or not any child or other person is dependent solely upon the arrestee for care, sustenance or supervision. This question and the answer provided must be included in the narrative portion of the arrest report.

   Example: I asked this subject if they were solely responsible for the care, sustenance or supervision of any children or other persons and their answer was "NO".

   a. When it is determined that the arrestee is the sole provider of care, sustenance or supervision for a child or other dependent person, the arrestee shall be permitted a reasonable opportunity to make arrangements by telephone for alternate care for those dependents. When contact cannot be made by telephone, an officer from this or the appropriate police agency shall be assigned to make the necessary notifications.

   b. If the arrestee is unable to arrange for the alternate care for the dependents, the shift supervisor or arresting officer shall notify the appropriate State Agency (DYFS) of the arrest and need for alternate care. The arrestee is to be informed as to the agency taking charge of his or her dependents.

   c. When the arrestee has dependents requiring their care, the police reports filed on the incident shall include:

      i. A record indicating the arrangements made for the care of those dependents.

      ii. The person or agency taking charge of the dependent(s).

      iii. The name of the agency's representative, phone number, and information as to how the arrestee can regain custody of the dependent child(ren) or person(s) when released from custody.

   d. The shift supervisor or arresting officer shall contact the appropriate judge as soon as possible for the setting of bail. If the arrestee has dependents requiring the arrestee's care, the judge is to be informed of this and of the arrangements made for the temporary care of those dependents.

B. Responsibilities

1. Officers involved in cases where there are dependents relying on the arrestee for

care, sustenance or supervision where no suitable caretaker is selected by or found by the arrestee, are required to take steps to ensure those dependent persons are not left alone.

a. In the event an arrestee who is not going to be released indicates that there are children or dependents left alone, steps must be taken to secure those dependent persons in a safe environment until a representative from DYFS can respond to take charge of them. This would best be accomplished at the home or local hospital.

b. Failing to follow this directive shall result in progressive disciplinary action, the seriousness of the violation/situation shall determine the nature of that progressive discipline.

Examples: Officers failing to take steps to safeguard dependents would be charged with Neglect of Duty a schedule A offense.

Officer who neglects to record information in report would be Charged with Neglect of Duty a schedule D offense.

Order #: II.3. **Date:** 07/23/2009
Category: DEPARTMENT ORDERS
Title: ARREST/SEARCH/SEIZURE

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 3

SUBJECT: ARREST, SEARCH & SEIZURE

EFFECTIVE DATE: 10-12-2009
CHIEF OF POLICE: Mark W. Ott

POLICY

The Constitutions of the United States and the State of New Jersey are of special importance to police officers because they directly regulate the performance of their duties. This is particularly true in the area of arrest, search and seizure. Careful study of the rules and procedures established as a result of court interpretation of the constitutional requirements will help ensure protection of individual rights and, at the same time, assure that criminals may be apprehended and necessary evidence obtained in a manner that will be upheld in a court of law.

To provide for effective government and the need to preserve individual liberties. Nowhere is this balance more critical than in the enforcement of the criminal laws. It is imperative that the government be able to seek evidence of crime in order to identify and convict offenders, but it is equally imperative that an individual citizen be permitted to maintain the privacy of his person, places and things. The Constitution's, together with thier amendments, are designed to strike a balance between the need to enforce the laws, gather evidence and maintain the expectation of protection against unreasonable searches and seizures. Accordingly, the Fourth Amendment to the Constitution, which is applicable to the states by virtue of the Fourteenth Amendment, provides:

The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, support by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

When an arrest or search is conducted in violation of the above constitutional requirements, the courts, by utilizing the "exclusionary rule", will not permit the evidence so found to be used at trial against the person whose privacy was violated. The purpose of the exclusionary rule is to deter future unlawful searches. Thus, a defendant may be immune from conviction by reason of an officer's failure to adhere to constitutional rights and the officer may be held civilly and/or criminally
liable. Therefore, the purpose of this policy is to assist police officers in effectively carrying out
their duties in a manner consistent with the Constitution.

Every officer is directed to stay abreast of changes and keep informed of changes to police operations as provided in case law, and various guidelines and other directives on arrest, search
and seizure.

I. PROBABLE CAUSE TO ARREST

A. In the State of New Jersey, a police officer ordinarily may only arrest an individual within the geographical unit in which he is an officer. However, the officer may arrest a person anywhere in the state, if the officer reasonably believes that person has committed a CRIME (1st - 4th degree).

1. A lawful arrest may be made with or without a warrant based on probable cause.

B. A police officer may arrest without a warrant when he has "probable cause" to believe that the arrested person has committed a crime, as New Jersey follows the common law of arrest, which permits arrests without warrant under certain circumstances.

C. A police officer may also arrest a person without a warrant when a disorderly persons offense or petty disorderly offense is committed in the officer's presence.

1. "Presence" is a concept that is easily understandable, and for the purpose of the New Jersey law of arrest, it includes situations where the officer sees, hears or smells the offense being committed.

D. Probable cause is not a complex legal formula understandable only by those trained in the law. It is arrived at by collecting facts of such quality that logic and common sense point with reasonable certainty in the direction of guilt.

1. Vague "hunches" or suspicions are not enough.

2. The belief must be supported by the facts.

3. One's experience as a police officer is a fact that can be relied upon to support probable cause, provided it can be documented.

4. The facts upon which the belief of guilt is based must have been known at the time of arrest, and should be thoroughly documented

5. Post-arrest actions by the accused are irrelevant to the lawfulness of the

initial arrest.

6. It is not necessary to believe beyond a reasonable doubt that a person committed an offense in order to arrest.

E. An officer should arrest only when reasonably sure that at the moment of arrest the officer could point to a sufficient number of hard facts to convince a neutral and detached judge that it was reasonable to believe a crime was committed or was being committed by the person arrested.

F. There is no limit to the types of information that can be used to support probable cause, provided such information is not vague and can be documented. Among the types of information the officer can rely upon:

1. Observed facts surrounding the incident (behavior, appearance and location of suspect; suspect's height and weight).

2. Familiarity with the suspect (suspect's prior record, prior observation of suspect and earlier contacts with suspect)

3. Reports from others (accounts given by victims or witnesses; reliable informants).

4. Each of these sources of information can lead to a determination of probable cause, but some require corroboration by other facts if they are to be given weight.

G. As a general constitutional principle, a police officer must possess an arrest warrant if he is to make a legal arrest. The common law of arrest does permit arrests without warrant under certain circumstances (an officer must have probable cause to believe a crime has been or was about to be committed and probable cause to believe the person responsible was the person the arrest is effected upon or the person was committing a disorderly persons offense in the officer's presence).

1. A warrant is based upon an affidavit or evidence presented stating sufficient facts to convince an impartial magistrate that "probable cause" exists.

2. For the warrant to be valid there must be a showing of "probable cause" that a specific person committed a particular crime.

3. The suspect must be identified by name, or if the suspect's name is unknown, by a description which identifies him with reasonable certainty.

4. The exception of warrant-less arrests is justified by the presence of

exigent circumstances such as possible harm to others or flights of the suspect.

H. A police officer making an arrest should identify himself/herself to the person being arrested

1. The officer should also indicate the crime for which the suspect is being arrested.

2. If the arresting officer has a warrant, then it should be exhibited. If the warrant is not in the arresting officer's possession at the time of the arrest, the person arrested should be informed of the offenses charged and the fact that a warrant has been issued.

I. If an officer has an arrest warrant for an indictable offense and has probable cause to believe that the subject of the warrant is inside a house, building or apartment, the officer may, under appropriate circumstances, enter the house, building or apartment to make the arrest. The officer should use sound judgment in determining whether to enter the building or wait to make the arrest outside. If the officer decides to enter, he/she should announce his/her identity and demand that the person inside opens the door.

An arrest warrant permits entry into a residence to make an arrest only if the premises is the primary residence of the person to be arrested. If the premise is not the primary residence of the person to be arrested, an entry cannot be made without a search warrant or consent.

Only in rare circumstances involving extremely serious offenses and exigent circumstances can an officer enter a residence to make a warrant-less arrest.

1. The knock and announcement would cause danger to the officer.

2. The suspect would attempt to escape.

3. The suspect would try to destroy evidence.

4. If it is necessary to prevent the commission of a crime, forcible entry or subterfuge may be used to gain entry where it is refused.

J. A police officer while in "hot pursuit" or "fresh pursuit" of a suspect (who is actively resisting arrest - a 4th degree crime) may pursue that suspect into a private residence to effect an arrest.

Note - it is important that the officer knows for a fact the suspect entered the private residence and not merely believes it possible the suspect entered a private residence.

K. An officer may not make a custodial arrest for a routine Title 39 violation. Only a serious Title 39 violation, such as drunken driving, will justify a custodial arrest.

II. SEARCHES WITH A WARRANT

A. The term "search" as applied here refers to an examination of an individual's house, building, premises or the person, with a view to the discovery of contraband or illicit, stolen property or some evidence of guilt to be used in a future prosecution.

B. A "seizure" occurs when a police officer confiscates an individual's property or other things in which he/she has a possessory interest.

C. Probable cause must be demonstrated.

D. An affidavit must be presented to the judge. The affidavit in support of the warrant must demonstrate that there is a reasonable basis to believe that a crime has been or is being committed and that a search would disclose the fruits of a crime or other items to be seized.

E. A search should be conducted pursuant to a search warrant absent extraordinary circumstances.

F. As a rule, an officer should include as many facts as possible in the affidavit supporting his belief as to the existence of probable cause.

1. The police officer must supply enough information in the affidavit to convince a prudent judge that a search will yield evidence.

2. An affidavit will be sufficient if the officer demonstrates personal knowledge to support a finding of probable cause. If the officer has insufficient personal knowledge respecting the issue of probable cause, the officer may use hearsay (information taken from other sources) if the officer establishes both the reliability of the source and the reliability of the source's information.

G. The officer must describe in the affidavit and warrant with particularity the place to be searched, the property to be seized, the individual or entity possessing the property and the underlying crime.

1. The description should not be general in nature, but must be specific.

2. It is sufficient if the place or person to be searched is specifically designated by the street address, physical description, color, type of

structure or the name of the person and/or the name of the occupants with additional identifying numbers (DOB, SSN, height, weight, etc).

3. The requirement that the evidence to be seized be designated renders general searches impossible and prevents the seizure of one item under a warrant describing another.

4. The general rule is that an affidavit or warrant is sufficiently descriptive if it enables an officer who is completely unfamiliar with the case to execute the warrant. Of course, this is merely an illustration and the affiant should always execute the warrant.

H. Only certain items are subject to seizure. Fruits of a crime (for example, stolen property), instrumentalities of a crime (for example, weapons, masks, tapes, etc.), and contraband (anything prohibited by law to be possessed) may be seized. Evidence directly related to criminal conduct or which is probative of such conduct may also be seized.

I. If during the course of a valid search, the officer inadvertently discovers evidence of criminal conduct not specified in the warrant, such evidence may be validly seized. Moreover, the police may make a cursory inspection of the premises for the presence of anyone who may pose a danger to the officers or to the integrity of the evidence to be seized. To be considered valid the search must be of areas where the specified items being sought could be contained.

I.E. - You would not search for a stolen car inside of a dresser drawer, nor would you search for a handgun inside of a small jewelry box.

J. A search conducted with a warrant is presumed to be valid and the burden of showing its invalidity is upon the defendant. The warrant, however, must be executed and returned to the court within ten (10) days after it is issued or it will no longer be valid. The warrant may be executed only once and the officer cannot remain on the premises longer than is reasonably necessary to conduct the search.

K. The police shall knock and announce their presence before entering a dwelling to execute a search warrant; however, an unannounced entry may be proper if there is a sufficient threat of violence or a sufficient risk that evidence will be destroyed if the police knock and announce before entering.

1. If, at the time the police apply for a search warrant, they have information to suggest that their safety will be endangered or evidence will be destroyed if they knock and announce, they shall seek judicial permission to make an unannounced entry to execute the warrant.

a. The information upon which this request is based shall be set

forth in the affidavit submitted in support of the search warrant.

b. The police shall ask the issuing judge to indicate on the search warrant itself or on an attached addendum that he/she is permitting the police to make an unannounced entry.

2. If, after the police obtain the search warrant, they receive information that an announced entry will jeopardize their safety or lead to the destruction of evidence, they shall do one of the following:

a. If time permits, the police shall obtain judicial authorization for an unannounced entry; or

b. If time does not permit to obtain judicial authorization, the ranking officer present shall make the decision and document the basis for any unannounced entry in his/her police report which shall be made part of the case file.

L. Method of Approval & Authorization For Search Warrant

See section V of this policy.

III. SEARCHES WITHOUT A WARRANT

A. As a matter of constitutional law, searches without warrants are considered unlawful with a few exceptions. Courts tend to be reluctant in sanctioning warrant-less searches. Therefore, it is imperative that a police officer obtains a search warrant unless he is certain that one of the following exceptions exist.

B. A search of a person conducted after a valid arrest requires no additional justification.

C. The search of an area immediately surrounding the arrestee must be done contemporaneously (immediately) with the arrest in order to be lawful, as once the arrestee is removed or secured the "wingspan" search incident to the arrest would otherwise be no longer necessary and unjustified.

D. The purpose of a search incident to an arrest is to protect the arresting officer, to deprive the prisoner of a potential means of escape and to avoid destruction of evidence by the arrested person.

E. Nevertheless, while a search is lawful as an incident to a valid arrest, the scope of such a search is limited to the area in the immediate control of the arrestee.

1. When arresting a suspect in a dwelling or apartment and no search

warrant has been obtained, the search may only extend to the person and items in his possession and the area into which the arrestee might reach in order to obtain a weapon or other evidence.

2. A warrant-less search of a suspect's house is not justified by the arrest of the defendant outside the house.

F. A search incidental to an arrest is not reasonable unless it is made contemporaneously with the arrest. To be contemporaneous, a search must be conducted as soon as practical after the actual arrest, and can not be made if the suspect has been removed from the area.

G. Searches Based on Exigent Circumstances

1. A warrant-less search will withstand judicial scrutiny if probable cause for the search exists and there is insufficient time to procure a warrant. This exception denominated as "exigent circumstances" is present only when the evidence is in imminent danger of destruction, or if the evidence will be removed from the jurisdiction prior to judicial authorization.

2. Searches which do not contemplate prosecution have been deemed proper where the police must make intrusions in order to render aid to the sick or injured. Thus, police may enter dwellings or vehicles when they have cause to believe that an injured or sick individual may need emergency assistance. If in the process of attempting to render such aid, an officer inadvertently discovers incriminating evidence, in all likelihood it will be admitted at a subsequent trial.

3. Additionally, if an officer is in fresh pursuit of a fleeing felon, the officer may enter premises without a warrant. Upon entering a dwelling in fresh pursuit of an individual, a police officer has the right, for his/her own safety, to inspect the area to determine the presence of anyone who may pose a threat to his/her safety.

H. Searches Based Upon Consent

1. Before a Consent Search is conducted, the department's Consent Search Form should be completed and signed by the person authorized to give consent. The persons consent must be clear, unequivocal, intelligent and voluntarily given. This is why the department's Consent Search Form is preferred. Should no form be available, the officer should attempt to tape record the conversation and point out to the person that they have the right to refuse the search or stop the search at any time. The officer, though acting in good faith, must be careful to avoid not only the use but also the appearance of coercion.

2. A person who consents to a search by a police officer waives the right to be free from a search without a warrant. But, unless the officer informs the suspect that there is an absolute right to refuse to accede to such a request, his assent to the search may not be meaningful.

3. When requesting consent to search, there are certain basic precautionary measures which should be followed. The size of the group requesting consent should be the minimum consistent with the safety of the officers. Nevertheless, for purposes of a later challenge to the fact of consent, it is preferable to have at least one (1) other police officer witness the waiver.

4. Officers seeking permission to search should avoid unnecessary display of weapons and should make their requests clearly independent of the power and authority represented by the badge and uniform. Moreover, permission to enter is not permission to search, whether obtained at the door prior to entry or obtained during entry.

5. An interview following entry, consent to search must be independently requested and specifically given. The exact words chosen by the officer and their expression are important in obtaining truly voluntary consent. The language must convey a request, not a command. Additionally, where the person giving consent is in custody, the burden of proving voluntariness becomes more formidable but not impossible. As noted, it is imperative that such an individual be specifically informed of his right to refuse consent. A valid consent cannot be obtained by advising falsely that search warrant is available "anyway", by implying that a threat of arrest will be lifted as soon as consent is given, or by declaring that the purpose of entry is to interview the suspect when the actual purpose is to search. A consent to search may be revoked at any time prior to completion of the search.

6. If the suspect is incompetent at the time he consents, then the search is invalid even if the officer had a good faith belief that the individual was competent. A valid consent to search may be given only by the person with the primary right to the occupation of the premises. If the suspect and another jointly occupy the premises, the latter may ordinarily be entitled to consent to entry on that portion of the premises jointly occupied and to seize property therefrom. Likewise, a spouse may authorize a search of those premises jointly occupied.

7. Because the scope of permissible consent search is determined by the scope of the consent given, the officer must make clear in his/her discussions with the consenting party the precise scope of the consent that the consenting party is providing.

8. An employer cannot consent to the search of premises used by an

employee in his work.

9. An individual with custody of personal property belonging to another may not consent to its search unless he has been given full control over the property. Thus, consent by a person having only limited custody, such as for storage or shipment, is not valid.

10. In situations where two persons present have the same rights to allow or disallow a search based on requesting consent, one party may not give consent to search where the other party with rights to the property protests. This particularly applies to Domestic Violence type cases where no exigent circumstances or evidence of abuse are present. (Georgia v. Scott Fitz Randolph)

I. Stop and Frisk

1. A "stop" occurs whenever a police officer utilizes his/her authority to detain an individual in a given place. It also occurs when the subject reasonably believes they have no alternative to stop based on the given set of circumstances presented by the officer or officers and the conduct of the officers.

2. An individual may be stopped if there is "reason to suspect" the person of unlawful activity, i.e., that the suspect has committed, is committing, or is about to commit a crime. "Reasonable suspicion" is clearly more than a hunch or unfounded suspicion and is less that probable cause to arrest.

3. As in the case of probable cause, there is no precise definition of the standard. Various factors which have been construed as giving rise to "reasonable suspicion" include the subject's appearance, actions, proximity to the scene of a crime, the time and place observed, and the prior record or reputation of the subject.

4. When it is determined that a stop is appropriate, the police officer should identify himself/herself as such, and request the person to remain stationary. The officer should inform the suspect that it is not an arrest and that it is likely the person will go free once he/she has answered relevant questions. Reasonable force may be used to effectuate the stop.

5. When a detained suspect is questioned, the inquiry should be limited to ascertaining his/her name, address and an explanation of his/her actions. Identification papers may be requested for inspection. Should the answers to these questions prove unsatisfactory, false, contradictory or incredible, then probable cause to arrest may result.

6. Should a suspect refuse to cooperate, he/she may not be compelled to answer and his/her silence may not be used to build a case for arrest. Moreover, since the purpose of the stop is to establish the suspect's identity and to explain his/her actions, the inquiry should generally not last more than several minutes. It should be emphasized that there is a very narrow line between a legitimate stop and an unlawful arrest.

7. An individual temporarily detained may not be transported from the place of the stop. However, the suspect may be moved a short distance from the point of the stop if it is necessary to verify his/her answers to the officer's preliminary questions by use of a police radio or walkie-talkie.

8. In the course of detaining an individual, a frisk of that person may be appropriate. It is a carefully limited protective search. It is not based on probable cause, and is solely for the protection of the officer. A frisk includes a pat down of outer clothing and a limited search of the immediate vicinity where weapons might be concealed.

9. A lawful stop does not automatically give rise to a legal frisk. The frisk should only occur if nothing in the initial stages of the encounter dispels the officer's reasonable fear for his own or other's safety. Of course, the officer need not be absolutely certain that the individual is armed. The standard is whether an individual of reasonable caution in the circumstances would be warranted in the belief that the officer's safety or that of another was in danger. Thus, the purpose of a limited search after an investigators stop is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear for his physical safety.

10. When it is determined that there is cause for a protective frisk, the officer should proceed as follows: carefully pat-down the suspect's clothing. If no objects are discovered which might be weapons, then the frisk should not proceed further. Nevertheless, it may be reasonable also to search a handbag, suitcase or sack. If, however, during the frisk, the officer feels something that might be a weapon, then the officer may reach into that portion of the suspect's clothing. If an unlawful weapon is found, a search incident to an arrest for possession of the weapon may follow.

    a. Refer to Prisoner Care/Transportation Policy regarding females.

11. There are to be no further seizures of garbage as an investigative tool without the prior authorization of the County Prosecutor's Office. The same assistant prosecutors who are assigned to review search warrants will handle this authorization.

IV. VEHICLE SEARCHES

There are five (5) instances in which a warrant-less search of a vehicle will be permitted:

A. Following Stop for Motor Vehicle Violation

1. An officer may stop a car for a suspected motor vehicle violation.

2. The driver may be asked to exit the vehicle for the officer's protection. Passengers may be asked to exit the vehicle only if the officer has a specific articulable reason to be concerned for his/her safety. This action must be documented as to the reasons why it was done.

3. A limited search of persons and vehicle may be performed when any one of the following conditions exist:

   a. Appearance or conduct of passengers suggests a weapon is present. Officer may perform a pat down of occupants and/or a limited search of the area in which officer observed attempts to hide something.

   b. No registration is produced and ownership in doubt after NCIC check.

      (1) Search limited to area where registration might Normally be kept - glove compartment, console, over sun visor, under floor mats.

      (2) No search of trunk permitted.

   c. Plain view observation reveals presence of suspected illegal articles.

      (1) Contraband visible from outside vehicle may be seized.

      (2) Trunk may not be searched for evidence of C.D.S. unless probable cause to believe distribution is involved, large quantities of C.D.S. is suspected of being stored within the trunk. Should the officer wish to proceed gain supervisors approval.

      (3) The odor of raw or burning marijuana can, in conjunction with other circumstances, constitute probable cause to believe that there is marijuana inside a vehicle.

         i. Call working OIC to the scene.

ii. During these events the following chain of events shall occur:

* Order occupants out of vehicle
* Conduct warrant checks on occupants
* Search occupants
* Request consent to search the vehicle
* If no consent is given start contacting supervisors for determination of whether to conduct warrant-less search due to exigent circumstances or to apply for warrant

d. There is a suspected violation of N.J.S. 39:4-50 (Driving under the Influence of Alcohol or Drugs).

(1) Police may not conduct an automatic search of the passenger compartment of a car as an incident of an arrest for a Title 39 violation.

(2) When the police make a custodial arrest of an occupant of a motor vehicle for a Title 39 offense, they may contemporaneously search the area of the arrestee's immediate control only if the arrestee remains in or adjacent to the vehicle after arrest.

B. Where probable cause exists to believe auto contains contraband or evidence of a crime.

1. Probable cause may be supplied by an informant's tip. This informant information shall be recorded with reliability of the informant's past record of proven accuracy and assistance.

2. Vehicle must be mobile. Justification for search is the danger of removal of evidence if car not immediately searched and sufficient exigencies exist to demand action as opposed to impounding the vehicle and applying for warrant - check with working supervisor.

3. Entire vehicle may be searched where probable cause to do so and sufficient exigencies exist.

a. A trunk may not be searched when C.D.S. in the vehicle does not give probable cause to believe that more C.D.S. will be found in the trunk.

4. Search warrant should be obtained for luggage or closed containers found in car where no exigent circumstances exist.

   a. Destruction of evidence.

   b. Officer/Public safety issue.

5. Passengers may only be searched incident to arrest, although protective frisk may be made if appropriate under the circumstances.

6. Regardless of whether a custodial arrest is made, the police may search the passenger compartment of a car when they have a reasonable basis to believe that the driver or other occupant is armed and dangerous.

C. Incident to arrest of driver or other occupant.

   1. Police may conduct a search of person arrested.

   2. Search of vehicle provided the defendant is not yet secured in police vehicle or no longer capable of accessing weapon/tools for escape:

      a. Search is directed toward discovery of evidence related to crime which is basis for arrest.

      b. Search is close in time to arrest.

      c. Search for weapons is limited only to the area within reach of arrestee.

   3. When the police arrest a motorist for a title 39 violation, the officer can search the person of the arrestee but cannot search the vehicle as an incident of that arrest.

D. Pursuant to valid consent by owner, if present, or vehicle operator where:

   1. Reasonable and articulable suspicion exists to believe that contraband or evidence of a crime will be found in the vehicle. (State v. Carty).

      Note - race (unless part of B.O.L.O. description) may not be used in formulating officer decisions.

2. Person in control of the vehicle has been advised that he/she has the right to refuse consent and knowingly waives his/her right to require that a search warrant be obtained.

3. Consent is product of party's free will.

4. Consent is clear and explicit.

5. Consenting party has authority to do so, based upon equal right to ownership or use of vehicle or thing searched.

6. Search limited to area for which consent is given.

E. Inventory of Motor Vehicle (Note - see also BPD Towing Policy II.27)

1. In order to perform an inventory, the vehicle must first be subject to lawful impoundment, as in the case wherein:

   a. Vehicle is unregistered.

   b. Vehicle is uninsured and a warrant for impound has been secured.

   c. Vehicle is being operated in an unsafe condition.

   d. Probable cause exists to believe vehicle is stolen.

   e. Vehicle is subject to forfeiture as conveyance used to transport CDS in large quantities.

   f. Vehicle was used during commission of crime.

   d. Vehicle was impounded due to John's Law.

2. Owner or operator must be given the opportunity to provide for removal of the vehicle prior to impoundment in certain circumstances.

3. Owner or operator must be given the opportunity to remove contents of vehicle where there is no evidence of unlawful activity.

4. An inventory may be performed only to accomplish the following three (3) care-taking functions:

   a. Protection of the owner's property.

   b. Protection of the police and tow company personnel

from claims of stolen property.

c. Protection of the police and tow company personnel from dangerous instrumentalities in the vehicle.

5. If there is any reasonable basis to conclude that the vehicle may contain stolen property, narcotics or other contraband, a search warrant must be procured.

V. PROCEDURE TO BE FOLLOWED WHEN APPLYING FOR A SEARCH WARRANT

A. Include ALL information you have at your disposal in the affidavit. The prosecutor CAN NOT use information you may have in your files or reports at a Motion to Suppress unless you put it into the affidavit.

B. Include only current information in the affidavit. If the information is too old, the court will hold that it is stale and the warrant may fail.

C. If you use information provided by a CONFIDENTIAL INFORMANT include ALL information concerning the informant's credibility or reliability. DO NOT, HOWEVER, REVEAL THE INFORMANT'S IDENTITY.

D. Include ALL the facts that indicate how the informant obtained the information.

E. Include information that links the person you wish to search to the criminal activity.

F. Include information that links the place to be searched, with the criminal activity.

G. Include information that links the person to be searched with the place to be searched.

H. If you intend to search a home, describe the home as completely as possible. Include:

1. Complete street address.

2. Physical description, i.e. one-family or two-family, one-story, two-story style of home.

3. Color of house, number affixed and where located.

4. Legal description from the deed, if you have it.

5. Provide a snap shot, if possible.

I. If you intend to search the home where a young person resides with his or her parents, be sure and show a CONNECTION between the HOME and the PERSON to be searched. Do not just characterize the residence as the parents' home.

J. If you want to search an automobile, include a complete description including make, model, license number, VIN if available and color.

K. Have search warrant and affidavit reviewed by competent BPD authority:

1. OIC

and

2. Detective Sergeant/Detective Lieutenant

or

3. Bureau Commander

J. FINALLY, BEFORE TAKING ANY WARRANT APPLICATION TO A JUDGE, THE PERSONS PREPARING THE APPLICATION MUST CONTACT:

1. The on call Detective of the Cumberland County Prosecutor's Office to deconflict the application.

2. Then the on call Assistant Prosecutor Enumerated in the CCPO Directive pertaining to SEARCH WARRANT APPROVAL

Once these approvals have taken place the warrant/affidavit may be presented to a JUDGE. The officer must note in his or her file the CCPO Detective and assistant prosecutor who reviewed the affidavit.

Note - The Cumberland County Prosecutor's Office has an approval form which gets signed by the reviewing A/P. This should be included with case. It can be found on BPD Online Forms.

K. When handling a domestic violence case it is important for officers to remember that an Administrative Search Warrant(as authorized by TRO) is not the same as a Criminal Evidence Search Warrant. The Administrative Search Warrant included on TROs deals with the State's interest in protecting victims of DV and not prosecuting weapons offenses. Therefore, weapons seized during DV operations may not be used in a criminal prosecution in most cases. The officer should consider applying for an actual Criminal Evidence Search Warrant if the DV offenses involves allegations centered on weapons offenses. (State v.

Perkins).

VI. STRIP SEARCHES

A. Refer to Policy and Procedure Strip Searches and Body Cavity Searches SECTION I Chapter 30.

VII. GENERAL PROVISIONS

A. Whenever an officer is confused or unclear on a potential course of action, rather than potentially violate someone's rights they shall contact the next higher level in the chain of command or they may contact an attorney from the Cumberland County Prosecutor's Office with supervising officer's approval.

B. Documentation of justification for carrying out any particular search or seizure is one of the most important features of arrest, search and seizure and all members are required to properly document the facts and circumstances that led to the actions they decided upon.

C. As with all police reporting, Officers need to specifically remember to document all appropriate information for conclusions reached:

1. Reasonable and Articulable Suspicion

2. Probable Cause

Order #: II.4. **Date:** 05/12/2009
Category: DEPARTMENT ORDERS
Title: BARRICADED SUBJECTS

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 4

REVISION DATE:

SUBJECT: BARRICADED PERSON- WITH OR WITHOUT HOSTAGES

EFFECTIVE DATE: 5-12-2009

CHIEF OF POLICE:Mark W. Ott

Held for security reasons.

Order #: II.5. **Date:** 05/14/2009
Category: DEPARTMENT ORDERS
Title: PATROL OIC DUTIES/RESPONSIBILITIES

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 5
REVISION DATE: 5-13-2009

SUBJECT: PATROL OIC DUTIES/RESPONSIBILITIES

EFFECTIVE DATE: 5-15-2009
CHIEF OF POLICE: MARK W. OTT

PURPOSE

To provide a general outline to Patrol OICs of Police Administration's expectations for them and to outline mandatory responsibilities of Patrol Squad and Neighborhood Response Team OICs.

DEFINITIONS

OIC – Officer in charge of Patrol Bureau Group; be it Sergeant or designated Patrolman.

SOIC – Senior officer in Charge; the highest ranking officer working or officer with the most time in grade at the BPD at any given time. IE if there are three Patrol units working and one is being led by a Sergeant and two are being led by Patrolmen OICs, then the actual Sergeant is in charge.

POLICY

I. Purpose of Structuring Shift Supervisor (OIC) duties:

   A. To provide a standard method of performing the duties of a shift OIC as expected by the police administration

      1. These guidelines are the basic minimum duties that are expected by the administration. Deviation from the basic duties will be frowned upon with resulting possible disciplinary action taken in the absence of justifiable deviation

      2. These guidelines are to serve as a basic outline for new as well as veteran OICs for platoon operations.

   B. To standardize basic duties of a shift OIC so a level of inter-group continuity of operations can be attained

1. The adoption of a standard method of conducting operations are preferable to individual preferences, as maintained standards are less confusing to officers working over on other platoons, and concurrently less confusing to OICs working other platoons

2. Operations conducted in a standard manner will facilitate future transitional reassignments with a minimum of initial disruption to officers and Patrol groups involved

3. Operations conducted the "Department's Way", instead of an individual OIC's way, permits a standard method of operation and will promote the "proper" way to go about the daily business of operating a Patrol group

II. Patrol Group OIC's Basic Daily Duties:

A. Check Daily Activity Report from preceding shift

B. Review IMPACT

1. Email
2. Arrests (number sequence)
3. IRs
4. Field Interview (sequence)
5. Blotter
6. Department orders

C. Create "Daily Assignment" Blotter entry to set up shift

1. Area assignment; proactive duties
2. Chow time
3. Vehicle assignment, if any
4. Document line up training

D. Communicate with preceding OIC for synopsis of his shift's activities of the day, and discuss any unusual conditions or occurrences

1. Street conditions/special conditions
2. Vehicle problems
3. Personnel who called off
4. Special details

E. Conduct Inspections

1. Briefing room

2. Locker room
3. Dispatch office
4. Shift OIC's office
5. Interview rooms 1, 2 & 3
6. Processing room
7. Break room
8. Parking lot
9. Supplies:

    a. Drug test kits
    b. Patrol camera(s) & batteries
    c. Blood test kits
    d. GSR test kits
    e. Blood residue collection kits
    f. Various evidence security holders (plastic & paper bags/sharps tubes, boxes, etc)

10. Clear out outdated clip board information

F. Conduct Roll Call:

1. Inspect the officers
2. Inspect the officers weapon & equipment at least 2 times per month
3. Pass on pertinent information
4. Pass on new general orders and/or SOPs
5. Perform vehicle inspection at least once a week
6. Pass on information from any staff/COMPSTAT meetings
7. Conduct training

G. Check sign in sheet for accuracy on all personnel up to the point of your arrival and sign as approving of form to end of your tour

H. Field Supervise:

1. Backup officers when needed and when called for
2. Make occasional quality control checks

    (a) Revisit victims to assure the call was handled correctly

        (i) Cross check information gathered during this check with information contained within officer's reports

    (b) Assure that victims were treated correctly

        (i) Assure that officers are conducting themselves

with the proper demeanor and respect

3. Assure that officers are conducting proper area checks

   If you note deficiencies in an officer's performance, take steps to assure these are corrected and document same for future evaluations

   (a) Provide immediate counseling or training

   (b) If necessary, contact Bureau Commander to arrange for remedial In-Service training through the Training Unit or to discuss the possibility of assigning the targeted officer to an FTO for a period of time

4. Make frequent checks of officers in the field to assure proper work ethic

   (a) Assure officers are patrolling their areas properly and carrying out directed activities and COMPSTAT measures as developed and assigned.

5. Citizen Complaints:

   (a) When a citizen complaint is received, the OIC must take steps to institute an immediate investigation into the allegations

   (b) Complete a citizen complaint form and submit through the chain of command for review and further action and/or investigation by Bureau Commander and/or Professional Standards Bureau

Note: Often, civilian perceptions are in conflict with legal issues as they exist. This condition exists for various reasons such as, cultural differences; level of victim education or intelligence; and misinformation possessed by the victim. There are times that if someone would just listen to the citizen's complaint, and take the time to calmly explain the law to persons, they would have a better understanding of the law in question and the actions taken by the officer. A timely response from the OIC may greatly help complaining citizens and help identify possible need for officer training and/or changes or current departmental policy and operating procedures.

   (c) Complaints of a minor nature can and should be attended to by the OIC as soon as possible and corrective counseling or action taken

   (d) Complaints of a more serious nature should be handled immediately and the Bureau Commander should he informed immediately to advise on a course of action.

(e) Serious complaints are to be investigated immediately with notification made to the Bureau Commander. The BC will make notifications up the chain of command and the Chief or his designee shall determine if PSB personnel should be brought into the investigation immediately.

(f) If PSB is brought in immediately, the OIC will provide any requested assistance to PSB in furthering the administrative investigation

(g) In ALL cases of citizen complaints, regardless of seriousness of the allegation, the OIC shall submit a written report of the complaint, his findings, and all corrective actions taken, if any. This report shall be submitted to the BC immediately upon completion.

7. The OIC shall relieve dispatchers for their chow breaks, if needed, unless circumstances dictate the OIC is needed in the field, or he is otherwise indisposed. In any event, the OIC shall not make a daily habit of failing to personally relieve the dispatcher for their chow breaks

(a) Thinking behind this is that patrolmen are answering calls and for the most part, the OIC is not. Why pull an officer from his area to relieve the dispatcher?

8. Station House Duties:

(a) Assure that station house is in a clean and safe condition during tour. If the station is in a poor or unsafe condition upon initial inspection, confer with off-going OIC and attempt to correct the condition. Document the condition.

(b) Review Reports

(1) OIC shall review all reports for content, legality of officer actions and proper procedures used by officers.

(2) It is assumed by the police administration that the OIC signing off on any report signifies he is satisfied with the content of the report and the actions taken by the officer. With this in mind, the OIC shall be held responsible as to the conduct of officers under his command.

(3) Assure that reports are submitted in a timely manner. It is preferred that all reports are submitted prior to the

end of the shift. This could be accomplished by efficient rotation of officers in to the station for report purposes.

(c) Assure full shift strength for relieving squad

(1) In accordance with department SOP and contractual obligation, the OIC shall assure proper shift strength is maintained through either the calling of the Overtime List, and/or ordering officers to work overtime when this becomes a necessity.

(d) Brief oncoming shift OIC

(1) Properly communicate your shift's activities and any pertinent information to the oncoming OIC.

(2) Document this briefing if it is felt it is necessary.

Make proper notifications of command personnel in accordance with SOP

9. Other specific duties

Beginning of day shift

(a) Start new regular overtime sheet and turn over previous days overtime sheets to Police Administration

(b) Start new sign in sheet

(c) Check GPS if no activity observed for particular officer (unexplained)

Take any appropriate actions necessary to assure the efficient and safe operation of the police department during your tour of duty in accordance with SOP, Duty Manual, City Ordinances, state and federal laws.

OIC CHECKLIST

_____ Communicate with OIC being relieved

_____ Check shift strength

_____ Checked Preceding Shift's Daily Activity Report (Blotter)

Order #: II.5. **Date:** 05/14/2009
Category: DEPARTMENT ORDERS
Title: PATROL OIC DUTIES/RESPONSIBILITIES

_____ Review IMPACT

_____ Email _____ Arrest sequence
_____ Field Interview sequence _____ Blotter Entries
_____ Department orders

_____ Daily Assignment Sheet

_____ Officers _____ Area, vehicle, chow time
_____ Line up training _____ Proactive Assignments

_____ Facility Inspection (_____ Begin Tour/_____ End Tour)

_____ Briefing Room _____ Locker Room
_____ Dispatch Office _____ Shift OIC's Office
_____ Interview Rooms 1,2, &3 _____ Processing Room
_____ Break Room _____ Parking Lot

_____ Supplies

_____ Portable Radar & Batteries _____ Patrol Camera's & Batteries
_____ Blood & Drug Test Kits _____ GSR Test Kits
_____ Blood Residue Collection Kits _____ Evidence Containers/Bags

_____ Role Call

_____ Inspect Officers _____ Officer Weapon/Equipment
_____ Pass On/Document Info _____ Conduct/Document Training
_____ Vehicle Inspection

_____ Check sign in sheet at beginning/end of tour

_____ Call Audits _____ Check Reports
_____ Start OT Form/Turn in OT Form _____ Check GPS

_____ Check Relieving shift strength no later than 1.5hrs prior to relief

_____ Communicate with OIC Relieving

DEPARTMENT ORDER

Order #: II.6 **Date:** 01/05/2010
Category: DEPARTMENT ORDERS
Title: BOMB THREATS/EVACUATIONS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

Not to be released for security related concerns.

SECTION: II
CHAPTER: 6

SUBJECT: BOMB THREATS/EVACUATIONS

[redacted]

DEPARTMENT ORDER

Order #: II.6.1 **Date:** 07/09/2010
Category: DEPARTMENT ORDERS
Title: BOMB THREAT CHECK LIST

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 6.1

SUBJECT: BOMB THREAT CHECKLIST

Not to be released for security related concerns.

[redacted]

Order #: II.7 **Date:** 01/05/2010
Category: DEPARTMENT ORDERS
Title: CALL BACK AUDITS BY SUPERVISORS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 7

SUBJECT: CALL-BACK AUDIT BY SUPERVISORS
EFFECTIVE DATE:
CHIEF OF POLICE:COURTLANDT A. TURNER

CROSS REFERENCE #:
BRIDGETON POLICE DEPARTMENT

PURPOSE

The purpose of this General Order and policy is to insure the connotative and explicit meanings of this organization's Mission Statement and Value Statement are being properly addressed and implemented m the appropriate and consistent manner.

STATEMENT

In late 1997, this department adopted a revised Mission Statement and a new Value Statement. These statements are a driving force in the way members present themselves as a part of this organization, as well as in performing their duties with the general public. These statements are not to be construed as simple words on paper, but the motivating spirit in our efforts to achieve organizational goals, as well as living our organizational values. A call-back audit system will assist in obtaining the high, professional standards this department is expected to maintain.

POLICY

1. Generally, a supervisor should perform a call-back audit on 10% (one out of 10) of calls for service from the public. The purposes behind an audit are to ensure calls for service are handled in a proper manner, that the victim or complainant received a basic or minimum level of satisfaction from the responding officer or officers, and to decrease citizen complaints grounded in discourtesy or rudeness.

2. The call-back audit should consist of the supervisor returning to a location where a call for service originated and checking with the complainant on the level of service given by the officer or officers. The audit should not be immediate, but within one to two hours after the service was completed. This provides time for a generated officer report and gives the supervisor the background on the nature of the call and what the officer or officers did to rectify the situation.

This system will allow a supervisor to obtain timely victim or complainant feedback on the specific call, knowledge of officers' understanding of procedures, the strengths and weaknesses of officers' work skills, information for the ongoing evaluation processes and needs for modifications. It also allows the supervisor to clear any miscommunication or perception held by a victim or complainant, considering what an officer did or did not do as grounded in law and procedure. This should reduce groundless citizen complaints.

4. This system should not be employed after the hours of 0200 (then only if it is obvious the victim or complainant is still awake) unless the calls for service are recurrent past that time. If so, the supervisor will use discretion and common sense in conducting an audit.

5. The types of calls to be audited should not include crimes that are turned over for secondary investigation, particularly those crimes that will generate immediate response from investigative personnel. Crimes or offenses involving quality of life issues, domestic violence situations and like occurrences should be audited.

6. The supervisor should take appropriate action (commendation or correction) in a timely fashion. As part of the supervisor's weekly report to the division commander, audit entries should be noted and actions documented.

Order #: II.8 **Date:** 01/05/2010
Category: DEPARTMENT ORDERS
Title: CIVIL DISTURBANCES

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 8

SUBJECT: CIVIL DISTURBANCES
EFFECTIVE DATE:
CHIEF OF POLICE:COURTLANDT A. TURNER

CROSS REFERENCE #:
BRIDGETON POLICE DEPARTMENT

POLICY

One of the more difficult problems confronting our department has involved the question as to the proper approach we should employ in dealing with situations potentially threatening to the community. Typically, officers are confronted with groups of people who are congregating in the street, who may be making loud noises, starting small fires and interrupting the flow of traffic. Officers face a very difficult task in trying to deal with this type of problem, as improper tactics may result in the development of a more serious situation. Officers are placed in the difficult position of trying to assess the situation from the perspective of preserving community order, as well as consider the nature of violations that may be occurring.

These guidelines have been developed in order that the department may better cope with the problems presented in situations such as those outlined above. Members from all levels of the department have directly participated in the development of this policy; and much thinking from various viewpoints has been included.

This policy covers crowds and mob formation.

PROCEDURE

I. DEPARTMENTAL OBJECTIVES

A. The Department of Police has the following objectives to achieve to the best of its ability in a potentially threatening situation involving groups of people. These objectives reflect the relative importance of competing interests in disorderly situations and are rank ordered below.

1. Protection of Life. Officers have an obligation to protect the lives of ALL persons in the community. This is particularly true in situations of mass disorders where the lives of innocent persons are placed in

Order #: III.1 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: ALCOHOLIC BEVERAGE CONTROL

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 1
REVISION DATE

SUBJECT: ALCOHOL BEVERAGE CONTROL

EFFECTIVE DATE: March 11th, 2009
CHIEF OF POLICE: Chief Mark W. Ott

CROSS REFERENCE #: G-2009-006

POLICY

The purpose of this policy is to set forth guidelines for officers who are conducting inspections and who are enforcing Administrative Code Title 13 at liquor licensed premises. This policy will establish uniform guidelines for the inspection and enforcement at the liquor licensed premises.

PROCEDURE

I. INVESTIGATIONS and INSPECTIONS

A. The Bridgeton Police Department is primarily responsible for investigations, enforcement of laws and administering various Administrative codes concerning alcoholic beverage control concerning licensed establishments in the City of Bridgeton.

B. Investigations for new licenses or license transfers shall be conducted to ensure the applicant is qualified to be licensed according to the standards established by Title 33.

1. The Professional Standards Bureau shall conduct all background checks concerning "Application for Retail Alcoholic Beverage Licenses" transfers or purchases, in accordance with procedures outlined by the Division of Alcoholic Beverage Control. Which will include but not necessarily be limited to the following:

a. The applicant is to be fingerprinted for past criminal history.

b. The background check shall include a review of the applicant's financial history.

c. The background check shall be forwarded to the Professional Standards Bureau Commander for review and approval.

d. Recommendations and communication with Division of A.B.C. authorities is recommended and encouraged throughout the process.

2. A recommendation in writing by the Professional Standards Bureau Commander shall be submitted to the Chief of Police as to the applicant's eligibility for a new liquor license or a transfer of a liquor license. The recommendation shall include all background check information.

C. Annual investigations shall be conducted by officers of the Bridgeton Police Department, the Professional Standards Bureau, of all liquor licensed premises in order to maintain compliance with all Rules and Regulations of Administrative Code Title 13.

1. Annual investigations will be completed thirty (30) days before the liquor license premises license is up for renewal.

2. The investigating officer shall check for compliance utilizing the Liquor License Inspection checklist. The following inspections shall be conducted: (Appended)

a. E-141-A Form. List of employees 13:2-23.13(a)(3)

b. Copy of license application log 13:2-23(a)(2)

c. License certificate conspicuously posted 13:2-23(a)(1)

d. Special tax stamp or indication of payment 13:2-23.23(a)(3)

e. Prohibitive promotions 13:2-23.16

f. Employment of a minor 13:2-14.3

g. Alcoholic beverage stored on license premise 13:2-23.21

h. Beer tap markings visible 13:2-23.22(a)

i. Possession of open container prohibited on plenary retail

establishment 13:2-23.11

j. Prohibition of indecent matter 13:2-23.14

k. Criminally disqualified persons from employment 13:2-14.1

II. CODE VIOLATIONS (Title 2C/Title 33/Title 13)

A. If an Administrative Code Violation is discovered, the officer discovering such violation shall prepare a standard investigation report listing the City of Bridgeton as the Victim and the Offending Licensed establishment as the accused. A copy of the report shall be forwarded to the Professional Standards Bureau.

B. The Professional Standards Bureau Commander will determine if subsequent investigation is needed, and ensure same is conducted. Upon completion of any such case the investigator will file any appropriate local ordinance/state law complaints, who shall then forward a copy of these reports to the State Alcoholic Beverage Control Authorities for action.

III. SEARCH OF LICENSED PREMISES

A. Officers have the full authority to inspect and investigate licensees and the conduct of activities under the license and on the licensed premises.

Note - some properties may have areas that are not part of or listed on the Liquor License. Each license should have a schematic diagram of areas considered as licensed portions of the structure.

B. Officers may search without a search warrant the "licensed premises".

1. An area of a structure that is not licensed to serve or possess alcohol may not be searched without a warrant.

2. Officers, before initiating a search, shall review the Liquor License Application before initiating a warrant-less search to confirm the area of a structure that is licensed.

C. A licensee who refuses to cooperate with a liquor license inspection, search or hinders an investigation in any way, may be charged under Administrative Code 13 with "Hindering an Investigation" 13:2-23.30.

D. Any such search in accordance with this section, shall be conducted only with the consent and direct supervision of an officer holding the rank of or tasked with the responsibility of a Police Sergeant or higher rank within the department.

IV. ROUTINE INSPECTIONS

A. Inspections or "Bar Checks" should be conducted at each licensed establishment on a weekly basis.

1. It shall be the responsibility of the Patrol Bureau Commander to assure that these assignments are made and inspections are conducted through the Shift's Officer In Charge.

B. All bar checks shall be documented on the records management system blotter. Should any violations be found or observed see section II. of this policy.

C. Officers conducting bar checks shall be aware of State Law and Local Ordinances pertaining to the operation of licensed establishments. Officers shall be responsible to make contact with the bartender, manager, or other employee of the establishment and advise them that they are conducting a check.

D. Statutory violations, as well as any dangerous conditions or disorderly conduct should be addressed immediately.

1. All violations shall be documented utilizing the department approved investigation forms. Copies of all reports and forms shall be submitted to the Professional Standards Bureau.

E. Routine inspections should include but are not limited to the following;

1. Detection of intoxicated patrons;

2. Detection of Minors consuming alcohol

a. Requesting Identification may be required

b. Inquire with bartender the proofs that were submitted by the suspected minor patron before they were served.

3. Illegal Activity

a. Gambling

b. Lewd Behavior

c. Unlawful Drug Use/Distribution

F. A supervisor shall be notified upon identifying violations and shall respond to the establishment to assist and guide the officer(s) conducting the bar checks.

G. The shift O.I.C.shall determine if violations are present and properly follow steps

outlined under section II.

BRIDGETON P.D. Blotter #:____-_____
Liquor License Inspection Report
Date of Investigation:_____/_____/_____ Inspecting Officer:_____

Licensee:_____

Address:_____

Type of License:_____

Order #: III.1 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: ALCOHOLIC BEVERAGE CONTROL

License #:_____

Display of License & Permits:(_____ Acceptable _____ Unacceptable)

Number of Employees:(_____) Employee List In Order:(____ Yes ____ No)

Membership List Available:(___Yes ___ No) Special Tax Stamp:(___ Yes ___ No)

License Current:(___Yes ___No) Safety Issues:(___ Satisfactory ___ Unsatisfactory)

Walk Through Inspection: (____Satisfactory ____Unsatisfactory)

Illegal Gambling Paraphernalia Present:(____Yes ____No)

Transportation Permit/Vehicle: _____
_____
_____
_____

Owners/Stockholders: _____
_____
_____
_____

Condition of Premises:(____Satisfactory ____Unsatisfactory)

Comments: _____
_____
_____
_____

Signed:_____ Approved by:_____

Order #: III.2 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: ANTI-CRIME TEAM OPERATIONS

rBRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 2
EFFECTIVE DATE: 1-7-2010
CHIEF OF POLICE: Mark W. Ott
SUBJECT: ANTI-CRIME TEAM OPERATIONS

POLICY

The ACT (Anti-Crime Team) program is intended to bring about greater flexibility in use of police personnel. The primary purpose of this unit is street level gang, gun and drug interdiction; targeted upper level drug interdiction; and supplemental usage for major crimes regarding the initiation of this unit at the time the crime is committed or as soon as it is known to this Department.

The Anti-Crime Team is comprised of personnel as assigned by management. When and where feasible, manpower levels allowing, one officer will be assigned to a County Task Force. This unit is pro-active in that they initiate their own investigations, using approved (lawfully acceptable) methods and materials. They conduct surveillance, phone and wire taps as prescribed by law, use informants, undercover police officers , and any and all other techniques applied and approved by law enforcement in general.

Although the Anti-Crime Team is assigned to the Detective Bureau, they may work in or out of uniform and in marked & unmarked vehicles at the discretion of the administration of this Department.

GOALS

1. To reduce crime in general
2. To reduce the over-all work load
3. To gather/disseminate intelligence as per Department Policy & Procedure
4. To establish informants
5. To impact illegal drug sales at the street level
6. To impact large scale narcotics dealers when appropriate
7. To disrupt gang operations and leadership members through investigation and prosecution

8. To correlate stolen property to burglaries

Anti-Crime Team members may be required to back up shift members at any time. They are not to be used for calls, except in dire emergencies, or other patrol related efforts. In order for this unit to be successful, they must be free to handle these investigations. This team is directly responsible for proper notifications to the chain of command during planned or unplanned deviations from the norm.

Order #: III.3. **Date:** 08/27/2009
Category: DEPARTMENT ORDERS
Title: BIAS CRIMES INVESTIGATIONS

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 3

SUBJECT: BIAS CRIMES INVESTIGATIONS
EFFECTIVE DATE: 9-28-2009
CHIEF OF POLICE: Mark W. Ott

POLICY

Bias Incidents have occurred throughout the State and the Nation. As a result, uncertainty, tension and conflict have gripped the victimized communities. The promulgation of these standards serves as recognition that the unique nature of suspected or confirmed Bias Incidents requires special handling from the Bridgeton Police Department.

Crimes having a racial, religious, or ethnic component manifest themselves in a wide spectrum of antisocial activities. These Bias Incidents jeopardize the active and open pursuit of freedom and opportunity. Bias Incidents attack the racial, religious and ethnic heritage of our citizens, important elements of our history and our future. Closely linked to our heritage are individual values, beliefs and identities. Bias Incidents undermine these foundations of freedom.

It shall be the policy of the Bridgeton Police Department to bring the investigative and enforcement elements of the department into quick action following any and all suspected or confirmed Bias Incidents. There is to be special emphasis placed on victim assistance and community relations in order to reduce victim trauma and community tension or fear.

All suspected or confirmed bias Incidents shall be viewed as serious. Bias Incident investigations shall be conducted in a timely fashion using all appropriate resources to rapidly determine the facts and circumstances surrounding each incident. Careful attention should be given to identifying the motive and cause of the Bias Incident and to identifying suspects. Referrals to the County Prosecutor's Office of Victim-Witness Advocacy shall be made as appropriate.

The proper investigation of a suspected or confirmed Bias Incident in the city is the responsibility of the Bridgeton Police Department. All department personnel must be sensitive to the feelings, needs and fears that may be present in the victims and the community at large as a result of a suspected or confirmed Bias Incident.

NOTE - All members are required to be familiar with the NJ Attorney General's Guidelines on Bias Incidents and to stay current on updates in case law, directives, and other changes as they pertain to Bias Incidents, their investigation, reporting and prosecution.

Order #: III.3. **Date:** 08/27/2009
Category: DEPARTMENT ORDERS
Title: BIAS CRIMES INVESTIGATIONS

I. DEFINITION OF BIAS INCIDENT AND RELATED CRIMINAL VIOLATIONS

A. A Bias Incident is defined as any suspected or confirmed offense or unlawful act which occurs to a person, private property, or public property on the basis of race, color, religion, gender (except matters involving a violation of N.J.S.A. 2C:14-2 or 2C:14-3), handicap, sexual orientation or ethnicity. An offense is bias-based if the motive for the commission of the offense or unlawful act pertains to race, color, religion, gender, handicap, sexual orientation or ethnicity. For the purpose of this definition, the term, "handicap" shall be construed consistently with N.J.S.A. 10:5-5(q). An offense is Bias based if the motive for the commission of the offense or unlawful act is racial, religious, or ethnic in nature. The Bias Incident offenses are:

1. Murder
2. Manslaughter
3. Rape
4. Robbery
5. Aggravated Assault
6. Burglary
7. Larceny-Theft
8. Simple Assault
9. Fear of Bodily Violence (2C:33-10)
10. Arson
11. Criminal Mischief
12. Damage to Property: Threat of Violence (2C:33-11)
13. Weapons Offenses
14. Sex Offenses (Other than rape)
15. Terroristic Threats
16. Trespass
17. Disorderly Conduct (2C:33-2)
18. Harassment
19. Descration of Venerated Objects
20. All Other Bias Incidents

Definition: For bias incident offense reporting, " 'Handicapped' means suffering from physical disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including epilepsy, and which shall include but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or from any mental, psychological or developmental disability Handicapped shall also mean suffering from AIDS or HIV infection."

B. Some suspected Bias Incidents may not clearly fit the described definition. In those cases a common sense approach to the incident must be used. If an

incident appears to be bias based, it should be investigated as such. Verification of motive and intent can be made during the ensuing investigation.

C. All personnel must recognize that a single Bias Incident may initially appear as less serious when viewed in the larger context of all crime. Nonetheless, any suspected or confirmed Bias Incident is serious by its very nature. What may appear to be a minor incident can easily escalate into a larger order maintenance problem or public safety concern.

D. Guidelines for Confirming Bias Incidents:

To assist personnel in confirming whether a suspected Bias Incident is actually bias motivated, the following criteria shall be applied. These criteria are not all inclusive. Common sense judgement must also be applied in the final determination.

Motive

1. The absence of any other apparent motive for the Bias Incident.

2. Display of any bias symbols, words, graffiti or other types of evidence.

3. A common sense review of the facts and circumstances surrounding the incident. Consider the totality of the circumstances. (Review N.J.S.A. 2C:33-l0 and N.J.S.A. 2C:33-ll.)

4. How the victim feels about the incident.

5. Statements made by the suspects.

6. Statements made by the witnesses.

7. Prior history of similar incidents in the same area affecting the same victim group.

E. When the above criteria are applied, it may be helpful to ask the following questions.

1. Is the victim from one racial, religious, or ethnic group and the suspect from another?

2. Did the incident occur solely because of a racial, religious, or ethnic difference between the victim and actor, or for other reasons?

3. Is the victim the only racial, religious, or ethnic group member in the neighborhood or one of a few?

4. Did the victim recently move into the area?

5. Is the victim acquainted with neighbors and/or associated with local community groups?

6. What was the trademark (M. O. of the actor). Is it similar to other documented Bias Incidents?

7. Has the victim experienced past or repeated incidents of a similar nature?

8. Is there a connection between the date of the incident and holidays, school activities or other special public discussions or events?

9. Has there been prior or recent media coverage of similar incidents?

10. Is there an ongoing neighborhood problem that may have contributed to the event (Could the act be retribution for some conflict with neighbors or area juveniles?)

11. Does the M. O. signify a "copy cat" syndrome of other incidents?

12. Is an organized hate group indicated in the incident?

    a. Is literature involved? What type is it?

    b. Is there any documents or suspected organized hate group activity in the area?

    c. Was organized group involvement actually present or made to appear so?

13. Were the real intentions of the actor to commit a Bias Incident or were there other motives?

14. Does the actor have a true understanding of the impact of the Bias Incident on the victim?

15. Was the victim put in fear due to the incident?

16. Did the victim feel threatened due to the incident?

If after applying these criteria and asking the appropriate questions, a suspected Bias Incident cannot be definitely determined to be any other type of incident or is a borderline case, it should be confirmed as a Bias Incident for continuing investigation purposes.

F. Bridgeton Police Department members and employees handling bias incidents shall:

1. Approach victims in a sensitive and supportive manner.

2. Reassure the victim that appropriate investigative and enforcement methods will be utilized by the Bridgeton Police Department to properly address the bias incident to the best of our ability.

3. Ensure that a thorough and complete initial response and follow-up investigation are conducted as required by the facts and circumstances surrounding the suspected or confirmed bias incident, which includes providing for appropriate community relations activities and crime prevention programs.

4. Refer the victim/witness to the County Prosecutor's Office of Victim-Witness Advocacy as appropriate.

5. Interact with concerned community service organizations, civic groups, and religious institutions regarding the suspected or confirmed bias incident.

6. Effectively calm the victim and reduce the victim's fear and alienation through direct and ongoing official communication regarding the bias incident.

It must be remembered that the actions taken by New Jersey Law Enforcement in responding to suspected or confirmed bias incidents are visible signs of concern and commitment to the citizens of the communities it serves.

II. GUIDELINES FOR CONFIRMING BIAS INCIDENTS

To assist police in confirming whether a suspected bias incident is actually motivated by bias, the following criteria shall be applied. These criteria are not all inclusive. Common sense judgement must also be applied in the final determination.

A. MOTIVE

1. The absence of any other apparent motive for the bias incident.

2. Display of any bias symbols, words, graffiti or other types of evidence.

3. A common sense review of the facts and circumstances surrounding the incident. Consider the totality of the circumstances. (Review 2C:33-11).

4. How the victim feels about the incident.

5. Statements made by the suspects.

6. Statements made by the witnesses.

7. Prior history of similar incidents in the same area affecting the same victim group.

8. When the above criteria are applied, it may be helpful to ask the following questions:

    a. Is the victim from one racial, religious, or ethnic group and the suspect from another?

    b. Did the incident occur solely because of a racial, religious, sexual orientation or ethnic difference between the victim and actor, or for other reasons?

    c. Is the victim the only member of a particular race, religion, sexual orientation or ethnic group in the neighborhood or one of a few?

    d. Did the victim recently move into the area?

    e. Is the victim acquainted with neighbors and/or associated with local community groups?

    f. What was the trademark (M.O. of the actor)? Is it similar to other documented bias incidents?

    g. Has the victim experienced past or repeated incidents of a similar nature?

    h. Is there a connection between the date of the incident and holidays, school activities or other special public discussions or events?

    i. Has there been prior or recent media coverage of similar incidents?

    j. Is there an ongoing neighborhood problem that may have contributed to the event. (Could the act be retribution for some conflict with neighbors or area juveniles?

    k. Does the M.O. signify a "copy cat" syndrome or other incidents?

l. Is an organizaed hate group indicated in the incident?

* Is literature involved? What type is it?

** Is there any documented or suspected organized hate group activity in the area?

*** Was organized group involvement actually present or made to appear so?

m. Were there real intentions of the actor to commit a bias incident or where there other motives?

n. Does the actor have a true understanding of the impact of the bias incident on the victim?

o. Was the victim put in fear due to the incident?

p. Did the victim feel threatened due to the incident?

If after applying these criteria and asking the appropriate questions, a suspected bias incident cannot be definitely determined to be any other type of incident or is a borderline case, it should be confirmed as a bias incident for continuing investigation purposes.

III. INTER-AGENCY COOPERATION

The Bridgeton Police Department will make every effort to cooperate with any an all other agencies responding to any bias incident.

IV. NOTIFICATIONS FOR AGENCIES OUTSIDE BRIDGETON/CUMBERLAND COUNTY

A. The Office of Bias Crime and Community Relations in the Division of Criminal Justice shall be contacted whenever a Bias Incident is confirmed or suspected as soon as possible, but in no event later than 24 hours after BPD first learns of the event:

CONTACT NUMBERS:

Office Phone: 609-896-8967
Office Fax: 609-219-6595
Duty Pager: 609-273-9243

Immediate Notifications to the Office of Bias Crime and Community Relations in the Division of Criminal Justice must be made when one of the following conditions

exist:

1. Where the incident involves Rape, Aggravated Assault or Arson.

2. That involves a Law Enforcement Officer as the alleged perpetrator.

3. That involves an organized hate group as the suspected perpetrator(s).

4. That involve's the potential to generate lare scale unrest.

Note - The Bridgeton Police Department will give full cooperation to this organization.

B. The Division of State Police, as part of the Department of Law and Public Safety, under the authority of the Attorney General, maintains the Central Security Bureau. It is the responsibility of the Civil Affairs Unit of the Central Security Bureau, Intelligence Service Section to investigate, among other things, bias incidents perpetrated by known hate groups operating in the State of New jersey.

The Civil Affairs Unit also monitors the operational activities of local authorities relative to all such incidents reported. Contact with NJSP Central Security Bureau shall be as soon as possible.

Contact with the NJSP Central Security Bureau shall be made when the following conditions exist:

1. A bias incident occurs and an organized hate group is suspected of being responsible.

2. A bias incident has potential to generate large scale unrest.

3. Assistance is requested by local and county law enforcement authorities with the investigation of any bias incident.

CONTACT CAN BE MADE WITH NJSP CSB AT:

Office Phone: 609-341-5058 (during regular business hours/days)

Other: 609-777-4949 (for non-regular business hours/days)

(* If all else fails contact the NJSP ROIC*)

C. The Detective Bureau will make the notifications required in A & B above.

V. BPD RESPONSE TO A BIAS INCIDENT

This section outlines the initial law enforcement response to a reported bias incident.

This outline is designed to provide a practical approach to initial response and initial investigation of suspected or confirmed bias incidents.

Bias incidents may generate fear and concern among victims and the community. These incidents have the potential of recurring, escalating and possibly causing counter-violence.

Therefore, bias incidents require a thorough and comprehensive law enforcement response.

A. FIRST RESPONDING OFFICER

When the initial responding officer arrives on the scene and determines that the situation may involve a bias incident, he or she will:

1. Apprehend the actor (if applicable)

2. Provide assistance to the victim

3. Protect the crime scene in preparation for the gathering of evidence

4. Request that the OIC respond to the scene

5. Conduct a thorough preliminary investigation

6. Obtain the names, addresses, and phone numbers of all persons who witnessed or who are acquainted with the circumstances of the incident. All such persons should be questioned in detail.

7. Prepare a standard BPD Investigation Report. Document the basic facts and circumstances surrounding the incident to include the following:

    a. Name, home address, work - business name and address, phone numbers - cellular/home/work, and other information regarding the witnesses and victim

    b. Where the incident occurred

    c. Person and/or property targeted

    d. How targeted

    e. Means of attack

    f. Time of incident

g. Method of operation (Modus Operandi) or trademark or unusual characteristics of incident

h. Any and all other relevant information provided by the victim(s) or witness(es)

i. Issue VINE forms to victim(s) with info on contacting Office of Victim Witness Advocacy at the Prosecutor's Office

B. PATROL OIC

Upon arriving at the scene of a suspected or confirmed bias incident, he or she will:

1. Supervise the preliminary response and investigation

2. Confer with the initial responding officer

3. Assist in the stabilization of the victim as required

4. Ensure that the scene of the crime is properly protected and preserved

5. Take steps to insure that the incident does not escalate

6. Determine if additional personnel are required at the scene or in the area to provide complete public safety services.

   a. If no additional resources are available the OIC should contact mutual aid if immediate assistance is necessary and arrange through the Patrol Bureau Commander or higher authority for additional manpower

7. Arrange for an immediate increase of patrols throughout the affected, area, as appropriate

8. If the potential exists for further acts of violence or damage to property, arrange for officers to be assigned to the location of the incident in a fixed position

9. Attempt to verify if the occurrence is a confirmed bias incident following the guidelines for confirming bias incidents contained in these standards. Verification assistance should be provided by other levels of command and/or additional investigative personnel, as required.

10. Make notifications as required by BPD Chief of Police Directive on notifications:

    a. Request that the on-call detective respond to the scene if a bias incident is suspected or confirmed.

11. Request that the next level of command (Patrol Bureau Commander) to respond to the scene if appropriate.

12. Provide headquarters with updated, factual information regarding the incident.

13. Ensure the Chief of Police and Police Captain are notified of the incident

14. Ensure that the necessary basic information is obtained in order to sustain a follow-up investigation

15. Ensure that all initial response reports are properly completed as soon as possible

C. CASE DETECTIVE RESPONSIBILITIES

Case Detective personnel shall respond to the scene of a suspected or confirmed bias incident as directed by supervisory personnel.

When the Case Detective arrives on scene and determines that the situation may be a bias incident, he or she will:

1. Assume control of the bias incident follow up investigation

2. Ensure that the scene of the bias incident is properly protected and preserved

3. Conduct a thorough and comprehensive follow up criminal investigation. Continuing to carry out bias incident verification procedures following the guidelines for confirming bias incidents contained in the Attorney General's Guideline and in this directive as appropriate.

4. Ensure that the scene of the bias incident is properly documented and searched and evidence gathered for analysis as required. The documentation of the crime scene should include the taking of samples of physical evidence, the securing and transporting into custody of related movable evidence and photographing the crime scene as appropriate.

5. Interview all victims and witnesses.

6. Canvass the community to identify other victims and witnesses. Conduct additional interviews as necessary.

7. Determine the primary elements of the incident and obtain information n necessary to complete the data elements of the Uniform Crime Supplementary Bias Incident Offense Report.

   Primary Elements of the investigation to include:

   a. Person(s) Targeted - this includes the name, address, telephone number, personal background and other details of the victim(s).

   b. Object Targeted - this includes details on the type of premises, building or institution against which the offense was committed (private property, public property, or property primarily used for religious, educational, residential, memorial, charitable, or cemetery purposes, or for assembly by persons of a particular race, color, religion, sexual orientation or ethnicity.)

   c. How Targeted - this includes the way in which the person or property was attacked or damaged (assualted, put in fear of bodily violence by placing on public or private property a symbol, an object, a characterization, an appellation or graffiti that exposes another to threats of violence, contempt or hatred on the basis of race, color, creed or religion, defacement or damage by placing of symbol, an object, a characterization, an appellation, or graffiti that exposes another to threat of violence, contempt or hatred on the basis of race, color, religion, sexual orientation or ethnicity).

   d. Means Of Attack - this includes the instrument, tool, device, or method by which the person or property was attacked or damaged.

   e. Time And Date - this includes both the time and date reported and the actual time and date the offense was committed

   f. Trademark - this includes the M.O. or individual identifying characteristics of the bias incident

which may serve to distinguish the offense from others committed in much the same fashion. This element is helpful in connecting a suspect with past incidents. If a series of bias incidents has occurred, these investigative elements will be crucial in developing an operating pattern and in identifying suspects. This investigative process will also assist in identifying participation of organized hate groups.

g. Conduct surveillance and other appropriate investigative activities in order to obtain additional evidence and to identify suspects.

h. Contact other appropriate law enforcement agencies for assistance, as required. Notify the county prosecutor's office as soon as possible, not to exceed 24 hours (as per CCPO Notification Matrix).

i. Work closely with the county prosecutor to ensure that legally sufficient cases are presented for prosecution.

j. Assist the victim/witness in obtaining appropriate support services.

k. Prepare standard investigative reports documenting the bias incident investigation, as appropriate.

l. Prepare standard BPD supplementary investigation reports documenting the bias incident investigation, as appropriate.

m. Ensure that all confirmed bias incidents are reported to the Uniform Crime Reporting System using Division of State Police Uniform Crime Reporting procedures and report forms.

n. Assist with community relations activities and crime prevention programs, as appropriate.

The Case Detective should ensure that all physical remains of the incident are removed after the crime scene processing is completed. If the remains cannot be physically carried away (example: paint on walls), the appropriate level of command

should attempt to notify building or property owners regarding the need for complete removal as soon as possible after the crime scene has been fully processed.

Community leaders and organizations are important resources during any bias incident investigation. These resources can help to broaden the investigator's understanding of the incident. They can also help to convince uncooperative victims and witnesses to cooperate with investigators and encourage more victims to report bias incidents.

Case Detectives shall be sensitive to the safety concerns of victims and witnesses, and arrange for appropriate security measures to be implemented to protect persons and property.

8. The Detective assigned to the case will make required notifications to the NJSP Central Security Bureau, DCJ Office of Community Relations, and Cumberland County Prosecutor's Office. As well as any additional notifications that may be required or assistance needed from the Division of Civil Rights, Community Relations Service of the USDOJ, as provided in the New Jersey Attorney General's Guidelines on Bias Crimes.

D. BUREAU COMMANDERS

1. Will ensure that all personnel in their bureau are fully familiar with the Bias Incident Policy.

2. Will ensure that all personnel in their bureau are trained yearly covering all aspects of the policy.

3. Ensure that all personnel in their bureau follow all areas of the policy.

4. Be responsible for the community relations section of the policy.

   a. COMMUNITY RELATIONS

      It is the objective of community relations to bring about an improved relationship between citizens and law enforcement through planned community wide programs and open dialogue between law enforcement and the community it serves.

      Bias Incidents require community relations strategies which integrate the goals and objectives of law enforcement with community needs and concerns.

      A great understanding and cooperation between law enforcement

and citizens of the community must be developed in order to prevent Bias Incidents from occurring. Careful consideration shall be given to developing the specific functions and responsibilities of the police community relations effort.

Officers involved in community relations activities must have knowledge of the composition of the community. Community relations officers must maintain contact with community groups in an effort to understand the needs and interests of the various segments of the community.

An agency initiated community relations program should be designed to offer an opportunity for law enforcement and other public and private agencies and individuals in the community to discover their common goals, interests, problems, ambitions and responsibilities and to work together toward the solution of community problems.

b. ELEMENTS OF POLICE COMMUNITY RELATIONS

(l) Conduct in-service Bias Incident police community relations training for agency personnel.

(2) Meet with residents and neighborhood groups in areas where suspected or confirmed Bias Incidents have occurred (or may potentially occur).

(3) Maintain liaison with community leaders, civil groups and social service agencies, religious and professional organizations and public, private and parochial schools.

(4) Organize police community relations programs which reflect the needs of the community.

(5) Assist in developing cooperative programs which involves the law enforcement agency with other community wide organizations.

(6) Conduct Bias Incident awareness and education programs in the school system and throughout the community, as appropriate.

(7) Coordinate police community relations activities with crime prevention programs.

E. ROLE AND RESPONSIBILITIES OF THE CHIEF OF POLICE

1. Provide leadership and direction by developing a clear and concise formal Bias Incident policy and procedure and disseminating it to all department personnel.

2. Publicly announce the agency's Bias Incident Investigation Policy. Explain that the public should immediately contact the police when a Bias Incident occurs.

3. Ensure that all law enforcement officers of the agency receive appropriate training in Bias Incident response and investigation.

4. Ensure that an appropriate initial law enforcement response is provided to all suspected or confirmed Bias Incidents and that a complete follow-up investigation is carried out, as appropriate.

5. Ensure that security is increased in the affected area, as appropriate.

6. Personally visit the victim of a Bias Incident, or designate an officer to do so.

7. Ensure that the Bias Incident investigation is actively pursued to a successful conclusion or until all leads have been considered.

8. Ensure that all relevant information regarding suspected or confirmed Bias Incidents is shared with the County Prosecutor, the Office of Bias Crime and Community relations in the Division of Criminal Justice, the Division of State Police Central Security Bureau and other appropriate law enforcement agencies within a reasonable period of time, as necessary.

9. Ensure that victim/witness service referrals are made in a timely manner, as appropriate.

10. Enlist the aid of religious, community, business and educational groups as well as other community leaders in an effort to moderate the impact of the Bias Incident, to reduce the potential for counter-violence and to promote good police community relations.

11. Ensure that community relations' activities and crime prevention programs are conducted, as appropriate.

12. Maintain contacts with community leaders concerning the Bias Incidents.

13. Conduct appropriate media relations. Prepare accurate and timely public information news releases, as appropriate.

14. Ensure that all confirmed Bias Incidents are reported as required to the Uniform Crime Reporting System using Division of State Police Uniform Crime Reporting procedures and report forms.

15. Ensure that victims and other concerned parties are informed of the final disposition of the incident.

VI. BUREAU COMMANDER RESPONSIBILITIES

A. Bureau Commander

1. Will ensure that all personnel in their division are fully familiar with the Bias Incident Policy.

2. Will ensure that all personnel in their bureau are trained yearly covering all aspects of the policy.

3. Ensure that all personnel in their bureau follow all areas of the policy.

VII. Crime Prevention Programs shall be the responsibility of the Administrative Bureau's Community Policing Unit and shall whenever possible include the following:

1. Bias incident prevention, education and awareness - to include programs which provide an understanding of the nature and causes of Bias Incidents and the resulting impact on the victims and the community.

2. Crime analysis - to include the recognition of Bias Incident crime patterns.

3. Neighborhood Watch - to include identifying the purpose and principles of crime awareness and timely reporting of suspect activity to the police. Presented through lectures with handout literature and informational displays.

4. Residential security - to include discussion of physical security measures and the conducting of on-site residential security surveys. (With handout literature and information displays).

5. Commercial, institutional and school security - to include discussion of physical security measures and the conducting of on-site commercial, institutional and school security surveys. (With handout literature and information displays).

6. Environmental design techniques - to include target hardening and lighting

considerations for existing buildings and new construction.

7. Criminal mischief prevention - to include discussion of vandalism prevention through security measures and juvenile/adult education.

8. Personal protection procedures - to include crime avoidance and confrontation response procedures.

9. Crime prevention for senior citizens - to include identifying crimes to which older persons are particularly vulnerable and discussion of crime prevention measures for senior citizens.

Order #: III.4 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: DRUG ENFORCEMENT

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 4
SUBJECT: DRUG ENFORCEMENT
EFFECTIVE DATE:
CHIEF OF POLICE: Courtlandt A Turner

POLICY:

On July 9, 1987, the 1986 Drug Reform Act became effective. The new law not only sets forth stricter penalties for the distribution of drugs, but it also imposes additional penalties for distribution of drugs within one thousand feet (1,000 ft.) of a school.

The Attorney General has distributed a Statewide Action Plan for Narcotics Enforcement. The plan is quite comprehensive and calls upon all law enforcement agencies to actively enforce the Drug Reform Act.

The direction for this department will be the implementation of the Attorney General's Drug Action Plan.

PROCEDURE:

I. This department shall develop school programs that educate our young people about the danger of drugs. The designated officers will be the educational arm of the department.

   A. The following programs shall be implemented in our school system and community: (Attach List as an addendum)

   B. The designated officer shall maintain membership in various related organizations:(Attach List as an Addendum)

   C. The designated officer will provide the Chief of Police with a monthly report that depicts the progress of the school programs and the Community Crime Prevention programs.

II. Strict enforcement and patrol of Drug Free Safety Zones within 1,000 feet of a school. November, 1987. Procedures should be in strict accordance with the Agreement between Education and Law Enforcement.

III. The designated Intelligence Officer is the intelligence gathering, enforcement and case

coordinator for all narcotic violations. This individual shall serve as the liaison to the Prosecutor's County Narcotic Task Force and the Statewide Narcotic Task Force. The designated Intelligence Officer shall ensure that all members assigned to his/her division adheres to the following procedures:

A. Establish and maintain membership in the authorized membership organizations.

B. Investigate all narcotic violations immediately.

C. Develop reliable informants that not only pinpoint distribution locations, but also identifies the casual user. (ongoing)

    1. Prosecutions shall be sought for distributors as well as the casual user.

D. The designated Intelligence Officer will coordinate all undercover drug operations and report directly to the Chief of Police. (ongoing)

E. Target areas shall be established by the use of informants and the monthly computer report that will depict locations and times of drug related offenses. December, 1987. This information should be shared with the County Narcotics Task Force.

F. The designated Intelligence Officer shall set up a separate drug enforcement file. The file shall be categorized by case and include all information that pertains to a particular case.

    1. This file shall be separate from the department's Confidential Informant File.

    2. Once a narcotic location or subject has been identified, a case file is to be initiated.

    3. Officers that are authorized by the Chief of Police may only access the file.

        a. The file shall be locked at all times.

G. The designated Intelligence Officer shall prepare a monthly report that provides the following information. The report shall be forwarded to the county prosecutor and the Statewide Drug Task Force.

    1. The number of new cases initiated.

        a. Total hours spent on the cases

b. Whether a case is a continuing investigation, or closed

2. The number of active cases.

a. Total case hours

b. Total number of people charged

c. Total number of indictments, convictions or acquittals

d. Total arrests that were made within 1,000 feet of a school

e. A breakdown of whether the arrests were adult or juvenile and what the charges were

f. Type of drugs and quantity shall be included in the report

3. Total hours spent patrolling school safety zones.

H. Coordinate and request county undercover officers when target areas have been established.

I. The Criminal Investigative Division Commander shall prepare all the necessary reports that would enable the department to obtain property that is subject to forfeiture. (See Forfeiture Policy)

1. The designated Intelligence Officer shall pursue the forfeiture of property to the fullest extent of the law.

a. All reports will be filed with the prosecutor's office within ten (10) days of an arrest.

J. All drug induced deaths shall be investigated in conjunction with the countywide or Statewide Narcotics Task Force.

1. The county prosecutor's office will be notified immediately. (ongoing)

IV. The Patrol Commander will ensure that the patrol officers enforce all narcotic laws. The Patrol Commander is the enforcement and deterrence arm of the department. Personnel assigned to this division will, through routine patrol, deter narcotic offenses around schools and other target locations. Once probable cause exists to arrest, officers shall arrest anyone, adult or juvenile, who may be in violation of the Drug Reform Act. Anyone not arrested must be reported, in writing, to the designated Intelligence Officer. The circumstances and reasons as to why no arrest was effected will be thoroughly explained.

A. The Patrol Commander shall recommend officers for attendance in specialized Drug Enforcement Training Courses.

B. Sergeants shall review the department information data and assign personnel to locations where drug activity is prevalent.

C. Assign police officers to school activities.

1. Dances

2. Major Sporting Events

D. Provide monthly reports to the Chief of Police that reflect each officer's drug enforcement activities, i.e. arrests.

E. All officers shall complete training that explains the provisions of the Drug Reform Act.

F. Any calls for unauthorized people on school grounds will be investigated immediately. A thorough check shall be initiated when any unauthorized person(s) is found on school property.

G. Parking regulations within the school safety zones shall be strictly enforced.

V. Arrest Reports

A. The arrest report should describe the location of the criminal activity by street address as well as by reference to at least two street intersections or other identifying landmarks. (i.e., e.g., 100 Park Avenue, between Penn and Parkway Avenues).

B. The arresting officer should determine the distance from the location of the criminal activity to the nearest border of the applicable school property and should record this approximate measurement in the arrest report. Arresting officers should employ measuring procedures similar to those currently used to determine distances in motor vehicle accident investigations.

The arrest report should also detail the exact route taken by the officer in measuring the distance to the nearest school, since it is likely that the measured walking distance will be greater than the actual, straight line distance to the school property. The arrest report should also specify the point alleged to be at or within the border of school-owned property (i.e., e.g., a given fence, the edge of a playground fronting a given street, etc.).

C. Where the offense is alleged to have occurred in or on school property, or

where a school is visible from the location of the criminal activity, the arrest report should so indicate.

VI. In order that all members of the department fully understand the Attorney General's emphasis to achieve a comprehensive drug enforcement program, a list has been compiled that outlines those directives that are applicable to municipal law enforcement agencies.

SNAP Directive 2.1: Drug Enforcement is designated to remain the number one priority for every New Jersey Law Enforcement Agency.

SNAP Directive 2.2: All sworn law enforcement officers shall arrest any person who commits a controlled dangerous offense, including a disorderly persons offense, unless such action would jeopardize an ongoing law enforcement operation or there is a compelling public safety reason not to arrest.

SNAP Directive 2.3: Every law enforcement agency with five or more sworn officers shall designate at least one officer as their narcotics enforcement liaison and shall submit the name of this individual to the County Narcotic Task Force and to the Statewide Narcotics Task Force. This officer shall, at a minimum, represent that agency at the County task Force and shall also assist the task force, when possible, on major raids and in other enforcement activities. Consideration should be given to assigning this individual to the County Task Force, for a period to be determined by the municipal chief and the County Prosecutor, for the purpose of facilitating training and integration of task force methods of operation in enforcement activities.

SNAP Directive 2.5: All law enforcement agencies must comply with the regulations governing the distribution of forfeited property and proceeds. (see directive volume 2, chapter 13)

SNAP Directive 2.6: All law enforcement agencies must comply with the Attorney General's guidelines, issued periodically, addressing the acquisition, management, and disposition of forfeited property. (see directive volume 2, chapter 13)

SNAP Directive 2.7: A drug abuse resistance education program shall be introduced by local, county, and state law enforcement agencies in every municipality.

SNAP Directive 2..34: Municipalities shall identify local drug market locations and routinely patrol those areas and roadways. These locations and transportation corridors shall be reported to the County Narcotics Task Force for the purpose of support in targeting high drug crime areas.

SNAP Directive 2..35: Municipal police departments shall enforce school zone enforcement policies.

SNAP Directive 2..36: Municipal police departments shall ensure that school zone

maps are redrawn and amended as necessary. The drug free school zone maps, along with the local ordinance adopting the map, must be current. In addition to reviewing the map and adopting a local ordinance, it is necessary to provide a copy of the school zone map and the engineer's certification, along with the pertinent police reports to the Intake Unit of the Prosecutor's Office whenever a charge of 2C:35-7, Distributing, dispensing or possessing with the intent to distribute an controlled dangerous substance on or within 1000' of school property, is lodged.

SNAP Directive 2..37: The chief municipal law enforcement officer shall carry out the mandates of the Drug Free School Zone Guide and revise as well as execute the Model for an Agreement Between Education and Law Enforcement Officials.

VII. Patrol Drug Response Unit

The County Prosecutor's Office has a Patrol Drug Response Unit, PDR, available to assist all local, county and state law enforcement agencies with the enforcement of the Controlled Dangerous Substance Act, when circumstances warrant. The PDR is primarily designed for response to motor vehicle stops, however, the unit is also available to assist in preparing search warrants and to provide technical investigative assistance.

It is required that a local or county law enforcement agency immediately contact the PDR where a seizure or arrest meets the following criteria;

* Any organized criminal group
* More than one half ounce (½) or 250 decks of heroin
* More than five (5) ounces of cocaine or 250 vials of crack
* More than five (5) pounds of marihuana
* More than 100 tabs, dots or stamps of LSD
* More than 250 pills or capsules
* More than one (1) ounce of methamphetamine
* More than $10,000 in U.S. Currency
* Technical questions or unusual circumstances

The duty detective for the PDR Unit can be reached at the drug unit during business hours and through the Sheriff's Communication Center after hours.

VIII. Clandestine Laboratory Investigation Safety Procedures

Order #: III.4 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: DRUG ENFORCEMENT

One of the most dangerous trends in drug enforcement is the emergence of clandestine drug laboratories. These illicit labs manufacture a variety of controlled dangerous substances which may pose a threat to the safety and health of lab enforcement officers. The following procedure must be followed in the event a drug laboratory is suspected or encountered.

* As soon as information is developed regarding the presence of a drug laboratory, the County Narcotics Task Force shall be notified .

* If a suspected drug laboratory is encountered, nothing should be touched or moved. Containers, paraphernalia, instruments or suspected drugs should be left in their exact positions. Do not turn on or off lights and/or electrical switches. Do not operate portable radios, flashlights or other battery operated equipment in the vicinity of the lab.

* The location shall be immediately evacuated by all occupants, including law enforcement and secured.

* A member of the Prosecutor's Office Narcotics Unit will respond to the location, assess the situation and contact the proper agencies to assist in the handling of the drug lab.

Order #: I.42. **Date:** 06/16/2009
Category: DEPARTMENT ORDERS
Title: ATS/ACS WARRANT EXECUTION

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY & PROCEDURE

SECTION: I
CHAPTER: 42

Effective Date: Immediately
Chief of Police: Mark W. Ott

PURPOSE

The purpose of this directive is to protect the rights of citizens against unreasonable seizures and to protect the Department from liability claims.

POLICY

Effective immediately every person arrested on ATS/ACS warrant shall cause the following to occur:

1. The working Telecommunications officer shall print two copies of the warrant being served.

    a. One copy shall be provided to the arresting officer.

    b. One copy shall be provided to the working supervisor and shall be clearly marked with the following information:

        i. Case number associated with the arrest
        ii. "FOR EXECUTION TRACKING", and
        iii. "EXECUTED" or "NOT EXECUTED" and the reason for not being executed

2. The working Supervisor shall maintain these copies in one of two folders on the shift supervisors desk.

3. The working Supervisor shall make certain that the warrants in the NOT EXECUTED file get executed at the first opportunity.

4. At two separate times during the tour the working supervisor shall present the "NOT EXECUTED" Warrants to the TCO for execution attempts, and these presentations will be documented on "DAILY ASSIGNMENT" log .

5. When a warrant is successfully executed it shall be moved into the WARRANTS EXECUTED folder.

6. At 0700hrs each morning the WARRANTS EXECUTED folder will be presented to the working TCO for verification that each served warrant has been removed from ACS/ATS properly. Once this has been done the TCO will mark each with their ID and with "0700 Check Satisfactory".

7. Once a warrant has been marked as described in #6 above, the warrant will be filed in Lt. Mander's drawer in the folder marked closed ATC/ACS warrants.

8. Failure to observe this procedure will result in disciplinary action as a schedule C matter for the first offense.

Order #: I.43. **Date:** 06/29/2009
Category: DEPARTMENT ORDERS
Title: REPORTING FOR DUTY - SIGNING IN/OUT

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY & PROCEDURE

SECTION: I
CHAPTER: 43

SUBJECT: Reporting For Duty

Effective Date: July 6th, 2009
Chief of Police: Mark W. Ott

PURPOSE

The purpose of this directive is to establish in writing the procedure for reporting to work and being logged in.

POLICY

Effective immediately all employees shall:

1. Upon arriving at work, immediately check in with the working desk officer. To have their arrival recorded upon the daily sign in sheet.

2. Upon leaving work check out with the working desk officer. To have their departure time recorded upon the daily sign in sheet.

This process may only be accomplished by one of the following two methods:

1. Present yourself in person to the working desk officer at the door to their office and asked to be checked in/out.

2. Utilize one of the video intercoms at the main entry/exit points of the building to to contact the desk to report in/out.

Order #: I.35 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: BMC - COURT ORDERS/NO TRESPASSING

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY & PROCEDURE

SECTION: I
CHAPTER: 35

SUBJECT: COURT ORDERS/NOTICES OF TRESPASSING

EFFECTIVE DATE: 3-4-2009
CHIEF OF POLICE:Mark W. Ott
CROSS REFERENCE #: G-2009-005

I. PURPOSE

The purpose of this policy is to develop and implement a procedure by which notices of trespass can be documented, whether they come from the Police, the Public or the Courts, and such notices can be properly cataloged and recalled when necessary. This procedure shall also document the means by which future violations can be addressed.

II. POLICY

It shall be the policy of the Bridgeton P.D. to properly record notices against trespassing, for future use by private citizens, the police and court ordered bans. It shall also be the policy of the Bridgeton P.D. to enforce such provisions where power of attorney is in place for the BPD or the order comes from the courts, in all other situations citizens shall sign their own complaints.

III. DEFINITIONS

COURT ORDER: A document issued by any court of competent criminal or civil jurisdiction banning/barring/forbidding a specific individual or individuals from being located on certain properties.

NOTICE AGAINST TRESPASSING: A verbal order from a police officer, under legitimate/legal circumstances, to an individual about leaving a property or establishment and not returning to same. This could also be accomplished by the courts by issuing a written order.

LEGITIMATE CIRCUMSTANCES: Where an officer is empowered through the law to issue such order. I.E. Has discussed with owner or management of property that has granted power of attorney to the Bridgeton PD and it's agents in writing.

IV. PROCEDURE

A. Private Property Situations Not Covered By Power of Attorney

1. When a citizen who has lawful control over a property wants someone given notice against trespassing that person may call upon a Bridgeton PD officer to provide such verbal "Notice Against Trespassing".

2. The officer will identify the specific individual and provide the verbal order to the subject of the complainant's desires.

3. The officer will request a time and blotter number be generated if one doesn't already exist and document the basic facts on the narrative of the blotter entry or in any associated investigation report. This narrative shall be prepared by the officer involved and not a desk officer. The officer will associate the subject of the order and the person requesting same in the persons involved field of the blotter entry (so that future Master Name Index Searches reveal such warning).

4. Enforcement of these orders and complaints generated from same shall be signed/left to the citizen and not the police.

B. Quasi-Public Property Situations Involving Court Issued Ban Orders

1. When a court of competent jurisdiction delivers to the Bridgeton P.D. a court ordered ban concerning a particular individual and a particular place:

   a. A blotter record shall be created (time & number). On the blotter narrative a brief description of who is involved and what location shall be entered by an officer of the Department.

      The names involved shall be associated with the blotter (so that future Master Name Index Searches reveal such information).

      The Master Name Record of the "banned" person shall be marked in the notes field with the following message "SUBJECT BANNED BY COURT ORDER FROM (SPECIFY LOCATION IN DETAIL)".

   b. The delivered order shall be marked in the upper right hand corner with the generated Blotter number (i.e. 09-2501) and this shall be delivered to the Records Room for filing with Investigation Reports.

2. With court ordered "Notice Against Trespassing" of this type, officers shall sign the complaint when there is probable cause to believe the

offense occurred. If the suspect is still on the property from which they are banned the officer may also effect the arrest.

a. If no probable cause to sign complaints exists, or the officer questions the account given by a particular witness, the complaining witness shall be the signing complainant.

b. If the subject of the order is no longer on property and the complainant wishes to file a complaint for the violation they shall be allowed to do so themselves.

C. Private Property Incidents Involving Power of Attorney Between Property Owner and Bridgeton P.D.

1. When an individual has been identified as a person not wanted on a particular property (i.e. has frequent issues within a given area or causes problems in that area) or has no legitimate purpose for loitering around a particular property, the officer(s) involved shall advise the subject that they are trespassing and be directed to leave the property.

a. This warning is to be recorded via blotter record. A time and number shall be requested and the officer will associated the individual and property with the persons involved field on the blotter entry. The officer will also write a brief narrative of the encounter and circumstances.

b. The officer should communicate with the property management office and request that the subject be noticed by them as well via letter and added to the property's banned list.

c. If an individual has been placed on the banned list and has been warned in person by the police (BOTH), the individual should be charged with Defiant Trespassing whenever found on the property.

2. There may be occasions where an individual has both a legitimate and non-legitimate times on a certain property.

I.E. John Jones has children by Mary Smith who lives at the Pheonix Apt. Complex. There is a power of attorney between Pheonix Apt. Complex and BPD. John Jones occasionally visits his children at Mary's apartment. However, he has also been observed loitering in common areas of the complex with others who are also not tenants for hours on end.

In situations such as the one found above the officer should use discretion in making an arrest or signing complaints based on the totality of the

circumstances.

D. Power of Attorney Documents

1. To properly catalog and document power of attorney information the following process shall be used:

   a. Upon receipt of a power of attorney document, a blotter entry shall be made (Other Incident).

      i. Associate the property to Persons involved.

      ii. Type narrative to include a complete reproduction of the power of attorney (generally only half a page of information).

   b. Mark the original document in the upper right hand corner with the Blotter #.

   c. Make copies of same for binder at Dispatch, Patrol Division Commander, NRT Binders.

   d. File original with records who will store same with investigation reports by number.

Order #: I.4 **Date:** 01/23/2014
Category: DEPARTMENT ORDERS
Title: COMMUNICABLE DISEASES

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 4

SUBJECT: COMMUNICABLE DISEASE POLICY
EFFECTIVE DATE: 1-23-2014

CHIEF OF POLICE:Mark W. Ott

PURPOSE OF POLICY

It is the responsibility of the Bridgeton Police Department to ensure that its employees are able to perform their duties in a safe and effective manner and to make certain that its employees provide every person the same quality of service, regardless of a person's state of health. The safe performance of daily operations has recently become threatened more than ever before by life endangering communicable diseases, the most notable being Human Immuno-Deficiency Virus (HIV), and the causative agent of Acquired Immuno-Deficiency Syndrome (AIDS). Therefore, it shall be the policy of this department to continuously provide employees with communicable disease information and up-to-date safety procedures which will assist in minimizing potential exposure, while increasing their understanding of the nature and potential risks of communicable diseases. It shall also be the policy of this department to ensure every person, regardless of his or her state of health, receives equal police emergency services.

PROCEDURES:

I. DEFINITIONS

A. Body Fluids: Liquid secretions including but not limited to blood, semen and vaginal or other secretions that might contain these fluids, such as saliva, vomit, urine or feces (any bodily fluid).

B. Communicable Disease: Those infectious illnesses that are transmitted through direct or indirect (including airborne) contact with an infected individual, including but not limited to the body fluids of the infected individual.

C. Designated Safety Officer: The Administrative Bureau Commander.

II. COMMUNICABLE DISEASE PREVENTION

A. In order to minimize potential exposure to communicable diseases,

officers must assume that all persons are potential carriers of a communicable disease. With this in mind all employees will utilize "Universal Precautions" at all times.

1. Universal Precautions - Treating all blood and body fluids as contaminated.

B. Officers must cover all open cuts and abrasions with waterproof bandages prior to reporting for duty.

C. Disposable latex gloves shall be worn when handling any person, clothing or equipment with body fluids on them, or when the officer anticipates becoming involved in assaultive behavior through which the officer may potentially become exposed to blood or body fluids containing blood.

1. Gloves should not be reused and a new pair should be put on before handling a different person or touching uncontaminated items.

2. When leather or cotton gloves are worn for crime scene work, latex gloves can be worn underneath for added protection.

3. In appropriate circumstances, more than one pair of latex gloves shall be worn to protect against exposure, where a single pair might be damaged and unable to provide adequate protection.

4. Wash hands thoroughly with liquid soap and water after removing gloves.

D. Masks, protective eye goggles and protective disposal coveralls shall be worn where body fluids may be splashed on the officer, or where airborne contamination of a communicable disease is anticipated.

Note: To date, there have been no documented cases of transmission of Hepatitis B Virus, (HBV) or HIV Virus through airborne contamination.

E. All sharp instruments such as knives, scalpels and needles shall be handled with extraordinary care and should be considered to be contaminated items.

1. Leather gloves should be worn when searching for or handling sharp instruments.

2. Officers should not place their hands in areas where sharp instruments might be hidden. An initial visual search of the area should be conducted, using a flashlight and/or portable metal mirror where necessary.

a. When searching a suspect's pockets, officers should exercise careful hand movements and should try to pull the pockets inside out from the top edge of the pocket instead of inserting a hand into the pocket.

b. When circumstances allow, the suspect should empty his or her own pockets by pulling the pocket inside out. If this is determined by the officer to be a safe option.

c. Use a Slim Jim or wooden paint stirrer to search in between creases or automobile seats.

3. A search of a purse can be accomplished carefully by dumping the contents onto a flat surface.

4. Needles shall not be recapped, bent, broken, removed from a disposable syringe, or otherwise manipulated.

5. Needles or similar sharp edged instruments shall be placed in a puncture-resistant, non-porous container when being collected for evidence or disposal purposes. The container shall be marked accordingly to show contents.

F. Officers shall not smoke, eat, drink, or apply makeup around body fluid spills or when wearing protective gloves.

G. Any evidence contaminated with body fluids shall first be air dried, then double bagged according to State Police and FBI procedures and marked to identify suspected or known communicable disease contamination.

III. TRANSPORT and CUSTODY

A. Where appropriate protective equipment is available, no officer shall refuse to interview, assist, arrest or otherwise physically handle any person who may have a communicable disease.

1. Should an officer encounter a circumstance where appropriate equipment is not available, the officer shall immediately contact his or her supervisor and request assistance, but shall not neglect their duties or responsibilities.

B. Officers shall not put their fingers in or near the mouth of any conscious person.

1. Officers utilizing protective gloves can, if need be, insert their finger into the mouth of an unconscious person in an attempt to clear a blocked

airway. This action should be performed in accordance with prescribed foreign body airway obstruction procedures.

C. Individuals with body fluids on their person shall be transported in separate vehicles from other individuals.

D. During a transfer of custody, officers have an obligation to notify, in a discrete manner, relevant support personnel that the suspect/victim has body fluids present on their person or has stated that he or she has a communicable disease. Reasonable care should be taken that the information is not transmitted to the general public or to those who have no need for that information.

E. Suspects taken into custody with body fluids on their persons, and not in need of medical attention, shall be directly placed in the designated holding area for processing.

1. The shift commander shall be immediately advised of the suspect's status.

2. Officers shall document, in the "remarks" section of the report, that a suspect taken into custody has body fluids on his or her person or has stated that he or she has a communicable disease. All necessary precautions must be taken to avoid contact and contamination by officers handling suspect. Suspect should be isolated from other prisoners, or officers.

3. All officers entering the isolated area shall be equipped with the protective gear that is dictated by the circumstances.

IV. DISINFECTION

A. Any unprotected skin surfaces that come into contact with body fluids shall be immediately and thoroughly washed with warm running water and liquid soap for a full minute before rising and drying.

1. Alcohol or antiseptic towelettes may be used where soap and water are not available.

2. Disposable gloves should be removed inside out, with the contaminated side not exposed. The hands and forearms should then be washed.

3. Hand lotion should be applied after disinfecting to prevent chapping and to seal cracks and cuts on the skin.

4. This must be accomplished within twenty (20) minutes from time of contact.

    a. Avoid petroleum-based lubricants that may eat through latex gloves.

B. Officers should remove clothing that has been contaminated with body fluids as soon as practical.

1. Officers should cleanse any contacted skin area in the prescribed fashion (showering if necessary) prior to putting on clean clothing.

2. If an officer's article(s) of clothing has been stained with the blood of a patient, he/she shall immediately place the article(s) into a red bio hazard bag.

    Officers with affected clothing shall bag same as appropriate for biohazard packaging and take it to the Bridgeton Fire Department. The bag and its contents should be explained to the receiving member of BFD, who will then wash the clothing for the officer.

C. Disinfecting procedures shall be initiated whenever body fluids are spilled in or when an individual with body fluids on his or her person is transported in a municipal vehicle.

1. The supervisor shall be notified and the vehicle shall be taken out of service.

2. The affected vehicle shall remain out of service until it has been disinfected by washing the contaminated areas with a 10 part water to 1 part bleach solution or disinfectant approved by the Police Department Safety Officer.

    a. The person disinfecting the vehicle shall wear a protective gown, latex gloves and eye protection.

D. Non-disposable items such as handcuffs, batons, etc., should be disinfected with either a bleach solution (1 part bleach to 10 parts water), rubbing alcohol or commercial disinfectant. Contaminated shoes and boots, including soles, should also be disinfected with an approved disinfectant.

1. A protective gown, eye protection and latex gloves shall be worn when disinfecting equipment.

V. LINE OF DUTY EXPOSURES TO COMMUNICABLE DISEASE

A. Any officer who has been bitten by a person, or who has had physical contact with body fluids of another person, while in the line of duty shall be initially considered to have been exposed to a communicable disease.

1. The officer is to complete the Communicable Disease Exposure Report which is found at the end of this Directive.

B. Reports of direct air contact to communicable diseases shall be evaluated on the merits of the particular incident by the City's Health Officer.

C. The officer's immediate supervisor shall be contacted and all appropriate injury forms shall be completed.

D. Immediately after exposure, the officer shall be transported to a medical facility for clinical and serological testing for evidence of infection. The health care officials shall evaluate the test results, along with the circumstances surrounding the incident, and make a final determination as to the extent, if any, of exposure to a communicable disease.

E. Any person responsible for potentially exposing the officer to a communicable disease shall be encouraged to undergo testing to determine whether the person has a communicable disease.

F. Officers who test positive for a communicable disease may continue working as long as they maintain acceptable performance and do not pose a safety and/or health threat to themselves, the public or the department.

1. The department shall make all decisions concerning the officer's work status solely on the medical opinions and advice of the City's Workmen's Comp doctors.

2. The department may require an employee to be examined by a health care official to determine if he is able to perform his duties without hazard to himself or others.

G. All personnel shall treat employees who have contracted a communicable disease fairly, courteously and with dignity.

VI. LEGAL RIGHTS OF VICTIMS OF COMMUNICABLE DISEASES

A. Victims of communicable diseases have the legal right to expect, and all department employees are duty bound to provide, the same level of

service and enforcement as any other individual would receive.

B. Officers assume that a certain degree of risk exists in law enforcement and emergency services work and accept those risks with their individual appointments. This holds true with any potential risks of contracting a communicable disease as surely as it does with risks of confronting an armed criminal.

C. Any officer, who refuses to take proper action in regard to a victim of a communicable disease, when appropriate protective equipment is available, shall be subject to disciplinary measures along with civil and/or criminal prosecution.

1. Appropriate protective equipment shall consist of the following equipment:

a. Face mask and eye shield
b. Impervious fluid gown
c. Latex gloves
d. Biohazard bag and alcohol wipes

D. Whenever an officer mentions in a report that an individual has or may have a communicable disease, he shall write "contains confidential information" across the top margin of the first page of the report.

E. The officer's supervisor shall ensure that the above statement is on all reports requiring that statement at the time the report is reviewed and initialed by the supervisor.

F. The Supervisor disseminating newspaper releases shall make certain that confidential information is not given to the news media.

G. All requests (including subpoenas) for copies of reports marked "contains confidential information" shall be referred to the County Prosecutor when the incident involves an indictable or juvenile offense. All requests for similarly marked reports involving Petty Disorderly and Disorderly Person offenses, shall be referred to the City's Attorney.

H. Prior approval shall be obtained from the County Prosecutor before advising a victim of a sexual assault that the suspect has, or is suspected of having, a communicable disease.

I. All circumstances, not covered in this policy that may arise concerning releasing confidential information regarding a victim or suspected victim of a communicable disease, shall be referred directly to the Chief of Police.

J. Victims of communicable disease and their families have a right to conduct their lives without fear of discrimination. An employee shall not make public, directly or indirectly, the identity of a victim or suspected victim of a communicable disease.

K. Whenever an employee finds it necessary to notify another employee or police officer, that a victim has or is suspected of having a communicable disease, that information shall be conveyed in a dignified, discrete and confidential manner. The person to whom the information is being conveyed should be reminded that the information is confidential and that it should not be treated as public information.

L. Any employee who disseminates confidential information in regard to a victim, or suspected victim, of a communicable disease in violation of this policy shall be subject to serious disciplinary action and/or civil and/or criminal prosecution.

M. If, while dispatching a call you become aware that the patient suffers from a communicable disease, you will advise all responding units as follows: Code 77 'C' (Charlie) No additional clarification shall be transmitted on the radio.

N. The Ryan White Comprehensive Aids Resources Emergency Act provides that an emergency response employee who has been exposed to a bloodborne or airborne pathogen may request information relating to the patient who may be the source of the exposure.

VII. OFFICER TESTING

A. If the officer is exposed to a bloodborne or airborne pathogen the officer may request testing and it will be the employee's responsibility to seek this option by going to the Police Administration office to set up and follow through with appointments and ensuring that appointments are made and kept.

B. Medical Examiner cases require notification from the officers department.

1. The designated safety officer shall notify the Medical Examiner in writing. The notification shall advise that the officer had been exposed and that the department is requesting the decedent be tested.

2. When the results are received the designated safety officer and the Chief shall meet with the officer and advise him/her of the results.

a. The officer shall be provided with the results in writing and a copy of the letter shall become a permanent medical record that shall be filed in the officer's medical employment file.

C. AIDS Testing

1. If the officer would like to be tested, he/she should be tested immediately.

2. The officer should be tested again at six months and twelve months.

D. Hepatitis Testing

1. If the officer would like to be tested, he/she should be tested immediately.

2. The officer should be tested again after seventeen days

VIII. TESTING OF ADULTS OTHER THAN LAW ENFORCEMENT

A. The trial court must order a defendant to undergo AIDS testing under certain circumstances.

1. The first circumstance is when during the crime, disorderly persons offense or petty disorderly person offense or during the arrest or investigation relating to that crime, disorderly persons offense or petty disorderly persons offense a police officer, the victim or another person is pricked by a hypodermic needle and there is probable cause to believe that the defendant is an intravenous drug user.

2. The second circumstance is when during the course of the crime, disorderly persons offense or petty disorderly offense or during the arrest or investigation relating to that crime, disorderly persons offense or petty disorderly offense, a police officer, the victim or other person has contact with the defendant that involved (or was likely to involve) the transmission of bodily fluids.

3. In the situations described above, the defendant must be convicted of or indicted for the offense during which the contact or needle prick occurred or there must be an accusation in place (i.e., the defendant has waived his right to indictment). Note that this testing is mandatory.

B. There are also situations where the trial court has the discretion to order AIDS testing. These situations occur when:

1. During the performance of any law-enforcement duty, a police officer suffers a prick from a hypodermic needle and there is probable cause to believe that the defendant is an intravenous drug user;

or

2. During the performance of any law-enforcement duty, a law-enforcement officer had contact with a defendant that involved (or was likely to involve) the transmission of bodily fluids.

3. The court shall order such testing only upon the request of the law enforcement officer, victim of the offense or other affected person. This request must be made at the time of indictment, charge or conviction. If a County Prosecutor declines to make such an application within 72 hours of being requested to do so by a law enforcement officer, the law enforcement officer may appeal to the division of Criminal Justice for that officer to bring an application.

IX. TESTING OF JUVENILES

A. In addition to any other disposition made pursuant to law, a court shall order a juvenile charged with delinquency or adjudicated delinquent for an act which, if committed by an adult would constitute a crime, a disorderly persons offense or a petty disorderly persons offense, to submit to an approved serological test for acquired immune deficiency syndrome (AIDS) or infection with the human immunodeficiency virus (HIV) or any other related virus identified as a probable causative agent of AIDS if:

1. In the course of the commission of the act, including the immediate flight thereafter or during any investigation or arrest related to that act, a law enforcement officer, the victim or other person suffered a prick from a hypodermic needle, provided there is probable cause to believe that the juvenile is an intravenous user of controlled dangerous substances;

or

2. In the course of the commission of the act, including the immediate flight thereafter or during any investigation or arrest related to that act, a law enforcement officer, the victim or other person had contact with the juvenile which involved or was likely to involve the transmission of bodily fluids.

3. The court may order a juvenile to submit to an approved serological test for AIDS or infection with the HIV or any other related virus identified as a probable causative agent of AIDS if in the course of the performance of any other law enforcement duties, a law enforcement officer suffers a prick from a hypodermic needle, provided that there is probable cause to believe that the defendant is an intravenous user of controlled dangerous substances, or had contact with the defendant which involved or was likely to involve the transmission of bodily fluids. The court shall issue such an order only upon the request of the law enforcement officer,

victim of the offense or other affected person made at the time of indictment, charge or conviction. If a county prosecutor declines to make such an application within 72 hours of being requested to do so by the law enforcement officer, the law enforcement officer may appeal to the Division of Criminal Justice in the Department of Law and Public Safety for that officer to bring the application. The juvenile shall be ordered by the court to submit to such repeat or confirmatory tests as may be medically necessary.

X. REPORTING

A. An officer that has been exposed shall, immediately notify his/her immediate supervisor.

B. The immediate supervisor shall ensure that the officer completes the Infectious Communicable Disease Exposure Report (Attached) as well as the normal Worker's Comp. Injury Report form.

1. The forms shall be completed and submitted before the officer completes his/her shift.

C. The reports shall be forwarded to the Chief's Office.

1. The reports shall be filed in the officer's permanent medical file.

XI. VACCINATIONS

A. The City of Bridgeton offers it's public safety employees free vaccinations for Hepatitus.

1. Any employee wishing to accept this offer shall make contact with the Chief's Secretary to set up appointments.

2. After the vaccinations have been set up (approval) it is the individual employees responsibility to ensure that they make each and every appointment to receive initial as well as supplemental shots.

3. Officers failing to set up a course of vaccinations through the Chief's Secretary shall be deemed to have refused the service.

4. Anyone who initially fails to wish the shots but later determines that they do wish to have the shots shall be allowed to do so.

Order #: I.4 **Date:** 01/23/2014
Category: DEPARTMENT ORDERS
Title: COMMUNICABLE DISEASES

BRIDGETON POLICE DEPARTMENT
EXPOSURE INCIDENT REPORT

Date: ____/____/_____
Employee's Name:_____ Badge #:_____
Date of Exposure:____/____/_____ Time of Exposure:_____
PreciseLocation of Incident:_____

Order #: I.4 **Date:** 01/23/2014
Category: DEPARTMENT ORDERS
Title: COMMUNICABLE DISEASES

Nature of Incident:_____

_____

_____

_____

_____

Describe what tasks were being performed when exposure occurred. Be Specific:

_____

_____

_____

_____

_____

_____

Were you wearing Personal Protective Equipment (PPE)? Yes ____ No ____

List PPE used:_____

Did the PPE fail? Yes ____ No ____

If yes, explain the failure in detail:_____

_____

_____

What bodily fluid(s) were you exposed to (blood or other potentially infectious material?) Be Specific:_____

_____

What parts of your body became exposed? Be specific:_____

_____

Estimate the size of the area of your body that was exposed:

_____

For how long?_____

Did a foreign body (needle, nail, auto part, dental wire, etc.) penetrate your body? Y___ N___
If so specifically describe what, where and how the foreign body penetrated your skin:

_____

_____

_____

Order #: I.4 **Date:** 01/23/2014
Category: DEPARTMENT ORDERS
Title: COMMUNICABLE DISEASES

Was any fluid injected into your body? Yes ____ No ____ If so, how much:_____

Did you receive medical attention? Y___ N___ If yes list where, when and by whom:
_____
_____
_____

Identification of Source Individual:
Name:_____ DOB:____/____/_____
Address:_____
Home Phone:____-____-_____ Work Phone:____-____-_____

Other important information:
_____
_____
_____
_____
_____
_____
_____

Signature:_____

Order #: I.7 **Date:** 01/01/2010
Category: DEPARTMENT ORDERS
Title: COMPUTER OPERATIONS/REPORT WRITING

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 7

REVISION DATE

SUBJECT: COMPUTER OPERATIONS/REPORT WRITING

EFFECTIVE DATE:

CHIEF OF POLICE
COURTLANDT A. TURNER

CROSS REFERENCE #:
BRIDGETON POLICE DEPARTMENT

POLICY

To establish the procedure by which members gain access to department computers, and to standardize the format used in completing the necessary police reports to accomplish the police mission.

I. Computer Access

A. All members will be given specific access and user rights by the system administrator for the department computer system.

1. Users will be assigned a login name and/or number to be used to gain access to the computers and the software contained thereon.

2. Users will give the system administrator a password to be associated with their login name/number. This password must not be shared with other members to maintain the integrity of the system security.

a. If a user wishes to change his password, he may contact the system administrator to do so. Periodic changing of passwords is encouraged.

b. Users should respect another user's concerns for password privacy.

B. No member will use another member's computer login name/number or

password for any reason.

C. Computer hacking and installation of computer virii will not be tolerated and will be closely monitored and scrutinized. Such actions will result in disciplinary action that could include departmental and criminal charges.

D. No user will install any software on a department computer without prior authorization from the system administrator.

E. Playing games of any kind on a department computer is prohibited.

1. This applies to all members whether on-duty or off-duty at the time.

2. Members who are aware of any game programs that are installed on department computers are urged to make the System Administrator aware of same.

3. The System Administrator is authorized and directed to remove any unauthorized programs, games or otherwise, from department computers.

II. Computer Login

A. This department has a computer network in place, which uses a client/server configuration. What this means is that there is one main computer server to which all the other workstations (clients) attach and connect to. The server contains all the programs that we use to complete our police reports, currently the IMPACT Police Management software.

1. If a workstation is not attached and connected to the server via network cabling and the proper login, the user will not be able to access any software on the server or complete reports.

B. There are different types of computers in place for this department. Some may be operating in a DOS environment, while others will be running an operating system including Windows 95/98 or later. Each operating system has it's own login process.

1. If users are unfamiliar with the operating system installed on a specific computer, they should refrain from using that computer until properly instructed by the system administrator or other authorized person.

2. If a computer fails to allow a user to login, this problem can usually be rectified by shutting the computer down and then restarting the system.

It should be noted that resetting a computer which has open programs/files can cause damage to system files and should be avoided if other less drastic means of shutting down and restarting can be used, i.e., pressing the key combination of CTRL-ALT-DEL, or using the normal shutdown procedure for a Windows 95/98 or later system.

III. Police Reports

A. All police reports that can be completed using the IMPACT software will be done in that manner, thus enabling all reports to be instantly retrievable at any time of day or night. The following reports are currently prepared exclusively by using the IMPACT software:

1. Arrest
2. Investigation
3. Supplementary Investigation
4. Miscellaneous Operations
5. Recovered Vehicle/Property

B. The original police report will be printed on canary yellow paper and submitted to the report preparer's supervisor for review after being proofread.

1. After review, the original police report will be placed into the appropriate binder or clipboard.

2. In the event a report is corrected and resubmitted, the preparer will ensure that the previously submitted report is removed so that duplicate reports aren't submitted.

a. If a report has already been submitted to Records, the officer must notify the Records Room that it is a replacement to another already submitted report. This must be done prior to the report being permanently filed.

b. If a report has already been forwarded to another agency or provided to anyone upon request, it can not be corrected or replaced and is considered to be an official police record.

c. Anyone, whether civilian or law enforcement, requesting a copy of any official department police report should be directed to the Records Section for that purpose.

C. In those cases involving an arrest, the arresting officer will be responsible for assuring that a computerized mugshot is obtained in addition to any other existing arrest processing requirements.

D. A police report is an official document and a permanent record once filed. It is important that the reports be true and accurate accounts of all investigations and incidents requiring police action or intervention. They should be objective and unbiased, and free of errors, both in spelling and grammar.

1. Reports should always be proofread by the preparer before being submitted to a supervisor for review.

2. The reviewer should review all police reports completely before placing his or her initials on that report. The reviewer should read the entire report, including all narrative. Any deficiencies or errors, either in procedure, spelling or grammar should be noted and the preparer should then make the necessary corrections.

3. Police reports will also undergo a final review by the Special Services Bureau. Any deficiencies or errors in procedure or content will be noted and the report will then be returned to the reviewer for corrections if needed.

E. When a police report is needed for court testimony, or any other official purpose, only the original report on file with the Records Section will be used for purposes of copies. No report that is printed from the computer system should be used for court testimony or forwarded to other agencies.

F. If a police report or other official document is to be discarded, proper procedure should be taken to maintain the confidentiality of these reports. Ideally, all reports should be shredded before being thrown into the trash. In the event a shredder is not available, the report should be torn and obliterated so as to prevent it from being read by unauthorized personnel who might have access to the discarded report.

1. Reports should never be left lying around City Hall.

2. Simply crumpling a report and throwing it into the trash is not acceptable.

IV. Remote Computer Access

A. This department maintains at least one computer available for dial-up connections from remote locations by officers of this department. Officers are responsible for ensuring that no one unauthorized attempts are made to access this department's computer from their personal computers.

B. Officers must realize that by connecting to a department computer via modem,

they are essentially "taking" over the computer workstation that they've accessed. This may be a computer in Detective Division or the System Administrator's workstation.

1. The only program authorized to be accessed remotely is the IMPACT Police Management software.

2. No programs or files on the remotely accessed computer other than IMPACT are to be opened, accessed, perused or copied.

V. Internet Access

A. Several computers are able to access the Internet via various Internet Service Providers (ISP) or Online Services (OLS) such as America Online.

1. Officers are authorized to access these services only for authorized work-related research, inquiries or investigative purposes.

2. Under no circumstances will members access sites on the World Wide Web that contain pornographic or sexually explicit materials, except as part of an authorized investigation.

3. Likewise, no member shall access public or private chat rooms, or engage in "Instant Messaging" with persons for other than bona fide work-related purposes.

4. No member will download files to a department computer without the prior approval of the System Administrator or the Chief of Police.

5. No telephone toll charges are to be incurred to access an ISP or OLS without the express approval of the Chief of Police.

VI. Electronic Mail/ Network Messaging

A. All Electronic Mail (e-mail) or Network Messaging sent or received using department e-mail systems is considered to be the property of the department and all messages are department records.

1. The department reserves the right to monitor and disclose all messages without notice.

2. There are no personal privacy rights in any department e-mail or network messaging system.

a. This department's equal employment opportunity and anti-

harassment policies apply to electronic communications and discriminatory or harassing communications are prohibited.

b. No offensive, sexually explicit, or otherwise inappropriate content is to be used in e-mail, network messaging, files or other documents generated or contained on department computers.

c. Abuse of an e-mail system or network messaging may subject members to disciplinary action.

VII. Computer Problems

A. In the event of a computer malfunction, failure or lockup that the user is unfamiliar with should be directed to a supervisor for resolution. If it is necessary, the system administrator should be contacted for technical support.

1. If the system administrator is available at City Hall, it is not necessary to contact a supervisor prior to requesting assistance.

2. In the event the system administrator is not working the supervisor must be contacted as this may involve calling the administrator in for overtime.

Order #: I.8 **Date:** 01/01/2010
Category: DEPARTMENT ORDERS
Title: COMPUTERIZED MUG SHOT CAMERA SYSTEM

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 8
OF PAGES: 3
REVISION DATE

SUBJECT: COMPUTERIZED MUGSHOT SYSTEM

EFFECTIVE DATE:

CHIEF OF POLICE
COURTLANDT A. TURNER

CROSS REFERENCE #:

BRIDGETON POLICE DEPARTMENT

Purpose

This primary purpose of this policy is to establish a standard operating procedure for the use of the new digital computerized mugshot camera. Secondarily, this policy shall serve to reinforce the training the officers using the system have already received, either by the Training Unit, or by qualified superiors or contemporaries, who have been pre-approved to provide such training by a member of the Training Unit.

This policy is an augmentation to, and not a replacement of or substitution for, any existing policies or procedures pertaining to the obtaining of arrest photos.

Statement

The digital mugshots entered into the computer system will be available for viewing or printing on a 24-hour/7 day basis. This will obviously be a great tool with many benefits to the officers who normally had no access the Polaroid photos we've been taking since 1987. At this point, the mugshots can only be viewed from computer workstations, which are using the Windows 95 (or 98) operating environment. Monies have been requested in the budget to upgrade all computer hardware to enable the installation of Windows 95 or 98 on all workstations.

Order #: I.8 **Date:** 01/01/2010
Category: DEPARTMENT ORDERS
Title: COMPUTERIZED MUG SHOT CAMERA SYSTEM

All digital mugshots will have a unique number, regardless of whether the subject depicted has been photographed before, either Polaroid or digitally. All digital photos will be linked to the arrestee's Master Name Index entry in the Impact software and not to their photo ID # as we've become accustomed to in the old Polaroid system.

Procedures

1. All arrestees who would normally be photographed in accordance with existing departmental standard operating procedures will ADDITIONALLY be photographed using the photo imaging system. The dual photos are necessary until an adequate database is built in the computer system, for possible use in photo arrays.

2. No officer shall use the photo imaging workstation until properly instructed and evaluated by an approved instructor. There have been problems noted in the use of this workstation. This step is necessary to maintain the integrity of the photo database.

3. Officers taking digital photos will take priority over the system from officers who are preparing other police reports. Therefore, it would be prudent for officers to use other available workstations for non-arrest type reports to reduce the inconvenience of having to change workstations. It is noted that sometimes this is not possible due to workload and workstation availability

4. It is incumbent upon the officer taking the digital mugshot to ensure that an acceptable image is captured for the front and profile (side) views. This shall include that the subject's head is approximately one (1) inch from the top of the image as viewed on the monitor, and centered left to right. An officer can capture and discard images until they are satisfied with the results.

5. The arrestee's hands will be down to their side (not on their hips or elsewhere).

6. The arrestee will be told to stand with his or her toes immediately BEHIND the red tape line on the floor. This will ensure the proper distance from the camera that is crucial to photograph integrity in the event of it's use in a photo array.

7. For the profile view, have the arrestee turn their head to the RIGHT until a proper profile is obtained. There will be a visible marker (orange sticker) on the wall to the right which the officer can instruct the subject to look at, simplifying this step.

8. Once you're satisfied that proper front and side view images have been captured, exit the photo imaging software, saving the captured images. IMPORTANT! You are already logged into the Impact software. You will note that there is an Impact Icon at the bottom of the screen on your monitor (the taskbar). It will say START- FOX260 or START-COMMAND. DO NOT login to the Impact software again! This will cause numerous serious anomalies in the computer system. Just click on the Impact icon at the bottom of the screen and you will be right back into the Impact software.

9. There has been track lighting installed to provide the proper amount of light for the camera system. Please ensure that all of the light bulbs are operational. If they are not, please notify your supervisor who will have access to replacement bulbs.

10. A hard copy color photo print will be maintained in the Criminal Investigation Division office. These photo prints will be printed and maintained by the Computer Network Administrator or other designees as assigned by the Chief of Police. Officers should note that they could print out a black and white copy of any digital photos on a laser printer if needed. These laser copies are of excellent quality and suitable for facsimile transmission.

11. If there are any other problems encountered, or any questions, suggestions, or discrepancies with this procedure, officers are authorized to contact the computer network administrator(s) immediately for assistance or clarification. Supervisory permission is only required if it is necessary for the network administrator to respond to City Hall after hours.

Order #: I.33.1 **Date:** 05/07/2013
Category: DEPARTMENT ORDERS
Title: CONDUCTED ENERGY DEVICES

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 33.1
SUBJECT: CONDUCTED ENERGY DEVICES

EFFECTIVE DATE: MAY 7, 2013

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: 1.3.4; 1.3.5; 1.3.7; 1.3.9

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:33.1-1 PURPOSE:

To establish guidelines concerning member certification requirements and the parameters for use of a conducted energy device.

I:33.1-2 POLICY:

The department has acquired conducted energy devices (CEDs) to provide members with additional use-of-force options for gaining compliance of resistant or aggressive individuals in arrest and other enforcement situations. In certain situations, a conducted energy device may help diffuse a volatile situation and make it unnecessary for an officer during a confrontation to resort to the use of deadly force. The device may also reduce the risk of death or injury to members, innocent bystanders and victims, and also the persons who are subject to arrest.

I:33.1-3 PROCEDURE:

I. Definitions

A. Conducted Energy Device (CED):

Any device approved by the New Jersey Attorney General that is capable of firing darts/electrodesthat transmit an electrical charge or current intended to temporarily disable a person.

B. Constructive Authority: The use of a law enforcement officer's authority to exert control over a subject, including verbal commands, gestures, warnings

and unholstering a weapon.

C. Fire: To cause the darts/electrodes of a conducted energy device to be ejected from the main body of the device and to come into contact with a person for the purpose of transmitting an electrical charge or current against the person.

D. Enhanced Mechanical Force: The actual firing or discharge of a conducted energy device. An intermediate force option between mechanical force and deadly force, requiring a greater level of justification than that pertaining to physical or mechanical force, but a lower level of justification than required for the use of deadly force

E. Discharge: To cause an electrical charge or current to be directed at a person in contact with the darts/electrodes of a conducted energy device.

F. Drive Stun Mode: To discharge a conducted energy device where the main body of the device is in direct mode with the person against whom the charge or current is transmitted.

G. Spark Display: A non-contact demonstration of a conducted energy device's ability to discharge electricity that is done as an exercise of constructive authority to convince an individual to submit to custody.

II. Authorization to Carry

A. The department issued conducted energy device shall be the Karbon Arms MPID. This model has met the criteria established by the New Jersey Attorney General and is the only device authorized for use by members of this department.

1. The device is capable of making a date and time-stamped digital recording of each occurrence when the darts/electrodes are fired, and of each occurrence when an electrical current is discharged.

2. The device is capable of making a digital video recording of each firing and electrical discharge, where the focus of the internal camera is centered on the person against whom the conducted energy device was targeted.

3. The device safeguards all such digital data and video recordings to ensure that they can be accessed or erased only be appropriate supervisory personnel.

B. The Chief of Police shall determine the number of officers who are authorized to carry and use a conductive energy device.

C. An officer shall not carry or use a conducted energy device unless expressly

authorized, in writing, by the Chief of Police.

D. An officer shall not carry or use a conducted energy device until successfully completing a training course approved by the Police Training Commission in the proper use and care of the device.

1. The training must comply with the Police Training Commission approved qualification and re-qualification procedures.

2. The Chief of Police shall have the continuing responsibility to ensure that all officers authorized to carry or use a CED remain qualified by experience, demonstrated judgment, and training.

E. The Chief of Police may, at any time, suspend or revoke the authority of an officer to carry or use a conducted energy device.

F. An officer authorized to carry and use a CED pursuant to this policy shall be exempt from criminal liability under N.J.S.A. 2C:39-(h) for knowing possession of a stun gun provided by his or her department.

III. Authorization To Use of Conducted Energy Devices

A. An officer who is authorized to use a conducted energy device pursuant to this policy may fire and/or discharge the device, as acomponent of enhanced mechanical force, during an operation only when:

1. The officer believes such force is reasonable necessary to prevent the person against whom the device is targeted from causing death or serious bodily injury to himself, an officer or any other person; or

2. The officer believes such force is reasonably necessary to prevent the immediate flight of an individual whom the officer has probable cause to believe has committed the offense in which the suspect caused or attempted to cause death or serious bodily injury; or

3. The individual will not voluntarily submit to custody after having been given a reasonable opportunity to do so, considering the exigency of the situation and the immediacy of the need to employ law enforcement force to prevent the individual from causing death or serious bodily injury to himself or any other person.

B. An officer is authorized to unholster and display a conducted energy device, as part of an exhibition of constructive authority, and to activate the device's spark display function when:

1. The purpose of such display is to create an apprehension that the device will be fired/discharged, if necessary, so as to induce compliance with police commands.

2. The person to whom the conductive energy device is exhibited is refusing to comply with police commands; and

3. The use of some form of actual force against the person (whether physical, mechanical, enhanced mechanical, or deadly) may potentially be needed if the exercise of constructive authority is not successful in inducing the person to comply with the officer's commands.

C. An officer shall not direct an electrical charge or current against a person who has already received an electrical charge from a conducted energy device unless the person, despite the initial discharge, continues to pose a threat of causing death or bodily injury to him or herself, the officer, or any other person.

1. The person shall be given a reasonable opportunity to submit to law enforcement authority and to comply with commands before being subject to a second or subsequent charge. This does not apply if the person's conduct, after the initial discharge, creates an immediate risk of death or serious bodily injury to a person and that delaying a second or subsequent discharge would likely result in death or serious bodily injury to that person.

2. If a second or subsequent discharge is authorized and necessary, and if feasible, the main body of the device should be centered on the person so that the video camera records the circumstances justifying any such second or subsequent discharge.

D. An officer shall not direct an electrical charge or current against a person who is restrained by handcuffs unless:

1. The officer reasonably believes, based on the suspect's conduct while handcuffed, that such force is immediately necessary to protect the officer, the suspect or another person from imminent danger of death or serious bodily injury.

2. The use of physical or mechanical force (i.e. baton or OC spray) is not immediately available to be employed, has been tried and failed to stop the imminent threat of death or serious bodily injury, reasonably appears to be unlikely to stop the imminent threat if tried, or would be too dangerous to the officer or an innocent person to employ.

3. The main body of the device shall be focused towards the person so that the focus of the device's video camera is centered on the person in order

to recorder the circumstances justifying the discharge.

E. An officer shall not use a conducted energy device in drive stun mode unless the officer reasonably believes, based on the suspect's conduct, that discharging the device in drive stun mode is immediately necessary to protect the officer, the suspect, or another person from imminent danger of death or serious bodily injury.

IV. Unauthorized Uses of Conducted Energy Devices

A. A conducted energy device shall not be used in any environment where an officer knows or has reason to believe that a potential flammable, volatile or explosive material is present that might be ignited by an open spark, including but not limited to pepper spray with a volatile propellant, gasoline, propane or natural gas.

B. A conducted energy device shall not be used or threatened to be used to retaliate for any past conduct or to impose punishment.

C. A conducted energy device shall not be fired or discharged against a person who is exhibiting only passive resistance to an officer's command to move from or to a place, to get onto the ground, or to exit a vehicle.

D. A conducted energy device shall not be fired or discharged to prevent a person from committing property damage.

E. A conducted energy device shall not be fired or discharged against the operator of a moving vehicle.

F. Two or more conducted energy devices shall not be discharged upon a person at the same time.

G. A CED shall not be used in, on or immediately adjacent to a body of water in which the targeted person could fall during any stage of the application of the electrical current generated by the device.

V. Training and Qualification Requirement

A. No officer shall be authorized to carry or use a conducted energy device during an actual operation until having completed a training course and qualification procedure approved by the Police Training Commission in the proper use and deployment of conducted energy devices.

1. The training program will include training provided by the manufacturer of the device along with training governing the use of the device under New Jersey law.

2. The training program shall also include a component on how to interact

with an emotionally disturbed person, how to recognize mental illness, and techniques to de-escalate a psychiatric crisis to prevent injury or death.

B. All law enforcement officers authorized to carry and use a conducted energy device pursuant to this policy shall qualify, and thereafter re-qualify semi-annually, in a training course and qualification procedure approved by the Police Training Commission.

VI Deployment Techniques

A. When feasible, the officer should warn the person against whom the conducted energy device is directed that the officer intends to fire the weapon.

1. If a second or subsequent discharge is authorized by this policy, the officer, when feasible, shall warn the person that that he or she intends to discharge the device again.

2. It shall not be necessary for an officer to warn the person of the impending firing/discharging of the device if the person's conduct is creating a risk of death or serious bodily injury that is so immediate that any delay would likely result in death or serious bodily injury.

B. An officer shall not unholster a conducted energy device during an encounter unless the officer reasonably believes that is may be necessary for the officer to use the conducted energy device.

1. An officer shall not exhibit a CED to a person or conduct a spark display during an encounter unless the officer reasonably believes that the display of the device and/or demonstration of its ability to discharge electricity as an exercise of constructive authority would help to establish or maintain control in a potentially dangerous situation to discourage resistance and ensure officer safety.

2. An officer may unholster and/or exhibit a CED or conduct a spark display if another officer on the scene has unholstered and/or exhibited a firearm.

C. An officer may, through verbal commands, threaten to use a CED, so long at the officer's purpose is limited to creating an apprehension that the device will be used if necessary.

D. An officer shall not fire a CED if there is substantial risk that the electrode/darts will strike an innocent person unless firing the device is reasonably necessary to protect innocent person(s) from death or serious injury by the person against whom the CED is targeted.

E. To ensure officer safety, when feasible, at least one officer other than the one deploying the CED shall be present and prepared to deploy deadly force in the event the CED fails to incapacitate the suspect and prevent him or her from causing death or serious bodily injury to a person.

F. During the deployment of a CED, the deploying officer shall continually evaluate the options selected against changing circumstances.

G. An officer trained and authorized to carry a CED shall be aware of any targeting recommendations made by the manufacturer.

H. A CED may be used in conjunction with a water-based chemical agent. If the individual has already received an electrical charge from a CED, the person shall be provided, when feasible, a reasonable opportunity to submit to law enforcement authority and comply with law enforcement commands prior to deploying a chemical agent.

1. The department-issued oleoresin capsicum (OC) spray uses a water-based aerosol propellant that emits non-flammable material.

I. A CED shall not be directed against a person who is situated on an elevated surface (i.e. scaffold, ledge) unless reasonable efforts have been made to prevent or minimize a fall-related injury.

J. An officer shall use particular care when considering whether to use a CED against an individual who is particularly vulnerable due to age, either elderly or young, or due to a known or reasonably apparent medical condition, such as a pregnant female.

VII. Handling of Injured Suspects

A. Subjects against whom a CED has been directed shall be transported to a medical facility for examination if any of the following circumstances exist:

1. The subject requests medical attention.

2. The subject has been rendered unconscious or unresponsive.

3. The subject, after being subjected to a discharge, does not appear to have recovered normally, as described in CED training.

4. The subject has exhibited signs of exited delirium, as described in CED training, prior to, during, or after the discharge of the CED.

5. The subject has suffered bodily injury requiring medical attention as a result of a fall, or otherwise reasonably appears to be in need of

medical attention.

6. The subject was exposed to three or more discharges from a CED during the encounter.

7. The subject was exposed to a continuous discharge lasting fifteen seconds or more.

8. There is no one present at the scene who is qualified or authorized to remove the CED darts/electrodes from the subject's body.

9. An officer trained and authorized to remove darts/electrodes experiences difficulty in removing a dart/electrode.

10. Any part of a CED dart/electrode has broken off and remains imbedded.

B. An officer is authorized to remove a CED dart/electrode from a subject only if the officer has received training on dart/electrode removal.

C. An officer is not authorized to remove a CED dart/electrode from any part of a person's head or neck or when it is located in the area of the subject's genitalia or female breast.

1. Absent of exigent circumstances requiring immediate action, a CED dart/electrode may only be removed from the above listed areas by an emergency medical technician or by other qualified medical personnel.

VIII. Reporting Requirements

A. In all instances when a CED has been fired or discharged against an individual, the officer who employed such force shall complete:

1. An Investigation Report.

2. A Use of Force Report.

3. A Conducted Energy Device Report.

B. When an officer unholsters and exhibits a CED and/or conducts a spark display but does not fire or discharge the CED, or otherwise employ actual force against a subject, a Conducted Energy Device Report is not required.

C. Any accidental or unintentional discharges must be immediately reported a supervisor.

D. All instances when a CED is fired or discharged upon a person, whether

intentional or accidental, shall require the supervisor to make notification to the following:

1. Patrol Bureau Commander;

2. Professional Standards Bureau Commander;

3. Professional Standards Unit (PSU) of the Cumberland County Prosecutor's Office in the following manner:

   a. Notification during Monday – Friday from 0830 to 1630 shall be made directly to the PSU.

   b. Notification during other hours shall be through the on-call Major Crimes Detective.

IX. Use of Force Review

A. All instances when a CED has been fired or discharged against an individual shall be subject to the use of force review provisions as outlined in written directive I.33 - Use of Force.

B. The Professional Standards Bureau Commander shall submit a final report to the Chief of Police within two business days providing all the relevant circumstances, deployment and outcome, including whether the deployment avoided injury to an officer and avoided the need to use deadly force.

C. The Chief of Police shall issue a finding on whether the firing and all discharges complied with the Attorney General's policy on CEDs and forward a copy of the report to the Cumberland County Prosecutor within three business days of the firing/discharge.

D. The Cumberland County Prosecutor's Office shall immediately be notified when the use of a CED results in death or serious bodily injury to a person.

X. Evidence Retention

A. When a CED is fired or discharged upon a person, a supervisor shall take custody of the device and secure the same.

1. The information stored on the device concerning the use of force incident (i.e. data concerning the time the weapon was fired, the time of all electrical discharges, and video recordings of the weapon and all electrical discharges) must be preserved for evidence.

2. The supervisor shall safeguard the digital information in the device

concerning the incident by placing the unit into evidence.

3. The Professional Standards/Services Bureau Commander or designee shall download all the data from the device onto the department server and burn a copy of the event on a DVD for evidence.

4. Once the data is secure on the department server and burned to a DVD, the event shall be erased from the device and the unit shall be placed back in service.

XI. Care and Handling

A. When not in use, all CEDs shall be stored in the assigned officer's department locker. CEDs shall not be taken from the department when off-duty.

1. An officer issued a CED shall ensure the device, including the video recording function, is functional prior to taking the equipment on patrol.

2. The results of the inspection shall be noted in a blotter entry by the assigned officer.

3. If the function check reveals that the device battery is weak, the officer will ensure the device is fully charged prior to field deployment.

4. If the function check reveals the CED is not functioning properly, the CED shall not be deployed. The supervisor shall take the device out of service and forward a maintenance request for repair to the Professional Standards/Services Bureau.

B. Officers are required to ensure cleanliness of their assigned CED.

1. A certified CED technician shall conduct periodic maintenance of the devices in accordance with manufacturer's recommendations.

C. All CEDs shall be worn on the officer's support side of their duty belt in a cross-draw holster.

Order #: I.9 **Date:** 01/01/2010
Category: DEPARTMENT ORDERS
Title: COURTROOM TESTIMONY

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 9
OF PAGES: 4
REVISION DATE

SUBJECT: COURT TESTIMONY

EFFECTIVE DATE:

CHIEF OF POLICE
COURTLANDT A. TURNER

CROSS REFERENCE #:

BRIDGETON
POLICE DEPARTMENT:

POLICY

The trial court appearance is frequently the critical stage in the handling of a case by a police officer. At this juncture, the guilt or innocence of an arrested person is determined. Within the comparatively short time of the court proceeding, all of the initiative, personal sacrifice and preparation that the development of a case requires, may be lost if the testifying officer gives an unprofessional presentation. Therefore, the following guidelines are promulgated to assist police officers in their preparation and presentation of evidence.

Before trial, each police officer should carefully review the incident report that he/she prepared, long in advance of the proceedings. It should be the goal of the officer to be able to testify without need to refer to the report. Nevertheless, it cannot be overly emphasized that the report should be as complete as possible. Furthermore, the officer should review all other significant facts not contained in the report about which he/she may be expected to testify. Prior to testifying, he/she should attempt to mentally recreate the scene, the objects present, the distances and exactly what occurred so that he/she will be able to recall accurately these facts during questioning. No detail that led the officer to act as he/she did is too insignificant to recall. If there were others present when the incident occurred, the officer should confer with them and test his/her recollections against theirs.

PROCEDURE

I. PREPARATION

A. If there is any chance that the legality of an arrest, stop, search, frisk, interrogation or identification will be challenged in the proceeding, the officer should carefully reread those sections in this manual to familiarize himself/herself with the operational concepts.

B. The legal requirements set forth in those sections should allow the officer to articulate those factors which led him/her to act as he/she did and which substantiate the legality of those actions.

C. Of course, the officer should not deviate in any respect from the events as they actually transpired.

D. Before the court appearance, the prosecutor assigned to the case should request a pretrial conference to discuss the forthcoming trial.

E. The officer should also request a copy of his/her grand jury testimony, if available, for review.

F. If the officer believes that there are strengths and weaknesses to his/her case, he/she should discuss his/her analysis with the prosecutor.

1. Thereafter, if in cross-examination or at any time during the proceeding, the officer is asked whether he/she participated in a pretrial conference, he/she should have no hesitation in acknowledging that he/she did so.

2. Such pretrial conferences are acceptable procedures for both the prosecution and the defense.

G. Municipal Court

1. Any requests for court adjournment shall be made directly to the officer in charge of court. The court administrator is not to be contacted by officers.

2. It shall be the officer's responsibility to submit a list of witnesses needed for court three (3) working days prior to the court date.

3. It shall be the officer's responsibility to submit a notice to the Property/Evidence Officer of any evidence needed for the court date three (3) working days prior to the court date.

II. INITIAL TESTIMONY

A. While awaiting the commencement of trial in the courtroom, the officer should act with deference for the court and avoid unnecessary conversation or distracting motions. The officer should also be cognizant of the fact that,

even though the trial is not in progress, the officer is in view of the judge and the public.

B. Generally, contact with the defendant or any defense witnesses should be avoided.

C. If a witness sequestration order is in effect, the officer should determine whether he/she is affected and how he/she is affected.

D. During the trial, each police officer should utilize care in ensuring that his/her uniform or other attire is in order, that the officer is well groomed and that the officer appears neat.

E. When the officer is called to testify, he/she should recognize that the jury and the judge's first impression of the police officer is when he/she walks to the stand and accepts the oath.

F. By manner and bearing, the police officer should make it clear that he/she considers his/her courtroom appearance to be an important duty.

G. After taking the oath, the officer should be careful to refrain from any movements, sounds or posture that might distract the jury's attention from testimony.

H. Intangible factors such as appearance, sincerity and generally credibility commonly exert a very significant influence on the decision of a judge or jury.

1. A relaxed, unhurried demeanor is preferable.

2. Accidental or nervous pauses and short lapses of memory are insignificant.

3. Testimony may be logical and complete, but it is to no avail if the finder of fact does not believe the person testifying.

4. Consequently, an effort should be made to project a professional and honest image.

I. If a question is not understood or if it is in any way unclear, the testifying officer should ask that it be repeated.

1. One must never respond to a question that is not understood, whether put forth by the prosecutor, judge or defense counsel.

2. Before answering a question, the officer should carefully consider the subject of the question and the facts that relate to the inquiry.

3. When answering the proponent of the question, whether the person be counsel or judge, that person is to be directly addressed.

4. Eye contact should be utilized and answers must be deliberate and loud enough to be heard by the judge or jury, although a conversational tone should be adopted.

J. The officer should attempt to be exact and logical, pointing individually to each factor, however trivial, that led to his/her conclusion.

1. Nevertheless, it must be emphasized that judges and juries may be alienated by "robot-like" testimony that tends to radiate a false quality.

2. If it is necessary while on the stand to refer to notes, permission to do so should be requested from the judge.

3. This is accepted procedure, and there is no need for embarrassment.

K. The testifying officer should not volunteer information by answering more than propounded by the question. The prosecutor should be relied upon to ask those questions that require a response.

L. Even if the officer realizes that the prosecutor is omitting an important point, he should wait until he has been excused from the stand to inform the prosecutor.

M. Unless the officer is a qualified expert witness, he should refrain from offering his "opinions" as evidence.

1. If given they will be struck from the record. Consequently, any terms such as "I think", "in my opinion", "I believe", "probably", or "in my judgment", should be avoided and all statements must be definite.

2. If the question concerns distance or time, and if the answer is only an estimate, the officer is to state that it is only an approximation.

3. However, the officer should never simply guess at the answer to a question.

4. If the answer is not known, then the witness should simply say, "I don't know".

a. By guessing, the officer exposes his/herself to contradiction and challenge for dishonesty.

III. CROSS-EXAMINATION

A. During cross-examination, it is a common tactic for defense counsel to confuse, mislead, frustrate and anger a witness in the hope of breaking down the effect of their testimony on direct examination.

B. Being aware of this fact, any temptation or inclination to become agitated or impatient should be resisted.

C. Responses should be calm, unhurried and deliberate.

D. If time is needed either to consider a question further or compose oneself, a request to counsel to repeat the question is proper.

within the first (3) three months at the beginning of each calendar year.

B. Data cannot be stored in the system for a period greater than (5) five years without updates or re-validation.

C. The CCPO Intelligence Management System provides notice when criminal intelligence information within the system needs to be reviewed prior to automatic purge. The CCPO intelligence Unit will notify users as soon as possible prior to the "purge" date so information in support of re-validation can be gathered.

D. Validation should only be granted if the information within the system remains pertinent to criminal activity of persons or organizations.

VII. SECURITY

A. The information collected within the CCPO Intelligence Management System is protected under federal regulations, 28 C.F.R. Part 23, New Jersey Attorney General Intelligence Guidelines and the exemption list of the state Open Public Records Act. As such, information within the CCPO Intelligence Management System has protected accessibility.

B. In order to maintain the confidentiality of stored criminal intelligence information to ensure protection of the individual's right to privacy, the Chief of Investigators or designee shall be responsible for implementing the following security requirement for the CCPO Intelligence Management System:

1. The CCPO Intelligence Management System, manual or electronic, shall be located in a physically secured area that is restricted to designated, authorized personnel.

2. Only designated, authorized personnel will have access to information stored in the CCPO Intelligence Management System.

3. When remote terminal access is authorized by participating agencies, policies and procedures addressing the following additional security measures shall be adopted:

a. To abide by regulations, all individuals with immediate access or a printed report from the CCPO Intelligence Management System will execute a User Agreement. The CCPO Intelligence Unit will collect and track all accessibility.

VIII.NON-ELECTRONIC STORAGE OF INFORMATION

A. Printed or hard copies of any intelligence information which are not immediately destroyed must be secured in such a way that no person unauthorized to access

the CCPO Intelligence Management System may view or remove the documents. This also applies to any written logs or audit trails not being stored electronically.

IX. PENALTIES

A. An operator who inputs, prints, saves, grants access or disseminates any Bridgeton Police Department intelligence or identification information improperly from the CCPO Intelligence Management System to any unauthorized personnel or persons is in direct violation of 28 C.F.R. Part 23, which may result in a fine as much as $10,000 for each violation. This fine is in addition to other civil and criminal penalties imposed by law or the Bridgeton Police Department. The individual may also be subjected to departmental disciplinary proceedings.

B. The Bridgeton Police Department Professional Standards Bureau in conjunction with the Cumberland County Prosecutor's Office Professional Standards Unit and the CCPO Intelligence Unit will investigate all instances of information impropriety. Substantiated acts of impropriety will be forwarded to the United States Office of the Attorney General for further investigation.

X. DECONFLICTION

A. The CCPO Intelligence Unit will be designated as the point of contact for the purpose of agency de-confliction matters. Authorized personnel will confirm there are no documented conflicts and will maintain a computerized repository of all active investigations throughout the County.

1. Event De-confliction:

a. Authorized personnel will enter "Event De-confliction" matters (i.e. search warrant, arrest warrant, undercover meeting, etc...) into the Intelligence Management System for de-confliction purposes.

b. Law enforcement officers will be required to fill out an "Event De-confliction Form", (attachment C), and submit same to Bridgeton Police Department authorized intelligence personnel, if at all possible, prior to an event occurring. If an emergent or unexpected event occurs, prior to de-confliction, the case agent and/or designated appointee shall notify Bridgeton Police Department authorized personnel as soon as reasonably possible.

2. Subject / Location De-confliction:

a. Authorized personnel will enter "Subject/Location De-confliction" matters (i.e. all subject(s), address, locations and nicknames, etc...) into the Intelligence Management System for de-confliction purposes.

b. In instances where there is no available access to the Intelligence Management System, the case agent and/or designated appointee shall be required to complete a "Subject/Location De-confliction Form", (attachment D), upon receiving intelligence information and/or initiating a n investigation and submit same to the authorized intelligence personnel of the Bridgeton Police Department.

3. Prosecutor Accountability / Search Warrant Approval Forms

a. Assistant Prosecutors reviewing search warrants will ensure that they adhere to this de-confliction policy prior to the approval of any search warrants. This can be accomplished by verifying the case agent, affiant and/or designated appointee has de-conflicted with intelligence personnel and also memorialized such on the search warrant approval form.

XI. REFERENCE FORMS (AVAILABLE ON BPD ONLINE FORMS)

A. Cumberland County Intelligence Unit "Intelligence Database User / Participation Agreement"
(Attachment A)

A. Cumberland County Intelligence Unit "Field Interview Form"
(Attachment B)

B. Cumberland County Intelligence Unit "Event Deconfliction Form"
(Attachment C)

C. Cumberland County Intelligence Unit "Subject/Location Deconfliction Form"
(Attachment D)

Order #: I.26 **Date:** 09/20/2010
Category: DEPARTMENT ORDERS
Title: DOMESTIC VIOLENCE INVOLVING - LEOS

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 26

SUBJECT: DOMESTIC VIOLENCE INCIDENTS INVOLVING BRIDGETON POLICE DEPARTMENT PERSONNEL

EFFECTIVE DATE: 9-20-2010
CHIEF OF POLICE:Mark W. Ott

I. PURPOSE

This Department recognizes that some law enforcement officers commit acts of domestic violence as defined in N.J.S.A. 2C:25-17 et. seq. The integrity of the law enforcement profession and the community's trust in law enforcement are dependent upon a uniform policy on handling such incidents.

II. POLICY

This Department will act quickly where incidents of domestic violence are alleged to have occurred to protect the victim, arrest the perpetrator, where appropriate, and conduct parallel administrative and criminal investigations. In addition, the Department will work to develop and implement appropriate, case-specific remedies to the situation.

This policy for handling of domestic violence incidents involving law enforcement officers does not supercede the Attorney General's Guidelines on Police Response Procedures in Domestic Violence Cases and Attorney General Directives Implementing Procedures for the Seizure of Weapons from Municipal and County Law Enforcement Officers and from all State Law Enforcement Officers involved in Domestic Violence Incidents [Directives 2000-3 and 2000-4 dated 9-1-00, hereinafter Attorney General Weapons Seizures Directives]. These guidlines and directives remain in full force and effect and must be followed by law enforcement officers responding to a domestic violence call involving a law enforcement officer.

Failure of any officer or supervisor to comply with any provision of this directive will subject the officer to discipline.

III. DEFINITIONS

See N.J.S.A. 2C:25-19 and Attorney General's Guidelines on Police Response Procedures in Domestic Violence Cases for definitions.

IV. PREHIRE SCREENING AND INVESTIGATION

A. This Department will conduct thorough background investigations of all potential new employees to determine if there is a criminal history with particular attention to acts of domestic violence, sexual abuse, stalking, elder abuse or child abuse. This Department will conduct a check of the Domestic Violence Registry to determine the existence of any active restraining orders and to determine if there is a history of domestic violence.

B. All candidates will be interviewed about any history of acts of domestic violence, sexual assault, stalking, elder abuse or child abuse and past or present restraining orders and their disposition.

C. Those candidates with a history of perpetrating acts of domestic violence, sexual assault, stalking, elder abuse or child abuse will be screened out at this point in the hiring process.

V. POST-CONDITIONAL OFFER OF EMPLOYMENT

A. This Department will require psychological examination of all viable candidates to be performed by an experienced and licensed psychiatrist or psychologist or other mental health professional.

B. The psychological screening should include a focus on indicators of violent or abusive tendencies or behaviors, including domestic violence, in their background.

VI. EDUCATION AND TRAINING

A. All law enforcement officers within this Department will receive at least four hours of training on domestic violence issues annually, as approved by the Division of Criminal Justice, pursuant to N.J.S.A. 2C:25-20.

B. All police dispatchers within this Department, sworn and unsworn, will receive annual training on how to handle a domestic violence call.

C. All law enforcement officers and unsworn members of this Department will receive at least annual training on the impact of domestic violence within the law enforcement community and on the Department's Policy and procedures when a law enforcement officer or an unsworn member is involved in a domestic violence incident.

D. In addition to the training required in Paragraph A. above, all police supervisors within this Department will receive annual training on such matters as:

1. How to recognize potential indicators or early warning signs of domestic violence behavior by law enforcement officers.

2. How to investigate indicators of potential abusive behavior or early warning signs potentially indicative of domestic violence.

3. When to notify the Chief of Police of the information gathered in accordance with the Department's chain of command.

4. Available programs to assist law enforcement domestic violence victims and batterers.

VII. EARLY WARNING AND INTERVENTION RESPONSIBILITIES

A. Department Responsibilities

1. This Department will, either in response to observed warning signs of domestic violence behavior or at the request of an officer, provide non-punitive avenues of assistance to officers, their partners, and other family members.

2. This Department will encourage officers to take personal responsibility in seeking referrals and assistance, confidential or otherwise, and assistance from the Department or own their own initiative to prevent a problem from escalating to the level of criminal conduct.

3. When this Department is aware that an officer is undergoing a separation or divorce, or that an officer is otherwise undergoing a high conflict period with a spouse or intimate partner, and the officer is exhibiting any of the warning signs of domestic violence behavior, the Department will encourage the officer to seek individual counseling.

4. This Department will investigate reports of domestic violence reported by family members or other officers.

5. The Department, either in response to observed signs of domestic violence behavior or at the request of an officer, will refer the officer to Employee Assistance.

B. Supervisor Responsibilities

1. Supervisors will document any information potentially indicative of domestic violence including but not limited to:

a. Aggressiveness

(1) Excessive or increased use of force on the job

(2) Inappropriate surveillance activities

(3) Unusually high incidences of physical altercations and verbal disputes

(4) Citizens and fellow officer complaints of unwarranted aggression or verbal abuse

(5) Inappropriate treatment of animals

(6) On or off-duty officer injuries

b. Domestic violence related issues

Monitoring, controlling or harassing the purported victim directly or through any other person.

c. Deteriorating work performance

(1) Tardiness

(2) Excessive absences

(3) Alcohol and drug abuse

2. When the supervisor finds a pattern of behavior potentially indicative of domestic violence, the supervisor will:

a. Address the behaviors, consistent with Internal Affairs policies, through a review with the officer and document all contacts. Under no circumstances will the identity of a reporting victim or witness be disclosed to the officer at this stage.

b. Forward written reports detailing behaviors to the Chief of Police through the chain of command in a timely manner to determine discipline or other appropriate action.

c. Prepare and submit to the Chief of Police a written request for psychological exam/counseling by a licensed psychologist/psychiatrist or other mental health professional.

The supervisor's written report will include the factual basis for the referral and will attach any relevant supporting documentation. A copy of the report will also be forwarded to the County Prosecutor for consideration and discussion with the Chief of the Department.

3. When the supervisor determines an officer has engaged in domestic violence, the supervisor will:

   a. Prepare and submit to the Chief of Police a written request for a psychological exam/counseling by a licensed psychologist/psychiatrist or other mental health professional. The psychologist/psychiatrist must be provided with all reports and information available regarding the domestic violence incident/s. The psychologist/psychiatrist must attempt to contact the reported victim for their input and must be provided with the reported victim's contact information; the contact information must be kept confidential. A copy of the report will be forwarded to the County Prosecutor.

   b. Request that the Chief of Police order the officer to seek assistance from a program for batterers that has been approved by the County Prosecutor or the Department. If such a program is not available, request that the Chief of Police order the officer to a counselor who has demonstrable training and experience in counseling domestic violence batterers. The cost of the counseling is to be paid by the officer.

   c. Contact and inform the purported victim of the concerns regarding the officer's behavior; the the officer has been ordered to undergo a psychological evaluation; that the evaluator will be contacting the reported victim; and that reported victim is not required to speak with the evaluator; and, that any information disclosed by the reported victim may not be confidential. The supervisor will document that he/she informed the reported victim concerning this procedure.

   d. If the Department decides to take adverse action against the officer, it will provide a copy of the psychological report to the officer in a timely manner, unless doing so would endanger the safety of the victim.

C. Law Enforcement Officer Responsibilities

1. Officers Must:

   a. When an officer knows or is made aware of any information of abuse or violence involving a fellow officer, the officer must report that knowledge or information to his or her supervisors.

   b. Cooperate with the investigation of a domestic violence case involving a law enforcement officer except in the case where the officer is the victim.

2. Officers may be subject to criminal charges or discipline in accordance with Department procedure, if they:

   a. Interfere with domestic violence cases involving themselves or fellow officers.

   b. Intimidate or coerce witnesses or victims (i.e. surveillance, harassment, stalking, threatening, or falsely reporting).

3. Officers who are involved in any domestic violence incident involving police response, regardless of jurisdiction, must immediately notify the on-duty supervisor and provide notice of the court dates, times, appearances, and proceedings. Failure to do so may result in Departmental discipline in accordance with Department policy and procedures.

4. Officer who are the subject of any domestic violence restraining order or protective order proceeding, whether or not the order is issued and regardless of jurisdiction, must immediately notify their supervisor and provide a copy of the order, if issued. Failure to do so may result in Departmental discipline in accordance with Departmental Policy & Procedures.

VIII. INCIDENT RESPONSE PROTOCOLS

A. Department-Wide Response

1. This Department will accept, document, and preserve all calls or reports, including those made anonymously, regarding domestic violence as on-the-record information. A detailed Investigation Report (IR) must be completed by the responding officer to a domestic violence call. This report is to be completed regardless of whether or not an arrest is made, and regardless of whether or not a criminal offense has been committed.

2. All reports of possible criminal activity implicating law enforcement officers in domestic violence will be documented in accordance with approved policies and procedures governing the handling of reports of domestic violence incidents.

3. A copy of the report alleging domestic violence by an officer will be forwarded to the Chief of Police through the chain of command including the Professional Standards Bureau.

4. The Department will make all such IRs available to the victim without cost. N.J.S.A. 47:1A-1.1.

5. The Department will make all such IRs available to the officer at no cost.

6. The Chief of Police will consult with the County Prosecutor, who will determine who should be the designated Principal Law Enforcement Contact person. If the designated Principal Law Enforcement Contact person is not available 24/7, then, after consultation with the Chief of Police the County Prosecutor will select an alternate contact person. The contact person's information must be provided to the victim. The principal Law Enforcement Contact person will:

   a. Advise the victim to immediately report any violation of any restraining order to the police department where it occurred and to the designated Principal Law Enforcement Contact person.

   b. Advise the victim to contact the designated Principal Law Enforcement Contact person if there is any harassment, witness tampering or intimidation by a law enforcement officer.

   c. Intervene if the officer or agents of the officer are harassing or intimidating the victim, or violating no-contact orders.

   d. Provide the victim with the name and contact number of the domestic violence Assistant Prosecutor in the county where the abusive officer is charged with committing a criminal offense, contempt of a domestic violence restraining order, or subject to a motion for forfeiture of weapons. The victim should also be provided with the name of the victim-witness advocate or detective in the Prosecutor's Office who have been designated as the resource persons in the Prosecutor's Office.

e. Provide the victim with contact information for a local domestic violence program and with approved safety planning material.

f. Keep the victim apprised of all case developments.

g. Ensure that the chain of command, including the Chief of Police is regularly briefed on both the administrative and criminal investigations.

h. Assist the victim with safety planning should the officer be terminated. Assistance will be provided by linking the victim with resources and preparation planning either within the Department or via outside government and non-profit agencies.

B. Communications Response (Own or Agreement with Regional Center)

1. Communications officers/dispatchers will assign a high priority to all domestic violence calls, including those that involve or appear to involve a law enforcement officer from any agency.

2. Communications officers/dispatchers will immediately notify the Communications supervisor of any domestic violence call received that involves, or appears to involve, law enforcement personnel from any agency.

3. Communications supervisors will prepare and preserve documentation of the facts and circumstances of the call, including any relevant recorded call for service, for use in potential administrative or criminal investigations upon knowledge or notification that the domestic violence incident involved law enforcement personnel form any agency.

C. Patrol Response

1. Upon arrival on the scene of a domestic violence call or incident involving a law enforcement officer, the primary patrol unit will immediately notify dispatch and request the primary patrol supervisor or shift commander to report to the scene, regardless of the involved officer's jurisdiction.

2. The responding officers will follow standard police response procedures as set fourth in the Attorney General's Guidelines on Police Response Procedures in Domestic Violence Cases.

D. On-Scene Supervisor Response

1. The primary patrol supervisor or shift commander will immediately report to the scene of all law enforcement officer domestic violence incidents regardless of the involved officer's jurisdiction.

2. The on-scene supervisor will immediately notify the County Prosecutor's Office of any domestic violence incident involving a law enforcement officer for direction on handling the case regardless of whether criminal charges are filed or a restraining order is issued.

3. The on-scene supervisor will assume command and ensure that the crime scene is secured and that all evidence is collected in accordance with approved police investigative procedures.

4. The on-scene supervisor will ensure that an arrest is made in cases where mandatory arrest is required or probable cause exists.

5. If the alleged offender has left the scene and probable cause exists, the supervisor will:

   a. Exhaust all reasonable means to locate the alleged offender.

   b. Ensure that an arrest warrant is sought, if unable to locate the alleged offender.

   c. Document all subsequent actions in a timely manner.

6. If the victim has left the scene, the supervisor will make every effort to follow through on the investigation and attempt to locate the victim.

7. Arrest both parties involved in a domestic violence incident should be avoided. The supervisor will ensure that a thorough investigation is conducted and an arrest of the primary aggressor is made in accordance with State law. In determining which party is the primary aggressor where both parties exhibit signs of injury, the supervisor should consider such factors as:

   a. Any history of domestic violence or violent acts by either person.

   b. Whether the injury was caused by a person acting in

self-defense.

c. Relative size and strength of the persons involved.

d. The comparative severity of the injuries suffered or inflicted.

e. Each person's fear of physical injury resulting from the other person's threatened use or history of use of force.

8. The on scene supervisor will ensure the victim is informed of the following:

a. Victim's Rights as set forth in the Victim Notification Form.

b. Procedures for obtaining a restraining order.

c. The availability of a Domestic Violence Response Team member or a domestic violence advocate immediately followig the incident.

d. The availability of confidential transportation to a location that can provide improved victim safety.

e. Community resources, local domestic violence victim services, including shelter, and safety planning information.

9. Whenever a domestic violence call involving a law enforcement officer does not result in an arrest or a warrant is not sought, the on-scene supervisor will explain in a written report why these actions were not taken, and the report shall be forwarded to the Professional Standards Bureau.

10. The on-scene supervisor will notify the Chief of Police through the chain of command as soon as possible. If the officer is from another jurisdiction, the supervisor will ensure that notification is made to the Chief of Police in the Department where the accused officer is employed. All notifications, and attempts to notify, will be fully documented in writing and shall be forwarded to the Professional Standards Bureau.

E. Additional Critical Considerations

1. When responding to a domestic violence incident involving a law enforcement officer from another jurisdiction, all responding

officers, investigators, and supervisors will follow the same procedures that are to be followed in responding to a domestic violence complaint involving an officer from this Department as set forth in the Attorney General's Guidelines on Police Response to Domestic Violence Cases and Attorney General Weapon Seizure directives.

2. When responding to a domestic violence incident involving a law enforcement officer from another county, the Chief of Police or Law Enforcement Chief Executive or person acting in those capacities shall notify the County Prosecutor where the officer is employed.

3. If the reported incident involves the Chief of Police or Law Enforcement Chief Executive or a person acting in those capacities, the supervisor will immediately notify the County Prosecutor's Office which may directly oversee the criminal investigation. If warranted the County Prosecutor may designate a member of the office to respond to the scene of all domestic violence incidents involving a Chief of Police.

4. In responding to domestic violence incidents where the victim is a law enforcement officer, standard domestic violence response and investigation procedures should be followed as set forth in the Attorney General's Guidelines on Police Response to Domestic Violence Cases.

5. In responding to domestic violence incidents where the parties involved are both law enforcement officers, standard domestic violence response and investigations procedures as set forth in the Attorney General's Guidelines on Police Response to Domestic Violence Cases and the Attorney General Weapons Seizure Directives should be followed.

6. When responding to a domestic violence complaint involving a law enforcement officer employed by the federal government or out of state agency, all responding officers, investigators and supervisors will follow the same procedures that are to followed in responding to a domestic violence complaint involving an officer from this Department as set forth in the Attorney General's Guidelines on Police Response Procedures in Domestic Violence Cases and in the Attorney General's Weapons Seizure Directives. All weapons are to be seized. The Chief of Police shall notify the federal government agency that employs the officer.

F. Department Follow Up

1. In a timely manner, the Chief of Police shall ensure that all officers who responded to a law enforcement officer domestic violence call are debriefed. The debriefing should include:

   a. Review of Department confidentiality guidelines.

   b. A direct order prohibiting discussion of the incident outside the official inquiry.

   c. A clear delineation of assignments.

2. Follow-up investigators will proactively seek out information on existing protective orders and, if found, will enforce them and any other applicable state and federal firearm laws and determine whether the officer violated department policy by failing to report the temporary or final restraining order.

3. Arrest warrants charging law enforcement officers with domestic violence and protective orders issued at a later time should be served by no fewer than two officers with at least one being of senior rank to the officer being served. In cases where firearms have not previously been seized, firearms will be seized and decisions about seized weapons shall be made as set forth in the Attorney General's Guildelines on Police Response Procedures in Domestic Violence Cases and in the Attorney General Weapons Seizure Directives.

4. This Department will conduct a thorough Internal Affairs investigation even if the temporary or final restraining order is dismissed against a member of this Department.

5. Following the reported incident, the Chief of Police of the primary investigative department or his designee will immediately contact the designated Principal Law Enforcement Contact person and advise that officer of the domestic violence incident and request that he perform the duties listed in Section VIII. A. (5) above.

G. Response in Cases Involving Restraining Order Only

1. Any law enforcement officer who is served with a temporary or final restraining order must immediately inform the working shift supervisor and provide a copy of the order to the supervisor.

2. Whenever this Department is notified that a temporary or final

restraining order is issued against a member of this Department, this Department will serve the restraining order, if it has not already been served, or will assist any other agency in ensuring the immediate service of the restraining order. This department will also ensure that a supervisory officer will be present at any time the law enforcement officer is removing personal items from any common residence with the victim pursuant to the restraining order.

3. If the law enforcement officer's duty or off-duty firearms and weapons have not already been turned in pursuant to the Attorney General Weapons Seizure Directives, the weapons shall be immediately seized by this Department.

4. No weapon is to be returned or issued to the law enforcement officer except pursuant to the procedure set forth in Attorney General Weapons Seizure Directives.

5. This Department will ensure that an Internal Affairs investigation is initiated pursuant to the procedures set forth in the Attorney General's Internal Affairs Policy and Procedures Manual.

6. This working supervisor receiving notice that an officer has been served shall make notice to the Patrol Bureau Commander and then the Cumberland County Prosecutor's Office of the issuance of the restraining order against the officer.

7. The Chief of Police or his designee will immediately contact the designated Principal Law Enforcement Contact person to perform the duties listed in Section VIII. A. (5) above.

IX. SEIZURE OF WEAPONS

A. See Attorney General Directives Implementing Procedures for the Seizure of Weapons from Municipal and County Law Enforcement Officers and from All State Law Enforcement Officers Involved in Domestic Violence Incidents [Directives 2000-3 and 2000-4 dated September 1, 2000].

X. VICTIM SAFETY AND PROTECTION

A. Victim Safety

This Department will make all reasonable efforts to:

1. Provide law enforcement protection and other safety measures to a victim of law enforcement officer domestic violence.

a. Directed patrol initiatives including:

(1) Drive by's

(2) Foot patrols

(3) Welfare checks

2. Assist in arranging for the transportation of the victim to a safe place when necessary.

3. Ensure victim contact with trained domestic violence advocates for safety planning.

These protective measures will remain in effect even if the officer is dismissed as a result of committing domestic violence.

B. Victim Notification

To better ensure victim safety, the designated Principle Law Enforcement Contact person will inform the victim as to the status of the case as far in advance as possible to all impending actions taken against or with the officer. This Department will provide reasonable assistance to help the victim with safety measures.

C. Confidentiality of Victim Location

If the victim wishes to be placed in an undisclosed "safe home", she/he may be transported by another party in lieu of a law enforcement officer. Those law enforcement employees who do have contact with the victim must keep all information concerning his or her whereabouts and safety plans confidential.

D. Prohibition of Law Enforcement Court Accompaniment

No law enforcement officer will attend any domestic violence related court proceeding of any law enforcement officer employee unless subpoenaed to appear, or authorized by their agency, or as part of their investigation.

XI. POST INCIDENT ADMINISTRATIVE AND CRIMINAL DECISIONS

The Department shall conduct an administrative investigation of an alleged incident of domestic violence alleged to have been committed by an officer of this Department in accordance with the Attorney General's Internal Affairs Policy and Procedures Manual.

Order #: I.14 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: DRUG TESTING

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 14
SUBJECT: DRUG SCREENING FOR LAW ENFORCEMENT

ORIGINAL EFFECTIVE DATE: MARCH 30, 2009

REVISION DATE: OCTOBER 30, 2012
REVISION PAGE(S): 12, 14, 15 - SECTION VI.A.5; SECTION X.B.1.h AND SECTION X.B.1.i

REVISION DATE: NOVEMBER 7, 2012
REVISION PAGE: 1 - SECTION I:14-2

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: 32.2.7

I:14-1 PURPOSE:

This policy is put into place to insure a minimum standard for random drug testing of police personnel. The minimum standard to be used is the New Jersey Attorney General's Guidelines on Random Drug Testing.

I:14-2 POLICY:

This Policy creates minimum standards for random drug testing of sworn law enforcement officers who come under the jurisdiction of the Police Training Act and are authorized to carry a firearm pursuant to New Jersey Statute 2C:39-6. Upon direction of the Cumberland CountyProsecutor's Office, all police agencies within the County shall establish a Random Drug Testing Policy by rule and regulation as defined by New Jersey Statute 40A:14-118 for Municipal Law Enforcement agencies

The Bridgeton Police Department continues to maintain a zero tolerance for illegal drug usage, inclusive of any blood alcohol levels during work hours.

This Policy is to be implemented by July 1, 2001. The random drug testing policy shall include up to two (2) random tests in each calendar year. No more than five (5) officers will be tested at any time.

This agency will use urine specimens for the purpose of Random Drug Testing.

The Standard Operating Procedure used by this agency shall offer the option of splitting a specimen into two specimens. One of the specimens will be retained by this agency until receipt of the results of a first specimen test from the State Toxicology Laboratory. The second specimen test shall then be released by the agency in accordance with procedures outlined in the Attorney General's Law Enforcement Drug Testing Policy.

The State of New Jersey Toxicology Laboratory shall report a specimen that has tested positive for controlled substances to the submitting law enforcement agency. A medical review officer for the State Toxicology Laboratory shall review the medical questionnaire pertinent to the specimen before confirming the results.

When a sworn law enforcement officer tests positive for illegal drug use, the officer shall be suspended from all duties in accordance with administrative procedures concerning immediate suspensions. Disciplinary charges shall be filed against an officer for illegal drug use and upon a sustained finding in a final disciplinary action, the officer shall be terminated from employment as a law enforcement officer. The officer shall be permanently barred from future employment in a law enforcement agency of the State of New Jersey pursuant to the Attorney General's Drug Screening Law Enforcement Guidelines. The employing agency shall also file the name of the officer with the Central Drug Registry.

Sworn law enforcement officers who refuse to submit to a drug test ordered in response to a random selection shall be immediately suspended from employment. Upon finding that the officer did in fact refuse to submit a sample the officer shall be terminated from law enforcement employment in New Jersey pursuant to the Attorney General's Drug Screening Law Enforcement Guidelines. The employing agency shall also file the name of the officer with the Central Drug Registry.

I:14-3 PROCEDURE:

I. APPLICABILITY

A. This policy applies to the following personnel:

1. Applicants for the position as a Law Enforcement Officer who, if appointed , will be responsible for the enforcement of criminal laws of this State and will authorized to carry a firearm under NJSA 2C:39-6;

2. Law enforcement officer trainees subject to the Police Training Act while they attend a mandatory basic training course; and

3. Sworn law enforcement officers who are responsible for the enforcement of criminal laws

of this State, come under the jurisdiction of the Police Training Act and are authorized to carry a firearm under NJSA 2C:39-6.

B. This law enforcement agency has an independent obligation to undertake the drug testing of individual officers when there is a reasonable suspicion to believe the officer is illegally using drugs.

II. TYPES OF DRUG TESTING

A. Applicants of a position as a law enforcement officer may be required to submit a urine specimen at any time prior to appointment

B. Law Enforcement Trainees

1. Trainees will be required to submit one or more urine specimens for testing while they attend a mandatory basic training course. All drug testing conducted during mandatory basic training will comply with rules and regulations established by the Police Training Commission.

2. Individual trainees may also be required to submit a urine specimen when there exists reasonable suspicion to believe the trainee is illegally using drugs. A trainee will be ordered to submit to a drug test based on reasonable suspicion only with the approval of the county prosecutor, the chief executive officer of the trainee's agency or the academy director.

C. Sworn Law Enforcement Officers

1. Urine specimens shall be ordered from a sworn law enforcement officer when there exists reasonable suspicion to believe that officer is illegally using drugs. Urine specimens shall not be ordered from an officer Without the approval of the county prosecutor or the chief executive officer of the officer's agency.

2. Urine specimens may be ordered from sworn law enforcement officers who have been randomly selected to submit to a drug test. Random

selection shall be defined as a method of selection in which each and every sworn member of this agency- regardless of rank or assignment- has an equal chance to be selected for drug testing each and every time a selection is conducted.

3. Urine specimens may be collected from law enforcement officers during a regularly scheduled and announced medical examination or a fitness for duty examination.

III. NOTIFICATION OF DRUG TESTING PROCEDURES

A. Applicants

1. This agency will test applicants for law enforcement positions and shall notify those applicants that the pre-employment process will include drug testing. The notification will also indicate that a negative result is a condition of employment and that a positive result will:

   a) result in the applicant being dropped from consideration for employment

   b) cause the applicant's name to be reported to the Central Drug Registry maintained by the Division of State Police

   c.) preclude the applicant from being considered for future law enforcement employment for a period of two years.

2. In addition, the notification will indicate that if the applicant is currently employed by another agency as a sworn law enforcement officer and the officer tests positive for illegal drug use, the officer's employing agency will be notified of the test results and the officer will be terminated from employment and permanently barred from future law enforcement employment in New Jersey.

B. Trainees

1. All newly appointed law enforcement officers shall be informed that drug testing is mandatory during basic training. Newly appointed officers shall also be informed that a negative result is a condition of employment and that a positive result will:

   a) result in the officer's termination from employment

   b) inclusion of the officer's name in the Central Drug Registry

   c.) the officer being permanently barred from future law enforcement employment in New Jersey.

2. Newly appointed officers shall further be informed that the refusal to submit to a drug test will result in their dismissal from employment and the permanent ban from future law enforcement employment in New Jersey.

C. Sworn law enforcement officers: reasonable suspicion

1. Each municipal law enforcement agency shall include in its rules and regulations as defined in NJSA 40A:118 a provision that individual law enforcement officers will be ordered to submit to a drug test when there is a reasonable suspicion to believe the officer is illegally using drugs.

2 Before an officer may be ordered to submit to a drug test based on reasonable suspicion, the agency shall prepare a written report, which documents the basis for the reasonable suspicion. The county prosecutor or the chief executive officer of the law enforcement agency shall review the report before a reasonable suspicion test may be ordered. Under emergent circumstances, approval may be given for a reasonable suspicion test on the basis of a verbal report.

3. This agency's rules or appropriate standard operating procedures shall provide that a negative result is a condition of employment as a sworn officer. A positive test result will in:

   a) result in the officer's termination from employment

   b) inclusion of the officer's name in the Central Drug Registry

   c.) the officer being permanently barred from future law enforcement employment in New Jersey.

4. This agency's rules or appropriate standard operating procedures shall further provide that officers who refuse to submit to a drug test based on reasonable suspicion after being lawfully ordered to do so are subject to the same penalties as those officers who test positive for the illegal use of drugs.

D. Sworn law enforcement officers: random drug testing

1. The Cumberland County Prosecutor's Office has directed all law enforcement agencies within Cumberland County to establish Random Drug Testing procedures. This policy must be established under rule and regulation as defined in NJSA 40A:14-118 for municipal law enforcement agencies. Random drug testing will not be implemented until rules and regulations establishing the procedure have been in effect for a minimum of 60 days.

2. Each agency will establish a rule or appropriate standard operating procedure which states:

   a). All sworn officers of the agency are eligible for random drug testing, regardless of rank or assignment.

   b). The number of officers to be selected each time a random selection takes place will be based on the number of

sworn officers employed by this agency.

c). Method of random selection shall be a lottery, which ensures that every sworn officer in this agency has an equal chance to be selected for a testing each and every time a selection takes place.

d). A written report will be accomplished documenting and verifying the selection process these reports will be maintained within the Professional Standards Bureau office.

e). A representative of this agency's collective bargaining unit shall witness the selection process.

f). Provide that any member of this agency who discloses the identity of an officer selected for random drug testing or the fact that a random selection is scheduled to take place prior to the collection of urine specimens shall be subject to disciplinary action.

g). Establish a system to collect urine specimens from selected officers in a prompt efficient and confidential manner (see Acquisition Procedures section).

h). This agency prescribes that officers who refuse to submit to a drug test when randomly selected are subject to the same penalties as those officers who test positive for the illegal use of drugs.

IV. SPECIMEN ACQUISITION PROCEDURES

A. Preliminary acquisition procedures

1. This agency will designate a member of its staff to serve as monitor of the specimen acquisition process. The monitor shall always be of the same sex as the individual being tested. In the

event there is no member of the same sex available from this agency during specimen collection, this agency shall request a member of the same sex from another law enforcement agency to serve as monitor of the process.

2. The monitor of the specimen acquisition process shall be responsible for:

   a). Ensuring all documentation is fully and accurately completed by the individual submitting the specimen.

   b). Collecting specimens in a manner that provides for individual privacy while ensuring the integrity of the specimen.

   c). Complying with chain of custody procedures established for the collection of urine specimens and their subsequent submissions to the NJ State Toxicology Laboratory, within the Division of Criminal Justice for analysis.

3. Prior to the submission of a specimen, an applicant for a law enforcement position shall execute a form consenting to the collection and analysis of their urine for illegal drugs. This form shall also advise the applicant that a negative result is a condition of employment.

   a). Applicants shall not complete a medical questionnaire prior to the submission of a specimen unless they have already received a conditional offer of employment.

   b). Applicants who have not received a conditional offer of employment can be required to complete a medical questionnaire if, following submission of their specimen to the State Toxicology Laboratory for analysis, this law enforcement agency receives a report indicating the specimen tested positive for a controlled substance.

4. Applicants shall also be advised of the penalties associated with a positive result of specimen testing, that is:

   a). result in the applicant being dropped from consideration for employment

   b). cause the applicant's name to be reported to the Central Drug Registry maintained by the Division of State Police

   c). preclude the applicant from being considered for future law enforcement employment for a period of two years.

5. Prior to the submission of a urine specimen, a trainee enrolled in a basic training course shall execute a form advising the trainee that a negative result is a condition of employment and that a positive result will:

   a). Result in the trainee being dismissed from basic training
   b). Cause the trainee to be dismissed from employment as a law enforcement officer by his or her appointing authority

   c). Cause the trainee's name to be submitted to the Central Drug Registry

   d). Cause the trainee to be permanently barred from future law enforcement employment in New Jersey

      1. The form shall advise the trainee that refusal to participate in the testing process carries the same penalties as testing positive for illegal drug use.

      2. Trainees shall also complete a medical questionnaire, which clearly describes all medications, both prescription

and over the counter (non-prescription), that were ingested in the past 14 days.

6. Prior to the submission of a urine specimen, sworn law enforcement officers shall complete a medical questionnaire, which clearly describes all medications, both prescription and over-the-counter (non-prescription), that were ingested in the past 14 days.

B. Specimen Collection

1. Throughout the test process, the identity of individual applicants, trainees, and sworn law enforcement officers shall remain confidential. Individual specimens shall be identified throughout the process by the use of social security numbers. At no time shall an individual's name appear on any form or specimen container sent to the State Toxicology Laboratory.

2. Specimens will be collected utilizing equipment and supplies approved by the State Toxicology Laboratory. Under no circumstances may a specimen be collected and submitted for analysis in a specimen container that has not been approved by the State Toxicology Laboratory.

3. Urine specimens will be acquired and processed in accordance with procedures established by the State Toxicology Laboratory.

   a). After the monitor has inspected the appropriate forms for accuracy, the applicant, trainee or sworn officer shall void into the specimen collection container.

   b). After a specimen has been produced, the individual shall seal the specimen container and deliver it to the monitor.

   c). Once the monitor is satisfied that the required documentation is accurate and

he or she has inspected the specimen container to determine that a specimen has been produced, the monitor will take possession of the specimen and ensure it is delivered to the State Toxicology Laboratory for analysis.

4. Individuals will void without direct observation of the monitor unless there is reason to believe that the individual will adulterate the specimen or otherwise compromise the integrity of the test process. Under these circumstances, the monitor may directly observe the production of a specimen. This agency must first document the facts underlying its belief that an individual may adulterate a specimen or otherwise compromise the integrity of the test process.

5. Individuals that initially are unable to produce a urine specimen may remain under the supervision of the test monitor until the monitor is satisfied that the individual cannot produce a specimen. While the individual is under supervision, the monitor may allow the individual to drink fluids in an attempt to induce the production of a specimen. If the individual remains unable to provide a specimen after a reasonable period of time, the monitor may have the individual examined by a medical doctor to determine whether the inability to produce a specimen was the result of a medical or physical infirmity or constituted a refusal to cooperate with the drug testing process.

6. Trainees and sworn law enforcement officers shall have the option to provide the monitor with a second urine specimen at the same time the first specimen is collected.

   a). The second specimen shall be collected in the same fashion as the first specimen. The monitor shall take possession of the second specimen and place it in a secured, refrigerated storage area.

b). This agency shall maintain possession of the second specimen for a period of 60 days or until the agency receives notification from the State Toxicology Laboratory that the first specimen tested negative for the presence of controlled substances.

c). The second specimen shall be released by this agency under the following circumstances:

i. This law enforcement agency is notified by the State Toxicology Laboratory that the first specimen tested positive for a controlled substance; and

ii. This law enforcement agency is informed by the individual whose specimen tested positive that he or she wishes to have the specimen independently tested;

and

iii. The officer must designate a laboratory that is licensed as a clinical laboratory by the New Jersey Department of Health under the NJ Clinical Laboratory Improvement Act to Conduct the independent test;

and

iv. A representative of the licensed clinical laboratory designated by the individual takes possession of the second specimen in accordance with accepted chain of custody procedures within 60 days of the date the specimen was produced;

and

v. The individual is responsible for all costs associated with the independent test of the second specimen.

V. SUBMISSION OF SPECIMENS FOR ANALYSIS

A. The NJ State Toxicology Laboratory within the Division of Criminal Justice will constitute the sole facility for the analysis of Law Enforcement drug tests. Law Enforcement agencies are not permitted to use any other facility or laboratory for purposes of analyzing urine specimens.

B. Urine specimens should be submitted to the State Toxicology Laboratory within one (1) working day of their collection. In the event a specimen cannot be submitted to the laboratory within one working day of its collection, this law enforcement agency shall store the specimen in a controlled access refrigerated storage area until submission to the State Toxicology Laboratory.

1. Submission of specimens to the State Toxicology Laboratory may be accomplished by personnel from this Agency or commercial courier.

2. Should this agency choose to have specimens delivered to the laboratory by commercial courier, the following procedural safeguards must be taken:

a). All submissions must be "next day delivery"

b). In addition to the sealed container, all submissions must be packaged in a manner that includes two additional seals to provide for integrity of the test specimens.

c). The State Toxicology Laboratory must reject specimens that it has reason to believe have been subject to tampering.

VI. ANALYSIS OF SPECIMENS

A. The State Toxicology Laboratory will utilize the following test Procedures to analyze urine specimens for law enforcement agencies:

1. All specimens will be subject to an initial test utilizing fluorescence polarization immunoassay analysis.

2. Those specimens that test positive for a controlled substance following the fluorescence polarization immunoassay shall be subject to a gas chromatography-mass spectrophotometry analysis to confirm the presence of the controlled substance.

3. In the event a specimen is confirmed to be positive for a controlled substance following the gas chromatography-mass spectrophotometry, a medical review officer at the laboratory shall compare the test results with the medical questionnaire submitted with the specimen to determine whether any substance listed on the questionnaire would explain the test result.

   a). The medical review officer may direct this agency to obtain further information from the individual being tested concerning the medications listed on the questionnaire.

   b). In the event the questionnaire does not explain the test result, the medical review officer shall issue a report indicating the specimen tested positive.

4. The State Toxicology Laboratory shall analyze each specimen for the following substances and the metabolites:

   a. Amphetamine and methamphetamine
   b. Barbiturates
   c. Benzodiazepine
   d. Cannabinoids

e. Cocaine
f. Methadone
g. Phencyclidine
h. Opiates

5. Every law enforcement executive may request that one or more specimens be analyzed for the presence of steroids.

6. The analysis of each specimen shall be done in accordance with procedures adopted by the State Toxicology Laboratory. These procedures shall include but not be limited to security of the test specimens, chain of custody, metabolite cut-off levels and the issuance of test reports.

VII. DRUG TEST RESULTS

A. The State Toxicology Laboratory shall notify the submitting law enforcement agency of any positive test results from the specimens submitted for analysis. All reports of positive results shall be in writing and sent to the agency within 15 working days of the submission. The laboratory will, upon request, provide the submitting agency with written documentation that one or more specimens submitted for analysis tested negative.

B. The State Toxicology Laboratory shall not report a specimen as having a positive test result for a controlled substance until that specimen has undergone a confirmatory test and the medical review officer has reviewed the results of that test with the medical questionnaire pertinent to that specimen.

C. The submitting agency shall notify the applicant, trainee or sworn officer with the result of a positive test as soon as practical after receipt of the report from the state laboratory. Upon request, the individual may receive a copy of the laboratory report.

D. Under no circumstances may an agency or an individual resubmit a specimen for testing or ask that a particular specimen within the possession of the State Toxicology Laboratory be retested.

VIII. CONSEQUENCES OF A POSITIVE TEST RESULT

A. When an applicant tests positive for illegal drug use:

1. The applicant shall be immediately removed from consideration for employment by the agency;

2. The applicant shall be reported to the Central Drug Registry maintained by the Division of State Police by the law enforcement agency to which the individual applied;

   and

3. The applicant shall be precluded from consideration for future law enforcement by any law enforcement agency in New Jersey for a period of two years.

4. When the applicant is currently employed by another agency as a sworn law enforcement officer, the officer's current employer shall be notified of the positive test result. Under these circumstances, the officer's current employer is required to dismiss the officer from employment and also report his or her name to the Central Drug Registry.

B. When a trainee tests positive for illegal drug use, subject to rules adopted by the Police Training Commission:

1. The trainee shall be immediately dismissed from basic training and suspended from employment by his or her appointing agency;

2. The trainee shall be terminated from employment as a law enforcement officer, upon final disciplinary action by the appointing authority;

3. The trainee shall be reported to the Central Drug Registry;

   and

4. The trainee shall be permanently barred from future law enforcement employment in New Jersey.

C. When a sworn law enforcement officer tests positive for illegal drug use:

1. The officer shall be be immediately suspended from all duties;

2. The officer shall be terminated from employment as a law enforcement officer, upon final disciplinary action;

3. The officer shall be reported to the Central Drug Registry by his or her employer;

and

4. The officer shall be permanently barred from future law enforcement employment in New Jersey.

IX. CONSEQUENCES OF A REFUSAL TO SUBMIT TO A DRUG TEST

A. Applicants who refuse to submit to a drug test during the pre-employment process shall be immediately removed from consideration for law enforcement employment and barred from consideration of future law enforcement employment for a period of two years. In addition, the appointing authority shall forward the applicant's name to the Central Drug Registry and note the individual refused to submit to a drug test.

B. Trainees who refuse to submit to a drug test during basic training shall be immediately removed from the academy and immediately suspended from employment. Upon a finding that the officer did in fact refuse to submit a sample, the trainee shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the appointing authority shall forward the trainee's name to the Central Drug Registry and note the individual refused to submit to a drug test.

C. Sworn law enforcement officers who refuse to submit to a drug test ordered in response to a reasonable suspicion or random selection shall be immediately suspended from employment. Upon a finding that the officer did in fact

refuse to submit to a sample, the officer shall be terminated from law enforcement employment and permanently barred from future law enforcement employment in New Jersey. In addition, the appointing authority shall forward the officer's name to the Central Drug Registry and note the individual refused to submit to a drug test.

X. RECORD KEEPING

A. This agency's Internal Affairs Unit shall maintain all records relating to the drug testing of applicant, trainees and law enforcement officers.

B. These records shall include but not necessarily limited to:

1. For all drug testing:

a). The identity of those ordered to submit urine specimens;

b). The reason for that order;

c). The date the urine was collected;

d). The monitor of the collection process;

e). The chain of custody of the urine sample from the time it was collected until the time it was received by the State Toxicology Laboratory;

f). The results of the drug testing;

g). Copies of notifications to the subject;

h). For any positive result, documentation from the officer's physician that the medication was lawfully prescribed and does not render the officer unfit for duty;

i). For any positive result or refusal, appropriate documentation of disciplinary action.

2. For random drug testing, the records shall also include the following information:

a). A description of the process used to randomly select officers for drug testing

b). The date selection was made;

c). A copy of the document listing the identities of those selected for drug testing;

d). A list of those who were actually tested; and

e). The date(s) those officers were tested.

C. Drug testing records shall be maintained with the level of confidentiality required for internal affairs files pursuant to the New Jersey Internal Affairs Policy and Procedures (A.G.'s Guidelines).

XI. Central Drug Registry

A. Every law enforcement agency shall notify the Central Drug Registry maintained by the Division of State Police of the identity of applicants, trainees, and sworn law enforcement officers who test positive for the illegal use of drugs or refuses an order to submit to a urine sample.

B. Notifications to the Central Drug Registry shall include the following Information as to each individual:

1. Name and address of the submitting agency

2. Name of the individual who tested positive;

3. Last known address of the individual;

4. The individual's date of birth;

5. The individual's social security number;

6. The individual's SBI number (if applicable);

7. The substance for which the individual tested positive, or the circumstances of the refusal to submit a urine sample;

8. Date of dismissal from the employing agency; and

9. Whether the individual was an applicant, trainee or sworn law enforcement officer.

C. Notifications to the central registry shall be sent to:
Division of State Police
PO Box 7068
West Trenton, New Jersey 08628

D. Information contained in the central registry may be released by the Division of State Police only under the following circumstances:

1. In response to an inquiry from a law enforcement agency as part of the background investigation process for prospective or newly appointed personnel.
2. In response to a court order.

(ATTACHMENT A)

DRUG SCREENING
MEDICATION INFORMATION

In order to ensure the accuracy of established urine screening and confirmation procedures, I am providing the following information:

A. During the past 14 days I have taken the following medication prescribed by a physician:

	Name of Medication	Prescribing Physician	Date Last Taken
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

B. During the past 14 days, I have taken the following non-prescription medications (cough medicine, cold tablets, aspirin, etc.)

	Non-Prescription Medication	Date Last Taken
1.	_____	_____
2.	_____	_____
3.	_____	_____

_____ _____
Signature of Witness Social Security Number and Initials

_____ _____
DATE DATE

(ATTACHMENT B)

DRUG SCREENING THROUGH URINALYSIS
APPLICANT NOTICE AND ACKNOWLEDGEMENT

I, _____, understand that as part of the pre-employment process, the Bridgeton PD, will conduct a comprehensive background investigation to determine my suitability for the position for which I have applied.

* I understand that as part of this process, I will undergo certain medical and physical examinations, which will include drug screening through urinalysis.
* I understand that a negative result on the drug screening is a condition of employment.
* I understand that I can refuse to undergo the testing.
* I understand that if I refuse to undergo the testing I will be rejected for employment.
* I understand that if I produce a positive test result for illegal drug use, that information will be forwarded to a central registry maintained by the Division of State Police. Information from that registry will be made available by court order or as part of a confidential investigation relating to law enforcement employment.
* I understand that if I produce a positive test result for illegal drug use and am not currently employed as a sworn law enforcement officer, I will be barred from future law enforcement employment in New Jersey for two years. After this two year period, the positive test result may be considered in evaluating my fitness for future law enforcement employment.

* I understand that if I am currently employed as a sworn law enforcement officer and I produce a positive test result for illegal drug use, my current law enforcement employer will be notified of the positive test result in accordance with the Attorney General's Guidelines I will be dismissed from my law enforcement position and I will be permanently barrd from law enforcement employment.
* I further understand that I will undergo unannounced drug screening by urinalysis during my attendance at academy training. I acknowledge receipt of a copy of the methods and procedures for drug screening applicants for sworn law enforcement positions.
* I have read and understand the information contained on this "Applicant Notice and Acknowledgement" form. I agree to undergo drug screening through urinalysis as part of the pre-employment process.

_____ _____
SIGNATURE OF APPLICANT DATE

_____ _____
SIGNATURE OF WITNESS DATE

(ATTACHMENT C)

DRUG SCREENING THROUGH URINALYSIS
TRAINEE NOTICE AND ACKNOWLEDGMENT

I, _____, understand that as part of the program of training at the _____, I will undergo unannounced drug screening by urinalysis during the training period.
* I understand that a negative result is a condition of my continued attendance at the academy.
* I understand that I can refuse to undergo the testing.
* I understand that if I refuse, I will be dismissed from the academy and my employment with the City of Bridgeton will be automatically terminated.
* I understand that if I produce a positive test result for illegal drug use, I will be rejected for employment.
* I understand that if I produce a positive test result for illegal drug use, that information will be forwarded to a central registry maintained by the Division of State Police. Information from that registry will be made available by court order or as part of a confidential investigation relating to law enforcement employment.
* I understand that if I produce a positive test result for illegal drug use, I will be permanently barred from serving as a law enforcement officer in New Jersey.

Order #: I.14 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: DRUG TESTING

* I acknowledge receipt of a copy of the methods and procedures for drug screening trainees for sworn law enforcement positions.
* I have read and I understand the information contained on this "Trainee Notice and Acknowledgement" form. I agree to undergo drug screening through urinalysis as part of the academy training program.

_____ _____
SIGNATURE OF TRAINEE DATE

_____ _____
SIGNATURE OF WITNESS DATE

Order #: II.13 **Date:** 05/09/2011
Category: DEPARTMENT ORDERS
Title: DWI POLICY

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 13
SUBJECT: DWI ENFORCEMENT

REVISION DATE: MAY 9, 2011

EFFECTIVE DATE: MAY 9, 2011

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS: 61.1.5

THIS DIRECTIVE SUPERCEDES PREVIOUS DIRECTIVE II.13 - DWI ENFORCEMENT
THIS DIRECTIVE SUPERCEDES AND INCORPORATES SPECIAL BULLETIN SB-011 - DWI OBSERVATION PERIOD

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

II:13-1 PURPOSE:

To establish guidelines for conducting enforcement activities related to the offense of driving while under the influence of intoxicating liquor or drugs.

II:13-2 POLICY:

This department clearly recognizes that drivers impaired by alcohol and/or drugs represent a serious threat to the life and safety of all persons using the streets and highways of this state. Accordingly, all department members must remain committed to the goal of reducing the incidents of driving under the influence by aggressively seeking motor vehicle operators committing violations that are commonly associated with persons driving under the influence. Additionally, all members engaged in traffic law enforcement activities in the field must remain alert for indications of alcohol and/or drug impairment in all motorists encountered. Strict compliance with the operational aspects of this written directive are required to ensure that all legal and procedural mandates associated with DWI detection and prosecution are met.

II:13-3 PROCEDURE:

I. N.J.S. 39:4-50

A. This statue delineates three types of conduct prohibited by law:

1. It prohibits operating a motor vehicle while under the influence of intoxicating liquor or drugs,

2. It prohibits operating a motor vehicle with a blood-alcohol concentration of .08% or more by weight of alcohol in the motorist's blood (2003), and

3. It prohibits permitting another person who is under the influence of intoxicating liquor or drugs or has a blood alcohol concentration of .08% or more to operate a motor vehicle owned by him or in his custody or control.

II. Elements Necessary to Justify Arrest for DWI

A. All three (3) of the following elements must be present to justify the arrest of an individual for driving under the influence:

1. Operation of the motor vehicle as established by any of the following:

- Observation; or
- Self admission; or
- Witness statement

2. Impairment of the operator established by any of the following:

- Observation of driving; or
- Witness; or
- Standardized field sobriety test

3. Alcohol or drugs suspected of causing the impairment as established by the following:

- Smell of alcoholic beverage or drugs emanating from operator; or
- Self admission; or
- Paraphernalia; or
- Witness statement

B. The decision to arrest must be made in the field based upon the officer's observations of the violator. The breath test is conducted AFTER the member

has developed probable cause for the arrest.

III. "Operation" Explored

A. The courts have indicated that the focus of an inquiry on "operation" of a motor vehicle revolves primarily around the violator's intent to operate the vehicle.

1. The engine of a motor vehicle does not have to be running, nor does there have to be movement of the vehicle in order to constitute operation.

2. The mere attempt to operate a vehicle when there is a possibility of motion is therefore sufficient to prove operation.

3. The courts have also indicated that when a person puts one's self in the driver's seat, that person is in control of the vehicle and an intention to drive the vehicle, combined with the physical movements to put the car in motion, constitutes operation.

4. Operation of a motor vehicle may be proven by circumstantial evidence. For example, whether the motor is warm, whether the driver is the registered owner, the course and direction of physical evidence at the scene attributable to or consistent with operation, and evidence of injury consistent with damage to the interior or exterior of the vehicle all may be considered.

B. N.J.S. 39:5-25 provides, in pertinent part:

"A law enforcement officer may arrest without a warrant any person who the officer has probable cause to believe has operated a motor vehicle in violation of N.J.S. 39: 4-50 or N.J.S. 39:3-10.13, regardless of whether the suspected violation occurs in the officer's presence.

C. Operation may be proved by any direct or circumstantial evidence as long as it is competent and meets the requisite standards of proof.

1. When a question of operation arises, the Court will consider the matter by examining the totality of the circumstances, as entered on the record, in reaching a decision.

D. A person may be charged with a violation of N.J.S. 39:4-50, N.J.S. 3 9:4:14.3 (Moped) or N.J.S. 39:3-10.13 (CDL) for operating under the influence on private property.

E. An ATV or any other vehicle operated by or propelled by anything other

than muscular power is considered a motor vehicle for purposes of a DWI prosecution.

F. N.J.S. 39:4-50.2.(a) (Refusal) cannot be enforced for violations committed on private property.

IV. Establishing Impairment

A. Generally, the first step in encountering violators suspected of driving under the influence will be the observation and identification of a specific traffic law violation. This is necessary to establish the legally required articulable and reasonable suspicion to support the motor vehicle stop.

Recognition of certain driving behaviors that have a high probability of signifying that the driver may be impaired by alcohol and/or drugs is critical to the success of an established DWI enforcement program.

2. It is during the initial contact with the violator that officers will be able to personally interact with the violator and make an assessment of his/her probable consumption of alcoholic beverages and/or drugs.

· Members shall attempt to detect specific behaviors that provide additional evidence/suspicion that the violator may be impaired.

· Note all observations leading to your suspicion of impairment for use in any subsequent prosecution. (Odor of alcoholic beverages, bloodshot eyes, loss of coordination, slurred speech, etc.)

B. When a reasonable suspicion has been developed indicating the violator may be impaired, the officer shall ask the violator to exit his/her vehicle for the purpose of conducting standardized field sobriety tests. (see Section V - Standardized Field Sobriety Tests below for more information)

If the elements necessary for arrest have been clearly established at this point, the violator shall be arrested, advised of Miranda warnings and transported to police headquarters for processing.

V. Standardized Field Sobriety Tests

A. If driving under the influence is suspected, ask the driver to step out of his/her vehicle and escort the person to an area of safety where field sobriety tests can be administered.

1. Extreme care shall be utilized to ensure that persons

suspected of being under the influence do not inadvertently step or fall into a lane of traffic when leaving their vehicle. This is especially true in situations where a high level of impairment/intoxication is suspected.

B. The following represent the standardized field sobriety tests authorized by this department for use in the field. Members shall select the safest location reasonably available to conduct these tests.

1. Under no condition will field sobriety tests be administered while the member and violator are standing between the police vehicle and the violator's vehicle.

C. Walk and Turn Test

1. Have the driver being tested stand on a line in a heel to toe fashion while you demonstrate the test. This will provide members with an opportunity to observe the driver's ability to follow instructions and stand in a heel to toe fashion without falling out for balance or swaying.

2. Demonstrate walking in a heel to toe fashion. Advise the driver to walk forward 9 steps on the line in a heel to toe fashion, turn 180 degrees by pivoting on one foot, and walk forward 9 steps on the line in a heel to toe fashion thus returning to the original starting point.

3. A driver is deemed to be impaired if he/she does any two of the following:

- Cannot maintain balance while listening to instructions
- Starts before instructions are finished
- Stops walking to steady self
- Does not touch heel to toe on every step
- Steps off the line
- Loses balance while turning, turns incorrectly
- Takes an incorrect number of steps
- Cannot do test (steps off line 3 or more times constitutes failure)

4. The test must be given on level ground; on a hard, non-slippery surface; under conditions in which the violator would be in no danger should he/she fall.

5. The officers present shall remain stationary and silent while the

violator performs the test unless an exigency develops.

6. The officer shall ensure adequate lighting at the location of the test.

E. One-Leg Stand Test

1. The driver shall be directed to stand with his arms down to the side of the body and lift one foot six (6) inches off the ground and hold it in a position slightly forward of the body. The driver must maintain this position and count aloud for thirty (30) seconds without extending his/her arms or losing his/her balance.

2. A driver is deemed to be impaired if he/she commits any two (2) of the following:

- Sways while balancing
- Uses arms for balance
- Hops to maintain balance
- Puts foot down (puts foot down three (3) or more times constitutes failure)

3. The test must be given on level ground; on a hard, non-slippery surface; under conditions in which the violator would be in no danger should he/she fall.

4. The officers present shall remain stationary and silent while the violator performs the test unless an exigency develops.

F. Horizontal Gaze Nystagmus

1. The Horizontal Gaze Nystagmus (HGN) test alone is insufficient to convict for DWI and it alone should not be relied upon to request chemical breath testing. The Horizontal Gaze Nystagmus (HGN) test should be utilized as part of the "totality of the circumstances" and in conjunction with other standardized field sobriety tests.

2. Only officers who have received formal training regarding utilization of Horizontal Gaze Nystagmus (HGN) are authorized to conduct the following tests in the field.

3. The driver shall be directed to keep his/her head in a stationary position and watch an object, such as a penlight or the officer's finger, held 12 to 15 inches away and slightly above the eyes.

- The officer checks the right eye by moving the object slowly to the right and the left eye by moving the object slowly to the left.

- As the driver's eye follows the object, the officer looks for the eye to start jerking back and forth. That jerking motion of the eye is known as Nystagmus.

4. Officers shall watch for three (3) signs of intoxication:

- The onset of nystagmus before the eye reaches a 45 degree angle,

- Very pronounced nystagmus at extreme angles, and

- A general inability of the eye to track the object s moothly.

5. The officer must test each eye twice, moving the object at d ifferent speeds. The driver must remove any glasses and/or hard contacts being worn.

G. Testing Injured or Disabled Violators

1. There are times when a person suspected of being under the influence will either have or claim to have an injury/disability that makes administration of some conventional field tests impossible. The following represent some alternative test that can be employed as substitutes.

2. Time Orientation Test – ask the driver to verbally advise you w hen fifteen (15) seconds have elapsed from the time he/she is told to begin.

3. Finger Counting Test – have the driver count his/her fingers by placing the thumb and the index finger together, and then touch the thumb to the rest of the fingers. When completed, go in reverse order. (Example: 1, 2, 3, 4, then, 4, 3, 2, 1)

4. Alphabet Test – have the driver recite the alphabet in grouped letters. (Example: E-X, G-W, etc.)

5. The results of these field sobriety tests shall be thoroughly d ocumented in the officer's DWI report in each instance where the tests are administered and contribute to the officer's

decision to affect an arrest.

VI. Arrest and Processing

A. When probable cause for arrest has been established in the field, the member shall promptly take the violator into custody in accordance with department arrest procedures.

1. If, in the opinion of the arresting officer, the operator of the vehicle is in need of medical attention resulting from his/her intoxication or any other condition, the arresting officer shall summon an ambulance for the purpose of transporting the operator to a medical facility.

2. After probable cause for arrest has been established, the violator shall not be permitted to return to or operate his/her vehicle for any reason whatsoever.

3. After the decision to arrest has been made, the violator shall be advised of his Miranda Warnings and transported to police headquarters for processing.

B. Members must promptly notify their supervisor of the arrest to ensure that a qualified Alco-test operator is available to conduct breath tests.

1. If no member of the Bridgeton Police Department is available, then the Bridgeton Barracks of the NJSP shall be contacted to see if there is an operator available.

2. If no member of the NJSP is available, then you shall contact the Millville Police Department to see if there is an operator available.

3. If no member of the Millville Police Department is available, then you shall contact the Vineland Police Department to see if there is an operator available.

C. Carefully observe and record the actions and condition of the violator during transportation and processing for later use in court.

D. The following reports are required for all DWI arrests:

1. Arrest Report;

2. Bridgeton Police Department Drinking - Driving Report;

3. DMV Standard Statement for Operators of a Motor Vehicle, whichever is applicable;

4. Alcohol Influence Report;

5. Miranda Warning Form;

6. Affidavit, if necessary (Blood Samples);

7. Case report; including complete listing of any witnesses;

8. Potential Liability Warning, if applicable;

9. State of New Jersey Last Drink Location Report, if applicable;

11. MVR Recording, if applicable.

12. State of NJ Alcotest Calculator Sheet, if applicable.

VII. Impoundment of Vehicle

A. In accordance with the provisions of N.J.S. 39:4-50.23, when an officer has arrested a person for a violation of N.J.S. 39:4-50 or 39:4-50.4a, the vehicle must be impounded subject only to the limited exceptions listed below. This mandatory impoundment can be waived ONLY under the following conditions:

1. The arrestee has given permission to another person present at the scene to operate the vehicle or make alternate arrangements for its removal; AND

2. The person to whom permission to operate has been granted:

- is capable to operate the vehicle in a safe manner or make alternate arrangements for its removal; AND

- would not be in violation of any provision of Title 39 by operating the vehicle.

B. Members impounding motor vehicles based upon the operator's arrest for driving while under the influence of intoxicating liquor or drugs shall clearly note the reason for the impoundment on the Vehicle Impound Report.

1. The earliest possible time permitted for release of the vehicle shall also be noted on the form.

C. When a motor vehicle has been impounded based upon the operator's arrest for operating under the influence of intoxicating liquor or drugs, the vehicle shall not be released until a period of twelve (12) hours has elapsed from the time of the arrest UNLESS all of the following criteria have been met:

1. If the owner or lessor is NOT the person arrested for operating the vehicle, the owner or lessor may obtain a release for the vehicle at any time provided the owner or lessor:

- possesses a valid driver's license;
- produces proof of ownership or lawful authority to operate;
- shows proof of valid insurance coverage for the vehicle;
- is capable of operating the vehicle in a safe manner;

and

- would not be in violation of any provision of title 39 by operating the vehicle.

2. If the owner or lessor of the vehicle is the person arrested for operating the vehicle under the influence of intoxicating liquor or drugs, the vehicle release may be issued to a person other than the arrestee provided the other person:

- satisfies all of the requirements listed in C.1 above;
- has the permission of the arrestee to operate the vehicle;
- has acknowledged, in writing, receipt of the POTENTIAL LIABILITY WARNING as set forth in N.J.S.A. 39:4-50.22.
(see section XIII on pg. 9)

(a) If the other person refuses or declines to accept receipt of the Potential Liability Warning, the vehicle shall not be released prior to the end of the statutory twelve (12) hour period of impoundment.

VIII. Testing Methods

A. Breath Testing Machine

1. The State of New Jersey's implied consent law, N.J.S.A. 39:4-50.2, and refusal law, N.J.S.A. 39:4-50.4a, requires proof that an officer requested the driver submit to a chemical breath

test and informed the violator of the consequences of refusing to do so. The statement used to explain the consequences of a refusal must be given in a language that the violator speaks or understands. To assist officers in communicating this information to violators who do not speak English, the New Jersey Motor Vehicle Commission has developed certified translated versions of the Standard Statement, in both written and audio form.

- The written and audio forms of the certified translated versions of the Standard Statement can be found on BPD Online forms, labeled Standard Forms and Audio, under the DWI tab and on the Office of the Attorney General's website.

- Complications may arise even with the use of translated written documents and audio files. For example, violators may ask officers follow-up questions that will go unanswered. For these encounters, officers should communicate the additional statement that is given any time a violator provides an ambiguous or conditional response.

- If the officer is unable to access the translated written and audio files of the standard statement, he or she may contact the AT&T Translation Language Line Service at 1-800-643-2255 for assistance.

- If the violator is hearing impaired, some other effort must be made on the officer's behalf to communicate the necessary information to the violator. Providing a written document to a hearing impaired individual in a language they understand will ordinarily suffice.

2. Any violator arrested for driving under the influence shall be asked to voluntarily submit to a breath test. The arresting officer is responsible for reading the Standard Statement for Operators of a Motor Vehicle.

- If the violator responds "YES", a breath test shall be administered by a qualified operator.

- If the violator responds "NO", remains silent or responds with an ambiguous or conditional statement, the arresting officer shall read the remainder of the

Standard Statement for Operators of a Motor Vehicle and if the response is "NO" or continued silence, complete the balance of the required paperwork and issue the appropriate summonses to the violator.

3. The courts have determined that breath tests must be completed in a reasonable amount of time relative to the time of operation.

· The court chose not to identify an exact time frame that would be considered "reasonable" for the purpose of satisfying this section. The intent of the time constraint is to prevent prolonged detention of a violator by the police in the mistaken belief that the blood alcohol level would then produce a result more favorable to the state's case.

· Thus, officers shall strive to prevent an unduly prolonged detention prior to the administration of breath tests.

· It is doubtful that a breath test or sample taken more than three hours after operation may be considered by a Court and this time frame should be considered an outside limit.

4. The only approved breath testing instrument is Alcotest 7110 MKIII-C. The breath testing machine shall only be operated by those persons that are fully trained and currently certified to operate the machine. Prior to any testing, the operator shall adhere to the following:

· The minimum amount of time that shall lapse after an arrest before the first breath test is conducted shall be twenty (28) minutes. During this time frame, an officer must have face to face contact with the arrestee.

Prior to any testing, the officer administrating the test must thoroughly inspect the violator's mouth for any foreign objects, such as gum or chewing tobacco. All objects shall be removed from the violator's mouth and disposed of. The arresting officer shall document the time and type of item removed in their case report.

· Once the violator's mouth is free of foreign objects, the officer performing the test, shall have constant twenty-eight minute visual observation of the violator. This visual observation is required to observe for any signs of burping, regurgitation, inserting objects in their

mouth or vomiting. If any of these actions occur during an observation period, the officer must conduct an inspection of the violator's mouth and then begin another twenty-eight minute visual observation of the violator prior to testing.

- Once the arrestee has been secured to the cuffing b
ench, the members shall remove all electronic devices from the booking area. These items include: portable radios, cell phones, electronic door openers, microphone devices or any other electronic device that could inhibit the Alcotest machine.

- Only trained operators are allowed to turn on the A
lcotest machine for breath testing. Once the machine is activated, the operator shall enter the violator's biographical information into the appropriate data fields. The machine will then perform a control check of the machine prior to accepting breath tests.

- Once the machine is ready to accept breath tests, the operator shall advise the subject of the following:

"I want you to take a deep breath and blow into the m
outhpiece with one long continuous breath.

Continue to blow until I tell you to stop.

Do you understand these instructions?"

- If the subject speaks Spanish, the operator shall advise the subject of the following:

"Yo quiero que usted respire profundo y sople dentro la boquilla en una continua y larga respiracion.

Continue soplando hasta que yo le indique que puede parar.

Entiende usted estas instrucciones?"

- After the operator has read the above instructions, the arrestee is now ready to submit to chemical testing of his breath.

- There must be a minimum of 2 minutes between each subsequent breath test.

- The operator performing the test must read the above instructions and change the mouthpiece between each breath sample.

- After completing two separate breath tests, the member performing these tests must contact dispatch so they can complete a State of NJ Alcotest Calculator sheet. This is a calculation to be made in NCIC2000 to insure the test results were within acceptable tolerance. This is due to a firmware upgrade that has yet to be installed. Dispatch will provide a printed copy outlining the tolerance results. Additional tests must be performed, if the results are not within accepted tolerances.

B. Refusal

1. The courts have established that anything short of an unqualified, unequivocal assent to the request to submit to voluntary breath testing shall be considered a refusal.

2. When a defendant has responded with anything other that an unequivocal "YES" after the arresting officer has informed the defendant of the consequences of a refusal (satisfied by reading both sections of the Standard Statement for Operators of a Motor Vehicle), the defendant shall be deemed to have refused the test and the arresting officer shall not permit a later retraction of such refusal.

3. A defendant who refuses to verbally respond to questions, including the request to voluntarily submit to breath tests shall be deemed to have refused the test.

4. A defendant who refuses to give more than one (1) breath sample shall be deemed to have refused to take the breath tests.

5. A breath test refusal hearing is treated as a civil case and the standard of proof in such a proceeding is a preponderance of the evidence.

6. The courts have consistently ruled that, absent the production of affirmative evidence to the contrary, a defendant cannot claim that the inconsistencies in the Miranda Warnings and Paragraph 4 of the Standard Statement for Operators of a

Motor Vehicle created confusion justifying the refusal.

C. Blood

1. When a officer possesses probable cause to believe that a v iolator was operating a motor vehicle under the influence, a blood sample may be involuntarily taken for the purpose of conducting laboratory analysis to determine the blood alcohol content.

- Blood samples shall be requested in situations where the driver is injured and/or otherwise incapacitated making submission to breath testing impractical.

- Officers shall not request a blood sample from drivers who have refused to submit to voluntary breath testing.

- Although consent is not required, members shall attempt to get a consent form signed by the driver prior to collection of a blood sample.

2. The law requires that all blood samples be collected in a m edically accepted environment and manner by a person qualified to collect a blood sample.

- The person obtaining the blood sample shall utilize a blood collection kit intended for forensic blood-alcohol testing. These kits contain two grey-capped 10ml vials. The grey cap indicates the vial contains anticoagulant and preservative. The arresting officer should ensure that the blood vials contain powdery substances consisting of the anti-coagulant and sodium chloride. In the event that the blood vial is empty, the officer shall bring it to the attention of medical personnel and insure that that a blood vial containing a powdery substance is utilized.

- Officers should personally witness preparation of the injection site with a non-alcoholic swab and withdrawal of the blood from the violator. It is very important to insure that the contents of the drawn vial of blood are mixed (shaken) so that the preservative and anti-coagulant are properly mixed.

- Take immediate custody of the vials and record i nformation on the label, i.e., name of suspect; sample collector's initials; officer's initials and

date/time samples were withdrawn.

· Samples should be refrigerated (never frozen) and transported to the laboratory for analysis as soon as possible.

· Unless otherwise directed by a supervisor, all blood collection activities shall occur at the applicable hospital where the violator was taken for treatment.

3. Officers must exercise common sense, tact and diplomacy when requesting the assistance of hospital personnel in collecting blood samples.

· N.J.S. 2A:62A-10 provides immunity from criminal/civil liability to medical personnel who collect blood samples at the request of the police.

· N.J.S. 2A:62-11 provides for court admissibility of a document in lieu of testimony from the person who collected the samples, provided that the document is signed by that person in the presence of a notary or other person empowered to take oaths.

D. Urine

1. When a blood sample is obtained, if possible, also collect at least 50 ml of urine from the violator to facilitate a test for drugs.

2. When the results of a properly administered breath test are .00% BAC to .07% BAC and the arresting officer can articulate a reasonable suspicion that the violator may be under the influence of illegal drugs, the member shall request a urine sample from the violator.

3. Urine specimens shall be collected in accordance with the following procedure:

· Collection of urine should be witnessed.

· Should preferably be conducted in a medically accepted environment.

· Members involved in collection of specimen must wear rubber gloves at all times.

· A new sterilized specimen cup must be used for the collection of each specimen.

- After collection, seal the container, then rinse and dry the outside.

- Mark the container with the violator's name, officer's initials, date/time of collection and secure it in a tamper-proof package.

- Urine must be refrigerated after collection.

- Specimens shall be stored in the temporary evidence holding refrigerator located in the processing room pending transfer to the Evidence Technician's custody.

- The specimen shall be transported to the laboratory for analysis at the earliest possible opportunity.

- When preparing the "Request for Examination of Evidence", provide the time of the stop and the time the samples were collected. Also, provide any other pertinent information.

IX. Subpoenas and the Physician-Patient Privilege

A. Officers can obtain the results of a blood test administered for medical diagnostic reasons by applying to a municipal court judge for a subpoena duces tecum.

1. In applying for the subpoena, a reasonable basis for believing the subject was operating a motor vehicle under the influence must be established.

2. To establish the reasonable basis, officers may rely upon facts objectively known by them at the time of the event or within a reasonable time thereafter.

B. The physician-patient privilege established in N.J.S. 2A:84A-22.2 does not apply to motor vehicle cases. Accordingly, any information volunteered by hospital personnel regarding the level of intoxication of a vehicle operator can be used by the police in the establishment of the requisite reasonable suspicion required for the issuance of the subpoena duces tecum to obtain the results of the hospital administered blood tests.

1. While use of this information is permissible in cases where medical personnel volunteer the information, all officers are strictly forbidden from requesting such information and/or pressuring medical personnel into disclosing such information.

X. Enforcement

A. When probable cause has been developed supporting an arrest for a violation of N.J.S. 39:4-50, the arresting officer should issue the violator a summons for that offense.

1. In 1983, the legislature amended N.J.S. 39:4-50 to make driving with a .08% BAC a per se offense meaning that proof of operation coupled with a breath test result of .08% or higher constitutes driving under the influence.

2. Breath test results below .08% BAC do not prohibit a conviction under N.J.S. 39:4-50. In such cases the court will rely upon the testimony of the arresting officer and the state's witnesses concerning the physical condition, physical coordination and mental faculties exhibited by the violator at the time of the offense.

3. In addition to a summons issued for violation of N.J.S. 39:4-50, every violator shall be issued a summons for violation of N.J.S. 39:4-96 (reckless driving).

4. A summons must also be issued for the original violation that gave rise to the motor vehicle stop.

XI. Commercial Driver's License Holders

A. The New Jersey Commercial Driver License Act establishes a BAC of .04% as a per se violation for driving a commercial vehicle under the influence. The statute also prohibits driving a commercial vehicle while under the influence of a controlled dangerous substance.

Under N.J.S. 39:3-10.13, a violator can only be charged with operating a commercial vehicle under the influence if the arresting officer has breath, bloo d or urine analysis result of .04% BAC or higher, or evidence of influence caused by a controlled dangerous substance.

Upon arrest for violation of N.J.S. 39:3-10.13, the arresting officer shall facilitate the administration of Miranda Warnings and read the violator the DMV Standard Statement for Operators of a Commercial Motor Vehicle AND the DMV Standard Statement for Operators of a Motor Vehicle and carefully document the responses.

If a violator is involved in a motor vehicle accident and blood is drawn to determine BAC, the violator shall be charged with N.J.S. 39:4-50 AND N.J.S. 39:3-10.13 since the actual BAC is unknown at the time the summonses are

issued.

If the violator refuses to submit to voluntary breath testing as required by law, or engages in any course of action that would be deemed a refusal as set forth in Section VIII.B on page 14 of this written directive, the arresting officer shall issue a summons for Refusal pursuant to N.J.S. 39:3-10.24.

1. An additional summons shall be issued for violation N.J.S. 39:4-50.

F. A competent breath test reading between .04% and .07% BAC shall result in the issuance of a summons for violation of N.J.S. 39:3-10.13.

A competent breath test reading of .08% or higher shall result in the issuance of a summons for violation of N.J.S. 39:3-10.13 AND N.J.S. 39:4-50.

If a competent breath test reading of .00% BAC is achieved, the arresting officer shall secure a urine sample as provided for in this written directive.

1. The arresting officer shall issue summonses for violation of N.J.S. 39:4-50 AND N.J.S. 39:3-10.13.

2. N.J.S. 39:4-50 has broader statutory language and encompasses "drugs" as opposed to "controlled substances" as noted in N.J.S. 39:3-10.13.

XII. Violations by Persons Under the Legal Age to Purchase Alcoholic Beverages

A. N.J.S. 39:4-50.14 establishes a violation for any person under the legal age to purchase alcoholic beverages to operate a motor vehicle with a blood alcohol concentration of .01% to .07%.

B. Underage violators suspected of driving under the influence will be arrested and processed in accordance with the provisions established for adult violators.

1. If an underage violator produces a breath test result between .01% and .07% BAC, the arresting officer shall issue motor vehicles summonses for violation of N.J.S. 39:4-50, N.J.S. 39:4-50.14, N.J.S. 39:4-96 and for the original violation that gave rise to the motor vehicle stop.

The Blood Alcohol Reading shall be used to prosecute the N.J.S. 39:4-50.14 charge.

· The officer's observation shall be used to prosecute the N.J.S. 39:4-50 charge.

2. If an underage violator produces a breath test result of .08% BAC or higher, the arresting officer shall issue summonses for violation of N.J.S. 39:4-50, N.J.S. 39:4-96 and for the original violation that gave rise to the motor vehicle stop.

3. If an underage violator refuses to submit to voluntary breath testing, the arresting officer shall issue summonses for violation of N.J.S. 39:4-50, N.J.S. 39:4-50.2, and for the original violation that gave rise to the motor vehicle stop.

4. If an underage violator has blood or urine drawn for analysis, the arresting officer shall issue summonses for violation of N.J.S. 39:4-50, N.J.S. 39:4-50.14, N.J.S. 39:4-96 and for the original violation that gave rise to the motor vehicle stop, since the actual Blood Alcohol Concentration is unknown.

5. If the violator exhibits no indicators of alcohol involvement, but there is evidence of drug use, the arresting officer shall issue summonses for violation of N.J.S. 39:4-50 and the original violation that gave rise to the motor vehicle stop. (Do not charge with a violation of N.J.S. 39:4-50.14 which specifies Alcoholic Beverages Only.)

XIII. General Release from Custody

A. Violators who are not going to be subjected to continued detention as a result of the charges pending against them may be released from police custody under the following conditions:

1. Release into the custody of a responsible adult who is willing to accept responsibility for the violator's immediate welfare.

· This is intended to facilitate release into the custody of a responsible adult who will safeguard the violator from immediate hazard/danger that could result from the violator's intoxication/impairment.

· This does not authorize release for transportation by taxi or other similar modes of transportation that are hired on a single trip basis.

2. If the violator's blood alcohol level has decreased to a level below .05% BAC and the violator no longer

exhibits symptoms of intoxication.

- Under these conditions the violator would be eligible for unaccompanied release from police headquarters or release to a taxi or other similar mode of transportation.

3. Authorized transportation to the violator's residence by a member of this department.

- A supervisor must authorize the transportation.

- The violator's residence must be within the local area as determined by the supervisor.

B. Following the completion of processing of a person arrested for DWI or Refusal, including the issuance of any summonses, the arrested person may contact a responsible person to transport or accompany the person from police headquarters.

1. If the arrestee is incapable of performing this task, the arresting officer may perform this function for the arrestee.

2. The arresting officer should ensure that the summoned person brings verifiable identification in order to satisfy the statutory requirements for the arrestee's release.

3. Upon the arrival at police headquarters of any person summoned for the purpose of transporting or accompanying the arrestee, the releasing officer shall:

4. Identify the arrested person by name and confirm that the summoned person has arrived to transport or accompany the defendant.

5. Inform the summoned person that the defendant has been a rrested and the violations with which the defendant has been charged. The law enforcement officer should use the statutory reference to each violation and a plain language description for each charge.

6. Ask the summoned person for some form of positive and verifiable identification. It is not required or necessary to make a copy of the identification provided.

- If the summoned person refuses to appropriately identify himself or herself to the law enforcement officer, then the defendant shall not be permitted

to leave with that person, since the requirements of this statute cannot be satisfied.

- If this occurs, the defendant may elect to contact another person to transport or accompany the defendant.

7. The summoned person shall be handed the Potential Liability Warning after the top box containing information pertaining to "Defendant Information" and "Arresting Officer Information"; and the section labeled "Law Enforcement Officer" have been completed by the arresting officer. Thereafter, the summoned person shall be instructed to:

   - Read the form in its entirety,

   - Fill in the information in the section labeled "Person Acknowledging Receipt",

   - Sign the line labeled "Signature of Person Summoned", and

   - Return the form to officer for copying.

8. The releasing officer shall fill in the appropriate information on the line labeled "Date & Time of acknowledgement" and sign on the line labeled "Signature of Law Enforcement Officer".

9. In the event that the summoned person refuses to put their signature on the line labeled "Signature of Person Acknowledging Receipt", the releasing officer shall take the form and complete the information under the section "Refusal to Acknowledge, in Writing, Receipt of Potential Liability Warning". In that section, the officer is to print the name of the summoned person on the appropriate line, compete the line labeled "Date & Time of Refusal to Acknowledge" and sign the form on the line labeled "Signature of Law Enforcement Officer"

10. Once the summoned person has acknowledged the receipt of the Potential Liability Warning form, or the releasing officer has recorded the summoned person's refusal to acknowledge receipt of the form, the law enforcement officer shall make a copy of the original for inclusion in the case file. The original shall be issued to the summoned person.

11. If the summoned person refuses or declines to accept receipt of the original of the completed Potential Liability Warning form, the releasing officer shall record that fact in the right-hand margin of the original form. The original and copy shall then be retained in the case file.

12. The arrestee may then be released into the custody of the summoned person.

13. Violators who are under eighteen (18) years of age shall only be released into the custody of a parent, family member (at least eighteen (18) years of age), or other responsible guardian.

XIV. Violators with Elevated Blood Alcohol Levels

A. Any violator whose BAC reading is .30% or higher shall be transported to the emergency room for evaluation and treatment immediately following the completion of the breath testing.

1. The transportation will be facilitated by police vehicle unless inappropriate due to his/her condition.

2. If continued detention is appropriate, an officer of the department is required to remain with the violator until release is authorized by the attending physician, at which time the violator will be transported to the appropriate detention facility.

· At the time of release from the emergency room the arresting officer shall secure written notice from the attending physician indicating the violator is suitable for detention.

3. If the violator is not going to be subjected to continued detention, the arresting officer shall issue the appropriate summonses and is not required to remain at the hospital once the violator is housed in the emergency room.

· Officers shall give consideration to the violator's demeanor and shall offer reasonable assistance to the emergency room staff if the violator is combative, assaultive or otherwise unruly.

· Officers shall attempt to contact a family member or other responsible adult who may be willing to accept responsibility for the violator upon his release.

4. If the violator refuses treatment, and the emergency room staff elects not to administer treatment based upon the violator's objections, the arresting officer must remain with the violator until a responsible adult arrives to accept custody and responsibility for the subject.

- The person accepting responsibility for the violator must be advised that a medical risk does exist with the elevated level of BAC present in the violator and that medical treatment is strongly recommended.

XV. Medical Conditions

A. Prior to arrest and/or detention for driving under the influence, officers shall make all reasonable inquiries to guard against arrest and/or detentio n of an individual who is exhibiting symptoms commonly associated with intoxication, but may in fact be a diabetic who is in desperate need of medical attention.

1. The one form we will be concerned about for our purposes is called Hypoglycemia or "Insulin Shock". The individual will have obvious cognitive and physical impairment and may be aggressive and belligerent. They may display inappropriate or even bizarre behaviors. In some cases, they may have an odor on their breath that is described as "fruity" or "acetone" like and could be mistaken as intoxicants.

XVI. Requests for Independent Testing for BAC

A. At the conclusion of the arrest process, any violator who will not be s ubjected to continued detention that expresses a desire to have an independent chemical test conducted of his breath, blood or urine shall be afforded immediate access to a telephone for the purpose of arranging suitable transportation in furtherance of his/her objective.

1. Under no circumstances will the expressed desire to have an independent chemical test conducted justify relaxing the standards herein established regarding release of persons arrested for driving under the influence.

2. Department members must refrain from providing advice on the prudence of seeking independent testing and will not recommend any medical facility for the purpose of obtaining such a test.

- If asked, members are permitted to identify medical f

acilities and their locations but should carefully avoid the suggestion of partiality to one facility or another.

3. Officers of this department will not transport violators who are eligible for release from custody to any medical facility or other similar site for the purpose of facilitating an independent chemical test.

4. Any request for independent chemical tests shall be noted on the arresting officer's investigation report along with the date and time that the violator was afforded access to the telephone to arrange for suitable transportation as provided for above.

B. In instances where the violator will be subjected to continued detention, and the violator requests the opportunity to have an independent chemical tests conducted of his/her breath, blood or urine, the arresting officer must promptly transport the violator to South Jersey Healthcare, Bridgeton Division, for the purpose of allowing that violator to arrange for such testing.

1. The request for an independent chemical test shall be noted on the arresting officer's investigation report along with the date and time of transportation to the hospital.

2. Department officers will not become involved in the actual arrangement of testing for the violator and must clearly inform hospital personnel that the department is not requesting or authorizing the collection of a blood or urine sample.

· The hospital shall also be informed that the department will provide no input into the decision on whether or not to draw and/or test the violator's blood or urine.

· The final obligation for the collection and testing of the violator's blood/urine is the responsibility of the violator and no department member is permitted to sign any document associated with the collection and/or testing of the violator's blood or urine. This fact must be made infinitely clear to hospital personnel prior to the collection of any sample.

XVII. Breath Testing

A. Only fully trained and currently certified operators will be permitted to c onduct chemical breath tests on the approved machine in use by the department.

1. The completion of an Alcohol Influence Report is required for every breath test administered.

B. All breath test operators are expected to exercise care in the operation and handling of the approved breath testing machine.

1. Any breath test operator discovering a mechanical or operational deficiency with the breath test machine shall immediately report such condition to his/her immediate supervisor for attention.

2. The supervisor receiving notice of a potential malfunction with any breath test machine shall promptly place the unit out of service.

C. All repairs to the breath test machines shall be coordinated through the New Jersey State Police breath test Coordinator assigned to this area.

1. The Administrative Bureau Commander is responsible for coordination of breath test machine repairs.

D. A reserve supply of testing solution and mouthpieces are maintained in the patrol supply cabinet for immediate replenishment of deficient supplies.

1. The Administrative Bureau Commander shall maintain an accurate inventory of such items and is responsible for ordering additional supplies as needed.

2. A member of the Administrative Bureau will check the Alcotest machine for solution changes on Friday of every week. The members will change the solution when needed.

E. Routine periodic inspections of the breath test machines shall be conducted by the New Jersey State Police Breath Test Coordinator and certificates of inspection shall be issued after each visit.

1. Any officer requiring an inspection certificate for evidential purposes shall provide suitable advanced notice to the Records Clerk requesting production of the required certificates.

XVIII. Bicycles

A. N.J.S. 39:4-50 expressly excludes muscular powered bicycles. The

anguage of the statute requires operation of a motor vehicle.

XXI. Permitting Operation by a Person Under the Influence

A. Before a person may be convicted of permitting another person to operate a motor vehicle under the influence of intoxicating liquor or drugs, or in violation of the statutory standard for blood alcohol level, the state must produce evidence that shows, beyond a reasonable doubt, that the owner or custodian knew or reasonably should have known, of the operator's impaired condition.

XX. Sobriety Checkpoints and Roving DWI Patrols

A. This section is covered in Policy and Procedure #II.40 – Selective Enforcement.

Order #: II.13.1 **Date:** 10/24/2013
Category: DEPARTMENT DIRECTIVE
Title: OBTAINING CONSENT: BLOOD/URINE SAMPLE

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 13.1
SUBJECT: DWI/CRIMES INVOLVING NEED FOR BLOOD/URINE ETC

REVISION DATE:

EFFECTIVE DATE: NOVEMBER 1st, 2013

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS:

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

PURPOSE:

To establish guidelines for obtaining blood or other bodily fluid samples through consent.

POLICY:

This department may come into contact with a person or persons who may be suspected of driving while intoxicated or suspected of being intoxicated as part of criminal conduct and where no opportunity exists for use of the Alcotest machine is possible (or impractical due to intoxication by other means - such as illegal or prescription drugs) and where consent to obtain samples of blood or other bodily fluids may arise, this policy will be in effect.

PROCEDURE:

While it is preferable to obtain valid consent as opposed to telephonic search warrants for obtaining of blood samples, the investigating officer should always be mindful that in order to obtain a Constitutionally valid waiver of one's rights, the waiver must be made in a knowing and intelligent manner. Intoxication does not necessarily negate a valid consent, however, the degree of intoxication and its effect on the suspect is a significant factor that courts will weigh in determining whether valid consent was made. All officers must be mindful of the potential impact of intoxication on consent and meticulously record all observations that suggest the person's ability to consent (alert, responsive, appropriate, etc..) was, as well as, what indicators, if any, suggest the person is under the influence of a substance. All officers,

when practical, should endeavor to record through electronic means, the advising of the rights and the waiver of same, so that it may be preserved as evidence.

When consent to obtain blood and/or urine (or other bodily fluids) is deemed inappropriate (due to refusal, inability to interact, or a determination that the person is too intoxicated to give valid consent) a telephonic search warrant must be sought consistent with the directives and expectations of the Cumberland County Prosecutor's Office.

NOTE: SEARCH WARRANTS ARE ONLY TO BE SOUGHT IF THERE IS A POTENTIAL CRIME BEING INVESTIGATED.

While DWI is a serious offense, the Cumberland County Prosecutor's Office does not seek approval nor will it grant approval for search warrants where the offense being investigated is a motor vehicle ticket only. All search warrant affidavits must express that the evidence sought is evidence of criminal activity.

If the officer determines that it is appropriate to obtain blood and/or urine (or other bodily fluids) through a knowing, intelligent, and voluntary consent, the officer must follow the two approved forms found on "BPD ONLINE FORMS". They are titled

1) The BPD REQUEST AND CONSENT FORM TO WITHDRAW A SPECIMEN OF BLOOD OR OTHER BODILY FLUID

2) The BPD CERTIFICATION OF PROPER PROCEDURE FOR BODY FLUID WITHDRAW

These forms outline the mandatory requirements for securing consent to obtain blood/urine (or other bodily fluid) samples and must be followed, including what rights the person must be advised. The first step required is to ascertain the ability/inability for the requested person to actually give valid consent. The second step is to completely advise the person of his/her Constitutionally protected right to refuse to give a blood sample as expressed on the consent form. It is noted that a charge of Refusal to Submit to a Breath Test, N.J.S.A. 39:4-50.4a, applies to breath tests only and not blood tests, which are Constitutionally protected. All forms must be followed and completed.

All completed forms, all recordings of the waiver (video or audio), along with the biological samples obtained must be properly stored and logged into evidence in accordance with agency policy.

Order #: III.5 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: EVIDENCE PROCEDURES

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 5
SUBJECT: PROPERTY AND EVIDENCE PROCEDURES

REVISION DATE: DECEMBER 22, 2011

EFFECTIVE DATE: JANUARY 7, 2010

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS: 83.1.1; 83.2.1; 83.3.2; 84.1.1; 84.1.3; 84.1.4; 84.1.6

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III:5-1 PURPOSE

The purpose of this directive is to provide a standardized procedure regarding the documenting and handling of evidence and property within the Bridgeton Police Department. The procedures set forth are to ensure that the integrity of evidence and property are accurately maintained.

III:5-2 POLICY

The utilization of proper and accepted methods for the collection, packaging, storage and preservation of all evidence and seized property is of paramount importance in the successful investigation and prosecution of criminal cases. The lawful and appropriate disposition of such property on regular intervals is necessary for the efficient management of the property and evidence function.

III:5-3 PROCEDURE

I. COLLECTION AND PRESERVATION OF EVIDENCE

A. Administration

1. The Criminal Investigations Bureau shall maintain an on-call list of personnel that are available on a 24 hour basis to process crime scenes. Specially trained

Crash Reconstruction officers shall be called to process any major traffic crash scene. If necessary, either unit may call upon the Cumberland County Prosecutor's Office or other appropriate agency for assistance.

a. In the event that scene processing is requested, the shift supervisor shall respond to the scene and confirm the need and request notification be made to the appropriate personnel to initiate scene processing or a follow-up investigation. Major incidents requiring the assistance of the prosecutor's office shall also require the notification of the Chief of Police through the chain of command. Major incidents include, but are not limited to:

1) Homicide;

2) Any potential homicide, i.e. an incident in which the death of the victim is probable, after which the case would be listed as a homicide;

3) Suspicious or unnatural deaths;

4) Fires or explosions involving a fatality or serious bodily injury as defined in 2C:11-1(b);

5) Any sudden or unexpected death of infants or children less than 14 years of age and fetal deaths occurring without medical attendance;

6) Any individual, who is killed or receives serious bodily injury, as defined in 2C:11-1(b) by a law enforcement officer;

7) Any death of a person in police custody or any person who receives serious bodily injury as defined in 2C:11-1(b) while in police custody;

8) Any firearm discharge (including unintended) by a law enforcement officer with the exceptions of approved training and the destruction of animals;

9) Bank Robberies;

10) Any crime that involves the discharge of a firearm;

11) Kidnappings;

12) Sexual Assault;

13) Burglary of a residence where the perpetrator(s) intentionally confront(s) the resident(s) during the course of the crime and force, or the threat of force, or restraint(s) is/are used against any victim(s), e.g. home invasion;

14) The discovery of any human remains (partial or full skeletal);

15) Serious Injury/Fatal Motor Vehicle Crashes.

2. All personnel assigned with the responsibility of processing scenes shall demonstrate proficiency in the use of equipment designed to identify, collect, preserve, and memorialize evidence.

3. All officers who collect evidence will complete an evidence log of the evidence they collected, utilizing the B.E.A.S.T. system.

B. Operations

1. Physical evidence may encompass any particular thing, object, or substance that can establish that a crime has been committed or can provide a link between a crime, the victim(s), and the actor(s). All personnel will make arrange ments for the proper collecting, processing, and preserving of physical evidence in the field, inclusive of the documented transfer of custody of evidence, while in the field. The Detective Bureau shall be available to assist personnel, when needed.

a. When assisted by another agency, the Detective Bureau will coordinate the proper collecting, processing, preservation of evidence and documented transfer of custody of evidence transfers that occur in the field.

b. Personnel shall adhere to the New Jersey State Police Evidence Field Manual for the collection, processing and preserving of physical evidence.

2. Evidence should first be photographed and/or videotaped prior to collection. This process provides the courts with a visual depiction of the scene.

a. At the time of seizure and without unnecessary delay, all property/evidence that is collected will be properly marked, tagged, packaged, labeled and entered into the B.E.A.S.T. system prior to placement in the appropriate evidence storage facility.

b. Marking of Property/Evidence

1) If the item is pre-marked with a permanent unique serial/identification number, there is no need to physically mark the item any further. That unique number will be utilized for identification purposes.

2) If the item is not marked with a permanent serial/identification number, the officer seizing the property/evidence will, if possible, mark the item in such a manner as to be able to make a positive identification at a later time. The marking shall be permanent and shall be in an area on the item

that will not reduce the monetary value of the item once the case is disposed of.

3) Certain items can only be collected and stored in specified containers or are of such a nature that precludes any identification from permanently being attached to it. Such items shall be stored in an appropriate container, which will be sealed and labeled/marked to ensure chain of custody.

c. Tagging/Packaging/Labeling of Property/Evidence

1) Without exception, all property/evidence coming into control and custody of the Bridgeton Police Department must be properly tagged, packaged, labeled, and applicable forms completed, in accordance with this directive.

2) The B.E.A.S.T. system shall be utilized.

3) Marking shall be accomplished by securely affixing a label to the item.

d. Controlled Dangerous Substances should be placed in clear plastic bags, with the officer's markings visible through the packaging. The officer will then be able to identify their markings without opening the package. This is particularity important in the event that the package must be re-submitted to the New Jersey State Police Laboratory for re-analysis. This precludes the package from needing to be opened prior to trial.

e. Fingerprints, biological, non-biological, and trace evidence will be processed, developed, lifted, labeled, collected, and memorialized in accordance with the New Jersey State Police Evidence Field Manual.

f. Collect and package physical evidence so that each item is placed in separate containers, avoiding cross contamination and properly label.

g. The size, type, and condition of the property/evidence will dictate how the item(s) should be packaged. The packaging should be able to prevent or retard contamination or decomposition, provide security, facilitate storage, subsequent retrieval, and eventual disposition/disposal.

h. Where applicable and whenever available, when collecting evidence for subsequent submission to a laboratory for forensic or comparative analysis, control samples must also be collected to provide the laboratory with a basis for comparison. This is especially useful when examining hairs, fibers, fabrics, paint, glass, wood, soil, and tool marks.

i. The officer who has overall responsibility for the investigation shall include in their evidence report the location where and when the evidence

was located and by whom. When evidence is transferred, a record will be made of the transfer utilizing the B.E.A.S.T. property tracking system. This transfer of custody shall include the names of individuals, dates and complete inventory of evidence that is transferred.

3. Special care shall be taken in the following:

a. Whenever explosives are received as evidence, the evidence custodian will contact the NJSP Arson/Bomb Unit through NJSP Communications. Records will be maintained by the evidence custodian. The Arson/Bomb Unit will take custody of the explosives for proper storage.

b. When seizing computer equipment and related media, photograph the scene and equipment to include all peripheral connections, network connections, components, layout, etc. A sketch of the scene should be don e if practical. When transporting the computer, precautions must be taken to avoid an accidental booting of the system unit. All media should be protected from dirt, fluids, humidity, impact, excessive heat and cold, strong magnetic fields, and static electricity. Properly mark and/or label all seized mat erials. Computers or hard drives should not be stored on a metal shelf, due to the possibility of magnetizing. The Cumberland County Prosecutor's Office and/or the New Jersey State Police shall be contacted for assistance with the collection, evidence documentation, and submission of media for anal ysis.

c. Blood shall be in a controlled access refrigerator and delivered within two weeks to the proper laboratory facility.

d. Volatile materials shall be packaged in air tight containers, such as fresh paint cans, and marked as to the contents.

e. If an arrestee's clothing is needed for evidence then they shall be provided with a jumpsuit, if being incarcerated in the County Jail. Otherwise, the arrestee shall make arrangements with a friend or family me mber to bring extra clothes.

C. Submitting Evidence to Laboratory for Analysis

1. The evidence custodian shall be responsible for the submission of evidence to the laboratory for analysis, whenever possible. When the evidence custodian is not available to transport the evidence to the laboratory, another officer con ducting the transport shall enter the evidence to be transported into the B.E.A.S.T. system to ensure proper chain of custody. The transfer of evidence to the laboratory shall take place within two weeks of collection unless extenuating circumstances exists and approval is received by the supervisor.

2. The method for packaging and transferring of evidence to the NJSP Laboratory shall be consistent with the New Jersey State Police Evidence Field Manual.

3. The method for packaging and transferring of evidence to the FBI Laboratory shall be consistent with the US Department of Justice's Handbook of Forensic Science.

4. Any other laboratories used by the Bridgeton Police Department shall be consistent with their requirements on packaging and transferring of evidence.

5. When submitting evidence to the laboratory, personnel shall ensure that the proper documentation accompanies the evidence when transmitted to the laboratory.

a. NJSP Laboratory

1) When submitting evidence to the NJSP Laboratory, the evidence custodian will be responsible for the delivery of evidence to the lab and shall indicate the transfer of custody in the B.E.A.S.T. system and on the B.E.A.S.T. generated evidence submission form.

2) Evidence for ballistics analysis must be logged separately on the LIMS web page when submitted in conjunction with other examinations to the NJSP Laboratory.

3) The evidence receipt form printed at the laboratory will be individually signed by the person delivering the evidence.

4) When submitting Bio-Chem or DNA evidence to the NJSP Laboratory, the Bio-Chem Questionnaire form, (SP 648) shall also be required.

5) In all cases where evidence is related to a non-indictable offense and analysis is needed for prosecutorial purposes, the property and evidence officer will submit a LIMS report detailing their need for forensic examination of the evidence and indicate the request in the B.E.A.S.T. system and on the B.E.A.S.T. generated evidence submission form.

a) Disorderly persons offense evidence (e.g., possession of less than 50g of marijuana) will not be submitted to the laboratory, unless a not guilty plea is entered and a court date is scheduled.

b. FBI Laboratory

1) Evidence being submitted to the FBI Laboratory, Washington, D. C.

20535, requires a cover letter written on official department stationary. This letter will be made and addressed to the proper department of the FBI and contain the following information:

a) Make reference to any previous correspondence submitted;

b) Include the department case number on the letter;

c) Provide a brief synopsis of the case;

d) Include names and any descriptive data on all of the subject(s);

e) Provide a listing of the evidence enclosed;

f) State the type of examination requested.

g) Any information applicable to any possible comparison items being submitted.

2) Place a copy of the letter in the case file.

c. Evidence submitted to any other laboratory shall be accompanied with the B.E.A.S.T. generated evidence submission report.

6. Upon delivery of the evidence to a laboratory, an original stamped submission receipt shall be obtained and made part of the case file. Copies shall be forwarded to the case detective for placement in the case file.

a. When evidence is transported, the evidence custodian will make all arrangements to ensure that all logs, related reports and the B.E.A.S.T. sytem reflect the details and status of the evidence so as to preserve the chai n of custody at all times. A blotter number with assigned case number will be completed, indicating the circumstance detailing the transportation of evidence to the laboratory.

7. Upon completion of analysis at the laboratories, the evidence custodian or designee shall be responsible for the arrangement of transporting, safeguarding, updating the B.E.A.S.T. system and return of all evidence to the e vidence/property function. All laboratory results shall be submitted in writing.

a. Once laboratory results are received at the Bridgeton Police Department, the original will be forwarded to records to be placed into the original records file. Copies shall be forwarded to the case detective for placement in the case file.

b. When evidence is returned, the evidence custodian will make all

arrangements to ensure that all logs, related reports and the B.E.A.S.T. system reflect the details and status of the evidence so as to preserve the chain of custody at all times. A supplemental report indicating the circumstance detailing the transportation of evidence from the laboratory will be documented in the event that the initial report had already been filed for this case.

8. Any firearm seized or recovered under any circumstances, the recovering officer shall promptly enter the information concerning the make, model, caliber, and serial number of the weapon into the NCIC 2000 System to determine whether the firearm was reported stolen.

9. Any firearm seized or recovered that was unlawfully possessed or used, or recovered from a crime scene, or reasonably believed to have been involved in the commission of a crime, or that was found property, (e.g., abandoned or discarded), the officer shall enter e-trace related information directly into the New Jersey Trace System, which is part of the Criminal Justice Information System (CJIS). The information shall be entered as soon as practicable, but no later than within twenty-four hours after the time that the weapon was recovered.

10. Any firearm seized or recovered that was unlawfully possessed or used, or recovered from a crime scene, or reasonably believed to have been involved in the commission of a crime, or that was found property, (e.g., abandoned or discarded), the evidence custodian shall make arrangements to have any such weapon that is suitable for National Integrated Ballistics Identification Network (NIBIN) examination test-fired as expeditiously as practicable, by the New Jersey State Police Ballistics Laboratory and shall submit the test results to NIBIN to determine whether the weapon is related to any other criminal episode or person. When the Bridgeton Police Department recovers any spent shell casings from a crime scene or otherwise has reason to believe that a shell casing is related to the commission of a crime or an improper discharge of a firearm, the Detective Bureau shall as expeditiously as possible submit the ballistics information to NIBIN.

11. All urgent inquiries and requests for assistance with firearms traces should be directed twenty-four (24) hours per day to the New Jersey Crime Gun Center at the New Jersey Regional Operations and Intelligence Center 609-963-6900.

12. In accordance with the Attorney General's Directive, the New Jersey State Police shall identify trends, interconnectivity of events or transactions, source states, source vendors, and individual trafficking or importing guns in New Jersey. After the designated evidence custodian has submitted information to e-Trace, the New Jersey State Police shall report on the results of the trends, interconnectivity, and case-specific analyses to the Bridgeton Police Department.

Order #: III.5 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: EVIDENCE PROCEDURES

II. PROPERTY AND EVIDENCE CONTROL

A. Administration and Operations

1. All personnel receiving evidence and property into the custody and control of the department shall ensure that:

a. All property and evidence reports completed in connection with the recovery or collection of any property or evidence must be submitted before the recovering officer/detective ends their shift, unless the recovering officer/detective is incapacitated or otherwise incapable of accomplishing this before their shift ends. If applicable, the duty supervisor shall designate another officer/detective to complete this action. Authorization must be given by the supervisory officer with documentation of this action noted in the B.E.A.S.T. system.

b. All evidence and property submissions will be placed in the temporary evidence storage and entered into the B.E.A.S.T. system. All property / evidence must be immediately placed under the direct control of the evidence/property function before the recovering officer/detective ends their shift, unless the recovering officer/detective is incapacitated or otherwise incapable of accomplishing this before their shift ends. If applicable, the duty supervisor shall designate another officer/detective to complete this action, which shall be noted in the B.E.A.S.T. system. Full documentation of the transfer of custody of the evidence and the reason for such transfer must be included in the investigation report.

1) The evidence/property submissions shall be placed in the appropriate temporary evidence storage lockers/area which will be retrieved by the evidence/property custodian for placement in the evidence room.

2) No property or evidence shall be held in a vehicle, desk, personal locker or other unauthorized location.

3) All submissions will be accompanied by an evidence/property report generated by the B.E.A.S.T. system which indicates the and proper chain of custody.

B. Reports Required

1. An investigation and recovered property report describing each item of evidence/property obtained and the circumstances by which the property came into the department's possession shall be completed by the submitting officer or detective. The property report for the incident shall be assigned a sequentially generated number from the B.E.A.S.T. system for each separate item that is

submitted.

a. When property or evidence is being entered into the B.E.A.S.T. system for placement into the property/evidence room, a report will be generated from the B.E.A.S.T. system which will be signed by the officer and supervisor and submitted with the investigation report.

b. Any property that comes into the possession of this department that is not being entered into the B.E.A.S.T. system will require a property report to be completed through the IMPACT system and submitted with the investigation report, (i.e. unregistered vehicles, found property that is being returned immediately to the owner, etc.).

2. The submitting officer/detective will sign the report, indicating that it has been placed in the custody and control of the evidence/property function and secured. Prior to the evidence being submitted to temporary evidence storage, a supervisor must also sign off on the report. This report will be deemed incomplete without a supervisor's signature.

C. Packaging and Labeling Prior to Storage

1. Evidence that consists of several objects should be packaged in separate containers or wrapped individually. Each package or sealed container housing the object to be stored in the designated evidence/property room shall be clearly marked with the pertinent information. A B.E.A.S.T. bar-coded label shall be placed directly onto the sealed container housing the object, on the object (when permissible) or on a tag attached directly to the object.

2. Potentially bio-hazardous materials such as hypodermic syringes, blood-stained materials and evidence relating to sexual assaults require special care and handling. All appropriate blood-borne pathogen precautions should be adhered to including, but not limited to, the use of sterile gloves, sharps containers for syringes and the placement of biohazard stickers on a prominent location on the exterior of the evidence container.

3. Urine will be submitted in sealed plastic containers, preferably in unmarked plastic bags.

4. Blood and urine samples will have biohazard labels attached.

5. If evidence may be or is contaminated with pathogens or other contagious viruses or bacteria, it should be so labeled on the bags or containers.

6. All clothing and other evidence containing dried blood should be placed in separate paper bags and labeled with biohazard labels. Specimens containing wet stains of blood or other biological fluids should be placed in separate leak

proof containers, such as plastic bags, at the scene and labeled with a biohazard label. The specimens should then be transported to a safe place as soon as possible where they can be removed from the plastic bags and air-dried over paper sheets. This should be done in an area with low humidity, out of direct sunlight, and away from direct heat sources. The biohazard specimens should also be kept away from food and general work areas. Once the specimens have been completely dried, they should be placed in separate bags and labeled with biohazard labels. The paper bags and paper should be retained and submitted with the evidence.

D. Extra Security Measures for Exceptional, Valuable, or Sensitive Items

1. Exceptional, valuable, or sensitive items requiring extra security measures shall be defined as: all money, drugs, firearms, blood/other bodily fluid, and precious metals, jewelry and gemstones. These items shall be secured in separately locked high value evidence safe within the locked evidence room with limited access to the evidence custodian(s) and the Investigations Bureau Commander. As with all evidence, B.E.A.S.T. tracking of any items placed into or taken out of this safe must take place.

a. CURRENCY: Currency should also be packaged separately from any other evidence seized during the precipitating event for similar reasons. (This does not include currency taken into department possession and stored as prisoner property.) Totals should be verified by at least one additional personnel. Currency shall be placed in clear, plastic packaging to safeguard against tampering. Currency shall be placed within the high value evidence safe. Additionally, all currency should be entered into the B.E.A.S.T. property tracking system. This system will record denomination, serial numbers if necessary and totals of all currency logged as evidence.

b. FIREARMS: Firearms shall be rendered safe prior to packaging and storage. Ammunition taken from a firearm should be separated with an indication from where the ammunition was originally located within the firearm. They shall be placed within the high value evidence safe.

c. PRECIOUS METALS, JEWELRY AND GEMSTONES: Precious metals, jewelry and gemstones shall be marked, packaged and stored in temporary evidence storage. These items shall be placed in tamper-proof packaging to safeguard against substitution or theft. They shall also be placed within the high value evidence safe.

d. DRUGS: Drugs must be packaged separately from any other evidence seized during the precipitating event and should be marked and packaged in accordance with the New Jersey State Police Evidence Field Manual. Drug evidence shall be placed in tamper-proof packaging to safeguard against substitution or theft. They shall also be placed within the high value evidence safe.

e. BLOOD, URINE, DNA, AND OTHER PERISHABLE EVIDENCE: Blood, Urine, DNA, and other perishable evidence shall be promptly secured in the evidence refrigerator and generally delivered within two weeks to the proper laboratory facility for analysis, when applicable. If additional blood, urine, DNA and other perishable evidence need to be secured and the temporary evidence refrigerator is locked, an evidence custodian shall be notified to obtain the transfer of evidence after which it shall be secured in the evidence r oom refrigerator.

2. COMBUSTIBLE LIQUIDS: Combustible evidence such as toluenes, gasoline, paint thinner, etc., shall normally be disposed of in accordance with the appropriate handling of hazardous materials. However, if there is a specific reas on to retain such evidence, combustible materials shall be packaged in air tight containers, such as fresh paint cans, and marked as to the contents. It shall be stored away from other evidence and property in the bulk storage cage. Personnel should use the safest method of transportation available if it becomes necessary to transport any type of combustible liquid.

3. EXPLOSIVE DEVICES: Under no circumstances will explosive devices, such as dynamite, hand grenades, blasting caps, etc., be brought into the police building unless they have first been properly inspected by the appropriate auth orities and rendered harmless. Commercial grade fireworks will not be stored in the evidence room.

a. Whenever explosives are received as evidence, the evidence custodian will contact the NJSP Arson/Bomb Unit through NJSP Communications. Records will be maintained by the evidence custodian. The Arson/Bomb Unit will take custody of the explosives for proper storage.

b. Items of an evidentiary nature, upon being rendered safe and released to this department by the appropriate bomb squad, shall be properly tagged and packaged for submission into evidence storage.

4. AMMUNITION: The Bridgeton Police Department will not store evidence ammunition for long periods as it becomes unstable. Therefore, the central evidence custodian(s) will review annually the status of stored ammunition. Disp osal will be completed by utilizing an appropriate method of compliance.

5. ENGINE DRIVEN MACHINES OTHER THAN VEHICLES (lawn mowers, etc.): Engine driven devices are those items that have internal combustion engines such as lawnmowers, trimmers, and similar landscaping equipment. This evidence/property shall be stored within the bulk storage area.

6. MOTOR VEHICLES: The investigating officer shall note on the Vehicle/Property Report that the vehicle has been impounded as property/evidence and/or for further investigation.

a. When the Department recovers a stolen motor vehicle that will not be held as evidence or processed, the recovering officer shall complete a Vehicle/Property Report, and the vehicle shall be impounded at a City auth orized storage facility, or returned directly to the owner.

b. When a vehicle is to be held as property/evidence and processed as same, the recovering officer shall complete an entry into the B.E.A.S.T. system. The vehicle shall be towed to a City authorized storage facility and secured inside, unless otherwise directed by the Investigations Bureau Commander.

d. Motor vehicles that have been held for the processing of physical property/evidence shall not be released without the authorization of the Investigations Bureau Commander or designee.

E. Effort to Identify and Notify the Owner/Custodian of Recovered Property in the Department's Custody

1. The Investigative Bureau is responsible for facilitating an investigation to identify the rightful owner/custodian of the property, and notification to the owner/custodian concerning the status of the property. The evidence custodians a re responsible for the return of the property to the owner.

2. When a police officer, acting in the line of duty, finds or recovers property, the disposition of that found or recovered property is governed by N.J.S.A. 40A:14-157b. If money is recovered, it shall be turned over to the city treasurer w ithin 48 hours, for retention. After six (6) months if unclaimed, it shall be turned over to the Municipal Treasurer.

3. The Bridgeton Police Department shall, by destruction, donation, or public auction, dispose of all unclaimed recovered property.

F. Release of Property and Evidence

1. When any items are temporarily released from the evidence/property function for the purpose of furthering investigative purposes, court, laboratory analysis, or other official purpose, the chain of custody shall be documented . All custody transfers shall be recorded utilizing the B.E.A.S.T. property tracking system.

2. Many times stolen property may be returned to the rightful owner prior to the final disposition of the case. The evidence should be photographed prior to being returned. Serial numbers on the property should be recorded, and if pos sible, a photograph should be taken which shows the serial number. The owner of the property must sign a property release form authorized by the prosecutorial authority indicating the date they received the item(s), and from whom they

received it. Proof of ownership must be established prior to any property being returned. Whenever there is a dispute concerning ownership of property, the evidence custodian shall not release the property pursuant to N.J.S.A. 2C:65-2. The court having jurisdiction over the case in which the stolen property is involved shall review the matter. The identity of the individual presenting himself as the owner should be verified.

3. Stolen property should be retained if it will materially assist in the prosecution of the case. Whenever there is any question as to whether or not the stolen property should be returned prior to the final disposition of the case, the appropriate prosecutorial authority will make the decision. If a case has been disposed of via a conviction, and the property has been determined to materially assist in the prosecution, then that evidence should be held for six (6) months after the sentencing. If an appeal has been filed within the six (6) month period then the evidence should continue to be held. If no appeal has been filed within the six (6) month period then the evidence can most likely be returned. A check with the prosecutor's office's appellate section is necessary to determine appeal status. If a defendant has entered the Pre-Trial Intervention Program (PTI), and the property has been determined to materially assist in the prosecution, then the evidence should be held until the defendant successfully completes the term of PTI. If at the conclusion of the case the rightful owner of the stolen property is never located, and a period of six (6) months from the time of sentencing expired, then the Bridgeton Police Department may make application to the court for disposal at public sale pursuant to N.J.S.A. 2C:65-3.

4. No weapon can be returned to the owner without the approval of the Cumberland County Prosecutor's Office.

a. Requests for return should be made in writing.

b. A determination will be made whether the weapons were legally possessed, or if the weapon itself is illegal.

c. An assessment will be made regarding whether the individual is subject to any of the disabilities provided by law which would prohibit possession.

d. A disposition will be made on the case. Information will determine whether a weapon return is in the best interest of public health, safety, and welfare.

1) The weapon return is denied but the owner may be allowed to sell the weapon to a third party.

2) The owner may have the weapon(s) after they obtain a New Jersey Firearms Purchaser Identification Card and complete a Voluntary Form of Register.

3) The weapon(s) return is denied, and the weapon(s) may be forfeited and destroyed.

4) The weapon(s) return is denied, the weapon(s) forfeited and used by a law enforcement agency. Firearms should not be retained for law enforcement purposes unless it has been demonstrated that there is an actual, current need for utilization of such weapons for law enforcement purposes. Firearms retained for law enforcement purposes should be of the same caliber, type or gauge normally used for such purposes and indiscriminate retention of all types of firearms should not be permitted.

G. Evidence/Property Destruction

The mere fact that an item of evidence may satisfy the qualifications for being subject to destruction does not mean that it is automatically destroyed. The Cumberland County Prosecutor's Office must review and provide authorization pursuant to their respective policy and procedures, before any destruction is to take place.

To facilitate review and approval of evidence destruction requests for evidence held by this agency, the Request for Destruction of Evidence form (Policy III.5.1 – found on BPD Online Forms) must be completed and submitted to the Cumberl and County Prosecutor's Office to obtain authorization for destruction.

1. Destruction of Weapons - The Cumberland County Prosecutor's Office is responsible for the destruction of all weapons and controlled dangerous substances.

a. Weapons connected with criminal cases may be destroyed once it is not of any further evidential value. The Bridgeton Police Department is required to attach documentation regarding the case's final disposition to the destruction form. If a defendant is convicted of an indictable crime, the period to wait for an appeal to be filed is six (6) months from the date the defendant was sentenced. If no appeal has been filed, then the weapon(s) may be destroyed. If an appeal has been filed, then we must await the outcome of the appeal before the weapon(s) can be destroyed. A check with the prosecutor's office's appellate section is necessary to determine appeal status. If a defendant enters the Pre-Trial Intervention Program (PTI), the weapon cannot be destroyed until after the defendant successfully completes the term of PTI. The PTI o rder must be obtained because the conditions of PTI may include:

1) Forfeit Weapon.

2) Surrender Weapon for term of PTI.

3) If a firearm is involved regarding a Final Restraining Order, the

firearm(s) shall be held during the period in which the restraining order is in effect, or two (2) years, whichever is greater.

b. If the Bridgeton Police Department has not been able to contact the owner of the weapon(s), then attach documentation, including a copy of the letter to the owner along with the certified mail receipt, to the destruction form. If the certified mail receipt is returned as unclaimed, it is the responsibility of the Bridgeton Police Department to check with the postal authority and the Division of Motor Vehicles to attempt to find an accurate address.

c. If the case does not fit into any one of the aforementioned categories, then include a copy of the investigative report that details the circumstances of the weapon(s) seizure. After six (6) years, if no one clai ms a weapon, it can be processed for disposal by the Cumberland County Prosecutor's Office.

d. If a weapon has been found in the evidence/property room and no reports can be found regarding the circumstances of the case, then a new report must be generated indicating when it was found and how long it is believed to have been in the room.

e. All weapons are to be checked through the National Crime Information Center Computer.

f. After the weapons have been destroyed, the destruction forms should be kept on file by the Bridgeton Police Department for the time period specified by the New Jersey Division of Archives and Records Management, Record Retention and Disposition Schedule.

2. Destruction of Drugs - large amounts or bulk seizures of drugs can be destroyed prior to the final disposition of a case, if a court order is obtained, pursuant to N.J.S.A. 2C:35-21.

a. Drugs connected with criminal case may be destroyed once it is not of any further evidential value. The Bridgeton Police Department is required to attach documentation regarding the case's final disposition to the destruction form. If a defendant is convicted, the period to wait for an appeal is six (6) months from the date the defendant was sentenced. If no appeal has been filed, then the drugs may be destroyed. If an appeal has been filed, then we must await the outcome of the appeal before the drugs can be destroyed. A check with the prosecutor's office's appellate section is necessary to determine appeal status.

b. In cases where defendants have been admitted into the Pre-Trial Intervention Program (PTI), the evidence cannot be disposed until after the defendant has successfully completed PTI. If a defendant is a fugitive f

rom justice, the evidence cannot be destroyed. In a case with multiple defendants, the Bridgeton Police Department must ensure that each defendant has been disposed of in court. Cases involving juvenile defendants will be reviewed by an Assistant Prosecutor. Any juvenile disposition forms should be attached t o those destruction forms. The appeal period to wait after sentencing is six (6) months.

c. If drugs have been found in the evidence room and no reports can be found to establish the circumstances of the case, then a new report must be generated indicating when it was found and how long it is believed to hav e been in the room.

d. In cases involving drug seizures in which no suspects are initially developed, the length of time that the drugs should be retained shall be resolved on a case by case basis. The Bridgeton Police Department mus t bear in mind that the statute of limitations for an indictable drug offense is five years from the date of seizure.

3. Destruction of other Types of Evidence

a. Upon approval of the Cumberland County Prosecutor's Office, items not related to the categories of firearms and drugs may be destroyed by the evidence custodian(s), provided that ownership cannot be determined or the owner does not want the property back. In those instances where the evidence is department property (such as a video or cassette tape recording) those items may be destroyed or used for training purposes.

b. Other types of evidence, such as clothing, may generally be placed in the normal trash disposal container of the Bridgeton Police Department. If this is done, all accompanying tags and labels, which could indicate the name of a victim or suspect, shall be removed. Documentary or paper evidence may be shredded. Under no circumstances should any document or photograph be placed in the trash without first being shredded.

4. Forfeiture of Evidence

a. Any money seized for forfeiture purposes will be turned over to the Cumberland County Prosecutor's Office, Forfeiture Unit within 48 hours, unless it is a weekend, then the next available business day.

b. The money will be accompanied by pertinent reports, along with the appropriate forfeiture forms.

c. An investigation report should detail exactly where the money was found and in what denominations. Many times money is found on the defendant, and also in the vehicle. It is important to distinguish in the report what dollar amount was found at what location.

d. The Cumberland County Prosecutor's Office, Forfeiture Unit needs to be contacted regarding vehicles and other items subject to forfeiture.

1) A request for distribution of forfeited property, along with pertinent reports must be filed.

2) Vehicles that are impounded pending forfeiture action may not incur storage fees.

e. For further information regarding forfeitures, refer to the Attorney Generals Forfeiture Program Administration, Standard Operating Procedures.

5. Timeframes for Evidence Destruction

a. Homicide Evidence

1) In all cases where all defendants have been charged and all of the defendants in the case are deceased, upon proof of death being submitted, a request for destruction authorization may be submitted.

2) In cases where the defendants were convicted and no appeals or post-conviction relief motions are pending, after a period of 5 years from the date of conviction or upon the defendant's expiration of sentenc e, whichever is later, a request for destruction authorization may be submitted.

3) In cases where no suspects have been identified but a DNA profile has been obtained and submitted to CODIS, or fingerprint evidence that has been submitted to AFIS, or there is no statute of limitations, the evidence shall be retained indefinitely. Only the Prosecutor or their designee may authorize the destruction of this evidence.

b. Sex Crimes Evidence

1) In all cases where all of the defendants have been charged and all of the defendants in the case are deceased, upon proof of death being submitted, a request for destruction authorization may be submitted.

2) In cases where the defendants were convicted and no appeals or post-conviction relief motions are pending, after a period of 5 years from the date of conviction or upon the defendant's expiration of sentenc e, whichever is later, a request for destruction authorization may be submitted.

3) In all cases where the defendants have been admitted into the Pre-Trial Intervention Program (PTI), have successfully completed

PTI, and have been discharged, upon the court's signing an order dismissing the case as to all parties, and upon the expiration of the longest sentence of any co-defendants not admitted into PTI, a request for destruction authorization may be submitted.

4) In cases where no suspects have been identified but a DNA profile has been obtained and submitted to CODIS, or in the case of fingerprint evidence that has been submitted to AFIS, or in cases where there is no statute of limitations, the evidence shall be retained indefinitely. Only the Prosecutor or their designee may authorize the destruction of this evidence.

5) In cases where the victim has signed a waiver of prosecution, has not contacted the police/prosecutor's office indicating a desire to pursue a prosecution, or has reported as a "Jane Doe" pursuant to the Standards for Providing Services to Victims of Sexual Assault, the evidence shall not be authorized for destruction for a minimum of 90 days from the date of the collection of said evidence, and then only after an attempt has been made to notify the victim of the possibility of the destruction of the evidence thereby giving them an opportunity to make a decision on whether they wish to proceed or not with the investigation/prosecution.

6) In cases involving juvenile defendants who have been charged, except in Homicide cases, and where there is no referral of the case to another court, with or without the juvenile's consent, a request for destruction authorization may be submitted 4 years after the final adjudication or disposition of all juvenile defendants or upon release from custody, whichever is later. Evidence in juvenile cases which are referred (waived) to another court, or in which there are adult co-defendants, shall be subject to the retention periods for adult cases.

c. Narcotic Evidence

1) In all cases where all of the defendants in the case have been charged and all of the defendants are deceased, upon proof of death being submitted, a request for destruction authorization may be submitted.

2) In cases where the defendants were convicted and no appeals or post-conviction relief motions are pending, after a period of 5 years from the date of conviction or upon the defendant's expiration of sentence, whichever is later, a request for destruction authorization may be submitted.

3) In all cases where the defendants have been admitted into the Pre-Trial Intervention Program (PTI), have successfully completed PTI, and have been discharged, upon the court's signing an order dismissing the case as to all parties, and upon the expiration of the longest sentence of any co-

defendants not admitted into PTI, a request for destruction authorization may be submitted.

4) Where a controlled buy or an undercover buy has taken place and the investigation has been officially closed by the investigating agency with no prosecution having been instituted against anyone, after a period of one year and one day, a request for destruction authorization may be submitted.

5) Any controlled dangerous substance that has been submitted to a Forensic Laboratory for analysis and has not been connected to any suspect or defendant and has been submitted as Found Property, a request for destruction authorization may be submitted one year and one day after it has been submitted to the laboratory upon verification by the submitting agency that no prosecution has been instituted relating to the evidence.

6) In cases involving juvenile defendants who have been charged, except in Homicide cases, and where there is no referral of the case to another court, with or without the juvenile's consent, a request for destruction authorization may be submitted 4 years after the final adjudication or disposition of all juvenile defendants or upon release from custody, whichever is later. Evidence in juvenile cases which are referred (waived) to another court, or in which there are adult co-defendants, shall be subject to the retention periods for adult cases.

d. Firearms Evidence

1) In cases where the defendants were convicted and no appeals or post-conviction relief motions are pending, after a period of 5 years from the date of the conviction or upon the defendant's expiration of sentence, whichever comes later, a destruction authorization may be submitted. If there is a legal owner of the firearm who is not a defendant in the case and is not otherwise legally disqualified from possessing the firearm, pursuant to any provision of Chapter 58 of the New Jersey Criminal Code, rather than destroying the weapon it should be returned to the owner, if said owner is in possession of necessary permits.

2) Prior to any destruction authorization being granted, no firearms evidence shall be considered for destruction until all necessary tracing tests and IBIS submissions have been completed.

3) In all cases where all defendants have been charged and all defendants in the case are deceased, upon proof of death being submitted, a request for destruction authorization may be submitted.

4) If the weapon is related to a Homicide case in addition to this section,

see Section "a" above.

5) If the weapon is related to a Sex Crimes case, in addition to this section, see Section "b" above.

6) If the weapon is related to a Narcotics case, in addition to this section, see Section "c" above.

7) In cases involving juvenile defendants who have been charged, except in Homicide cases, and where there is no referral of the case to another court, with or without the juvenile's consent, a request for destruction authorization may be submitted 4 years after the final adjudication or disposition of all juvenile defendants or upon release from custody, whichever is later. Evidence in juvenile cases which are referred (waived) to another court, or in which there are adult co-defendants, shall be subject to the retention periods for adult cases.

e. Other Evidence

1) In all cases where all defendants have been charged and all of the defendants in the case are deceased, upon proof of death being submitted, a request for destruction authorization may be submitted.

2) In cases where the defendants were convicted and no appeals or post-conviction relief motions are pending, after a period of 5 years from the date of conviction or upon the defendant's expiration of sentenc e, whichever comes later, a request for destruction authorization may be submitted. If there is a legal owner of said evidence who is not a defendant, no forfeiture proceedings are pending or have been concluded and there are no appeals of said forfeiture action pending and the ownership has not been granted to a law enforcement agency by court order, said property shall be r eturned to the legal owner of same, rather than being authorized for destruction.

3) In cases involving juvenile defendants who have been charged, except in Homicide cases, and where there is no referral of the case to another court, with or without the juvenile's consent, a request for destruction authorization may be submitted 4 years after the final adjudication or disposition of all juvenile defendants or upon release from custody, whichever is later. Evidence in juvenile cases which are referred (waived) to another court, or in which there are adult co-defendants, shall be subject to the retention periods for adult cases.

f. Special Circumstances

1) In cases where the any defendant has been determined by a Court to be Incompetent to stand trial, the evidence must be retained until the

defendant has become competent to stand trial, has died, or the Prosecutor of that respective county has made a determination to not proceed with the prosecution of the defendant.

2) In cases where there is an acquittal of the only defendant or there is a finding of Not Guilty By Reason of Insanity of the only defendant, then the evidence may be authorized for destruction by the Prosecutor of that county, in a timeframe to be determined by the Prosecutor of that county.

g. Other Requirements Not Superseded

1) Nothing in this policy is intended to require that a law enforcement office retain evidence in circumstances where such evidence would ordinarily be destroyed, returned to its rightful owner, forfeited, or otherwise disposed of pursuant to existing statutes or policies. Examples include, but are not limited to:

N.JS.A. 2C:65-1 et seq. Disposition of Stolen Property and Documentary Exhibits;

N.JS.A. 2C:64-1 et seq. Seized or Forfeited Property;

N.J.S.A. 2C:35-21 Destruction of Bulk Seizures of Controlled Dangerous Substances;

N.J.S.A. 52:4B-36 (1.) Crime Victims Bill of Rights, Prompt Return of Property When No Longer Needed as Evidence.

h. A final disposition of found, recovered, and evidentiary property will be accomplished after legal requirements have been satisfied. The prompt, authorized removal of property prevents an overload on the B.E.A.S.T property management system, reduces the requirements for additional storage space, and allows owners the use of their property once again. Semi-annually, a prepared list of all inventoried evidence will be printed and reviewed by the property/evidence custodian for the purpose of purging evidence and arriving at a final disposition.

III. EVIDENCE ROOM/AREA MANAGEMENT

A. All in-custody and evidentiary/property shall be stored in the following designated, secure areas with access limited to authorized personnel:

1. An interior evidence room located within Police Headquarters.

a. The room will be locked at all times and no individual will be allowed to

enter or remain in the room unless accompanied by authorized personnel. Authorized personnel for access to the evidence room shall be the evidenc e custodian(s).

b. The evidence room has a limited access through a mechanical key lock and deadbolt lock.

c. The room's access point shall be monitored by a camera system.

2. A separately locked safe within the evidence room for high value items.

a. The high value evidence safe shall be locked at all times and no individual will be allowed to enter or remain in the area unless accompanied by authorized personnel. Authorized personnel for access to this area shall be the evidence custodian(s).

3. An evidence/property bulk storage area used for large items and combustible material not able to be stored in the evidence room.

a. The evidence/property bulk storage area has limited access by mechanical lock. Authorized personnel for access to this cage shall be the evidence custodian(s).

B. All evidence custodians shall be held strictly accountable to the Chief of Police for the safety and security of the evidence keys/combinations in their possession and shall not be loaned or disclosed to another or shall not be temporarily used by anot her.

1. Lost/misplaced keys: If evidence keys are lost, a complete and detailed report shall be submitted in writing to the Chief of Police. Locks to the affected evidence storage rooms/lockers will be changed/re-keyed within 72 hours.

2. Duplication of keys: No duplicate "evidence" keys will be made without written authorization from the Chief of Police.

C. The Bridgeton Police Department will have the following secure areas/lockers for storage of in-custody or evidentiary property during periods when the evidence/property function is closed:

1. The Bridgeton Police Department shall have limited access temporary evidence/property lockers, including a locked limited access evidence refrigerator designated for officers securing evidence when the evidence/property function is closed.

D. Explosive, weapon, and controlled substances MAY be used for investigative or training purposes, (e.g., K-9 training).

1. Requests to use of explosives, weapons, and controlled dangerous substance shall be forwarded to the Chief of Police.

2. The Chief of Police will request the use of explosives, weapons, and controlled dangerous substance in writing from the Cumberland County Prosecutor's Office, stating the reason for the use and the items to be used. Copies of all reports pertaining to the items(s) shall be forwarded with the request.

3. Only items that are post-litigation and approved for destruction by the Cumberland County Prosecutor's Office shall be requested/considered for use in investigative or training purposes.

4. Only after approval has been granted from the Cumberland County Prosecutor's Office, shall the specified evidence/property be used.

5. All transfers of evidence/property must be documented in the evidence reporting system and all records shall be maintained for audit purposes.

6. Once the specified evidence/property has served its usefulness and is no longer of value for training or investigative purposes, then a destruction of evidence form shall be completed as required.

E. Evidence Review

1. Any agency that needs to review evidence in the custody of this department shall set up an appointment with the evidence custodian.

2. All evidence reviews will be conducted within the police department property/evidence room. The presence of the evidence custodian or his designee is required.

3. Reviews will be noted in the B.E.A.S.T. property tracking system.

4. After the review, the evidence will be transferred back to the proper location and noted accordingly (B.E.A.S.T.).

F. Inspections/audits/records

1. In order to maintain a high degree of evidentiary integrity over department controlled evidence/property, the following documented events shall be completed:

a. Inspection

1) An inspection to determine adherence to procedures used for the

control of evidence/property is conducted semi-annually by the evidence custodian(s). A report will be submitted to the Chief of Police on the findings. The inspection is to:

a) Determine that the evidence/property storage areas are being maintained in a clean and orderly fashion;

b) Determine that the integrity of the property is being maintained;

c) Determine that provisions of this directive are being followed;

d) Determine that evidence/property is being protected from damage and deterioration;

e) Determine that proper accountability procedures are being maintained;

f) Determine that property having no further evidentiary value is being disposed of promptly and properly.

b. Audit

1) An audit is to ensure the continuity of custody and not to require the accounting of every single item of evidence/property. The audit is:

a) A sampling of the total high risk property such as: money, drugs firearms, and precious metals, jewelry, gemstones under the department's care shall be reviewed with respect to documentation and accountability.

b) A sufficient number of all other evidence/property relative to the number of items in the department's custody.

c) To ensure the integrity of the system and accountability of property.

2) Appendix I of the CALEA Standards Manual should be used to determine the appropriate sample size for high risk items. An error rate that exceeds four percent will require a full inventory of high risk items. (APPENDIX A)

3) An audit of evidence/property shall occur whenever:

a) The evidence custodian(s) are assigned to and/or transferred from the position and is conducted jointly by the newly designated evidence custodian(s), former evidence custodian(s) and a

Order #: III.6 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: FIRE INVESTIGATIONS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 6
SUBJECT: FIRE INVESTIGATIONS

REVISION DATE: JULY 20, 2011

EFFECTIVE DATE: JULY 21, 2011

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: 41.2.4

THIS DIRECTIVE SUPERCEDES AND INCORPORATES PREVIOUS DIRECTIVE III.6 - FIRE INVESTIGATIONS

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

III:6-1 PURPOSE

To investigate all non-accidental fires, fires that cause serious injury and fires that involve f atalities, to ensure the effective operation between the Bridgeton Police Department and the Bridgeton Fire Department and to recognize the roles of each service and identify their shared responsibilities during arson investigations.

III:6-2 POLICY

It shall be the policy of the Bridgeton Police Department to respond to and investigate all n on-accidental fires, fires that cause serious injury and fires that involve fatalities. The shar ed responsibilities between the police department arson investigators attached to the Investigations Bureau of the Bridgeton Police Department and the arson investigators attached to the Bridgeton Fire Department. This policy will also incorporate the Bomb, Arson, Tracking System (BATS) to facilitate and promote the collection, sharing anddiffusion of intelligence information concerning fires, arsons, and the criminal misuse of explosives.

III:6-3 PROCEDURE

I. Officer Responsibilities

A. When responding to a fire call, the responding officers shall make contact with the Fire Department supervisor in charge at the scene to determine the nature and severity of the fire.

1. If the fire has been determined to be arson, suspicious in nature, or has resulted in the serious injury or death of any person:

a. Contact a police supervisor, who will screen the incident a nd notify the Patrol Bureau Commander to request the appropriate personnel.

2. Document those present upon arrival at the scene (including the occupants of the structure, vehicle, etc...) and all pertinent information necessary to initiate a criminal investigation.

3. Secure the scene, keeping all unauthorized individual(s) away from the active fire scene and assist in establishing fire lines.

4. Traffic control.

5. Maintain security of the scene upon full extinguishment of the fire.

B. The initial responding officer shall complete an Investigation Report for all of the following, unless advised otherwise by a supervisor:

1. Arson fires,

2. Fires of unknown or suspicious origin,

3. Fires which have resulted in the death or serious injury of any person,

4. All explosions, regardless of cause.

5. Fires, regardless of cause, involving a hospital, nursing home, church, school, apartment complex, shopping mall, government building or fires involving multiple structures.

C. If you have arrived on the scene of a fire which is out, or is easily extinguished, a Fire Department response shall still be requested.

II. Investigations Bureau Responsibilities

A. Cooperation and Shared Responsibilities

1. Ensure the effective cooperation between the Police and Fire Departments

and to recognize the roles and responsibilities of their shared services.

B. Strategic Aims and Objectives

1. Report, record and share details of all known non-accidental fires.

2. Develop proactive multi-agency strategies to reduce the number of these types of fires.

3. To reduce non-accidental fires and associated fire injuries and deaths.

4. Increase detection and prosecution rates for arson offenses.

C. Areas of Mutual Interest

1. The principle areas of mutual interest between the Police and Fire Departments are:

a. All fires involving fatalities;

b. All fires involving serious injury;

c. All fires where death occurs at a later stage, but may be attributed to the fire or there is suspicion that death may result from injuries sustained in a fire and is confirmed following consultation with the medical examiner;

d. All fires where the cause of the fire is suspected to be non-accidental;

e. Suspicion of criminal activity at a fire scene;

f. Statistical evidence and data collection of fire related crime to enable patterns and trends to be analyzed and identified;

D. Roles and Responsibilities

1. In order to achieve a successful investigation into a suspected non-accidental fire, including the prosecution of any suspected offenders, the cooperation and mutual assistance between the Police and Fire Departments is required.

2. Respective roles, responsibilities and limitations of the individual organizations involved in the investigation of a non-accidental fire must be clearly understood and respected.

a. Police Department Arson Investigators

i. Responsible for the prevention and detection of crime and reporting

to the Medical Examiner any death that results from fire. They are solely responsible for the direction and control of any criminal investigations associated with a non-accidental fire. Access to the post-extinguished fire scene shall be at the direction and discretion of the Investigations Bureau Commander. The Police Department arson investigator shall be responsible for providing all appropriate information to the Fire Department investigator for proper entry into the BATS system.

b. Fire Department Arson Investigators

i. The senior most ranking fire officer at the scene of a fire has sole charge of all operations for the extinguishing of the fire. It is important that the Fire Department arson investigators recognize and record indicators that the fire is not accidental in origin. These observations may significantly contribute to any subsequent investigation and/or court proceedings. It is, therefore, extremely important that contemporaneous notes are made as soon as possible, preferably at the scene of the fire and made available to the police investigators, including, but not limited to, names and assignments of all responding fire personnel, paid and volunteer, on scene, inclusive of first responders and/or EMS personnel. The Fire Department arson investigator shall be responsible for collecting all appropriate information for entry into the BATS system.

III. Investigation of Fires

A. The senior most ranking fire officer in attendance at a fire scene will be in sole control of all matters relating to fire fighting operations. However, subject to not compromising fire fighting, that officer will work with the police in relation to the recovery and preservation of evidence, as well as the control of traffic and pedestrians so as to ensure that the operations of the fire service are not hindered.

B. If the fire is thought to have been started deliberately, the police will take command of the scene on conclusion of all fire fighting operations. When command is transferred to the police department in these circumstances, it must be ensured that the attending senior ranking officer from each department is fully aware of and in agreement with the decision.

C. Cooperation and the sharing of information will be undertaken between the Police and Fire Department personnel that are in attendance at the fire scene.

IV. Serious Injury and Fatal Fire Investigations

A. When a serious injury or fatal fire incident occurs, the subsequent investigation must have a cooperative approach between the Police (Detectives and Crime Scene Investigators), the Fire Department and the Cumberland County Prosecutor's Office investigators. This approach must be adopted as best practice whether the cause of

the fire is initially believed to be suspicious or not.

V. Evidence

A. Under normal circumstances, Fire Department personnel would not be expected or required to collect or move items of evidentiary value. They may, however, in exceptional circumstances remove physical evidence when there is danger of it being destroyed by the fire or by fire fighting operations. Any items removed in these circumstances must be preserved and handed over to police officers on scene, includin g documentation of its location prior to the seizure.

B. The Police and Fire Departments shall continue to utilize their current procedures for the taking of photographic evidence of fire scenes.

VI. Questioning of Witnesses/Suspects

A. If material witnesses to the investigation are unable to remain on scene, officers on scene must obtain from them all necessary information.

B. For criminal investigations, the Police Department will be the lead organization for collecting and recording witness statements. Fire investigators wishing to interview witnesses in relation to the cause of a fire that is also subject to a police investigation must inquire with police investigators prior to questioning individuals to ensure that they are not compromising a police inquiry.

VII. Bomb, Arson Tracking System (BATS)

A. BATS is a web-based incident collection and sharing program. It is an automated incident reporting system that streamlines information that is reported, retrieved and archived by valid law enforcement agencies and investigators. The data in BATS contains information from fires, arsons and the investigation of explosives. BATS is used as a case management system by law enforcement organizations all around the U.S. BATS facilitates the connection of the nation's fire and explosives investig ations through the use of reliable, stable and secure information and communications technologies.

B. BATS provides law enforcement agencies the ability to enter, retrieve, and share information concerning active and closed investigations; it provides general management statistics, and it performs queries on the local, state and national levels. The BATS program includes the ability to track motives, trends and similar explosive devices.

C. BATS includes the ability to track incidents spatially, generates a number of useful law enforcement reports, and appends incident based images (.jpg, .tif, etc) to individual incident records. It includes personal identifier information such as birth date, social security number and address associated with suspects, witnesses, and victims.

VIII. Purpose of the BATS System and the Information Collected

A. The BATS system establishes a single location that facilitates and promotes the sharing of information between ATF and approved federal, state and local law enforcement organizations.

B. Data includes locations, accelerants, explosives, suspects and their personal identifier data, and many other details necessary for an investigation. ATF is able on a nationwide basis to query information contributed to any other BATS participants. It includes the ability to track motives, trends and similar explosive devices. For example:

1. The multiple Alabama church arsons in 2006 that were investigated utilized BATS as the information repository. It provides a comprehensive case management system for the individual organizations and a trend and correlation tool for the USBDC and its partners.

IX. Uses of the BATS System and the Information

A. It provides simplified case tracking, statistics, trending, and resource management of investigatory elements. Law enforcement agencies use the data to pursue their cases for investigation and prosecution. At the ATF level, all the data can be aggregated to determine trends, movement, and possible links that would not be possible from the state and local level.

B. The contributing organizations have the duty and responsibility to make reasonable efforts to ensure that information in BATS is accurate, complete, timely, and relevant. It is up to the investigator entering data into his cases in BATS to ensure the accuracy of that data.

Order #: III.7 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: FORFEITURE PROCEDURES

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 7
SUBJECT: FORFEITURES
EFFECTIVE DATE:
CHIEF OF POLICE:Courtlandt A Turner

POLICY:

Forfeiture statutes in this State are continually under close scrutiny and therefore must be strictly construed. Two types of forfeiture are generally established. The first being "prima facie" contraband and the second being other forms of property. The Office of the Prosecutor prior to any action being taken should review any situations that are not covered in this policy and procedure.

PROCEDURE:

I. PROPERTY SUBJECT TO FORFEITURE

A. Prima Facie Contraband

1. Controlled dangerous substances.

2. Firearms that are unlawfully possessed, carried, acquired or used.

3. Illegally possessed gambling devices.

4. Untaxed cigarettes.

5. Untaxed special fuel.

B. All property which has been, or intended to be, utilized in the furtherance of an unlawful activity, including, but not limited to:

1. Conveyances intended to facilitate the perpetration of illegal acts.

2. Buildings or premises maintained for the purpose of committing offenses against the state.

C. Property which has become an integral part of illegal activity, including, but not limited to:

1. Money that is earmarked for use as financing for an illegal gambling enterprise.

D. Proceeds of illegal activities, including but not limited to:

1. Property or money obtained as a result of the sale of prima facie contraband, as defined in Section I. A.)

2. Proceeds from illegal gambling, prostitution, bribery and extortion.

II. INITIATION OF FORFEITURE PROCEEDINGS

A. Police Department Responsibilities

1. Any property that is seized by the department pending forfeiture proceedings:

a. The property/funds shall be secured in the department's Impound Cage/Evidence Locker.

b. Real property shall not be seized without first authorization from the Cumberland County Prosecutor's Office.

c. The officer interested in pursuing forfeiture proceedings shall immediately notify, in writing, the Police Department, Property Evidence Officer, requesting forfeiture.

d. The Police Department, Property Evidence Officer prior to submission to the County Prosecutor's Office within one week following the seizure, shall complete a Request for Distribution of Forfeited Property Form (Appendix).

2. Funds to be delivered with the form.

a. A receipt for the funds shall be given to the delivering officer, which shall be placed in the police department case file.

b. The property to remain with seizing agency unless otherwise advised by the County Prosecutor's Office.

3. Any money seized in connection with an arrest for an indictable offense should be forwarded to the County Prosecutor's Office within 72 hours of seizure along with notification prior to delivering the money.

a. When the money is delivered, a receipt will be given to the

Police Department for its records.

b. Contact County Detective in charge to make arrangements.

4. All money found in the possession of a person being charged with possession of CDS with the intent to distribute, or distribution of CDS, should be seized and deposited with the County Prosecutor's Office.

5. All money found in the possession of a person being charged with simple possession of CDS should be seized and deposited with the County Prosecutor's Office if the sum exceeds $200.00.

6. All money found in the possession of a person who admits he or she intended to use the money to obtain CDS, or in whose possession is found evidence of prior distribution of CDS, should be seized and deposited with the County Prosecutor's Office, even if that person is not being charged with distribution of CDS or possession of CDS with intent to distribute.

7. Vehicle and Money may only be seized in connection with an arrest for indictable crimes. Vehicle belonging to a third party other than those with a hidden compartment, should not be seized without prior approval from the County Prosecutor's Office. The Police Department will store vehicles that are seized at a location that does not incur any storage expense.

B. County Prosecutor's Office Responsibilities

1. When any property other than prima facie contraband is subject to forfeiture, such forfeiture may be enforced by civil action, instituted within 90 days of the seizure.

2. The County Prosecutor's Office shall be responsible for filing the forfeiture civil action upon notification by the Police Department.

III. RECEIVING FORFEITED FUNDS/ASSETS

A. Receiving from the County Prosecutor's Office.

1. A letter shall be sent from the County Prosecutor's Office indicating that a final judgment order has been signed.

2. The funds shall be deposited in the City of Bridgeton Forfeiture Account.

B. Receiving from the City's Chief Financial Officer:

1. A letter shall be sent to the County Prosecutor's Office requesting authorization to use forfeiture funds from the account.

    a. Include amount and intended use.

    b. Forward request to the attention of Investigator in charge.

2. A letter of authorization must be received from the County Prosecutor's Office prior to receiving the funds from the City's Forfeiture Account.

    a. A purchase order shall be prepared and sent to the Chief Finance Officer requesting a voucher.

3. All correspondence shall be maintained for seven (7) years in a forfeiture file, as well as the appropriate case file, pending future review.

C. Use of Forfeited Assets:

1. Vehicles

    a. Vehicles that have been authorized disbursed to the Bridgeton Police Department may be titled and used by the department.

    b. The vehicles shall not be sold or transferred at municipal auctions until formal review by the Forfeiture Review Committee.

        (1) The proceeds upon sale of the vehicle shall be deposited into the City's Forfeiture Account.

            (a) When requesting use of the funds, follow Section III.

IV. APPLICABLE USE OF FORFEITED FUNDS

A. Permissible use of forfeited funds must be within the parameters of "law enforcement purposes".

1. Contained within N.J.A.C. 13:77-1.4 is the following definition of "law enforcement purpose.

    a. Forfeited funds may not be used for the payment of regular salaries or to create new personnel positions.

    b. Forfeiture funds shall not be used to meet normal operating needs of a law enforcement agency.

c. Funding entities may not anticipate forfeiture funds when enacting law enforcement budgets.

B. Specific expenditures that would clearly fall within the guidelines are:

1. Costs associated with protracted and complex investigations (overtime, equipment, building rentals, etc.).

2. Overtime costs above those covered by the budget.

3. Education of the public.

4. Computer hardware and software.

5. Surveillance equipment.

6. Undercover motor vehicles.

7. Special training for law enforcement personnel.

8. The Attorney General's guidelines indicate that forfeiture funds may be used to pay the salaries of temporary employees hired for a specific purpose. However, the Attorney General must authorize such expenditure. N.J.A.C. 13:77-2.4.

a. This list is not intended to cover all expenditures that would be appropriate under the guidelines.

V. QUARTERLY REPORTING

A. Forfeiture Request Forms, provided by the Office of the Prosecutor, must be completed quarterly and submitted to the County Prosecutor's Office and the Division of Criminal Justice by the 15th of the month following the end of the reporting period. (See Appendix)

B. Guidelines for Forfeiture

1. The Evidence/Property Officer will complete the forms.

a. See Quarterly Report Instructions (Appendix)

2. The form shall be submitted when forfeited cash or property has been received, used or disposed of by our department.

3. Regardless of whether any forfeited cash or property has been received,

used or disposed of by our department, a quarterly report must be submitted.

Order #: III.8 **Date:** 08/15/2011
Category: DEPARTMENT ORDERS
Title: CRIMINAL INTELLIGENCE

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 8
SUBJECT: CRIMINAL INTELLIGENCE

REVISION DATE: AUGUST 2, 2011

EFFECTIVE DATE: AUGUST 25, 2011

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS: 1.2.3
42.1.6
46.1.5

THIS DIRECTIVE SUPERCEDES AND INCORPORATES PREVIOUS DIRECTIVE III.8 - INTELLIGENCE

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

III:8-1 PURPOSE

This directive incorporates all federal, state and local intelligence mandates for the collection, handling, storage and dissemination of intelligence while providing law enforcement with current, accurate information in a timely manner.

III:8-2 POLICY

The Bridgeton Police Department intelligence personnel shall collect, maintain and diss eminate intelligence utilizing the Cumberland County Prosecutor's Office Intelligence Unit's Intelligence Management System.

The Cumberland County Prosecutor's Office Intelligence Unit has been designated the primary unit responsible for Intelligence Management Systems matters with the Bridgeton Police Department. The Cumberland County Prosecutor's Office Intelligence Unit shall also be responsible for the management of the Intelligence Management System.

Intelligence personnel of the Bridgeton Police Department shall manage the department's a

ccess and usage of the CCPO Intelligence Management System. The CCPO Intelligence Unit shall appoint and grant Bridgeton Police Department personnel access to the CCPO Intelligence Management System. Those individuals of the Bridgeton Police Department who are granted access are subject to background investigations and are aware that any breach in the confidentiality of the Intelligence Management System will result in administrative, civil or criminal action against them. The accessing personnel must attend Intelligence Management training and continue to attend periodic CCPO Intelligence Management System updates, coordination sessions and in-service training.

Bridgeton Police Department personnel that are assigned and authorized to contribute or access intelligence information within the CCPO Intelligence Management System will agree to abide by 28 C.F.R. Part 23 and sign a User Agreement for access and information. The Bridgeton Police Department is further governed by the New Jersey Attorney General Guidelines for the collection, storage, analysis and dissemination of intelligence, mandated by the Attorney General.

All Bridgeton Police Department personnel who access intelligence databases must sign the User Agreement and return same to the CCPO Intelligence Unit, (attachment A).

III:8-3 PROCEDURE

I. DEFINITIONS

A. "28 C.F.R. Part 23" - the federal guidelines for Criminal Intelligence usage and maintenance.

B. "CCPO" - the Cumberland County Prosecutor's Office.

C. "Criminal Associate" - an individual who is suspected of maintaining criminal associations and involvement with any individual, group or organization reasonably suspected of engaging in criminal activity.

D. "Criminal or Delinquent Conduct" - criminal or delinquent conduct is defined as conduct constituting the following criminal acts:

1. Robbery;
2. Carjacking;
3. Aggravated Assault or Assault;
4. Arson;
5. Aggravated Sexual Assault or Sexual Assault;
6. Burglary;
7. Kidnapping;
8. Extortion;
9. Violation of chapter 11 of Title 2C;
10. Tampering with Witness and Informants;
11. Section 5 of Chapter 28 of Title 2C Section 3, 4, 5, 6 or 7 of Chapter 35 of

Title 2C;

12. Chapter 39 of Title 2C;
13. Criminal or Delinquent Conduct.

E. "Criminal Intelligence Information" - data, which has been evaluated to determine that it is relevant to the identification of and the criminal activity engaged in by an individual who or organization which is reasonably suspected of involvement in criminal activity; and meets the Intelligence Management System submission criteria.

F. "Criminal Intelligence System" or "Intelligence Management System (IMS)" - the arrangements, equipment, facilities and procedures used for the receipt, storage, interagency exchange or dissemination and analysis of criminal intelligence information.

G. "Gang-Motivated Incident" - any incident/crime which is committed at the direction of, for the benefit of or in association with a criminal street gang.

H. "Gang-Related Incident" - any incident/crime in which an identified criminal gang member or associate of a recognized gang is the suspect, offender or victim, regardless of motivation or circumstances.

I. "Imminent Threat" - an immediate situation in which life or substantial property may be lost.

J. "Intelligence" - the product of analyzing raw data.

K. "Jurisdictional Boundaries" - the area within any city, township or county within the area served by the CCPO Intelligence Management System.

L. "Pattern of Criminal Activity or Delinquent Conduct" - a reasonable suspicion by law enforcement that an individual that committed, attempted to commit, or conspired to commit, within the preceding 5 years from the date of the present offense, (3) three or more criminal acts or delinquent conduct that is committed by an adult would be a crime, provided the criminal or delinquent acts were one of the offenses enumerated below and were committed on separate occasions by a person or persons who are members of, or belong to, the same criminal street gan g.

The (3) three criminal or delinquent acts must involve, in total, at least (2) two members or associates of the gang. For purposes of calculating the number of members or associates involved, the crime/delinquent act of conspiracy shall be included.

The (5) five year period will be tolled if members or associates are incarcerated. For example, if a member commits a crime in year (1), is subsequently

incarcerated for (6) six years and then commits a crime in year (8) eight after his/her release, both crimes will be considered to be within the (5) five year period because the (6) six year period of incarceration will not be counted. An exception to this tolling provision will occur if the members or associates continue to engage in c riminal or delinquent activity related to the gang while incarcerated.

M. "Reasonable Suspicion" or "Criminal Predicate" - information that establishes sufficient facts to give a training law enforcement or criminal investigative agency officer, investigator or employee a basis to believe there is a reasonable possibility that an individual or organization is involved in a definable criminal activity or enterprise.

N. "Street Gang" - an ongoing group or association of (3) three or more persons who may have a common identifying sign, symbol or name and who individually or collectively engage in or have engaged in a pattern of criminal activity or delinquent conduct that if committed by an adult would be a crime.

O. "Street Gang Associate" -

1. A person who is a member of a group, or sub-group thereof, which meets the criteria for a criminal street gang and who meets one of the criteria set forth above but not two or more; or

2. A person who has engaged in a pattern of criminal activity or delinquent conduct, as defined above, for or on behalf of a group or sub-group thereof, which meets the criteria of a criminal street gang.

The intent of subsection (2) is to identify persons who, while not members of a particular gang nevertheless, for example, provide narcotics to a gang or gangs, distribute narcotics for a gang or gangs, or perform acts of violence for a gang or gangs. In other words, these are persons who conduct criminal activity with a criminal street gang, or sub-group thereof, but who do not become a member of the gang or a sub-group thereof.

P. "Street Gang Member" - a person who is a member of a group, or sub-group thereof, which meets the criteria for a criminal street gang and who meets at least (2) two or more of the following criteria:

1. Has been identified as a gang member by an individual of proven reliability;

2. Has been identified as a gang member by an individual of unknown reliability and that information has been corroborated;

3. Has been observed by law enforcement members to frequent a known gang's area; associate with known gang members; and/or engage in that gang's style of dress, tattoos, hand signals, symbols or other indentifying

behavior/speech/dress/markings related to the gang. This category is also met if the person has been identified as a gang member by physical or similar evidence such as paraphernalia, documentation, electronic correspondence, evidence gathered during an investigation or any other indicia of gang activity;

4. Has been arrested on more than one occasion with known gang members for activity or behavior consistent with gang activity;

5. Has admitted membership in a gang;

6. Has been found by a jury or court to be a member of a gang or organized criminal group.

II. RESTRICTIONS ON ACCESS TO THE CCPO INTELLIGENCE MANAGEMENT SYSTEM

A. The CCPO Intelligence Management System access is limited to those individual(s) who are approved by the County Prosecutor and/or Chief of Investigators.

B. Designated access personnel must complete a training course on using the management system that is provided or approved by the Cumberland County Prosecutor, Chief of Investigators or the CCPO Intelligence Unit.

C. In order to be authorized to enter or submit information, authorized personnel must complete instruction on 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies.

III. RESTRICTIONS ON INFORMATION SUBMITTED

A. Information on individual(s) or corporations may be entered into the Intelligence Management System. However, the entering person must be certain that the information meets the following criteria:

1. The information must have been obtained legally;

2. The information cannot contain any details about the person's religious, political or social views or associations unless that information directly relates to the criminal activity;

3. The gang identification must be relevant to criminal activity, with the following exceptions:

a. Additional information may be added for the sole purpose of providing further identification of the entity already within the database. Furthermore, this disclaimer must also convey that there are no criminal connotations

associated with this information. Finally, such information does not establish an individual basis for criminal predicate;

4. The information must meet the standard of reasonable suspicion. Reasonable suspicion exists if a training law enforcement officer or analyst believes that the person or entity may be involved in criminal activity.

5. The Intelligence Management System is restricted to criminal information (and associated non-criminal identifying information relating to an individual already included in the Intelligence Management System) pertaining only to individuals or organizations known or suspected of being involved in organized crime, racketeering, multi-jurisdictional crime and criminal conspiracies;

6. Entries should be made promptly to reflect entities uncovered by current investigations;

7. In certain instances, investigations into organized crime groups may necessitate looking not only at current data but also at data spanning the life of the organized group. For the purpose of having a complete picture of that group to critically assess its impact on the jurisdiction, that historical data should be included in the material submitted on that group;

8. All information submitted to the Intelligence Management System must be graded for its reliability and validity:

a. Source Reliability, which is the grading of the source independent from the quality of the information provided, is to be graded on the following scale:

i. Completely Reliable: The source has always been reliable in the past.

ii. Mostly Reliable: The source has usually been reliable in the past.

iii. Somewhat Reliable: The source has been somewhat reliable in the past.

iv. Unreliable: The source is usually not reliable.

v. Reliability Unknown: The reliability of the source cannot yet be judged.

b. Information Validity, which is the grading applied to the authenticity of this information independent of the source, will be graded on the following scale:

i. Known True/Confirmed True: The information has been

corroborated by an investigator or another reliable source.

ii. Probably True: The information is more likely true than not.

iii. Possibly True: The information may be true, but is more likely not true.

iv: Cannot be Judged: The validity of the information cannot yet be determined.

v. Identification Data: The information is being stored solely to provide clarification as to the identity of an entity upon which information is already being stored.

9. The dissemination handling codes will determine how freely the information may be disseminated to others within or outside the Bridgeton Police Department and is to be graded on the following scale:

a. Any Law Enforcement Agency: This information may be provided to any bona fide law enforcement agency.

b. Special Handling: Dissemination is subject to special handling conditions; contact the provider of the information for details.

c. Restricted: The information is restricted from dissemination unless authorized by the Bridgeton Police Department. Furthermore, any inquirer is not to be informed of the existence of the information without being approved by the information provider.

d. Specific Group: The information may only be disseminated to personnel assigned to Specific Group to which the original provider was assigned. No further dissemination is permitted.

e. Sensitive/Classified: Any dissemination is forbidden.

IV. RESTRICTIONS ON GANG INFORMATION SUBMITTED

A. All entries will comply with all applicable federal, state and local laws and regulations including 28 C.F.R. Part 23, the Criminal Intelligence System Operating Policies and the New Jersey Attorney General's Intelligence Guidelines. To maintain the integrity of the information in the Intelligence Management System, the authorized Bridgeton Police Department personnel will collect, review and submit all gang identification into the system.

B. Bridgeton Police Department authorized personnel will enter approved Field Interview Sheets prepared by law enforcement personnel (attachment B) for those

subjects who are street gang members and/or involved in criminal activities. The Field Interview Sheets to show that a person is a street gang member, must indicate that a person is a member of a group, or sub-group thereof, which meets the criteria for a criminal street gang and who meets at least (2) two or more of the following criteria:

1. Has been identified as a gang member by an individual of proven reliability;

2. Has been identified as a gang member by an individual of unknown reliability and that information has been corroborated;

3. Has been observed by law enforcement members to frequent a known gang's area; associate with known gang members; and/or engage in that gang's style of dress, tattoos, hand signals, symbols or other identifying behavior/speech/dress/markings related to the gang. This category is also met if the person has been identified as a gang member by physical or similar evidence such as paraphernalia, documentation, electronic correspondence, evidence gathered during an investigation or any other indicia of gang activity;

4. Has been arrested on more than one occasion with known gang members for activity or behavior consistent with gang activity;

5. Has admitted membership in a gang;

6. Has been found by a jury or court to be a member of a gang or organized criminal group.

C. Identifications are then entered into the Intelligence Management System.

D. If only one criterion has been met, then the subject will be classified as a "gang associate". If additional information is received which satisfies a second criterion then the individual will be a verified gang member.

V. DISSEMINATING INFORMATION FROM THE CCPO INTELLIGENCE MANAGEMENT SYSTEM

A. No criminal intelligence information will be disseminated to non-law enforcement personnel. Information will not be disseminated to individuals who have not been authorized by this department. In addition, the authorized operator(s) must establish that the requestor meets both their "right to know" and "need to know" criteria before any dissemination is made. Approved operators may conduct inquiries to the system for internal purposes.

B. An individual has a "right to know" if he/she has the authority under law to receive and use intelligence information. An individual qualifies as having "need to know" if the requested information is necessary in the performance of a law

enforcement function. Reasonable suspicion/criminal predicate is not required for a requestor to make an inquiry or to receive disseminated intelligence.

C. No intelligence information will be disseminated to any person who has not met both the "right to know" and "need to know" qualifications.

D. The only circumstance when intelligence may be disseminated to any entity, which is not a law enforcement agency, is when there is imminent threat to life or property.

E. Third party information may be forwarded to approved, law enforcement persons with the knowledge and consent of the Intelligence personnel per incident. Any operator who disseminates intelligence from the CCPO Intelligence Management System to an individual or agency unauthorized to receive this information or who has not completed a user agreement, is in violation of 28 C.F.R. Part 23 and the NJ Attorney General Intelligence Guidelines. The individual may be subject to departmental disciplinary action and/or criminal prosecution.

F. Inquiries on individuals or groups (not already in the Intelligence Management System) that meet reasonable suspicion standards may be entered into the Intelligence Management System, provided a sustaining report is made that supports the entry of an individual or group.

G. An audit trail or dissemination record is required when information is disseminated from the Intelligence Management System. The record shall contain the following information:

1. The date of dissemination;

2. The name of the individual requesting the information;

3. The name of the agency requesting the information;

4. The reason (need to know) for the release of the information;

5. The information inquired upon;

6. The name of the individual disseminating the information.

VI. AUDIT, REVIEW AND PURGE OF CCPO INTELLIGENCE MANAGEMENT SYSTEM MATERIAL

A. In compliance with 28 C.F.R. Part 23, the CCPO Intelligence Management System automatically determines when intelligence identification data needs to be reviewed and either updated or purged. The CCPO Intelligence Unit is responsible for reviewing and purging the data. This process shall be completed

Order #: II.15 **Date:** 01/05/2010
Category: DEPARTMENT ORDERS
Title: FINGERPRINTING

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION : II
CHAPTER: 15

SUBJECT: FINGERPRINTING
EFFECTIVE DATE:
CHIEF OF POLICE: Courtlandt A Turner
CROSS REFERENCE #: Computer Mug Shot Policy

POLICY:

Fingerprinting is a very diverse function. Today, people are fingerprinted for many reasons. Fingerprints are a method of positive identification, but the reasons for positive identification are varied. Therefore, clear procedures have been developed to eliminate confusion between criminal fingerprinting procedures, non-criminal fingerprinting procedures and the fingerprinting of juvenile offenders.

PROCEDURE:

I. ARRESTS

A. Whenever an adult is arrested for the following offenses, they are to be fingerprinted:

1. All Indictable Offenses

2. All Narcotic Violations

3. Shoplifting

4. Suspect Identification Questionable

B. When an adult is fingerprinted, the following fingerprint cards are to be completed:

1. Three (3) Fingerprint Cards

a. one State card

b. one local card

c. plus one palm card

Note: Only one local card for adults charged with disorderly persons offense (other than CDS offenses, shoplifting or domestic violence offenses)

C. When the fingerprint cards are completed, the person who has been fingerprinted must sign each card.

D. The OFFICER shall complete the fingerprint cards and forward the cards to the RECORDS SECTION.

1. Records Section will forward print cards to any and all appropriate agencies.

2. One local card is to be kept on file along with the palm print card.

E. Juvenile Fingerprinting Procedures

1. The fingerprints of a juvenile shall be obtained under the following circumstances:

a. Where latent fingerprints are found during an investigation of an offense and a law enforcement officer has reason to believe that they are those of a juvenile, he may, with the consent of the court or juvenile and his parent or guardian, fingerprint the juvenile for the purposes of comparison with the latent fingerprints. Fingerprint records taken pursuant to this paragraph may be retained by the department but shall be destroyed when the purpose of taking the fingerprints has been fulfilled.

b. If the parent, guardian and juvenile do not consent to the taking of fingerprints for comparison purposes, then a court order must be obtained. The investigating officer shall prepare an Affidavit stating the reasons for believing that the juvenile is involved. Contact the Juvenile Unit of the Prosecutor's office so that an order may be prepared and presented to the court along with the Affidavit.

2. If a juvenile is 14 years or older and charged with delinquency on the basis of an act which if committed by an adult would constitute an indictable crime, fingerprints are to be taken along with photographs.

3. Juvenile fingerprints shall remain in the case file pending disposition

of the case.

4. If the juvenile is adjudicated delinquent on the basis of an act which, if committed by an adult would constitute a crime, then the fingerprints are to be submitted to the New Jersey State Police Bureau of Identification at:

   New Jersey State Police
   Bureau of Identification
   P. O. Box 7068
   West Trenton, N. J. 08628-0068

5. If the juvenile is not adjudicated a delinquent then the fingerprints shall remain with the case file for identification purposes only.

6. The juvenile shall be fingerprinted utilizing two (2) Fingerprint Cards.

   a. One (1) card will remain in the local arrest file.

   b. One (1) card will be submitted to the State Bureau of Identification,

F. Whenever an arrested person is fingerprinted, a photograph of the person will also be taken.

1. All photographs will be identified by utilizing the Photograph Identification number assigned through dispatch The Photograph Identification Log will contain the following information:

   a. Assigned Photo Number(s)

   b. Date

   c. I. R. Number

   d. Name (Accused) or Incident (i.e. arson)

   e. Officer's Initials

II. APPLICANT CARDS

A. When an adult must be fingerprinted as a requirement of law, one Federal Applicant Fingerprint Card and one State Applicant Fingerprint Card is to be completed.

1. The Applicant Fingerprint Cards are to be given to the applicant after

the person has been fingerprinted.

a. The only exception would be when the applicant is applying for a position with the Police Department.

B. Applicant Fingerprint Cards are to be completed for the following:

1. Alcoholic Beverage Control

a. Purpose:

(1) Liquor Industry Employment Screening N.J.S.A. 33:1-25, N.J.S.A. 33:1-26

(2) Alcohol Beverage Control Licenses N.J.S.A. 33:1-25, N.J.S.A. 33:1-31

b. Authorized Agency:

(1) Municipal Police Department

(2) Municipal ABC Boards

(3) State Police

2. Firearms

a. Purpose:

(1) Firearms retail dealer and employee licenses N.J.S.A. 2C:58-2

(2) Firearms, permits to purchase N.J.S.A. 2C:58-3

(3) Firearms purchaser identification card N.J.S.A. 2C:58-3

(4) Firearms, permit to carry N.J.S.A. 2C:58-4

(5) Machine Gun, permits to purchase, possess and carry N.J.S.A. 2C:58-5

b. Authorized Agency:

(1) Various Police Departments

(2) State Police

3. Firemen

a. Purpose:

(1) Applicants for appointment as member of a paid fire department or a paid member of a part-time fire department N.J.S.A. 40A:14-9

b. Authorized Agency:

(1) Various Police Departments

(2) State Police

4. Gaming

a. Purpose:

(1) Amusement Game Licenses for applicants who wish to hold, operate or conduct amusement games N.J.S.A. 5:8-103

(2) Bingo licenses to hold, operate and conduct N.J.S.A. 5:8-27

(3) Renters licenses N.J.S.A. 5:8-49.6, N.J.S.A. 5:8-49.8

(4) Raffles, licenses to hold, operate, conduct and raffles leasing licenses N.J.S.A. 5:8-53, N.J.S.A. 5:8-6

(5) Gaming licensing and control Casino Gaming N.J.S.A. 5:12-84

(6) Casino license applicants N.J.S.A. 5:12-86

(7) Casino employee applicants N.J.S.A. 5:12-90

(8) Casino hotel employee applicants N.J.S.A. 5:12-91

(9) Casino Service industry license applicants N.J.S.A. 5:12-92

(10) Labor organization personnel requesting registration of licensees under the Casino Control Act N.J.S.A. 5:12-93

b. Authorized Agency:

(1) Legalized Games of Chance Commission

(2) Various Police Departments

(3) State Police

5. Municipal Employment

a. Purpose:

(1) Applicants for municipal office, position or employment N.J.S.A. 40:69A-166

b. Authorized Agency:

(1) Municipal Police Departments

(2) State Police

6. Real Estate

a. Purpose:

(1) Applicants for licenses as real estate brokers or salesmen N.J.S.A. 45:15-12.1, N.J.S.A. 45:15-17, N.J.S.A. 45:15-19.2

b. Authorized Agency:

(1) Real Estate Commission

(2) Local Police Department

7. School Bus Drivers and Public School Employment

a. Purpose:

(1) School Bus drivers or Substitute Driver Applicants N.J.S.A. 18A: 39-19

b. Authorized Agency:

(1) County Superintendents of Schools

c. Senate Bill 223

(1) Mandates the submission of applicant fingerprint cards on all

prospective public school employees.

(2) Prints to be taken by local, county or state law enforcement agencies.

(3) Applicant will bring with them the specific applicant fingerprint cards from the Department of Education.

(4) Personal identification should be examined prior to taking the applicants fingerprint impressions. The cards will be turned over to the applicant for submission to the Department of Education.

(a) The police department will not forward the cards directly.

8. Volunteer Programs (N.J.S.A. 53:1-20.6(b) and N.J.A.C. 13:59)

a. Neighborhood Watch Programs

b. Block Parents/Helping Hand Type Programs

c. Big Brother/Big Sister Program

d. McGruff Programs

e. Volunteer Fireman

f. Volunteer Ambulance Drivers

g. Volunteer First Aid Squads

h. Volunteer Rescue Squads

i. Safe House Programs

(1) The volunteer program background checks shall be coordinated through the Police Department.

(2) Each volunteer shall be fingerprinted

(a) One State Applicant Card

(3) The specific volunteer program shall be indicated in the "Reason for Fingerprinting" block

(4) The Police Department shall review the CCH or No Record

Response and advise the volunteer program of the results

(a) The Police Department shall destroy the CCH upon notification

(b) All applicants will be afforded the opportunity to challenge/correct the information by contacting the State Bureau of Identification

III. FIREARMS I. D. CARDS

A. One State (black) Firearms Application Fingerprint Card is to be completed.

B. One Federal (blue) Applicant Fingerprint Card is to be completed.

C. When the fingerprint card is completed, the person fingerprinted is to sign each card.

D. An I AU number is to be generated and a cross file card is to be completed.

E. When the I. D. Card is issued, the thumbprint of the cardholder must be placed on the back of the I. D. Card.

IV. PISTOL PURCHASE PERMITS

A. One Federal (blue) Applicant Fingerprint Card is to be completed.

B. One New Jersey State (black) Firearms Application Card is to be completed.

C. An IAU number is to be generated and the officer that fingerprinted the applicant shall complete the forms and forward the application forms, fingerprint cards and the to IAU for cross file completion.

D. All fingerprint cards must be signed by the applicant and the officer taking the fingerprints.

V. RESPONSES FROM THE FBI FOR CRIMINAL FINGERPRINT CARD SUBMISSION

A. When fingerprint cards are submitted to the FBI the "reply desired" block on the back of the Federal Criminal arrest Fingerprint Card (FD-249) must be checked "Yes" in order to receive a criminal records check response.

B. When the FBI does identify a fingerprint card submission with an existing criminal record on the Interstate Identification Index (III) System, other than New Jersey, a $.A.PIR (prior index record) message will be sent to the Police via a teletype.

1. When the telecommunications operator receives the message, the teletype will be forwarded to the record secretary who will include the record with the case file.

C. When the FBI does not identify a fingerprint submission with an existing criminal record, a $.A.NPR (no prior record) message will be sent to the department via a teletype.

1. When the telecommunications operator receives the message, the teletype will be forwarded to the records secretary, who will include the record with the case file.

D. The FBI will not respond via the mail to criminal fingerprint card submissions. Only non-criminal fingerprint card submissions will the FBI respond via the mail.

CITY OF BRIDGETON
Police Department

SCHEDULE FOR FEES
(Effective: December 13, 1995)

IF AN APPLICANT HAS TO BE FINGERPRINTED FOR A FIREARMS IDENTIFICATION CARD:

A $49.00 certified check, money order or cashiers check made payable to:

Division of State Police SBI

A $5.00 check made payable to: City of Bridgeton

IF AN APPLICANT HAS TO BE FINGERPRINTED FOR A HANDGUN PURCHASE PERMIT:

A $49.00 certified check, money order or cashiers check made payable to:

Division of State Police SBI

A $2.00 check (per permit) made payable to: City of Bridgeton

IF AN APPLICANT HAS TO BE FINGERPRINTED AND IS APPLYING FOR A FIREARMS I.D. CARD AND A PISTOL PURCHASE PERMIT AT THE SAME TIME:

A $49.00 certified check, money order or cashiers check made payable to:

Division of State Police SBI

A $5.00 check made payable to: City of Bridgeton

A $2.00 check (per permit) made payable to: City of Bridgeton

IF AN APPLICANT HAS BEEN PREVIOUSLY FINGERPRINTED AND IS APPLYING FOR A HANDGUN PERMIT:

A $15.00 certified check, money order or cashiers check made payable to:

Division of State Police SBI

A $2.00 check (per permit) made payable to: City of Bridgeton

IF AN APPLICANT HAS TO BE FINGERPRINTED FOR A PERMIT TO CARRY A FIREARM:

A $49.00 certified check, money order or cashiers check made payable to:

Division of State Police SBI

A $20.00 certified check, money order or cashiers check made payable to:

Cumberland County Clerk

IF AN APPLICANT IS APPLYING FOR A CHANGE OF ADDRESS OR REPLACEMENT OF A GUN I. D. CARD:

A $15.00 certified check, money order or cashiers check made payable to:

Division of State Police SBI

Order #: II.16 **Date:** 01/05/2010
Category: DEPARTMENT ORDERS
Title: GENERAL PATROL PRACTICES

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 16

SUBJECT: GENERAL PATROL PRACTICES
EFFECTIVE DATE:
CHIEF OF POLICE:COURTLANDT A. TURNER

1. Patrol Responsibilities include, but are not necessarily limited to

   A. The protection of persons, their welfare and their property,

   B. The prevention of criminal activity, and

   C. The maintenance of public peace and good order.

2. Patrol personnel are to perform their duties within the framework of the police mission, the values of this department, the operating procedures, rules and regulations established for this agency, and all state and federal laws governing police forces.

3. Beat and Patrol Area familiarity

   A. Officers must develop and have a thorough knowledge of the characteristics of their assigned beat and patrol area.

      (1) Geographical profile of the community they serve.

      (2) Existence and nature of places and conditions pertaining to their area or areas of responsibility, particularly those giving rise to crime or hazardous conditions.

      (3) Existing or proposed public transportation routes.

      (4) Public service agencies and their physical locations.

   B. Know the people that customarily frequent the beat, taking note of suspicious actions and the scrutiny of those persons involved.

      (1) Develop rapport with area businesspersons and residents

      (2) Develop information sources

4. Preventative Patrol

   A. Patrol is most effective when accomplished with no regular pattern.

   B. Without pattern development, officers are less likely to afford opportunities to criminals desiring to commit a crime within the patrol area.

   C. Be aggressive in investigating suspicious persons and activities or incidents.

      (1) Perform thorough security checks on properties housing businesses or are known to be vacant.

      (2) Check building perimeters completely, minimizing crime opportunities.

   D. Patrol Time free of specific assignments

      (1) Use high visibility tactics, within those areas most exposed to criminal activities.

      (2) Become familiar with conditions contributing to criminal activity and take appropriate actions to eliminate these conditions.

      (3) Become better acquainted with the geographical arrangement of the beat or patrol area, thereby reducing the criminal element's opportunity to commit crime.

      (4) This is also known as selective patrol.

   E. Correct physical hazards on the beat or in the patrol area:

      (1) Conditions that endanger public health, safety and welfare by making prompt notifications to the appropriate agency.

      (2) Make notifications of missing traffic control signs and out of order traffic control devices.

      (3) Take note and notify the appropriate authority when encountering obstructed traffic signs, open and unprotected excavation sites or inoperable street lights.

      (4) Document your observations and actions taken to correct these conditions.

5. Building Security checks

   A. Make appropriate and frequent business and commercial building security

checks.

B. When patrolling residential areas, be alert for burglars and thieves, as well as other suspicious incidents.

C. Make frequent checks of parking lots and automobile dealerships.

6. Patrol Demeanor:

A. Be alert

B. Be courteous

C. Be business-like and professional in your contacts

D. Your actions dictate public confidence in our department. You are the most important member in maintaining good public relations.

(1) Barring exigent circumstances, a rule of thumb is to treat the people with whom you are dealing in the manner you want an officer to deal with a loved one.

(2) Deal with the situation without losing control.

7. General Patrol Techniques

A. At the start of your tour:

(1) Check your assigned vehicle inside and out.

(2) Check your radio for operability, advise you are clear for patrol.

(3) Inspect conditions on your beat or in your area.

(4) Concentrate your efforts where crime hazards are greatest.

B. Patrol

(1) Be irregular, do not develop predictable patterns of patrol.

(2) Use back tracking techniques.

(3) Operate a vehicle at a speed that does not hinder traffic flow, but slow enough to make observations of people and behaviors.

(4) Exit your vehicle when necessary to check a building's security.

C. Inspections of exposed areas or places

(1) Concentrate on those areas exhibiting the highest criminal activities.

(2) Frequently inspect car lots and dealerships.

(3) Inspect areas of concentrated businesses.

(4) Check small markets, service stations and liquor stores.

(5) Check bus stops in your area.

D. Inspections of closed businesses

(1) Inspect all businesses in your beat or patrol area.

(2) Learn where safes and cash registers are located.

(3) Become familiar with the location of night-lights within establishments.

(4) Know the locations, as applicable, of doors, windows, gratings and skylights.

(5) Become familiar with habits of employees, particularly when arriving or leaving the establishment.

a. Does the first person arriving have a safety signal for later arrivals.

(6) Know the business hours of stores and commercial establishments on your beat or your patrol area.

(7) After closings

a. Check points of access for illegal entry.

b. Make use of spotlights and flashlights

c. Investigate suspicious conditions, after advising the radio dispatcher.

(8) On finding an illegal entry:

a. Summon assistance

b. Take a strategic position where you can make an arrest or hold a suspect at bay if he or she attempts to leave.

c. With proper assistance, initiate the building search.

d. Search in a systematic, methodical manner

i. Should secure the ground floor and search downward from top floor, as most suspects will flee upward.

ii. Your supervisor must be notified of any search, before you initiate it.

E. Inspections of open premises (during hours)

(1) Be aware that grocery stores, liquor stores and supermarkets are lucrative robbery targets during business hours.

(2) Make owners or managers of these types of premises aware that you will be making inspections of the premises from time to time.

a. Advise store owners or managers to contact the police if they observe suspicious persons and activities.

b. If they are suspicious enough to call, they should also write down a description of the person and vehicle, as possible.

i. License plate numbers as possible

ii. If they have CCTV systems, owners and managers should make sure the system is operational.

(3) Your arrival for an inspection:

a. Park nearby but out of line with the office or entrance.

b. Notify the dispatcher of your intent.

c. Observe the parking lot and front of building for any suspicious people or activities.

i. Be alert for a car with driver and running motor, parked in a manner where it cannot be blocked in by other vehicles (possible getaway vehicle).

ii. If such circumstances are present, a one-man unit

should call for an assist unit prior to investigating further.

d. Any precautionary measure or measure will depend a great deal on your observations at time of arrival, while outside the building.

e. Upon reasonable cause to believe a crime is in progress:

i. Report facts to dispatcher

ii. Take a vantage point and seek cover, where you can observe without being observed from inside the premises.

iii. Have the dispatcher place a telephone call to the establishment.

iv. Approach cautiously and inspect the interior though a window, to see if things appear normal.

v. If so, two officers should enter, separating once inside.

vi. Have weapons ready for immediate deployment.

vii. Look on actions of all persons present with suspicion until it is determined no crime is occurring.

(a) At this point it may be necessary to remove everyone from the premises and check them for weapons and conduct terse individual interviews

f. Knowing a crime is in progress

i. If possible retreat to safety and take a vantage point.

ii. Allow the suspect or suspects to leave

iii. Make apprehension where it will not jeopardize the safety of customers, employees or others.

g. Should a robbery turn into a hostage situation, immediately notify the dispatcher and request a supervisor on scene.

i. Immediately institute this agency's barricaded person and hostage plan.

F. Investigations of Persons

(1) Check persons loitering around schoolyards, playgrounds, bus stops and stores when their behaviors raise reasonable suspicions of criminal conduct.

(2) Persons observed under suspicious circumstances in alleyways and loitering around closed businesses should also come under scrutiny.

(3) Persons soliciting or peddling merchandise should be checked for proper city permits.

(4) Large crowds

a. Determine reason for the gathering

b. Is it illegal or likely to lead to civil disorder?

c. Immediate notification of your supervisor

d. Request for assistance as necessary

(5) Stopping someone: have reasonable articulable suspicion or probable cause.

(6) Make a proper investigation upon developing reasonable suspicion or probable cause.

a. Explanation for presence

b. Properly identify the subject or subjects

c. Document the stop

d. If an arrest is in order, make it.

G. Observation of vehicles

(1) Vehicles should receive special attention from patrol officers.

a. Traffic enforcement

b. Motor vehicle thefts are common

c. Vehicles often used in the commission of crimes

d. Vehicles raising reasonable suspicion or probable cause should be investigated.

i. Check registration of vehicle

ii. Check occupants

iii. Check vehicles in unusual locations

(2) Call in all vehicle stops and investigations to the dispatcher.

a. An assist vehicle should be dispatched to the motor vehicle stop location, as back up to the investigating officer.

H. Shifting Circumstances

1. Different problems are encountered in patrol during daylight hours than during hours of darkness.

2. Methods of patrol have to be modified depending on

(a) Time of day
(b) Type of beat or area
(c) Condition under which patrol takes place.

Order #: II.17 **Date:** 01/05/2010
Category: DEPARTMENT ORDERS
Title: HANDLING MENTALLY ILL PERSONS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 17

SUBJECT: HANDLING MENTALLY ILL PERSONS

EFFECTIVE DATE:
CHIEF OF POLICE:Courtlandt A Turner

POLICY:

It is not unusual for the police officer to come into contact with a person who apparently suffers from what is commonly called "mental illness". When such contacts are made, it is common for there to be a good deal of confusion over what is the proper police procedure in handling the mentally ill.

I. THREE PRINCIPLES

A. Standing alone, mental illness signifies nothing and permits no special police responses. A mentally ill person has a perfect right to be left alone, as long as he does not violate the law.

B. No person is to be taken involuntarily into police custody. If such person has committed an offense which could result in an arrest, or has demonstrated by ACTS observed by a police officer or other reliable persons, that he immediately threatens the lives or safety of others or himself/herself, the individual could be arrested.

C. No one is to be treated as being mentally ill unless a compelling necessity exists.

The interest that the first two principles protect is the basic right to be left alone until others are threatened with harm or one's own life is in mortal danger. A person's illness does not make him a second class citizen. Contrary to what was thought for many years, mentally ill people as a class are no more dangerous to others than mentally "healthy" people.

The third principle recognizes that the label of "mentally ill" carries with it a stigma that is equal to, or greater than the stigma of a criminal conviction. Thus, the police officer must exercise extreme care in determining that a person is mentally ill, and in conforming to the procedures set out below.

II. RECOGNIZING MENTAL ILLNESS

A. It is essential to make clear that the kind of mental imbalance that is the subject of this section is no less than a fundamental derangement of the mind. In medical terminology, a person who suffers from this condition is called "psychotic". Although often such mental illness is quite easily recognized, there will be times when, for the purpose of the procedures and guidelines that follow, there will be doubt whether the condition is present. To help the police officer in a particular case, he is to keep in mind that there are two things to look for.

Together they form an "index of suspicion" of mental illness:

1. That in response to questions or conversations, the person does not make sense; i.e. his conversation is confused and disjointed, etc.

2. That the person does not know his name, the date, where he lives and where he is at the moment.

III. GENERAL APPROACH

A. Whenever a contact is made with a person who he recognizes to be mentally ill, a police officer is to follow what is outlined to avoid unnecessary ill will or difficulty:

1. Be honest and never try to deceive or trick the person.

2. Do not hurry. The more time spent with the person to achieve the officer's purpose, the better.

3. Be polite and respectful. Do not abuse.

4. Over all, try to establish, even if for the short time period involved, a relationship of concern and understanding.

B. The officer's approach should allow him to make an evaluation by observation and inquiries; and on the basis of that evaluation, make a further decision as to appropriate action.

IV. STEPS SHORT OF TAKING THE PERSON INTO CUSTODY

A. Getting the person to accept a voluntary referral.

1. Situations where contact is made with people who are mentally ill are endlessly varied. Perhaps the contact may arise during a family dispute call. In most of these situations, no special steps are required

other than to be extra patient and calm. However, where the officer is convinced that the person is quite seriously disturbed and in possible danger to himself and others, he is to tactfully inform the person that the Psychiatry Department at the hospital is equipped to handle his problems and that, if the person wishes, a police conveyance can be arranged to the hospital. (The psychiatry staff are available 24-hours a day in the hospital and the staff will be summoned whenever the police bring a mental patient to the emergency room.)

B. If the person refuses to cooperate, and if because of his mental illness, the officer is concerned for his and others welfare, he shall call the hospital himself and get the benefit of the staff's advice. The Psychiatry Department has agreed to provide such a service to the police department whenever the need arises. Finally, if adult members of the person's family or the person's guardian are know to him, the officer may want to contact them and suggest that they try to influence the person to seek care.

V. TAKING THE MENTALLY ILL PERSON INTO CUSTODY

A. This is a drastic step and should be undertaken only in strict compliance with the procedures which follow. The policy considerations referred to earlier demand this restraint.

B. As a matter of law and department policy, there are four, and only four situations in which a mentally ill person may be taken into custody.

1. If he committed a crime for which, under normal circumstances, he would be arrested.

2. Where from acts observed by the officer, or other reliable persons, the officers believe the person poses a substantial risk of physical harm to other persons as manifested by evidence that others are placed in reasonable fear of violent behavior and serious physical harm to them.

3. From acts observed by the officer, or other reliable persons, the officer believes the person poses a VERY substantial risk of physical impairment or injury to himself as manifested by evidence that his judgement is so affected that he is unable to protect himself in the community and that reasonable provision for his protection is not available in the community.

4. Where from acts observed by the officer, or other reliable persons, the person demonstrates a substantial risk of physical harm to himself as manifested by evidence of threats of, or attempts at, suicide or serious bodily harm.

C. Where one of the situations outlined in Section V, B 1-4 concluded that the person must be taken into custody, seek to convince the person to come voluntarily and peacefully.

1. If these measures fail or are impractical, restrain the person. In restraining the person, use only as much force as is absolutely necessary.

2. Officer shall immediately arrange transportation for the subject through the Rescue Squad (BEAA) to the mental health facility designated by the mental health screening.

3. One officer shall accompany the first aid squad by riding inside the ambulance to maintain security.

4. A second officer shall follow the ambulance to the designated mental health facility to assist in security at the screening center.

5. Officers shall assist with screening center security until the subject is released to the custody of the on-site security personnel.

6. Officers at the scene prior to transportation shall determine if subject is in need of medical treatment due to injury, or under the influence of drugs/alcohol. The primary responsibility is to arrange for the transportation of the subject to the nearest medical facility for a medical evaluation. After the medical evaluation is complete, transportation will then be provided to the designated screening center.

VI. AFTER THE MENTALLY ILL PERSON IS IN CUSTODY

A. Dispatcher is to call South Jersey Hospital Systems Crisis Unit and notify them of in-coming situation.

B. Definitions

1. "Mental Illness". A current substantial disturbance of thought, mood, perception or orientation which significantly impairs judgment, behavior or capacity to recognize reality, but does not include simple alcohol intoxication, transitory reaction to drug ingestion, organic brain syndrome or development disability unless it results in the severity of impairment described herein.

2. Dangerous to others or property is defined as meaning that by reason of mental illness, there is a substantial likelihood that the person will inflict serious bodily harm upon another person

or cause serious property damage within the reasonably foreseeable future. This determination shall take into account a person's history, recent behavior and any recent act or threat.

3. Dangerous to self is defined as that by reason of mental illness, the person has threatened or attempted suicide or serious bodily harm, or has behaved in such a manner as to indicate that the person is unable to satisfy his need for nourishment, essential medical care or shelter, so that it is probable that substantial bodily injury, serious physical debilitation or death will result within the reasonably foreseeable future; however, no person shall be deemed to be unable to satisfy his need for nourishment, essential medical care or shelter if he is able to satisfy such needs with the supervision and assistance of others who are willing and available.

VII. GUIDELINES FOR UTILIZATION OF MENTAL HEALTH SCREENING CENTERS

A. PURPOSE: The purpose of these guidelines is to provide support to police in the community when faced with an emotionally disturbed person (E. D. P.) who is perceived to be a danger to self and/or others and will not willingly seek medical health services. This section applies to adults, 18 years of age and above.

1. Statement: All mobile-screening calls will require police involvement. It is essential that a clear understanding exist between law enforcement officers and mental health screeners as to the duties and responsibilities of each. They must work as a team, each supporting the other, providing their particular expertise to accomplish their mission.

This statement is issued to ensure the safety and well being of the individual who is suspected of being mentally ill and dangerous, the mental health screeners, the law enforcement officers and the community.

B. POLICY: When the screening centers receive information regarding an individual in the community who is believed to be mentally ill and dangerous, and who is unable or unwilling to come to a screening center, the screener shall evaluate the potential for dangerousness prior to requesting either police escort or transport. Screener shall base the evaluation of potential for dangerousness upon a finding of:

1. The occurrence of violent behavior.

2. A threat of violence to self or others.

3. Identified victim(s).

4. Substance abuse.

5. Command hallucinations.

6. Specified plan of violence.

7. History of violence.

8. History of arrests, involuntary admissions.

9. Subject's fear of violence, current medications.

10. Behavioral clues.

11. Weapons present.

12. Access to weapons, military or police firearms training, and/or

13. Other lethal training/ability, boxing, etc.

The mental health screener, upon determining that the potential for danger exists, shall request either a police transport or police escort.

C. PROCEDURES: Upon receiving a transport/escort request from the mental health-screening center, the following procedure shall be followed:

1. Police Escort:

a. The officer/dispatcher shall record the following information:

(1) Caller's name and agency

(2) Time call received

(3) Subject's name and address

(4) Reason for escort request

(5) Subject's location

(6) Call back number

(7) Other pertinent information provided by the screener service.

b. At the time of request for police escort, the officer/dispatcher shall coordinate plans for the officer to meet and escort the mental health screener as soon as possible, based upon the urgency of the situation, the availability of an officer and mental health screeners.

c. Upon arrival at the scene, the officer shall determine whether the situation constitutes a police emergency, i.e. the subject has committed or is about to commit a criminal offense, or that someone is or is in imminent danger of serious injury.

d. If a police emergency exists, the senior officer on the scene shall take charge and direct the screener to assist or to vacate the area as necessary. This procedure shall also be followed at any time during the escort where the situation becomes a police emergency.

e. If the situation does not constitute a police emergency, the officer shall remain at the scene until the screener indicates the initial assessment is completed and the patient's condition is stabilized.

VIII. TRANSPORT OF MENTALLY ILL SUBJECT

A. Upon the request for transportation to a screening center, the officer/dispatcher shall record the following information:

1. Caller's name and agency

2. Time call received

3. Subject's name and address

4. Reason for the escort request

5. Subject's location

6. Call back number

7. Other pertinent information provided by the screener service

B. The officer/dispatcher shall summon the agreed upon transportation to the scene and provide a police escort to the screening center at S. J.H.S Crisis Unit.

1. The intent is to insure that a mentally ill and/or dangerous individual

receives prompt intervention in the appropriate setting.

C. If an escort was requested and the officer is already at the subject's location:

1. The officer shall request and receive a copy of the signed authorization for transportation from the screener.

2. The officer shall notify his supervisor of the request.

3. The officer shall transport the subject directly to the screening service for further evaluation, provided that other officers can maintain law enforcement services.

D. If an officer is not at the location of the subject:

1. The officer/dispatcher receiving the transport request shall notify his superior officer and dispatch an officer to the scene.

2. Upon arrival at the scene, the officer shall follow the procedures under "A" above.

IX. LAW ENFORCEMENT PRESENCE AT SCREENING CENTER

A. A law enforcement officer shall request an evaluation by a mental health screener whenever, on the basis of the officer's personal observations, there is reasonable cause to believe that a subject is in need of involuntary commitment. The officer shall:

1. Contact the screening center to discuss case with screener and transport the subject to the screening service for an evaluation.

2. Contact the screening services and request an evaluation at the subject's location. The officer shall remain with the subject until the situation has been secured and the assessment completed.

X. PROCEDURE FOR ARREST OF SUBJECT WHEN ARREST IS INDICATED

A. The officer is obligated to arrest any subject who has committed an act which is in violation of any criminal statute, following proper procedures in accordance with the criminal statutes, court rules and police department rules and regulations, policies and procedures.

B. Where the mental state of the subject requires assistance of a mental health screener, the officer shall follow the procedures found above. The officer shall retain custody and control of the arrested subject. Upon release of the subject by the screener, the officer shall continue the arrest process.

C. Where it is found that the subject requires immediate confinement at a mental health facility for psychiatric intervention, the officer shall provide for the transportation of the patient to the confinement facility in accordance with the county or local procedures. Thereafter, the officer will complete the complaint process.

D. The screening service shall notify the law enforcement agency when the subject is to be released from the screening service. The police shall take custody of the subject upon release to complete the arrest process.

E. If a person in custody for the commission of a criminal or disorderly persons offense is admitted or committed to a state psychiatric facility, the law enforcement agency shall take custody of the subject within 48 hours of receiving information.

XI. CONFIDENTIALITY

A. Protect the identity of any person taken into custody in accordance with these procedures. Do not divulge such name to any person, including other members of the force not involved in the case, except as directed by law or in the course of official proceedings.

XII. POLICE LIABILITY

A. Any law enforcement officer acting in good faith during the assessment process is made immune from civil and criminal liability.

XIII. REPORT WRITING

A. Each incident involving an emotionally disturbed individual will require an investigation report to be completed by the investigating officer.

B. The report shall include the following information:

1. Name, address and telephone number of subject

2. Description of circumstances that required police involvement

3. If custody of subject is required for mental health screening designate if subject was:

a. Dangerous to others or property

b. Dangerous to self

4. Name of transporting first aid squad

5. Name of mental health screening personnel contacted

6. Name of mental health facility transported to

7. Report if medical attention prior to mental health screening was required.

8. Complete mental health transport authorization form when mental health screeners authorize transportation to mental health facility after responding to the scene of the incident and conducting an initial evaluation.

9. Include results of mental health screening.

    a. Temporary Commitment - Location

    b. Released - Voluntary Referral

10. Include information on all criminal charg

Order #: II.18 **Date:** 01/06/2010
Category: DEPARTMENT ORDERS
Title: HAZMAT CRIMES

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 18

SUBJECT: HANDLING HAZMAT/ENVIRONMENTAL CRIMES

EFFECTIVE DATE:
CHIEF OF POLICE:COURTLANDT A. TURNER

POLICY

Anytime you handle chemicals, there is a potential hazard involved. You can minimize this potential hazard by knowing how to handle chemicals properly, then putting that knowledge into practice. This policy is designed to provide officers with a method in which they can efficiently and safely handle hazardous material accidents. The primary function of a police officer when responding to a hazardous material accident is to protect himself and the public from harmful vapors, fire and explosion.

I. PURPOSE

The purpose of the Hazardous Materials Policy is to define and to provide guidance for the development and operation of a viable hazardous materials program during any emergency or disaster situation and to ensure completion of required emergency actions.

II. AUTHORITY

A. The Bridgeton Police Department is the lead agency for Hazardous Materials Emergencies response. The Cumberland County Health Department is the lead agency for investigating environmental complaints in limited non-emergency situations, (i.e., oil run off in ditches, noxious odors, etc.)

1. The Hazardous Materials Organization within the Municipality consists of:

a. Bridgeton Fire Department - (initial response, lead agency, incident command).

b. City of Bridgeton Fire Marshal - (support, technical assistance).

c. Director of Public Works - (support, resource assistance).

d. County Health Department - (technical assistance, environmental and health monitoring).

e. Bridgeton Police Department - (initial notification and response, alert and warning, incident assessment, scene security, traffic control).

III. OPERATIONS and CONTROL

A. The following is a description of the total hazardous materials incident response within the City of Bridgeton.

1. Initial Notification.

a. Normally, the initial notification of a hazardous materials transportation or fixed site incident is received by the department's Telecommunications Center.

b. The Police Department telecommunications operator will obtain the applicable information and begin notification process.

c. The Police Department telecommunications operator will immediately dispatch both police and fire department personnel to the scene and will provide all relevant data to all responding emergency departments.

d. The Telecommunications Center will notify the following personnel of the incident, additional personnel or agencies will be notified by the Emergency Management Coordinator as required:

(1) Chief of Police

(2) Emergency Management Coordinator

(3) New Jersey DEP at 1-609-292-7172

(4) Cumberland County Health Officer

e. A Hazardous Material Manual, as well as a "Local Companies Hazardous Materials" binder will be located in the Telecommunications Center for future reference.

2. Incident Assessment.

a. Incident assessment is the responsibility of the first arriving

police or fire department unit. The assessment should be made using the following concepts:

(1) The first responder should use caution when approaching any potential HAZMAT incident. He/she will always consider personal safety first.

(2) The police officer will have to make judgments whether to risk personal injury to free injured or trapped victims. Consideration will be given to the environment, traffic, population, etc.

(3) First responder should make the following observations: considering personal safety, looking at overall picture.

(4) Type of Incident: (i.e. motor vehicle, building, etc.)

(a) Any personal injuries

(b) Fire

(c) Actual spills

(d) Fumes

(e) Run Off

(5) Transportation Accident:

(a) Are any fumes present?

(b) Determine if fire is present or threatened

(c) Determine if actual spill occurred

(d) Are Placards present and their UNID #.

(e) Determine direction of run off of spill

(f) Identify any personal injuries

(g) Type of vehicle involved

(h) Type of container involved, i.e. Tanker

(i) License plate number of vehicle and trailer

(j) Name of company involved

(k) Locate driver of vehicle

(l) Obtain bills of lading

(m) Obtain from driver type of material

(6) Fixed Facility Accident or Fire:

(a) Are any fumes present?

(b) Determine if fire is present or threatened

(c) Determine if actual spill occurred

(d) Identify HAZMAT, type and location in building

(e) Determine direction of run off of spill

(f) Locate Plant Manager or responsible party

(g) Identify any personal injuries

(h) Type and quantity of containers involved

(i) Company HAZMAT or Fire Brigade presence

(j) Owner is responsible to respond and take necessary action for containment and eventual cleanup of site.

(7) The first responding police officer should:

(a) Take into consideration the environment when requesting response agencies. (i.e., routes of travel, wind direction, etc.)

(b) It is the responsibility of the Police Telecommunications Center personnel to relay this information to responding agencies and departments.

(c) It is the responsibility of the first arriving Fire

Department officer to obtain all pertinent information concerning the incident from the police officer and assume control of the incident.

(d) The first arriving police officer at the scene of the HAZMAT incident shall assist the Fire Department officer in charge with incident command. The initial police officer or senior officer shall become the police liaison in the fire command post.

It is the responsibility of the incident commander or his/her designee to inform the Police Telecommunications Center of any potential health hazard as soon as practical after the initial assessment.

(1) Evacuation of homes will be at the direction of the Chief of Police in a control situation where there is not immediate threat to life.

(2) The scene is not to be cleared, roads opened and people allowed to enter their homes until ordered to do so by the Chief of Police.

(f) Upon verification of a HAZMAT emergency by the incident commander, the Police Department Telecommunications Center shall notify the N.J. Department of Environmental Protection at 1-609-292-7172, for notification purposes or request of additional help or support.

(g) The incident commander will also have the Telecommunications Center notify surrounding towns of the HAZMAT incident, if necessary.

(h) When public notification is necessary, protective and preventative actions are anticipated. The Emergency Management Coordinator will respond to the Emergency Operating Center and assist Hazardous Materials Assistant Coordinator and the fire officer in charge with coordinating municipal, county state and federal

agencies.

(i) Public notification is the responsibility of the police department.

(j) It will be the responsibility of the fire department official at the scene to make the recommendation to notify the public.

(k) This determination should be based on the combined assessments of the following supporting units:

(1) Police

(2) Emergency Medical Services (EMS)

(3) Health Department

(4) Public Works Department

(5) Company Officials

(l) All Emergency Response personnel are responsible to respond to the incident commander and assist. They shall also assist in deployment of their respective manpower and services. Contact agencies may include:

(1) Local Officials

(2) Cumberland County Emergency Management

(3) Responding Cumberland County Departments

(4) N. J. Department of Environmental Protection

(5) N. J. State Police Emergency Management

(6) N. J. State Police, Bridgeton Barracks

(7) Environmental Protection Agency

(8) Cleanup Contractors

(9) Railroad Representatives

(10) Company officials or representatives

(11) United States Coast Guard

(12) Tow Truck Operators

(m) Officers are to complete detailed investigation reports or accident reports on every hazardous spill. Reports are to include:

(1) Causes

(2) Violations

(3) Evacuation methods

(4) Estimated number of people evacuated

(5) Location of the incident

(6) Nature: Fire - Gas – Explosion

IV. SARA FACILITIES

LIST AS APPLICABLE

(Example)

V. HAZARDOUS MATERIALS RESOURCES

A. Appendix should be referenced to identify if this municipality presently has or does not have specialized equipment and personnel to respond to a hazardous materials incident. If the incident cannot be managed by this municipality, assistance would be required from the county, state and federal levels of government.

B. If additional resources are required, they could be drawn from the following:

1. Cumberland County Office of Emergency Management

Phone Daytime – County Communications Center (911)

Phone Nighttime and Weekends (same as above)

2. Cumberland County Sheriff's Department

   Phone Daytime 451-0656 (police use only)
   Phone Nighttime and Weekend 451-0656

3. State Police, South Region

   Phone Daytime: Contact through State Police, Buena Vista
   Phone Nighttime and Weekends (same as above)

4. Department of Environmental Protection

   Phone Daytime 609-292-7172
   Phone Nighttime and Weekends 609-292-7172

5. Conectiv

   Phone Daytime 451-2011 (police use only)
   Phone Nighttime and Weekends same as above

6. Clean-Up Contractors As Needed

7. Other Utilities As Needed

VI. ENVIRONMENTAL EMERGENCY or INVESTIGATION/CRIME

A. Contact the Cumberland County Prosecutor's Office for assistance on a 24-hour basis.

   1. Normal business hours: 453-0486

   2. After normal business hours: Through County Communications only

B. Prosecutor's Office Liaisons

   1. Detective Neal Evans

   2. Captain John Mazzio

   3. Duty Prosecutor, if the above individuals cannot be reached

C. The following situations shall require immediate notification to the Prosecutor's Office Environmental Crimes Unit:

1. The release/discharge or abandonment/dumping of a suspected hazardous or toxic material.

2. Any hazardous/toxic material incident resulting in death or serious bodily injury or in the damage to a substantial quantity of property.

3. Any violations of the Environmental Statutes to include, but not limited to:

   a. Solid Waste Management Act N.J.S.A. 13:1E-1 et seq.

   b. Water Pollution control Act N.J.S.A. 58:10A-1 et seq.

   c. Freshwater Wetlands Protection Act N.J.S.A. 13:9B-1 et seq.

   d. Watercraft Sewage Disposal Act N.J.S.A. 58:10A-56 et seq.

   e. Spill Compensation and Control Act N.J.S.A. 58:10-21.11 et seq.

   f. Solid Waste Utility Control Act N.J.S.A. 48:13A-1 et seq.

   g. Air Pollution Control Act N.J.S.A. 26:2C-1 et seq.

   h. Comprehensive Regulated Medical Waste Management Act N.J.S.A. 13:1E-48.1 et seq.

4. Any other suspected violation which may constitute an environmental hazard.

D. Notification shall be made to the New Jersey Department of Environmental Protection at 1-609-292-7172 for the following mutual aid assistance. 24-hours a day, on-call availability:

   1. Contamination Control and Confinement

   2. Sampling of an Air-Release or Smoke

   3. Identification of Product

   4. Mitigation and Recovery Operations

   5. Decontamination of Victims and Emergency

   6. Response Personnel

   7. Alert, Warning and Evacuation Zones

8. HAZMAT Exercise/Drill Training

9. R. R. Tanker Car Derailment

10 Tanker Truck, LPG, Gasoline, Chlorine Accidents

11 Radioactive Transportation and Medical Facility Accidents

VII. DEFINITION OF TERMS

A. The following terms and acronyms were used in addition to those defined in the Basic Plan:

CEHA: N. J. County Environmental Health Act

DEP: Department of Environmental Protection

DOT: Department of Transportation

EOC: Emergency Operating Center

EMC: Emergency Management Coordinator

HAZMAT: Hazardous Materials

HMT: Hazardous Material Response Team

ICS: Incident Command System

OEM: Office of Emergency Management

NFPA: National Fire Protection Association

NIOSH: National Institute for Occupational Safety & Health NJDOH:N.J. Department of Health

NRC: National Response Center

OSHA: U. S. Occupational Safety & Health Administration

RTK: Right to Know

PDOM: Police Department Operations Manual

SARA: U. S. Superfund Amendments & Reauthorization Act

SCBA: Self-Contained Breathing Apparatus

TCPA: N. J. Toxic Catastrophe Prevention Act

Order #: II.18.1 **Date:** 07/29/2009
Category: DEPARTMENT ORDERS
Title: ANTHRAX/SUSPICIOUS LETTERS/POWDERS

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY & PROCEDURE

SECTION: II
CHAPTER: 18.1

Effective Date: 8-26-2009
Chief of Police: Mark W. Ott

PURPOSE

Held for security concerns.

Order #: II.19 **Date:** 10/01/2014
Category: DEPARTMENT ORDERS
Title: JUVENILE ADMINISTRATION

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 19
SUBJECT: JUVENILE ADMINISTRATION

REVISION DATE: 10-1-2014

EFFECTIVE DATE: Immediately

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: 44.2.2
44.2.3

THIS DIRECTIVE SUPERCEDES AND INCORPORATES PREVIOUS DIRECTIVE II.19 - FINGERPRINTING AND PHOTOGRAPHING JUVENILES

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

II:19-1 POLICY

It is the policy of the Bridgeton Police Department to be fully committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. It is also the policy of this department that the responsibility for participating in or supporting the department's juvenile operations function is to be shared by all agency components and personnel.

II:19-2 PURPOSE

The purpose of this policy is to establish procedures for the handling of juveniles, as well as to outline the responsibility of all agency personnel in relation to the handling of juveniles.

II:19-3 PROCEDURE

I. Definitions

A. ADULT: An individual eighteen (18) years of age or older.

B. ADULT FACILITY or FACILITY: means any jail, lockup or other

similar facility used for the detention of adults and which may be used to detain juveniles, whether or not the facility was designed or intended for such purpose, and that is operated either by:

1. The State of New Jersey;

2. A county, township, municipality, or other instrumentality of the State of New Jersey;

3. An agency or authority of, or administered in whole or part by the State of New Jersey; or

4. A private university, arena, amusement park or other similar institution.

C. COMMISSION: means the New Jersey Juvenile Justice Commission

D. COMMIT: to transfer legal custody to an institution.

E. COURT: for the purposes of this policy; the Superior Court, Chancery Division, Family Part unless a different meaning is plainly required.

F. CURBSIDE WARNING: the offense or incident is of such a minor nature that it does not warrant custodial detention and a verbal warning and advisement of the consequences of such action would suffice. No further action required aside from documentation.

G. DELINQUENCY: the commission of an act by a juvenile which if committed by an adult would constitute a crime, a disorderly persons offense, petty disorderly persons offense or a violation of any other penal statute, ordinance or regulation.

H. DEPARTMENT OF CORRECTIONS: means the NJ Dept. of Corrections.

I. DETAIN: means any holding of a person in police custody, whether pending court or other disposition of charges filed or to be filed against the person, or under circumstances where the person is being held on account of a serious danger to the person's health or safety.

J. DETENTION: the temporary care of juveniles in physically restricting facilities, pending court disposition.

K. GUARDIAN: a person, other than a parent, to whom legal custody of the child has been given by court order or who is acting in the place

of the parents or is responsible for the care and welfare of the juvenile.

L. JJDP ACT: means the Juvenile Justice and Deliquency Prevention Act of 2002, P.L. 107-273, 42 U.S.C. 5601 et seq., and regulations there under, 28 C.F.R.31.303.

M. JUVENILE: an individual who is under the age of eighteen (18) years.

N. JUVENILE FAMILY CRISIS: behavior, conduct or a condition of a juvenile, parent or guardian or other family member which presents or results in any of the following:

1. A serious threat to the well being and physical safety of a juvenile;

2. A serious conflict between a parent or guardian and a juvenile regarding rules of conduct which has been manifested by repeated disregard for lawful parental authority by a juvenile or misuse of lawful parental authority by a parent or guardian;

3. Unauthorized absence by a juvenile for more than twenty four (24) hours from their home;

4. A pattern of repeated unauthorized absences from school by a juvenile subject to the compulsory education provision of Title 18A of the New Jersey Statutes.

O. NON-OFFENDER: means a detained juvenile, other than one charged with an act of delinquency or a status offense.

P. NON-SECURE CUSTODY: means detention in conditions such that an individual is not being held in secure custody.

Q. SECURE AREA: means any building or an area within a building that restricts mobility of an individual in custody through the use of hardware or achitectural features.

R. SECURE CUSTODY: means detention in conditions that:

1. The individual is held in a secure room or cell or other secure area;

2. The area where the individual is held is located within a larger secure perimeter;

3. The area where the individual is held is designed or

intended to be used for residential purposes;

4. The individual is physically secured to a cuffing rail or other stationary object;

5. The individual is held in conditions that violate the sight and sound restrictions of N.J.A.C. 13:94-2.1;

6. The individual is held in conditions that violate the supervision requirement of N.J.A.C. 13:94-2.5(d); or

7. The individual is held in a facility with a delayed egress device having a delay of greater than 30 seconds, or any delayed egress device that is not in compliance with the Building Subcode of the Uniform Construction Code, N.J.A.C. 5:23.

S. SIGHT AND SOUND SEPARATION: means the maintenance of physical separation between a juvenile and a securely held adult so that both sustained visual contact and direct and sustained oral communication between them is not possible.

T. STATION HOUSE ADJUSTMENT: the offense is still minor in nature; however, custodial detention is justified. Parent or legal guardian MUST be contacted.

U. STATUS OFFENDER: means a juvenile accused, charged or adjudicated for conduct that, under the laws of the jurisdiction in which the conduct took place, would not be a crime if committed by an adult, or a juvenile detained protectively because the juvenile's health or safety is in serious danger.

V. STATUS OFFENSES: refers to non-criminal misbehavior, which would not be criminal if committed by an adult (i.e. truancy, runaway, etc). The behavior is an offense only because of the minor's status as a minor.

II. Juvenile Officer Notification and Relationships Within the Juvenile Justice System:

A. The Detective Bureau Commander with designate one (or more) detectives as Juvenile Officer(s).

B. Juvenile Officer(s) will be responsible for reviewing all cases where a juvenile is taken into custody by the Bridgeton Police Department.

C. The Juvenile Officer(s) shall ensure that all aspects of this policy are

followed.

III. Notification of the Juvenile Officer:

A. If a Juvenile Officer is on duty when a juvenile is taken into custody, the Juvenile Officer will be notified as soon as possible.

B. If there is no Juvenile Officer on duty when a juvenile is taken into custody, the officer will forward a copy of the report to the Juvenile Officer through the chain of command.

C. Any juvenile investigation regarding a 1st or 2nd degree crime requires the immediate notification of the Juvenile Officer (on-duty or off-duty) by the investigating officer through the proper chain of command.

IV. Juvenile Justice System:

A. The Juvenile Justice Commission is the single agency of state government with a centralized authority for planning, policy development and provision of services in the juvenile justice system. It was established in 1995 by statute to lead the reform of the juvenile justice system in the State of New Jersey. Primary responsibilities are:

1. Care and custody of juvenile offenders committed to the agency by the courts;

2. The support of local efforts to provide services to at risk and court involved youth;

3. The supervision of youth(s) on juvenile parole;

4. To define and to clarify the special conditions and restrictions that apply when juveniles are detained;

5. To ensure compliance with provisions of the Federal Juvenile Justice and Deliquency Act of 202,P.L. 107-273, 42 U.S.C. 5601 et seq;

6. To provide a regulatory framework for enforcing requirements of the New Jersey Code of Juvenile Justice, N.J.S.A. 2A:4A-20 et seq., including, but not limited to, provisions governing the taking of juveniles into custody and limiting the amount of time a juvenile can be held in short-term custody; and

7. To promote the health and safety of juveniles detained in adult

facilities as defined in N.J.A.C. 13:94-1.2.

B. The Juvenile Justic Commission emphasizes accountability and offers programming that afford young people the opportunity to become independent, productive and law abiding citizens.

C. The separation in law enforcement between adult offenders and juvenile offenders has been established in the state of New Jersey through the creation of the New Jersey Code of Juvenile Justice or N.J.S.A 2A:4A-20 through 2A:4A-91. This legislature sets forth the requirements for law enforcement agencies to follow when dealing with matters involving juveniles.

D. The Bridgeton Police Department shall maintain compliance with all guidelines and procedures set forth by New Jersey legislation. New policies, procedures or programs regarding juvenile matters are implemented and reviewed by several juvenile justice agencies on an annual basis. Juvenile Justice agencies that may be involved in the review process may include, but are not limited to the following:

1. Cumberland County Juvenile Court;

2. New Jersey Juvenile Justice Commission;

3. Cumberland County Probation Department;

4. Cumberland County Juvenile Detention Center;

5. New Jersey Division of Youth and Family Services.

E. The Division of Criminal Justice, in consultation with the Cumberland County Prosecutors Office and the NJ Association of Chiefs of Police, has developed a Juvenile Officers Manual for issuance to county and municipal agencies within Cumberland County.

F. This manual summarizes all applicable criminal and juvenile statutes, case law, court rules and statewide law enforcement policies, guidelines and operating procedures concerning the handling of juveniles.

G. This manual shall be periodically reviewed and, when necessary, updated material will be issued to law enforcement agencies within the county.

V. Law Enforcement Diversion:

A. It will be the policy of the department to utilize the least coercive of reasonable alternatives when dealing with juvenile offenders. Selected

alternatives will be consistent with the department's commitment to preserving public safety, order and individual liberties as follows:

1. Curbside Warning:

    a. Juvenile is detained but is not taken to the police department or any other custodial or law enforcement facility because the offense does not rise to the level of an arrest situation. While detained, juvenile is counseled as to the consequences of his/her actions.

    b. Upon completion of counseling, officer may elect to either transport the juvenile home or direct themm to return home on their own. Such action should only be taken when the officer reasonably believes that the juvenile will return home and will be able to do so in a safe manner.

    c. In instances where curbside warnings are deemed appropriate, the investigating officer will complete a field interview entry in accordance with department policy and procedure (see SOP #II.25). No other action will take place.

2. Station House Adjustment:.

    a. Definition: An alternative method that law enforcement agencies may use to handle first time offenders and screened subsequent offenders who have committed minor juvenile deliquency offenses. The intent is to provide immediate consequences, such as community service or restitution and a prompt and convenient resolution for the victim, while at the same time benefitting the juvenile by avoiding the stigma of a formal juvenile delinquency record.

    b. Offenses to be considered for Stationhouse adjustment:

        i. Ordinance violations

        ii. Petty disorderly persons offenses

        iii. Disorderly persons offenses

        iv. Fourth degree offenses - when juvenile has no prior record known to the agency

    c. Offenses that MAY be considered with the PERMISSION of the Cumberland County Prosecutor's Office: (Asst.

Pros. Kevin Guinan 856-453-0486 Ext 11675 - Cell 856-362-0809)

i. Offenses involving use or possession of CDS or paraphernalia as defined under chapters 35/36 of the criminal code

ii. Bias Offenses

iii. Sexual Offenses

iv. Offenses resulting in serious and/or significant bodily injuries where the criminal intent of the offender is in DOUBT and the injuries were unintended

v. Third degree offenses

d. Other factors to consider when determining the appropriateness of conducting a Stationhouse Adjustment:

i. The age of the offender. Younger offenders, particularly those who may be less able to understand the consequences of their actions, may be more appropriate for a Stationhouse Adjustment. However, no juvenile offender is automatically excluded due to age.

ii. Officers shall consider any record of prior juvenile complaints or Stationhouse Adjustments. Juveniles with a prior serious offense, or more than two minor offenses, should ordinarily not receive a Stationhouse Adjustment.

iii. Officers shall consider the cooperation and attitude of all parties (juvenile, parents, guardians/caregivers, or designee and victim).

e. Procedure:

i. If circumstances warrant the consideration of a Stationhouse Adjustment the investigating officer (if not the victim as the "State of New Jersey") should ascertain the victim's potential cooperation in the Stationhouse Adjustment Program.

ii. Once the juvenile is taken into custody and transported

to the police department:

1) Custody at the police department shall be maintained in a non-secure detention location.

2) A police officer shall, at all times, remain with the juvenile until released from custody. If a police chaplain responds in the case of a Stationhouse Adjustment, the juvenile can be left in the custody of the chaplain and victim's parent/guardian/caregiver for counseling in a video-monitored environment with the approval of a supervisor.

iii. If there is a known victim of the alleged offense, the victim must be notified and agree to the process. Where appropriate, victims should be informed that this process is a more efficient and expeditious process that enables a matter to be resolved locally.

1) A Stationhouse Adjustment may proceed without the active participation of a victim, but is not permitted when the victim objects.

2) A victim who objects to a Stationhouse Adjustment should be permitted to sign a juvenile delinquency complaint, unless the complaint is clearly frivolous or lacking probable cause, in which case, the officer has the descretion pursuant to N.J.S.A. 2B:12-21(b) to refuse to accept the complaint.

iv. A parent or legal guardian/caregiver will be contacted and advised as to why the juvenile is in custody. The parent, guardian/caregiver or their designee shall be required to respond to the police department if the officer is considering conducting a Stationhouse Adjustment.

1) A representative of the City of Bridgeton Police Chaplain Program is to be contacted by the investigating officer to respond to police headquarters to provide counseling to the juvenile and administer the specifics and conditions of the Stationhouse Adjustment.

a) Pastor Douglas Heckman Sr.
(Main Contact)

i) 856-454-2951 (home)

ii) 610-841-6757 (cell)

b) Reverend Albert Morgan
(Alternate Contact)

i) 856-455-2011 (home)

ii) 856-498-9614 (cell)

v. The investigating officer should complete the first section of the department's JUVENILE STATIONHOUSE ADJUSTMENT FORM (Appendix B) while awaiting the arrival of the designated Police Chaplain nd have the victim, juvenile and their parent/guardian/caregiver sign and authorize same. If the victim is the investigating officer (State of New Jersy) the investigating officer may then complete any reports affiliated with the initial incident while awaiting the arrival of the Police Chaplain.

vi. The responding POLICE CHAPLAIN is designated to complete the remainder of the JUVENILE STATION-HOUSE ADJUSTMENT FORM (Appendix B) with the juvenile and parent/guardian/caregiver and shall advise the juvenile of the consequences of future delinquent activity, utilizing the STATIONHOUSE ADJUSTMENT WARNING FORM, (Appendix A).

1) The juvenile shall agree not to offend again and the juvenile and their parent/guardian/caregiver or designee shall be informed that a subsequent offense or failure to comply with the terms of the Stationhouse Adjustment agreement may result in the filing of a juvenile deliquency complaint for the offense.

vii. The Police Chaplain shall complete a Stationhouse Adjustment JUVENILE SERVICE REFERRAL FORM (Appendix F).

viii. The investigating officer will attach all ORIGINAL signed

forms to the intial investigation report and make copies of the STATIONHOUSE ADJUSTMENT FORM (Appendix B) and the JUVENILE SERVICE REFERRAL FORM (Appendix F) and provide one copy to the Chaplain and submit the other to the Detective Bureau (Juvenile Officer).

ix. In the event that a CHAPLAIN cannot respond to assist with the administration of a Stationhouse Adjustment, the investigating officer will complete the process above inclusive of Section vi., vii., and viii.

f. The Juvenile Officer shall maintain records of all juvenile arrests for reporting purposes as per the Attorney General Guidelines on Stationhouse Adjustments. on a quarterly basis, the juvenile officer shall prepare and forward the Stationhouse Adjustment Quartlery Report through the chain of command to the Cumberland County Prosecutor's Office detailing the use or lack of use of the Stationhouse Adjustments.

i. Information reported shall be recorded on the Stationhouse Adjustment Quarterly Report. There shall not be any names of juvenile offenders on this report. The only information identified shall be as listed below:

1) Age at time of the offense

2) Race (as reported by the juvenile)

3) Gender

4) Alleged offense

5) Outcome

6) If no Stationhouse is conducted, identify the reason why

i) Quarterly reports are to be submitted no later than the dates indicated below:

- April 15th (1st Quarter)
- July 15th (2nd Quarter)
- October 15th (3rd Quarter)
- January 15th 4th Quarter)

VI. Juvenile Family Crisis:

A. Except where delinquent conduct is alleged, an officer may choose to take a juvenile into short-term custody without a court order when:

1. The officer has reason to believe that it is not in the best interests of the juvenile or the family for the officer to return the juvenile to his home and taking the juvenile into immediate custody is necessary for the protection of the juvenile. In this situation, the officer shall be required to contact:

a. The Division of Youth and Family services at 1-877-NJABUSE, if there are any indications of child abuse or neglect.

2. The juvenile resides in another county and the officer is unable to make arrangements to return the juvenile to his home;

3. The juvenile resides in another state;

4. The juvenile has run away from a placement and the juvenile refuses to return home or the juvenile, through his past behavior, has demonstrated an inability to remain at home;

5. The law enforcement officer is unable, by all reasonable efforts to identify or locate a parent, relative or other such appropriate person;

6. The juvenile requires immediate emergency services, such as medical or psychiatric care; or

7. No identification can be obtained from the juvenile.

B. The officer shall make every reasonable attempt to contact the parent or guardian before removing the juvenile. If contact cannot be made, a note stating where the juvenile was taken and the phone number shall be left for the parent or guardian.

C. No juvenile involved in a juvenile-family crisis shall be committed to or placed in any institution or facility established for the care of delinquent children or in any facility, other than an institution for the mentally retarded, a mental hospital or facility for the care of persons addicted to controlled dangerous substances, which physically restricts such juvenile committed to or placed in it.

VII. Delinquency and Complaint Procedures:

A. Delinquency means the commission of an act by a juvenile which if committed

by an adult would constitute:

1. A crime;

2. A disorderly persons offense or petty disorderly persons offense; or

3. A violation of any other penal statute, ordinance or regulation.

B. Juveniles charged with N.J.S.A. 2A:4A-23, Juvenile Delinquency, a Superior Court of New Jersey, Chancery Division, Family Part complaint form (Appendix C) shall be completed and filed through the Cumberland County Juvenile Intake Unit.

C. A juvenile should ordinarily be placed under arrest and complaints filed when any of the following conditions exist:

1. The delinquent activity involves the commission of an indictable offense of the 1st or 2nd degree;

2. The delinquent activity involves the commission of an indictable offense of the 3rd or 4th degree, station house adjustments may be utilized, with approval from the Cumberland County Prosecutor's Office;

3. The delinquent activity involves a firearm or other deadly weapon;

4. The delinquent activity involves the use or possession of a controlled dangerous substance (CDS) or drug paraphernalia;

5. The delinquent activity is a sexual offense;

6. The delinquent activity involves a serious gang related offense;

7. The delinquent activity involves an assault which results in serious personal injury or significant bodily injury to the victim;

8. The delinquent activity constitutes a violation of a supervisory condition or probation, parole, home detention, or suspended sentence;

9. The delinquent activity is committed by a juvenile identified as an impact offender, or by a juvenile who has charges pending, or has a history of committing repetitive disorderly persons offenses;

10. The delinquent activity is committed by a juvenile who has failed or refused to participate in diversion or intervention programs; or

11. It has been determined that parental or other adult supervision has been and will continue to be ineffective.

D. In accordance with N.J.S.A. 2A:4A-30, a complaint may be signed by any person who has knowledge of the facts alleged to constitute delinquency or is informed of such facts and believes they are true. Under this statute all complaints must contain the following information:

1. The name, address and date of birth of the juvenile;

2. The name and address of the juvenile's parents or guardian and, if the juvenile is in custody of some other person, the name and address of the custodian;

3. The date, time, manner and place of the acts alleged as the basis of the complaint;

4. A citation of the law or ordinance allegedly violated by the juvenile; and

5. The signature of the complainant.

E. N.J.S.A. 2A:4A-23 specifically excludes violations of Chapters 3, 4, 6 and 8 of Title 39 as delinquent conduct. Therefore, any such motor vehicle violation alleged against a juvenile of any age can be heard in a municipal court. Officers may issue motor vehicle summons to the juvenile, regardless of age, for a violation. Officers may take a juvenile into custody for those violations under Title 39 which would similarly warrant the arrest of an adult.

1. The officer shall ensure that the juvenile's parent or guardian is notified when issuing a traffic summons.

2. Notification of minor traffic offenses can be made by telephone.

G. A juvenile offender who commits a violation of the City Code can be charged on the Special Complaint Summons when the offender represents the target group of the ordinance, such as:

1. Curfew;

2. Certain Tobacco Violations;

3. Juveniles on School Property After Hours, etc.

VIII. Juvenile Custody and Processing Procedures:

A. Situations may exist where, due to the nature of the incident, the appropriate law enforcement response will be to take the juvenile into custody. Pursuant to N.J.S.A. 2A:4A-31, a juvenile may be taken into custody if:

1. Pursuant to an order or warrant of any court having jurisdiction; or

2. For delinquent acts (non-status offenses), when there has been no process issued by a court, by a law enforcement officer pursuant to the laws of arrest and the Rules of Court.

B. Except where delinquent conduct is alleged, a juvenile may be taken into short-term custody by a law enforcement officer without a court order when:

1. The officer has reasonable grounds to believe that the health and safety of the juvenile is seriously in danger and taking into immediate custody is necessary for his protection;

2. The officer has reasonable grounds to believe the juvenile has left the home and care of the parents or guardian without consent of such persons; or

3. An agency legally charged with the supervision of a child has notified the law enforcement agency that the child has run away from an out of home placement, provided, however, that in any case where the law enforcement officer believes that the juvenile is an "abused or neglected child" as defined in section 1 of P.L. 1974, c.119 (C.9:6-8.21), the officer shall handle the case pursuant to the procedure set forth in that act.

C. The taking of a juvenile into custody shall not be construed as an arrest, but shall be deemed a measure to protect the health, morals and well being of the juvenile.

D. An officer taking a juvenile into short-term custody shall inform the juvenile of the reason for custody and shall where possible transport, or arrange to have the juvenile transported to his home. The officer releasing a juvenile from such custody shall inform the juvenile's parents or guardian of the reason for taking the juvenile into custody and may, if he believes further services are needed, inform the juvenile and his parents of the nature and location of appropriate services.

E. A law enforcement officer taking a juvenile into short-term custody may transport the juvenile to the home of a relative of the juvenile or to the home of another responsible adult or make arrangement for such transportation where the officer reasonably believes that the child will be provided with adequate care and supervision and that the child will remain in custody of

the adult until such time as the juvenile-family crisis intervention unit can bring about the child's return home or an alternative living arrangement or out of home placement. A law enforcement officer placing a juvenile with a relative or responsible adult shall immediately notify the juvenile-family crisis intervention unit of this fact and the reason for taking the juvenile into custody.

F. A law enforcement officer acting reasonably and in good faith pursuant to 2A:4A-32d in releasing a juvenile to a person other than a parent of a juvenile is immune from civil or criminal liability for his action. A person other than a parent of the juvenile who receives a child pursuant to this section and who acts reasonably and in good faith in doing so is immune from civil or criminal liability for the act of receiving the child. Immunity shall not release a person from liability under any other laws, including the laws regulating licensed child care or prohibiting child abuse and neglect.

IX. Assessing the Juvenile for Signs of Harm

A. Officers shall visually observe the juvenile looking for any visual cues, both physiological and psychological, to determine whether the juvenile has been harmed. Officers will also interview the juvenile in order to determine if the juvenile is alleged to have been harmed or in danger of harm. Any emergent medical conditions shall be treated immediately at an appropriate medical facility. Officers will assist the hospital staff, as needed, in locating and contacting the juvenile's parents and/or guardians for authorization of treatment.

B. Emergent Protective Custody: Protective custody is a device to be used in crisis situations. It does not apply to a juvenile taken into custody on delinquency matters. An officer who determines there is an emergent need to take a juvenile into protective custody in order to protect the child shall immediately inform their supervisor prior to taking any such action (absent exigent circumstances). Once taken into custody, the Division of Youth and Family Services must be notified immediately. DYFS will direct where the juvenile is to be taken by the officer.

C. The Division of Youth and Family Services (DYFS) shall be immediately notified when any of the following is suspected:

1. Abuse or neglect by a parent, guardian or other person having custody or control.

2. The child has been exposed to any indecent, immoral or unlawful act that may tend to debauch, endanger or degrade the morals of the child, or is suspected of having been subjected to an act of sexual abuse.

3. The child has been employed in an occupation which would be injurious to their health, dangerous to their, contrary to the law of this State

or in such a manner to be dangerous to the morals of the child.

X. Detention of Juveniles:

A. Sight and Sound Separation: Except as may be necessary when incidental to initial processing, sight and sound separation shall be maintained at all times between a juvenile and an adult held in secure custody. This requirement applies equally with respect to non-offender juveniles, status offender juveniles and juveniles detained for an act of delinquency.

B. Limitations on Holding Juveniles in Custody and Six-Hour Restrictions:

1. A juvenile held in secure custody shall be placed only in a holding room, cell or other designated area that has been determined by the Commission to conform to prevailing safety standards for the detention of juveniles.

2. Status-offenders and non-offenders shall not be held in secure custody.

3. Status-offenders, non-offenders and juveniles held on a charge of delinquency but not being held in secure custody, shall not be held in custody for mor than six hours.

4. A juvenile held on a charge of delinquency may be held in secure custody, provided that such secure custody may not exceed six hours commencing from the time the juvenile was placed in secure custody,

a. The six-hour restriction set forth in this section shall not apply to the holding of a juvenile in a judicial facility in connection with a court appearance.

C. Notification to Parent or Guardian:

1. Upon taking a juvenile into custody, the detaining officers shall immediately notify the parents or guardians of the juvenile:

a. That the juvenile is being detained;

b. Where the juvenile is behing held; and

c. The reasons that the juvenile is being detained.

D. Exceptions for Extraordinary Circumstances:

1. In the event of an extraordinary circumstance, the highest-ranking squad and/or bureau supervisor on duty may determine that a

juvenile should be held in conditions that deviate from the restrictions otherwise imposed by this chapter.

a. Any such deviation shall be only to the extent and duration as is required to address the specific extraordinary circumstance.

b. Each determination made under (a) above shall be explained in a written report that describes the facts upon which the determination was based, the deviations from restrictions otherwise imposed by this chapter, the duration of such deviations, and why the deviations were necessary to address the extraordinary circumstance. The report shall be prepared and signed by the highest ranking squad and/or bureau supervisor who made or approved the determination, within eight hours of the determination it covers, and shall be maintained on file as part of the juvenile admissions log required by N.J.A.C. 13:94-2.6.

c. For the purpose of this section, an extraordinary circumstance is one in which a deviation from restrictions otherwise imposed by this chapter is:

i. Necessary for the safety and security of either the juvenile or others, including facility staff and the public; or

ii. Necessary for the safe and secure operation of the facility.

E. Supervision of Juveniles:

1. Officers shall provide supervision for all detained juveniles. The level of supervision shall be that necessary to ensure the safety and well being of the juvenile, facility staff and the public at large. Factors to be considered when determining the appropriate level of supervision shall include, but shall not necessarily be limited to:

a. The juvenile's mental and physical health;

b. The nature of the offense charged, if any;

c. The physical environment of the area where the juvenile will be held, including any objects or architechtural elements that could facilitate self-injury or injury to others; and

d. A reasonable concern that a juvenile may be the victim of sexual or other abuse, or pose a risk of suicide or injury to self.

2. A law enforcement officer shall, at all times, directly observe a juvenile in continuous (face to face) fashion during the time the juvenile is in police custody.

3. Audio/video monitoring systems shall not be used as a substitute for required continuous face to face supervision of juveniles.

F. Juvenile Admissions and Secure Custody Logs:

1. Each facility, other than a court holding facility, shall maintain a juvenile admissions log that documents all juveniles detained at the facility.

2. The juvenile admissions log shall include the following information concerning each detained juvenile:

a. Name;

b. Date of birth;

c. Gender;

d. Race/ethnicity;

e. The charges or other circumstances in connection with which the juvenile is being held;

f. The date and time of admission;

g. The date and time of release;

h. If the juvenile is held beyond six hours in the facility;

i. Whether the sight and sound separation required by N.J.A.C. 13:94-2.1 has been maintained; and

j. Information sufficient to enable the reader to determine whether the juvenile was held in secure or non-secure custody.

3. A separate secure custody log shall be maintained for each juvenile held in a secure holding room. The secure custody log shall be kept or

posted in close proximity to the secure holding room, and shall contain the following information:

a. The name of the juvenile;

b. The room number;

c. The date and time the juvenile was placed in the room;

d. The date and time of release from the room.

XI. Processing of Juveniles in Custody:

A. Juveniles taken into custody for petty disorderly or disorderly persons offenses, criminal offenses of a non-serious nature, or other offenses or conduct who do not qualify for curbside warnings or stationhouse adjustments as described in section V of this policy, are subject to the same processing requirements as are juveniles arrested for more serious offenses as enumerated in section VII of this policy.

B. The following reports must be completed and submitted as applicable:

1. Investigation Report

2. Uniform Arrest Report

a. To be completed anytime a juvenile is taken into custody and brought to police headquarters, or delivered to any other agency or facility.

C. Fingerprinting and Photographing

1. When a juvenile who is fourteen or older is charged with an offense that would be a crime if committed by an adult, all reasonable steps shall be taken to photograph and fingerprint the juvenile. This includes those times when a delinquency complaint is signed by a private citizen.

a. Fourteen or older: means that the juvenile was fourteen or older at the time the charged offense was committed.

b. All reasonable steps: shall include taking the juvenile into custody pursuant to law, or having the juvenile voluntarily respond to headquarters.

2. Photographs will only be taken of juveniles fourteen years of age or older who have committed an indictable offense.

3. Juveniles charged with delinquency who are under the age of fourteen at the time of the crime may not be fingerprinted. These juveniles may only have their fingerprints taken at the time they are adjudicated delinquent for an act which, if committed by an adult, would constitute a crime. Juveniles who are charged with disorderly person's offenses or petty disorderly person's offenses may not be fingerprinted or photographed at all.

4. Fingerprints and photographs may be taken of juveniles of any age for criminal identification purposes, with the consent of the court, or of the juvenile and parent or guardian. Such prints, when taken, shall be destroyed when the purpose for the taking of the fingerprints is fulfilled.

XII. Release of Juvenile on His/Her Own Recognizance:

A. In accordance with N.J.S.A. 2A:4A-35, a juvenile charged with delinquency may be released on their own recognizance at either the police or court level if all of the following circumstances have been met:

1. The nature of the offense charged is not such that a danger to the community would exist if the juvenile were released; and

2. There is no parent, guardian or other appropriate adult custodian to whom the juvenile could be released and all reasonable measures have been exhausted by either law enforcement or court personnel to locate and contact any such person; and

3. The juvenile is at least fourteen (14) years of age; and

4. The identity and address of the juvenile are verified through a positive form of identification; and

5. Reasonable certainty exists on the part of the releasing authority that upon release, the juvenile will return to school or home safely and will appear at his/her hearing.

B. Upon release of the juvenile, the complaint shall be forwarded to Family Intake service at the Cumberland County Courthouse Complex and they shall be required to make all future notifications concerning court proceedings.

XIII. Placement in Detention, Shelter or Conditioned Release:

A. Intake process for juveniles:

1. Between 0830 and 1630 hours, contact Juvenile Intake at (856)

453-4558 or, after hours, contact CCSD at (856) 451-4449 and the on-call Intake Officer will respond.

2. If the Intake Officer authorizes the juvenile to be lodged in the Juvenile Detention Center, they must be transported to the center along with the following:

   a. A copy of the complaint and/or warrant;

   b. A copy of the J1 Form (Request for Temporary Custody); located on BPD ONLINE forms

   c. Medical clearance (if necessary).

3. If the Intake Officer authorizes release conditioned on the in-home detention or electronic monitoring program, they may be released after the following are completed:

   a. Juvenile and Guardian sign the Juvenile Detention Alternate release form; located on BPD ONLINE forms

   b. Juvenile and Guardian are served with initial court date;

   c. Provide the Guardian with an Application for Assignment of Counsel Form (5A) and have them complete if possible; located on BPD ONLINE forms.

B. No juvenile shall be placed in detention or shelter care in any place other than that specified by the Juvenile Justice Commission or Department of Youth and Family Services.

C. A juvenile being held for a charge under this act or for a violation of or contempt in connection with a violation of Title 39 of the Revised Statutes, chapter 7 of Title 12 of the Revised Statutes or N.J.S.2C:33-13, including a juvenile who has reached the age of 18 years after being charged, shall not be placed in any prison, jail or lockup nor detained in any police station, except that if no other facility is reasonably available a juvenile may be held in a police station in a place other than one designed for the detention of prisoners and apart from any adult charged with or convicted of a crime for a brief period if such holding is necessary to allow release to his parent, guardian, other suitable person, or approved facility. No juvenile shall be placed in a detention facility which has reached its maximum population capacity, as designated by the Juvenile Justice Commission.

D. Under N.J.S.A. 2A:4A-37d, no juvenile charged with delinquency shall be transferred to an adult county jail solely by reason of having reached the age of eighteen (18) years old.

E. The juvenile shall be transported without delay to the Cumberland County Juvenile Detention Center unless the juvenile is in need of emergency medical treatment. Officers shall complete the Request for Temporary Detention Form, (Appendix D).

1. A juvenile under the influence of drugs or alcohol, or is injured or ill, must first be examined by a physician or emergency room doctor prior to transport to the Cumberland County Juvenile Detention facility.

F. Male or female juveniles taken into custody by department personnel and/or prisoner transfers to departmental personnel shall follow the following guidelines:

1. Juvenile Male

a. A male officer will search for weapons, drugs or other contraband at the place of arrest.

b. A male juvenile obviously over the age of 14 should be handcuffed in the same manner as adult males.

c. A male juvenile obviously under the age of 14 should be handcuffed in the same manner as adults if they pose a risk of injury to the officer, self or others.

d. Juvenile males are to be transported in the rear of the police vehicle only, in the same manner as adult males.

2. Juvenile Female

a. A female officer will search for weapons, drugs or other contraband at the place of arrest.

b. A female juvenile obviously over the age of 14 should be handcuffed in the same manner as adult females.

c. A female juvenile obviously under the age of 14 may be handcuffed in the same manner as adult females if they pose a risk of injury to officer, self or others.

d. Juvenile females are to be transported in the rear of the police vehicle only, in the same manner as adult females.

3. Officers transporting juvenile males/females will notify the communications center of the following:

a. Number of prisoners;

b. Mileage;

c. Destination

4. At NO time should adults and juveniles in custody be transported in the same police vehicle.

5. Whenever transporting juveniles, available video/audio recording systems should be activated and used.

XIV. Custodial Interrogation of Juveniles:

A. Juveniles have the right to counsel at every stage of the juvenile process. Prior to interviewing a juvenile concerning a criminal investigation, officers must first contact the parents or guardians of the juvenile and request that they respond to police headquarters. The investigating officer shall then give Miranda Rights to the juvenile in the presence of his/her parents, (Appendix E). The officer shall not question or take statements from juveniles without the parent's permission. If the parents cannot be reached after a reasonable amount of time, then another responsible adult family member may take their place.

B. Although the parent or legal guardian may elect not to be present for the interview, they and the juvenile must be advised of their right to confer privately prior to questioning and the parent's right to be readmitted to the interview or to stop the interview at anytime.

C. Should a parent or legal guardian choose not to be present, they are to complete and sign the bottom portion of the Rights form. The advising officer and a witness will also sign the form.

D. If a parent or legal guardian chooses not to be present and refuses or is unable to respond to the location of the interview, the rights form may be faxed to them as long as prior to faxing the advising officer reads the form to them via telephone and reasonably believes that they understand its contents. The interview is not to be conducted until the signed form is returned. If necessary, the form may also be hand carried to the parent or legal guardian if authorized by the supervisor in charge of the investigation. If a parent or legal guardian refuses to sign the form, no interview is to be conducted unless authorized by the Investigations Bureau Commander.

E. Prior to any questioning, the officer conducting the interview must clearly explain to the juvenile and parent or legal guardian, if they choose to be present, the department's interview procedures and policies regarding juvenile offenders. They shall also be advised of any possible action that may be taken within the juvenile justice system and procedures within the system.

F. No more than two officers may be involved in the interviewing of a juvenile at any one time. Although there may be instances where other officers become involved in the interview, only two officers may actively conduct the interview. Other officers may be present as witnesses only, if approved by the officers conducting the interview and their supervisor.

G. No juvenile shall be interviewed in excess of one continuous hour without a break of at least (10) minutes. After each break, the interview may be resumed for another hour until such a time as the juvenile or parent invokes the right to counsel or silence, or further interviewing would be fruitless, or the purpose of the interview has been accomplished. Juveniles should not be questioned longer than four (4) hours unless authorized by the Cumberland County Prosecutor's Office.

H. Juveniles shall have reasonable access to bathroom facilities and water or other beverages while being interviewed. Juveniles will be given an opportunity to eat if an interview extends through a normal meal period.

I. Situations involving school interviews or other third party interviews, where a school official or other non-law enforcement officer conducts the interview and the officer stands by in silence, are prohibited. This type of interrogation should only be conducted after the juvenile and his/her parents have been notified of their rights and where the parents or guardians are present.

J. A spontaneous confession by the juvenile is acceptable. However, the officer is not to further question the juvenile until he/she has given the juvenile his/her Miranda Rights in the presence of the parents/guardians.

K. When a juvenile complaint is initiated and a judicially approved arrest warrant is obtained, the juvenile may only waive their Miranda Rights in the presence of and after consultation with their attorney. This requirement applies to adults as well if they were a juvenile at the time of the offense or when the arrest warrant was obtained (reference State of New Jersey In the Interest of P.M.P. A-63-08).

L. The procedures for taking a formal statement are outlined in SOP #III.15 Constitutional Requirements Involving Custodial Interviews.

XV. Juvenile Records

A. In compliance with N.J.S.A. 2A:4A-60, the Bridgeton Police Department Records Unit shall keep and maintain all records pertaining to juveniles charged as delinquents or found to be part of a juvenile family crisis. Such records shall be strictly safeguarded from public inspection. Such records shall be made available to:

1. Any court or probation department;

2. The Attorney General or County Prosecutor;

3. The parents or guardian and the attorney of the juvenile;

4. The Department of Human Services or Division of Youth and Family Services, only if they are providing care and custody of the juvenile;

5. Any institution to which the juvenile is currently committed;

6. Any other person or agency by the order of the court;

7. Any law enforcement agency of the state for law enforcement purposes;

8. The Office of the Child Advocate;

9. The Juvenile Justice Commission; or

10. Any potential party in a subsequent civil action for damages related to an act of delinquency committed by the juvenile.

B. Information as to the identity of the juvenile, the offense charged and the adjudication and disposition shall, upon request, be disclosed to:

1. The victim or a member of the victim's immediate family;

2. The principal of the school where the juvenile is enrolled, on a confidential basis, for planning programs relevant to the juvenile's educational and social development;

3. A party to subsequent legal proceeding involving the juvenile, but only upon approval of the court and for the sole purpose of impeaching the juvenile as a witness.

C. The Supreme Court of New Jersey may adopt Rules of Court governing the disclosure to State and local law enforcement agencies and prosecutors of information and records relating to juveniles in the central registry maintained by the courts.

XVI. Police Operations on School Property:

A. All police operations conducted near or on any school grounds will be conducted in accordance with the "Uniform State Memorandum of Agreement between Education and Law Enforcement Officials." A copy of this document is filed with this policy (Appendix F). It will be the responsibility of the juvenile officer to make sure the most recent copy of this agreement is on file with this policy.

XVII. Documentation

A. Station House Adjustment Warning Form (Appendix A)

B. Stationhouse Adjustment Agreement Form (Appendix B)

C. Juvenile Delinquency Complaint (Appendix C)

D. Request for Temporary Detention Form (Appendix D)

E. Juvenile Miranda Warning (Appendix E)

F. Juvenile Service Referral Form (Appendix F)

G. Uniform State Memorandum of Agreement Between Education and Law Enforcement

Order #: I.37 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: IMPACT OFFENDERS

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 37
REVISION DATE

SUBJECT: IMPACT OFFENDERS

EFFECTIVE DATE: February 15th, 2009
CHIEF OF POLICE:Mark W. Ott
CROSS REFERENCE #: G-2009-002

I. PURPOSE

The purpose of this directive is to give officers clear guidance on how to handle particular and identified persons when deciding on making discretionary arrests or issuance of a summons.

II. POLICY

It shall be the policy of this Department to address every violation committed by an identified IMPACT OFFENDER with appropriate enforcement efforts when violations are observed.

Discretion in not enforcing various violations should be left for the law abiding members of the community. Once a person (adult or juvenile) has been identified as an IMPACT OFFENDER, their Master Name Page on Impact shall be marked with a bold notation which reads as follows "** IMPACT OFFENDER**. Whenever this individual is stopped for violating the law, the full complaint/prosecution process for observed violations shall be used.

III. DEFINITIONS

IMPACT OFFENDER: Any person who has been found to be a repetitive offender as determined by this directive is deemed to constitute a threat to the public's safety, health, welfare and/or the general good order of the municipality.

IV. IDENTIFYING IMPACT OFFENDERS

A. MINOR OFFENDERS

Any person who has been cited on more than four separate occasions for any one of / or combination of the following petty disorderly or disorderly persons offenses:

1. Drinking In Public
2. Assault
3. Breach Of the Public Peace
4. Poss. U/50 Grams Marijuana/Other CDS for personal Use
5. Loud Noise/Music
6. D.W.I.
7. Littering
8. Harassment
9. Lewdness
10. Prostitution
11. Disorderly Conduct
12. Possession of Drug Paraphernalia
13. Fighting
14. Possession of Hypodermic Syringe
15. Shoplifting
16. Theft
17. Pan Handling
18. Gambling In Public
19. Trespassing
20. Wandering for Purposes of Prostitution or CDS

B. SERIOUS OFFENDERS

Any person who has been charged on two separate occasions for any one of / or combination of the following criminal offenses:

1. Prostitution
2. Burglary
3. Arson
4. Robbery
5. Poss. CDS w/Intent To Distribute
6. Manufacture/Distribution of CDS
7. Employing Juvenile In CDS Dist. Scheme
8. Recruiting For Criminal Gang
9. Eluding Police In M.V.
10. Resisting Arrest With Violence
11. Aggravated Assault
12. Any Weapons Offense
13. Any Crime of the 1st or 2nd Degree
14. Auto Theft
15. Joyriding

C. COMBINATION OFFENDERS

Any person who has been charged on separate occasions for the following combination from A. & B. above:

- Three from list A

Plus

- One from list B

V. IDENTIFICATION PROCESS

Every officer is expected to cooperate in the identification of IMPACT OFFENDERS. This process shall be implemented in the following manner. When an officer believes a subject fits the criteria listed under section IV the officer shall print and fill out a copy of the attached "IMPACT OFFENDER SUGGESTION FORM". The officer shall then submit the form to their Bureau Commander. The Bureau Commander shall review the form and check to make certain the subject fits the criteria. Upon reaching a positive conclusion the Bureau Commander shall make the "** IMPACT OFFENDER** entry on the Master Name Listing for the identified subject. In the event the subject submitted does not meet the criteria the form will be returned to the submitting officer with a notation indicating why the subject was not accepted.

VI. "IMPACT OFFENDER SUGGESTION FORM"

VI. "IMPACT OFFENDER SUGGESTION FORM"

Subject's First Name:_____

Subject's Middle Initial:_____

Subject's Last Name:_____

SSN:_____/_____/_____

Subject's D.O.B.:_____/_____/_____

Subject's Known Alias Information (Names/SSNs/DOBs):

_____
_____
_____
_____
_____

Submitting Officer's Name:_____

Bureau Commander: _____(initials)

_____ Candidate Rejected – Doesn't Fit Criteria

Reason:_____

Order #: III.9 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: INVESTIGATION PROCEDURES

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 9
SUBJECT: INVESTIGATIONS
EFFECTIVE DATE:
CHIEF OF POLICE: COURTLANDT A. TURNER

I. Command of Scene

At the scene of any crime, accident, or other police incident, the ranking officer present shall assume command and direction of police personnel to assure the most orderly and efficient accomplishment of the police task. When two or more officers of the same rank are present and one of these is assigned to the investigative detail that will follow up the investigation, that ranking officer will be in charge. This provision coordinates the efforts of the several subordinate members who may be assigned to the incident; therefore, it is incumbent upon the ranking officer assuming such control to become acquainted with the facts and insure that appropriate action is being taken or is initiated.

A. Responsibilities of Members Arriving at Crime Scenes

1. The first member to arrive at the scene of a crime or other police incident is responsible for the following actions as they may apply to the situation:

a. Summoning medical assistance and administering first aid as required preventing further injury or loss of life

b. Arrest of violator(s)

c. Security of the scene

d. Conducting a preliminary investigation

e. Compliance with General Orders #1 & #2

B. Responsibilities of Assigned Members at Crime Scene.

1. The members officially assigned to perform the preliminary or other investigation of an alleged crime or other incidents are responsible for the duties in Section 3:6-2 and the completion of the preliminary or other investigation as directed. This shall include securing statements and other information, which will aid in the successful completion of the

investigation, locating, collecting, and preserving physical evidence, and identifying locating and apprehending the offender. See General Order #1 & #2 for specifics.

C. Identification of Police Officer.

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

D. Release of Information at Crime Scene.

1. Unauthorized persons, including members of the press, shall be excluded from crime scenes. Request for information shall be referred to the Office of the Chief of Police.

E. Confidential Information.

1. Members and employees shall not reveal any confidential business of the department. They shall not impart confidential information to anyone except those whom it is intended, or as directed by their commanding officer.

2. Members shall not make known to any person any department order, which they may receive, unless so required by the nature of the order.

3. Contents of any department record or report filed in the police department shall not be exhibited or divulged, to any person other than a duly authorized police officer, except on approval of the Chief of Police, or under due process of law, or as permitted under department regulations.

F. Compromising Criminal Cases.

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

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

(b) Members and employees shall not attempt to have any traffic summons or notice to appear reduced, voided, or stricken from the calendar.

(c) Any member or employee having knowledge of such action and failing to inform his superior officer thereof shall be subject to disciplinary action.

II. CID Responsibilities

A. C.I.D. shall be notified of the following crimes; and, shall be responsible for the investigation of these crimes:

1. Homicide

2. Suspicious deaths and/or death by misadventure

3. Armed Robbery

4. Sexual assaults

5. Structure arsons resulting in death or injury

B. The C.I.D. is further responsible for the secondary investigation into:

1. Burglaries

a. Involving structures

b. Motor vehicles where pecuniary loss is $500.00 or more

2. Fraudulent practices offenses

3. Aggravated assaults where death from injuries sustained is a critical factor

4. Arson of structures and motor vehicles

5. Criminal mischief offenses where loss of property exceeds $2000.00; or, disrupts or impairs a public service

6. Thefts resulting in pecuniary loss of $500.00 or more

7. Strong arm robbery

C. C.I.D. is to be notified of fatal accidents and will be responsible for the secondary investigation. C.I.D. shall also be responsible for general investigation overview by correlating the initial accident investigation with the secondary investigation.

III. Uniform Division Responsibilities

A. Uniform division personnel shall be responsible for the preliminary investigation of the following offenses; within the scope of Section IV of this chapter

1. Homicide
2. Suspicious/unattended deaths
3. Armed robbery
4. Sexual assaults
5. Arson
6. Preliminary investigation shall consist of the following in these instances

a. Establish elements of the crime
b. Maintain crime scene integrity
c. Identifying witnesses, victim and actor(s), if possible
d. Apprehension of actor is still on scene or readily available
e. Maintaining a crime scene log

B. Uniform division shall also be responsible for the following initial investigation:

1. Burglaries

a. Investigating crime scene
b. Interviewing victim and witnesses
c. Collecting evidence
d. Following up investigation in incidents "in-progress" or where apprehension is immediately available.

2. Fraudulent Activities

3. Arsons

a. Identify, interview witnesses

b. Obtain opinion of firefighter supervisor on scene as to probability of arson offense.

c. In case involving death, crime scene security

4. Strong arm robbery

C. Uniform division personnel shall be responsible for the following investigations:

1. Assault offenses, Exception: all aggravated assaults involving serious injury, C.I.D. to make determination in these cases.

2. Criminal mischief

3. Thefts and larcenies resulting in pecuniary loss of less than $500.00

4. Auto burglaries resulting in pecuniary loss of less than $500.00

5. Arsons that are diminimus in nature, i.e. grass, or trash fires, etc. See Fire Investigations section.

6. All motor vehicles accidents, unless otherwise assigned by proper authority

7. Other reported incidents involving motor vehicles

8. Disorderly and petty disorderly offenses that require investigation reports

D. Juvenile division/Identification Officer- technical services of juvenile division personnel and Forensics Unit shall continue under established procedures, as concerned with criminal investigations. ID/Forensic services shall be cleared through the Criminal Investigation Division.

IV. First Officer on Scene

A. Establish death/or elements of other major crimes

1. Approach bodies by way other than normal travel routes of direct line approach. Stay close to walls.

2. Watch for items of evidence - do not touch or destroy these items while approaching body.

B. Items of possible evidence are always inadvertently carried into and out of a crime scene. Responding Officers also carry debris into the scene; and, possible evidence away from the scene.

1. Therefore, only one responding officer shall enter the scene, using extreme caution in not disturbing possible items of evidence.

2. Upon ascertaining death, the officer should exit the scene using extreme caution not to disturb possible evidence. Remove family members or witnesses to a room away from the actual scene.

3. Call for a back-up unit.

4. No one shall use a telephone located at the crime scene

5. Officers shall not eat, drink or smoke while on a crime scene

C. Initial responding officer shall:

1. Identify victim/witnesses if possible, without disturbing scene

2. Start and maintain crime scene time log

3. Keep scene secure

4. Establish entry point for scene investigation

D. Secondary responding officers shall:

1. Establish outside perimeter security, using caution to protect any possible evidence located outside the scene.

E. No vehicles shall be driven off hard payment - when possible - at a crime scene. Should operation of police vehicle on soft ground be necessary, use extreme care in not obliterating tire markings.

F. Platoon Sergeant shall respond to all major crime scenes and direct the security of the scene. The sergeant and other officers present shall not enter the scene.

G. Dispatcher shall:

1. Notify both Division Commanders

2. Notify C.I.D. supervisor second in charge.

3. C.I.D. supervisors shall direct any further notifications

4. Be alert for any tip information coming in related to reported crime. He shall immediately record in writing that information and notify the investigator he has pertinent information on the case and await contact from investigating officer.

H. C.I.D. shall establish a command post in the near proximity of the crime scene

1. Commanding officer from C.I.D. shall direct operations from that post

2. In-coming information shall be directed to the command post for proper dissemination.

3. C.I.D. investigating detective shall be in charge of the crime scene investigation

a. Shall direct collection of evidence

b. Direct actions on scene prior to establishment of command of post.

c. Shall be responsible for investigative supplementary report

V. Apprehension Procedure

A. Uniform personnel shall upon making apprehension advise the suspect of his rights, according to the Miranda decision and note time advised and response of the suspect.

1. Should suspect voluntarily start talking, he should be asked if he is waiving his rights. C.I.D. should be immediately notified for a detective to be assigned.

2. He shall not conduct questioning of the suspect; but, should note in writing any voluntary admission or statement.

3. Any voluntary admission should be noted in official report.

4. Notify the investigating detective of any indication of suspect's wanting counsel.

B. Collection of evidence on person

1. Arresting officer shall be responsible for search incidental to the arrest and seize evidence

2. C.I.D. is to be notified upon apprehension of the suspect.

VI. Duties of Detective Supervisor on Scene:

A. Make sure the scene and the perimeter are protected. Ascertain if the time log is being maintained, with a list of personnel present on the scene with reason for their presence.

B. Ascertain there is an investigator on the scene. Confer with the investigator and be bought up to date on the status of the investigation. Solicit any opinions or theories and objectively evaluate these with your own independent observations. Determine investigative needs and make assignments as necessary.

C. Confer with the ranking uniformed officer on the scene, and interview the first officer so that proper instructions can be given to responding investigators.

D. Priority should be given to removal of the suspect or witnesses to the police station, keeping each person transported separately. Before taking witnesses, they should be briefly interviewed so as to get a proper perspective of what they observed and from where they made the observations. Written statements should be taken at the station. Information obtained to be transmitted back to the scene. KEEP ALL CONCERNED INVESTIGATORS INFORMED AS INFORMATION BECOMES AVAILABLE.

E. Use an assignment sheet to indicate assignments as given out. Identify the officers assigned, location of assignment, duties assigned and time of the assignment.

F. Establish a suitable command post if it has not already been established. Notify necessary personnel, parties of command post location/telephone number.

G. Designate an officer to keep a running timetable of events including arrivals/departures at the scene. Timetable to be turned over to the detective supervisor after release of the crime scene. Same officer can be placed in charge of the index.

H. Victim removed to hospital - insure that proper action is being taken in regards to dying declaration, clothing, evidence, etc.

I. If the suspect has filed the scene, what alarms have been put out and the information contained in the alarm(s). Update the alarms as more is learned.

J. Provide for the dissemination of information to all units involved in the investigation. Ideally, all investigators should be aware of all aspects of the

case. ESPECIALLY detectives conducting the CANVASS.

K. If too many officers respond to the scene, you should not hesitate to direct these officers to return to their original assignments, if they are not needed.

Order #: III.10 **Date:** 05/24/2011
Category: DEPARTMENT ORDERS
Title: MEGAN'S LAW REGISTRANTS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 10
SUBJECT: MEGAN'S LAW PROCESS AND REGISTRATION

REVISION DATE: MAY 24, 2011

EFFECTIVE DATE: MAY 24, 2011

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: NONE

THIS DIRECTIVE SUPERCEDES PREVIOUS DIRECTIVE III.10 - MEGAN'S LAW REGISTRANTS BY CHIEF COURTLANDT TURNER, UNKNOWN EFFECTVE DATE.

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

III:10-1 PURPOSE:

In response to the public's demand for greater information regarding the identity and whereabouts of previously convicted sex offenders who might prove a threat to the safety of those in the community, the Governor and Legislature passed the Registration and Community Notification Laws (RCNL), N.J.S.A. 2C:7-1 et seq., commonly known as Megan's Law. This law provides for the creation of a state registry of sex offenders, as well as an Internet web site registry, and a community notification procedure, which mandates County Prosecutors to place offenders into one of three categories which are distinguished by the level of risk of re-offense by the offender. N.J.S.A. 2C:7-6 et seq.

The purpose of this legislation is to provide pertinent information to law enforcement and, in appropriate circumstances, to neighbors, parents and children, as well as community organizations which care for or supervise women or children. It is hoped that, armed with knowledge of the descriptions and whereabouts of sex offenders and pedophiles, community members will be in the best possible position to protect their children and themselves.

III:10-2 POLICY:

Order #: III.10 **Date:** 05/24/2011
Category: DEPARTMENT ORDERS
Title: MEGAN'S LAW REGISTRANTS

This policy will set forth guidelines that officers shall follow when registering a sex offender, pursuant to the Registration and Community Notification Laws, commonly known as Megan's Law.

III:10-3 PROCEDURE:

I. OFFENDERS TO WHOM THE STATUTE APPLIES

A. The community notification statute applies to all sex offenders who are required to register pursuant to N.J.S.A. 2C:7-1 et seq. Offenders who must register include persons convicted, adjudicated delinquent or acquitted by reason of insanity of the offenses defined below. The offenses requiring registration include:

1. A conviction, adjudication of delinquency or acquittal by reason of insanity for aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping pursuant to paragraph (2) of subsection c. of N.J.S. 2C:13-1 or an attempt to commit any of these crimes if the court found that the offender's conduct was characterized by a pattern of repetitive, compulsive behavior, regardless of the date of the commission of the offense or date of conviction, adjudication of delinquency or acquittal by reason of insanity.

2. A conviction, adjudication of delinquency or acquittal by reason of insanity for aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping pursuant to paragraph (2) of subsection c. of N.J.S. 2C:13-1, endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child pursuant to subsection a. of N.J.S. 2C:24-4, endangering the welfare of a child pursuant to paragraphs (3), (4), or (5)(a) of subsection b. of N.J.S. 2C:24-4, luring or enticing pursuant to section 1 of P.L. 1993, c. 291. 2C:13-6, criminal sexual contact pursuant to N.J.S. 2C:14-3b. if the victim is a minor, kidnapping pursuant to N.J.S. 2C:13-1, criminal restraint pursuant to N.J.S. 2C:13-2, false imprisonment pursuant to N.J.S. 2C:13-3 if the victim is a minor and the offender is not a parent/guardian of the victim, knowingly promoting prostitution of a child pursuant to paragraph (3) or paragraph (4) of subsection b. of N.J.S. 2C:34-1, or an attempt to commit any of these offenses if the conviction, adjudication of delinquency or acquittal by reason of insanity is entered on or after the effective date of the Act, October 31, 1994, or the offender is serving a sentence of incarceration, probation, parole or other form of community supervision as a result of the offense or is confined following acquittal by reason of insanity or as a result of civil commitment on the effective date of the Act;

3. A conviction, adjudication of delinquency or acquittal by reason of insanity for a similar offense or sentence imposed under the laws of the United States, this state or another state, as set forth in N.J.S. 2C:7-2 b(3).

4. Offenders who must register also include nonresident students and workers under the following circumstances: Persons who are required to register as sex offenders in other jurisdictions, and either (1) are enrolled on a full-time or part-time basis in any public or private educational institution in this State, including any secondary school, trade or professional institution, institution of higher education or other post-secondary school, or (2) are employed or carry on a vocation in this State, on either a full-time or a part-time basis, with or without compensation, for more than 14 consecutive days or for an aggregate period exceeding 30 days in a calendar year must register in this State.

5. A person who fails to register as required under the above criteria shall be guilty of a crime of the third degree.

6. A person required to register under this act shall provide the appropriate law enforcement agency with information as to whether the person has routine access to or use of a computer or any other device with Internet capability. A person who fails to notify the appropriate law enforcement agency of such information or of a change in the person's access to or use of a computer or other device with Internet capability or who provides false information concerning the person's access to or use of a computer or any other device with Internet capability is guilty of a crime of the fourth degree.

II. NOTICE TO OFFENDERS OF DUTY TO REGISTER

A. Offenders on parole or probation should be notified by the State Bureau of Parole, Probation Services in the Administrative Office of the Courts or the Department of Human Services of their duty to register and that, upon registration, they will be subject to a determination by the Prosecutor's Office as to which tier is appropriate in their circumstances, based upon an assessment of a risk of re-offense.

B. Incarcerated offenders will be required to register prior to their release, and within 48 hours of release, shall also register with the chief law enforcement officer of the municipality in which the person resides or, if the municipality does not have a local police force, the Superintendent of State Police, and should be informed that they will be subject to a determination by the Prosecutor's Office, placing them in an appropriate tier based upon risk of re-offense.

C. No person confined in a correctional or juvenile facility or involuntarily committed who is required to register shall be released from that confinement prior to expiration of sentence or termination from supervision or of custody, as the case may be, until the address set forth on his form of registration as his proposed place of residence has been verified as valid in accordance with procedures established by the Attorney General, which shall include provisions governing written notification of appropriate State and local officials. The address verification shall take place

prior to the scheduled date of release and shall be provided to the department to which the individual is confined or committed or the commission, as appropriate.

D. Offenders moving to this State must notify the chief law enforcement officer of the municipality in which they intend to reside or the State Police within 10 days of their arrival in New Jersey. Also, upon a change of address, offenders must notify the law enforcement agency with which they are registered and must re-register with the new agency at least 10 days prior to the move.

III. REGISTRATION PROCEDURES

A. Records Unit Responsibility:

1. Registrant will be provided a sex offender registration form to be completed. Upon completion, it will be returned to the records clerk for verification of information. After the form is verified as complete, the registrant will be sent to the Telecommunications Operator for processing.

2. Records Unit personnel will notify the Telecommunications Operator and provide the following information:

a) Name;

b) Date of birth;

c) Address;

d) Telephone number.

3. Records will maintain a separate file, recording all Sex Offender Registrations, which will contain a copy of the registration form, a copy of the Sex Offender Fingerprint Card and a copy of the photograph.

4. Records will be responsible for forwarding the original Sex Offender Fingerprint Card, the original Sex Offender Registration Form and a copy of the photograph to the Cumberland County Prosecutor's Office Megan's Law Unit within (3) business days.

B. Telecommunication Operator Responsibilities:

1. Obtain the name, date of birth, address and telephone number from the Records Unit , entering same into VCAD, explaining whether the individual is a new registrant or a re-registrant.

2. The Telecommunications Operator will notify an officer to respond and complete the processing.

C. Officer Responsibilities:

1. Fingerprint the offender, utilizing the Live-Scan Sex Offender tab and complete the highlighted sections; and

2. Locate the offender in the Impact system master name file, verify all information is up to date and correct and take (1) updated photograph; and

3. After the photograph is taken, print a copy of same and attach it to the completed fingerprint card; and

4. The photograph and fingerprint card are then turned over to the records unit without delay.

IV. FAILURE TO REGISTER

A. Pursuant to N.J.S.A. 2C:7-2, a sex offender who fails to comply with the requirements of Megan's Law commits a crime of the third degree. In such cases, the confidentiality provisions of Megan's Law would not apply because failure to register is a separate and distinct offense. Therefore, the offender may be treated in accordance with the regular judicial process with the attendant publicity, and indictments for failure to register need not be under seal. Prosecutors, however, may not disclose an offender's tier designation or scope of community notification in anticipation of future community notification. Any concerns Prosecutors may have over the appropriate information to disclose related to an indictment or conviction for failure to register, or the disclosure of information under emergent circumstances engendered by an offender's failure to register, should be brought to the attention of the Attorney General's Office.

V. CRITERIA FOR ASSESSING OFFENDERS AND COMMUNITY NOTIFICATIONS.

A. Tier One Offenders: Encompasses those who are a "low risk of re-offense." This offender is one who, based on such factors as the type of crime, the lack of violence in his behavior, the lack of a substantial criminal history and the existence of ties to the community, presents a relatively low risk of harm to the community.

1. TIER ONE: Law Enforcement Alert: All registrants will, at a minimum, be designated a Tier One offender, requiring community notification to law enforcement. Where the Prosecutor finds that the risk of re-offense is low, then the offender shall be placed in Tier One and the Prosecutor shall notify law enforcement agencies likely to encounter the offender.

B. Tier Two Offenders: Encompasses those who are a "moderate risk of re-offense," thus constituting a relatively moderate risk of harm to the commun

ity in that the pertinent documents demonstrate that they are relatively likely to reoffend in comparison to Tier One offenders, warranting limited notice for the protection of the public.

1. TIER TWO: Law Enforcement, School and Community Organization Alert: Where the Prosecutor finds, based upon the application of the criteria set forth in the RRAS, Registrant Assessment Scale Manual (APPENDIX A), that a registrant's risk of re-offense is moderate, then the offender shall be placed in Tier Two. The Prosecutor shall, at a minimum, in addition to local law enforcement agencies, also notify at least those community organizations, agencies and groups which have properly registered with the Prosecutor's Office and are likely to encounter the offender, and all local educational institutions, licensed day care centers and licensed summer camps which are likely to encounter the offender. Upon reaching a determination that the offender is a Tier Two offender, community notification shall be made to those organizations and groups which are likely to encounter the offender. It should be emphasized that it is the responsibility the Prosecutors and the Courts to determine who is to receive Notices. The actual notification in reference to Tier Two Offenders shall be accomplished by representatives of the Bridgeton Police Department Investigations Bureau. Additionally, information for certain Tier Two offenders is publicly available and updated by means of the Internet.

C. Tier Three Offenders: Encompasses those who are a "high risk of re-offense" in that the available record demonstrates that there is a relatively high risk of re-offense in comparison to Tier Two offenders.

1. TIER THREE: Community Notification: Where the Prosecutor finds, based upon the application of the criteria set forth in the RRAS that a registrant's risk of re-offense is high, then the registrant shall be placed in Tier Three. In the case of a Tier Three offender, the Prosecutor shall notify, in addition to community organizations and law enforcement agencies, members of the public likely to encounter the registered offender. The actual notification in reference to Tier Three Offenders shall be accomplished by representatives of the Cumberland County Prosecutor's Office Megan's Law Unit. Additionally, information for all Tier Three offenders is publicly available and updated by means of the Internet.

VI. INTERNET ACCESS CONDITIONS FOR CERTAIN SEX OFFENDERS.

A. In the case of a person who has been convicted, adjudicated delinquent or found not guilty by reason of insanity for the commission of a sex offense as defined in subsection b. of section 2 of N.J.S. 2C:7-2, and who is required to register as provided in subsections c. and d. of section 2 of N.J.S. 2C:7-2, or who is serving a special sentence of community or parole supervision for life as provided in section 2 of N.J.S. 2C:43-6.4, or who has been convicted, adjudicated delinquent or found not guilty by reason of insanity for a violation of N.J.S. 2C:34-3, and where the trier of fact makes a finding that a computer or any other device with Internet capability was used to facilitate the commission of the crime, the court shall, in addition to any other

disposition, order the following Internet access conditions:

1. Prohibit the person from accessing or using a computer or any other device with Internet capability without the prior written approval of the court except, if such person is on probation or parole, the person may use a computer or any other device with Internet capability in connection with that person's employment or search for employment with the prior approval of the person's probation or parole officer;

2. Require the person to submit to periodic unannounced examinations of the person's computer or any other device with Internet capability by a probation officer, parole officer, law enforcement officer or assigned computer or information technology specialist, including the retrieval and copying of all data from the computer or device and any internal or external peripherals and removal of such information, equipment or device to conduct a more thorough inspection;

3. Require the person to submit to the installation on the person's computer or device with Internet capability, at the person's expense, one or more hardware or software systems to monitor the Internet use; and

4. Require the person to submit to any other appropriate restrictions concerning the person's use or access of a computer or any other device with Internet capability.

5. A person who fails to comply with the Internet access conditions set forth above shall be guilty of a crime of the fourth degree.

VII. SEX OFFENDER RESTRICTIONS IN "YOUTH SERVING ORGANIZATIONS".

A. DEFINITIONS:

1. "Excluded Sex Offender" means a person who has been convicted, adjudicated delinquent or found not guilty by reason of insanity for the commission of a sex offense, as defined in subsection b. of section 2 of N.J.S. 2C:7-2, which involves a victim under 18 years of age.

2. "Youth Serving Organization" means a sports team, league, athletic association or any other corporation, association or organization, excluding public and non-public schools, which provides recreational, educational, cultural, social, charitable or other activities or services to persons under 18 years of age.

B. Except as otherwise provided in subsection E. of this section, it shall be unlawful for an excluded sex offender to hold a position or otherwise participate, in a paid or unpaid capacity, in a youth serving organization. A person who violates this is guilty of a crime of the third degree.

C. A person who knowingly hires, engages or appoints an excluded sex offender to

serve in a youth serving organization in violation of subsection B. of this section is guilty of a crime of the fourth degree.

D. The provisions of this section shall not apply to participation by an excluded sex offender under 18 years of age in a youth serving organization which provides rehabilitative or other services to juvenile sex offenders.

E. It shall not be a violation of subsection B. of this section for an excluded sex offender to serve in a youth serving organization if the excluded sex offender is under Parole Board supervision and the Parole Board has given express written permission for the excluded sex offender to hold a position or otherwise participate in that particular youth serving organization.

VIII.VERIFICATION OF ADDRESS

A. Offenders who have been found to be repetitive and compulsive must verify their address with the appropriate law enforcement agency every 90 days. All other offenders must verify their address annually. Any person who knowingly provides false information concerning his place of residence or who fails to verify his address with the appropriate law enforcement agency or other entity, as prescribed by the Attorney General in accordance with this section, is guilty of a crime of the fourth degree. In addition to appearing to verify a previously-provided address, offenders may be required to appear at the local police department or State Police barracks to register under the law or re-register with a change of address. The law enforcement chief executives shall permit the registrant to fill out the form without requiring verbal communication of the information (which might publicly identify the registrant as a sex offender). All address verifications shall be performed by an assigned officer of t he Bridgeton Police Department.

IX. RE-REGISTRATION AND/OR CHANGE OF ADDRESS

A. There is no exception for those registrants who change their address by moving within a municipality or county. The time period for determining the verification requirement is calculated from the date of initial registration or most recent re-registration resulting from a change of address or release from incarceration, not the date the i ndividual appears at the law enforcement agency for address verification.

B. Upon a change of address, a person shall notify the law enforcement agency with which the person is registered and shall re-register with the appropriate law enforcement agency no less than 10 days before he intends to first reside at his new address.

C. Upon a change of employment or school enrollment status, a person shall notify the appropriate law enforcement agency no later than 5 days after any such change.

D. A person who fails to notify the appropriate law enforcement agency of a change of address or status in accordance with this section is guilty of a crime of the fourth degree.

X. MAINTENANCE OF RECORDS OF COMMUNITY NOTIFICATION

A. The Bridgeton Police Department shall maintain separate notebooks for each tier, containing a Notice for each registrant. The notebooks shall be maintained in a secure location in the Investigations Bureau, accessible to Megan's Law liaisons and other law enforcement officers as appropriate. These notebooks shall be for the sole use of law enforcement agencies, with the following exceptions: (1) individuals who reside in a Tier Three community notification area who were not at home during the attempted delivery; (2) individuals that have moved into the community after a Tier Three community notification has been completed; and (3) parents and guardians of children that enroll at a school located within the zone of a Tier Three community notification after the community notification has taken place.

B. Signed School Principal Receipt Forms, Community Organization Designated Official Receipt Forms, and Megan's Law Receipt Forms shall be retained by the Cumberland County Prosecutor's Office in a secure location for five years. The Prosecutor's Office shall retain all other records contained within its Megan's Law file in accordance with Schedule Number 903, "Records Retention and Disposition Schedule for a County Prosecutor's Office."

XI. SOURCE/DOCUMENT AUTHORITY (BOTH CAN BE FOUND ON BPD ONLINE FORMS)

A. Attorney General Guidelines for Law Enforcement for the Implementation of Sex Offender Registration and Community Notification Laws

B. Registrant Risk Assessment Scale Manual (RRAS)
APPENDIX A

Order #: III.11 **Date:** 01/08/2010
Category: DEPARTMENT ORDERS
Title: MOTOR VEHICLE FATALITY INVESTIGATIONS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE - UPDATED

SECTION: III
CHAPTER: 11
REVISION DATE: NOVEMBER 2, 2010
REPLACED BY: I.36 - TRAFFIC LAW ENFORCEMENT

SUBJECT: MOTOR VEHCILE FATALITY INVESTIGATION

CHIEF OF POLICE:Mark W. Ott

POLICY

The Police Department's will thoroughly investigate every fatality invovling motor vehicle crashes. This investigation will incorporate multiple Department units.

PROCEDURE

I. Fatal Accident Investigation Notifications

A. The Administrative Bureau Commander will be notified immediately about all motor vehicle crashes resulting in death or serious motor vehicle crashes which may result in death.

B. Requests for the unit will be made through the working Patrol Bureau OIC.

C. The Administrative Bureau Commander will designate who is to be called in to investigate the matter. Including requests for Forensic or Case Detectives.

II. Assigned Investigator

A. Upon arrival at the scene, the unit commander will oversee the scene. The unit commander will be the only person at the scene to use the police radio to communicate with headquarters in order to assign any squad or patrol member at the scene.

B. All requests for special equipment or personnel will be directed to the unit commander.

C. The final approval to clear the scene will be made by the unit commander

after he/she makes certain every phase of the investigation has been completed.

D. In the event the unit commander is not present at the scene during the time of the investigation, then it shall be the responsibility of the back-up unit commander to give final approval to clear the scene.

E. When the investigation reports are completed, they will be submitted for approval. All reports must be forwarded to the County Prosecutor's Office Homicide Unit within three (3) working days.

F. The officer in charge is responsible for securing the scene. Upon arriving at the scene, the unit commander will advise the patrol officers of assignments, traffic, etc. He will advise the unit members to secure the scene, rope off the area and remove all unauthorized personnel.

G. While the scene is being secured, the unit commander will make the determination for special equipment and personnel as well as make notification to the command center.

H. The unit commander, after the scene is secure, will direct the photographer to begin taking pictures. Video taping will follow.

I. Once the photography is under way, the unit commander will make certain that witnesses are interviewed and statements are taken.

J. After photographs are taken and a pronouncement of death is made, the unit commander will provide the division commander with the name of the deceased so that proper steps for notification may be taken by the division commander.

K. When photographs are completed, the unit commander will make certain that diagramming and measurements of skid marks, damage to property, position of the vehicle, position of the body and debris are noted.

L. When all areas of investigation at the scene has been completed, the scene may be cleared.

M. All vehicles involved will be impounded for the purpose of mechanical inspection. Said inspection shall not occur unless the owner's consent is obtained or a search warrant is issued.

N. The unit commander will be responsible for compiling all accident reports, statements, photos, and diagrams. They will then be submitted to the division commander for review. It is also the responsibility of the unit commander to critique all phases and data of the investigation afterwards at headquarters.

IV. Call Out Roster for the Fatality Investigation Unit

A. The call out order of personnel is listed in appendix 1.

V. Appointment of New Personnel

A. When an opening becomes available in the unit, a sign-up sheet will be posted in the Patrol Room for interested candidates.

B. An officer must meet the following criteria in order to be eligible for the unit;

1. The officer has served as a member of the department for at least three (3) years.

2. The officer has maintained an acceptable performance rating on his/her Performance Evaluation.

3. The officer has in-service training in the area of advanced crash investigation.

VI. Duty Assignments at a Fatality Scene

A. Unit Commander

1. Take control of radio communications at the scene and provide special services for the squad.

2. Assign personnel from other divisions to specific tasks.

3. Ensure that the accident is reported to the New Jersey State Police Fatal Accident Unit within twenty four hours of the incident via CJIS, NJLETS Fatal Accident Report. (Appendix #2, Format and Sample).

4. Ensure that the County Prosecutor's Office and Medical Examiner are notified as soon as practicable.

5. Advise the Municipal Court that any motor vehicle summonses issued as a result of the incident must be held in abeyance until other potential criminal matters are dealt with. The County Prosecutor's Office will authorize when the disposition of the summonses can be completed.

B. Investigative Division Responsibilities

1. Statements and interviews

2. Getting blood and/or urine samples at the hospital and transportation to the State Police Lab for analysis.

3. Attending the autopsies.

4. All photography and video equipment.

C. Uniform Division

1. Traffic control and security at the scene.

2. Breathalyzer.

3. Diagram and measurements.

Responsibilities are overlapping in each division and the unit commander can reassign responsibilities if a particular division needs assistance.

Order #: I.8 **Date:** 01/01/2010
Category: DEPARTMENT ORDERS
Title: COMPUTERIZED MUG SHOT CAMERA SYSTEM

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 8
OF PAGES: 3
REVISION DATE

SUBJECT: COMPUTERIZED MUGSHOT SYSTEM

EFFECTIVE DATE:

CHIEF OF POLICE
COURTLANDT A. TURNER

CROSS REFERENCE #:

BRIDGETON POLICE DEPARTMENT

Purpose

This primary purpose of this policy is to establish a standard operating procedure for the use of the new digital computerized mugshot camera. Secondarily, this policy shall serve to reinforce the training the officers using the system have already received, either by the Training Unit, or by qualified superiors or contemporaries, who have been pre-approved to provide such training by a member of the Training Unit.

This policy is an augmentation to, and not a replacement of or substitution for, any existing policies or procedures pertaining to the obtaining of arrest photos.

Statement

The digital mugshots entered into the computer system will be available for viewing or printing on a 24-hour/7 day basis. This will obviously be a great tool with many benefits to the officers who normally had no access the Polaroid photos we've been taking since 1987. At this point, the mugshots can only be viewed from computer workstations, which are using the Windows 95 (or 98) operating environment. Monies have been requested in the budget to upgrade all computer hardware to enable the installation of Windows 95 or 98 on all workstations.

All digital mugshots will have a unique number, regardless of whether the subject depicted has been photographed before, either Polaroid or digitally. All digital photos will be linked to the arrestee's Master Name Index entry in the Impact software and not to their photo ID # as we've become accustomed to in the old Polaroid system.

Procedures

1. All arrestees who would normally be photographed in accordance with existing departmental standard operating procedures will ADDITIONALLY be photographed using the photo imaging system. The dual photos are necessary until an adequate database is built in the computer system, for possible use in photo arrays.

2. No officer shall use the photo imaging workstation until properly instructed and evaluated by an approved instructor. There have been problems noted in the use of this workstation. This step is necessary to maintain the integrity of the photo database.

3. Officers taking digital photos will take priority over the system from officers who are preparing other police reports. Therefore, it would be prudent for officers to use other available workstations for non-arrest type reports to reduce the inconvenience of having to change workstations. It is noted that sometimes this is not possible due to workload and workstation availability

4. It is incumbent upon the officer taking the digital mugshot to ensure that an acceptable image is captured for the front and profile (side) views. This shall include that the subject's head is approximately one (1) inch from the top of the image as viewed on the monitor, and centered left to right. An officer can capture and discard images until they are satisfied with the results.

5. The arrestee's hands will be down to their side (not on their hips or elsewhere).

6. The arrestee will be told to stand with his or her toes immediately BEHIND the red tape line on the floor. This will ensure the proper distance from the camera that is crucial to photograph integrity in the event of it's use in a photo array.

7. For the profile view, have the arrestee turn their head to the RIGHT until a proper profile is obtained. There will be a visible marker (orange sticker) on the wall to the right which the officer can instruct the subject to look at, simplifying this step.

8. Once you're satisfied that proper front and side view images have been captured, exit the photo imaging software, saving the captured images. IMPORTANT! You are already logged into the Impact software. You will note that there is an Impact Icon at the bottom of the screen on your monitor (the taskbar). It will say START- FOX260 or START-COMMAND. DO NOT login to the Impact software again! This will cause numerous serious anomalies in the computer system. Just click on the Impact icon at the bottom of the screen and you will be right back into the Impact software.

9. There has been track lighting installed to provide the proper amount of light for the camera system. Please ensure that all of the light bulbs are operational. If they are not, please notify your supervisor who will have access to replacement bulbs.

10. A hard copy color photo print will be maintained in the Criminal Investigation Division office. These photo prints will be printed and maintained by the Computer Network Administrator or other designees as assigned by the Chief of Police. Officers should note that they could print out a black and white copy of any digital photos on a laser printer if needed. These laser copies are of excellent quality and suitable for facsimile transmission.

11. If there are any other problems encountered, or any questions, suggestions, or discrepancies with this procedure, officers are authorized to contact the computer network administrator(s) immediately for assistance or clarification. Supervisory permission is only required if it is necessary for the network administrator to respond to City Hall after hours.

Order #: I.48 **Date:** 02/27/2012
Category: DEPARTMENT ORDERS
Title: NJ CJIS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 48
SUBJECT: CRIMINAL JUSTICE INFORMATION SYSTEMS

EFFECTIVE DATE: FEBRUARY 27, 2012

REVISION DATE: SEPTEMBER 4, 2012

REVISION SECTION(S): V.B.2

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARD(S): 81.2.9

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:48-1 PURPOSE

The purpose of this directive is to codify this agency's policy and procedures regarding the use of the Criminal Justice Information Systems, commonly referred to as CJIS.

I:48-2 POLICY

It is the policy of this agency to conform to the requirements set forth in the CJIS User Agreement, with the New Jersey State Police and to any applicable policies and procedures established by the New Jersey Attorney General and County Prosecutor.

For purposes of this directive, the following applications are considered part of CJIS:

CCH – Computerized Criminal History
III – Interstate Identification Index
NCIC – National Crime Information Center
MVC – Motor Vehicle Services
NJLETS – New Jersey Law Enforcement Telecommunication System
NLETS – National Law Enforcement Telecommunication System

This directive does not govern those applications administered by the New Jersey Administrative Office of the Courts (AOC).

All personnel who operate NJCJIS must adhere to the NJCJIS Security Policy.

The Non-Compliance Sanction Plan and the CJIS Security Policy are permanently attached to this directive. All personnel shall comply with the provisions of these documents.

All data received from any NJCJIS terminal, MDC or ALPR is confidential information for use by authorized criminal justice personnel, for criminal justice purposes only. Unauthorized disclosure could result in criminal, civil and administrative penalties. For further procedures on the ALPR, refer to Policy #II.39.

This directive also installs a mechanism to:

Provide for continuing education and certification in the use of the CJIS equipment and applications;
Properly document required CJIS transactions;
Identify potential abuses.

The Chief of Police shall appoint the Terminal Agency Coordinator (TAC) and the Assistant Terminal Agency Coordinator (ATAC). The TAC and ATAC shall be primarily responsible for ensuring the integrity of the equipment and various applications. The TAC and ATAC shall have full staff and functional authority pertaining to CJIS related matters. The TAC and ATAC shall keep the Chief of Police current on all policy changes mandated by the New Jersey State Police or Federal Bureau of Investigation. The Chief of Police, under recommendation by the TAC and ATAC shall determine what personnel have access to the CJIS terminals and applications.

All terminal operators must pass a background investigation as delineated within the NJCJIS Security Policy. This check should be completed prior to the submission of applicant fingerprint cards. All terminal operators must successfully complete basic CJIS training that minimally includes NCIC, NJLETS, NLETS, MVC, NJCJIS, CCH and III policies and procedures, hit confirmations and terminal security. Terminal operators shall not utilize other operator's access codes.

I:48-3 PROCEDURES

I. CJIS Entries

A. The various manuals dealing with CJIS transactions need not be repeated within this directive, but a short synopsis of important points is provided. For further guidance and reference to the various manuals, they are available on the NJSP CJI S portal. Each dispatch work station has a link to this portal. It may also be accessed by entering the IP Address of 172.25.15.10 in the web address bar.

B. Each entry should be "packed" with as many identifiers as possible. This serves

to reduce the chance of false hits and unnecessary CJIS transactions. Operators are required to modify entries when determined to be necessary (i.e. correction to previous entry, additional information is acquired making prior entry no longer factually accurate, etc...).

C. Stolen MV Entries: As much information as possible must be entered into the appropriate fields. Note that each state's MVC identifiers may not conform to standard NCIC codes. Therefore, it is incumbent upon terminal operators to verify the information provided by each state's MVC record and the information provided by the officer prior to entry. All stolen vehicle entries must be made within one hour of the vehicle being reported stolen.

D. Wanted Persons Entries: All actors wanted by this agency shall be entered into NCIC. Prior to entry, all available descriptive information shall be obtained using appropriate sources, i.e. MVC, NLETS and NJCCH/III files, if authorized. If this agency wishes to have an individual located within the State of NJ, the entry must reflect that need. If extradition is being sought for an out of state warrant service, extradition approval must first be obtained from the Cumberland County Prosecutor's Office.

E. Missing Persons: Refer to Policy II.23, Missing Person Investigations. Pack the record as much as possible to facilitate identification and to minimize the chance of false hits. Investigative personnel will generally direct that any updates and modifications be performed. A missing person shall not be entered into NCIC until the "NCIC Missing Person" form is completed fully by the officer and authenticated by the signature of the individual reporting the missing person.

1. It is required that all missing persons be entered in the NCIC database within (1) hour of the determination.

F. Hit Confirmations: Upon receipt of a hit confirmation request, the communications operator shall ensure that a substantive response is furnished. Urgent hit requests require a ten-minute response. Routine hit requests require a one-hour response. A substantive response is a positive or negative confirmation or notice of a specific amount of time necessary to confirm or reject.

1. Due to the urgency generally associated with and the stated time constraint imposed upon confirmations, a check for teletypes should be conducted every ten (10) minutes.

2. If the network is down and you are unable to send or receive a HIT TTY, a telephone call or fax to an agency in response to or to inquire shall be appropriate.

G. Guns: All surrendered and recovered guns, if not stolen, that come into the possession of this agency must be entered into NCIC as a recovered gun, with the

following exceptions:

1. Guns seized as the result of a Domestic Violence Temporary Restraining Order shall not be entered, however, guns seized as a result of a Domestic Violence crime shall be entered.

2. Black powder guns, BB guns, Airsoft guns, starter pistols and guns turned in to this agency as part of a gun amnesty program shall not be entered.

3. Guns involved in a crime that have an obliterated, defaced or no serial number must be entered utilizing the NJ Crime Gun Center Trace Request form (Appendix A), which is located on BPD Online Forms, or on the Enter Recover ed Gun Screen. The paper version shall be faxed to the NJ Crime Gun Center for entry at (609)671-0923. The NCIC system cannot accept guns without a serial number. If assistance is needed, a call may be made to the NJ Crime Gun Center at (609)963-6900X2015

H. Articles: Refer to NCIC Operator's Manual for entry criteria. Again, be careful to use the article names as defined in the NCIC Code Manual.

II. CCH/III

A. CCH refers to Computerized Criminal History, a State of New Jersey database. III refers to Interstate Identification Index. Both of these applications are strictly monitored and controlled.

B. Authorized personnel may access CCH/III files as follows:

1. A Detailed Record Request should be conducted for all criminal arrests, including domestic violence related offenses, but not for municipal ordinance violations. Once the Detailed Record Request has served its use in the criminal investigation, it shall be destroyed.

2. A Detailed Record Request should be conducted prior to NCIC and/or Missing Person entries. When utilizing an NJSBI Criminal History or III Criminal History for an NCIC entry, the fact sheet or pedigree sheet shall be attached to t he NCIC entry jacket for "packing' purposes. All available identifiers will be entered into the NCIC entry to properly pack the entry (AKA, SMTS, DOB, SOC, etc.). If the subject has a previous resisting arrest, aggravated assault, gun possession, confirmed gang member, escape, eluding, they are to be entered with a cautionary code with details entered into the miscellaneous field. The remainder of the record must be destroyed after it has served its investigative purpose. It is the responsibility of the end user, and not necessarily the terminal operator, to ensure the destructi on of the CCH/III.

3. When conducting a CCH/III a report number must always be entered in the

miscellaneous field. If there is no report number generated, a CAD entry must be created and that number utilized.

4. When performing CCH/III for a background check the miscellaneous field should say "Criminal Justice Employment", the position title and also contain an IA number..

5. The term "destroy the record" shall be narrowly construed to mean rendering the record useless through shredding or similar destruction. Records containing criminal histories shall not be merely discarded in the trash. It is further understood that these records are not to be submitted along with completed reports and are to be destroyed following use.

III. INVESTIGATIVE CONTINUITY

A. In order to maintain investigative continuity in investigations that require NJCJIS transactions, the incident number generated by the initial incident shall be utilized throughout the investigation and administrative processes.

1. Example: A stolen vehicle is later recovered. The original incident number for the stolen vehicle investigation will also be used on the recovery investigation. (A separate CAD entry must be made, but this new incident number is only used for statistical purposes and to account for time spent on the new incident. Refer to the original file number in the Notes Field. The prevailing date and time shall be utilized on any new reports.) The exception would occur when a vehicle reported stolen by a different police authority is recovered by this police authority. In this instance the newly generated incident number would be the number for the incident and the original authority's number would be referenced within the report's narrative.

2. Example: A missing person later returns home. The original incident number for the missing person investigation will also be used on the returned missing person investigation. (A separate CAD entry must be made, but this new incident number is only used for statistical purposes and to account for time spent on the new incident. Refer to the original file number in the Notes Field. The prevailing date and time shall be utilized on any new reports.) The exception would occur when a person reported missing by a different police authority is located by this police authority. In this instance the newly generated incident number would be the number for the incident and the original authority's number would be referenced within the report's narrative.

3. Example: A wanted person in NCIC is arrested. The original incident number for the incident causing the NCIC entry will also be used on this new arrest. (A separate CAD entry must be made, but this new file number is only used for statistical purposes and to account for time spent on the new incident. Refer to the original incident number in the Notes Field. The prevailing date and time shall be utilized on any new reports.) The exception would occur when a wanted person by a

different police authority is located and subsequently arrested by this police authority. In this instance the newly generated incident number would be the number for the incident and the original authority's number would be referenced within the report's narrative.

B. Records Unit personnel will store multiple reports indigenous to an incident within the same file jacket. This will facilitate any necessary review or audit without unnecessary cross-referencing.

IV. SYSTEM LIMITATIONS

A. The operation of the NJCJIS is subject to policies and procedures established by the New Jersey State Police and Federal Bureau of Investigation.

B. Personnel in violation of the NJCJIS policies and procedures are subject to this agency's system of progressive discipline and may receive disciplinary penalties up to and including termination of employment.

C. All violators are subject to criminal prosecution and/or civil liabilities.

V. SECURITY & DISCIPLINE

A. In accordance with Section I – Personnel Security of the NJCJIS Security Policy, all terminal operators will have a background check of state and national fugitive files, to be completed prior to the submission of state and federal applicant fingerpri nt cards.

1. Access to the system will not be granted until all background checks are completed and fingerprint cards have been returned from the state and have cleared.

2. If a record of any kind is found, access will not be granted by the employee's agency.

3. If an applicant is found to be a fugitive from justice or has been convicted of an indictable offense, the applicant shall be denied NJCJIS terminal operator access/certification.

4. If an applicant is found to have a conviction of a disorderly persons offense, the agency administrator will review each case and make the determination to grant access.

5. In accordance with N.J.S.A. 2C:52-27c, an expunged record may be utilized to deny terminal operator access.

6. The agency administrator may allow a current NJCJIS terminal operator, who

may have been charged with an offense, to remain in that capacity until the resolution of the charge.

7. Police officers who do not have terminal operator access/certification are not prohibited from requesting and receiving NJCJIS information from a terminal operator in the performance of his/her duties.

8. NJCJIS terminal operators with convictions prior to July 13, 1994, are not subject to the limitations as outlined above. However, the agency administrator had the right to deny access based on those convictions.

B. Dissemination of Information

1. General Dissemination: NJCJIS data is confidential and is intended for use only by authorized criminal justice agencies for criminal justice purposes. This data is documented criminal justice information which is protected to ensure legal dissemination and use. Unauthorized requests or receipt of material via the NJCJIS may result in criminal prosecution. The NJCJIS will not be used for personal use of any kind, nor will it be used to give information to any members of the Bridgeton Police Department or the public that do not have access to the information. Prior t o the dissemination of NJCJIS information, an individual must ensure that the person/agency is authorized to receive such data. If the receiving agency does not have NJCJIS access, then a user agreement would be required.

2. In the event that a Bridgeton Police Department employee is off-duty and requests any NJCJIS information via the Bridgeton Police Department Telecommunications Center, the telecommunications officer shall demand the reason from the requestor and document that reason in a blotter entry. The telecommunications officer will notify the working supervisor that a request has been made. The working supervisor shall forward an interdepartmental email to the Professional Standards Bureau Commander concerning the matter. An employee who fails to provide a reason to the telecommunications officer shall not be provided with any NJCJIS information. The employee requesting the information will also contact the local police department and file a report in relation to the information that is being requested. Any unauthorized requests and/or dissemination may result in criminal prosecution and civil liability.

3. Criminal History Dissemination: To prevent unauthorized access or use of NJCCH, NLETS CHRI or III data received through the NJCJIS, all copies of such data must be afforded maximum security. All NJCCH, NLETS, CHRI and III r ecords will be destroyed immediately after they have served their intended and authorized purpose, pursuant to state and federal regulations. Unauthorized requests and dissemination may result in criminal prosecution and civil liability.

C. Audits – Internal

1. All NJCCH, NLETS, CHRI and III transactions will be audited on a monthly basis by the TAC or ATAC. Violations will be documented in writing in the terminal operator's training records, and persistent violations will be subject to disciplinary action.

D. Audits – External

1. Pursuant to an FBI/NCIC mandate, the NJCJIS unit has established a comprehensive program to biennially audit every terminal agency to ensure compliance with state and federal policies and procedures. Failure of any agency to comply with those established standards will result in the implementation of the NJCJIS Non-compliance Sanction Plan. This implementation can result in censure, restriction of NJCJIS access, or ultimately in termination of NJCJIS services for that agency. It is the policy of this department to fully comply with any and all audits conducted pursuant to the above referenced mandate.

E. Discipline

1. All agencies with access to the NJCJIS shall permit an inspection team appointed by the NJCJIS Control Unit of the State Police to conduct appropriate inquiries into any allegations of security violations. The NJCJIS Unit reserves the right to deny access to terminal operators who have violated NJCJIS policies and procedures. All violations of the NJCJIS will be documented in the terminal operator's training records. Violations will require contact being made with the NJCJIS Control Unit to determine if an investigation will be conducted by their division or this department's Professional Standards Bureau for any disciplinary action.

VI. EDUCATION & TRAINING

A. The TAC and ATAC shall be responsible for distributing all manuals, technical updates, and training notes distributed by the New Jersey State Police, Federal Bureau of Investigation or other applicable agency. Terminal operators must acknowledge receipt of these manuals, updates and training notes in writing.

B. The TAC and ATAC shall ensure that terminal users are familiar with the various applications and shall provide the necessary training where indicated, including regular competence tests. Terminal operators shall receive a minimum biennial recertification that includes an affirmation of proficiency and practical hands-on testing. This training shall minimally be provided biennially and shall be conducted on NJLEARN..

C. Full access operators will receive basic training in: NCIC, NJLETS, NLETS, MVC, NJWPS, CCH/III, CJIS Policies and Procedures, Hit Confirmations and the security

of the system.

D. Limited access operators will have basic training in MVC, NCIC, NJCJIS Policies and Procedures, and the security of the system.

E. The basic training will be done by the TAC, ATAC or a designated Communications Training Officer (CTO).

F. Within six months of this basic training, terminal operators must successfully complete a proficiency test administered by the TAC or ATAC.

G. The training unit shall maintain written training and examination records.

Order #: I.46 **Date:** 09/30/2014
Category: DEPARTMENT ORDERS
Title: ON-DUTY ACCIDENT INVESTIGATION PROCEDURE

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY & PROCEDURE

SECTION: I
CHAPTER: 46

SUBJECT: SUPERVISOR ON-DUTY ACCIDENT INVESTIGATION PROCEDURES

EFFECTIVE DATE: October 1st, 2014
CHIEF OF POLICE: MARK W. OTT

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:46-1 PURPOSE:

To determine the basic, unsafe act and/or unsafe physical condition(s) that caused a loss. Once the basic loss cause is identified, remedial action can be taken to reduce the potential for future similar losses. It should be kept in mind that the purpose of an accident investigation is not to place blame, but to learn from experience.

I:46-2 POLICY:

The purpose of this directive is to set guidelines for supervisors of the Bridgeton City Police Department when taking the report of an injury incurred by a departmental employee while in the performance of their duty.

I:46-3 PROCEDURE:

A. Definition:

1. Catastrophic Injury: An injury that results in permanent impairment from a spinal cord injury involving severe paralysis of an arm, leg, or the trunk; or amputation of an arm, hand, foot, or leg involving the effective use of that appendage, or severe brain or closed-head injury.

B. Sick or Injured While On Duty

1. Members taken sick or injured due to a service associated incident shall report the fact to their supervisor. As soon as possible, appropriate documentation, (i.e. Supervisor's Report of Accident, Supervisor's Report of Motor Vehicle Accident, Officer First Report of Injury), shall be completed

by the officer and/or his immediate supervisor with copies forwarded to their division commander.

C. Catastrophic Injury While On Duty

1. When a member is seriously injured on-duty, his immediate supervisor will, as soon as possible, verbally notify the Chief of Police. The immediate submitting of a written report of the facts will follow this. Information shall include the date, location, cause, extent or injuries and property damage. The appropriate documentation will also be completed.

I:46-4 REPORTS TO BE COMPLETED:

A. Supervisor's Report of Accident

1. General Information: This section of the report contains general information including the name of the employee, job title, department, etc. Key points to note are the date the supervisor was informed of the injury, the length of time on the job, any previous accident history, and physical disabilities, the exact location of the accident and the type of treatment necessary.

2. Nature of Injury: One or more boxes should be checked indicating the type of injury that occurred.

3. Body Part: One or more boxes should be checked indicating which body part(s) was affected.

4. Accident Type: One of the eighteen boxes should be checked indicating the type of accident that has occurred. Note that there are separate boxes for a fall on the same level, a fall on a different level and a slip-not a fall. Also, there are separate lines for lifting and overexertion.

5. Agency of Accident: This is an indication of the type of activities that the individual was involved in when the accident occurred. Was he/she working on a machine, using tools, climbing a ladder, etc. One or more boxes can be checked.

6. Describe Accident: A concise description of the accident should be presented.

7. Basic Causes of Accident: There are two columns, one for unsafe acts of individual(s) and the other for unsafe physical conditions. All accidents have a cause – one or more boxes should be checked. Keep in mind that the majority of accidents are a result of unsafe acts of individual(s). From statistical studies, approximately 80% of all accidents are the result of unsafe acts.

There is also a section for other contributing factors that may have led to the loss. Depending upon the circumstances, you may or may not check off one of these areas.

The questions "Why was the unsafe act committed?" and "Why did the unsafe condition exist?" should also be answered.

8. Remedial Actions: Under this section, you should indicate the action you are taking to correct the above identified, unsafe act and/or unsafe physical condition.

9. Evaluation: In this portion, regardless of the actual injury that did occur, you should evaluate the potential loss severity. The following definitions should be utilized:

   a. Major Injury: one that could have resulted in an amputation or death, a serious injury is a lost workday case.

   b. Minor Injury: all others.

   At the conclusion of the report, you should indicate what could have been done to prevent this accident. You should also indicate what action is actually being taken to reduce the potential for future similar losses.

B. Supervisor's Report of Motor Vehicle Accident and Automobile Loss Notice, (when employee is involved in a motor vehicle accident).

1. General Information: This section of the report contains general information including the name of the employee, department, location, etc.

2. Accident Type/Weather: This section, you will check off the type of accident and the weather conditions.

3. Accident Description: A concise description of the accident should be presented, including contributing vehicle conditions, contributing road conditions, corrective measures and whether or not the accident was preventable.

4. Automobile Loss Notice: This form will also be completed by the supervisor conducting the motor vehicle accident investigation. This report will contain the information in regards to vehicles involved, insurance information, driver's involved, property damage, etc.

5. Standard Crash report form (NJTR -1) should be done by officer ranking

above the officer involved in the crash, by a separate agency or by an experienced traffic crash investigator with advanced training in traffic crash investigation.

C. Employer's First Report of Injury for the City of Bridgeton

1. Part I: To be filled out by the injured employee. This section must be completed.

2. Part II: Employer Section. This section must be completed by the employee's supervisor.

I:46-5 Forwarding all police related accidents and injuries to proper recipients.

A. The ranking supervisor working during the time of any of the above issues will prior to securing for the day make and fax copies of required reports to the following:

1. Copy faxed of all injury/accident reports to Business Administrator's Office.

2. Copy provided to the Chief's Office (if after hours - reports should be placed under the door).

3. Copy forwarded to any other required recipient (i.e. workman's comp., Cumb. Co. Prosecutor's Office, Etc.)

NOTE: All of the above listed reports can be found on BPD Online forms, under the supervisor section.

Order #: III.12 **Date:** 01/08/2010
Category: DEPARTMENT ORDERS
Title: ORGANIZED CRIME & VICE SUPPRESSION

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 12
SUBJECT: ORGANIZED CRIME/VICE SUPPRESSION

EFFECTIVE DATE:
CHIEF OF POLICE: COURTLANDT A. TURNER

POLICY

Organized crime and vice can exist in any community, regardless of size or the ethnic background of the people who comprise a particular community. Organized crime and vice is not limited to any one particular social group. It is important that officers are able to recognize and effectively deal with organized crime and vice as it may arise in a community.

The Bridgeton Police Department shall be committed to the suppression of Organize Crime and Vice Activities within the community. Our agency will utilize all available resources to combat these crimes.

PROCEDURE

I. OFFICER IN CHARGE RESPONSIBILITIES (ANTI-CRIME TEAM PRIMARILY)

A. The officer in charge shall be responsible for all organized crime and vice investigations.

B. He/she shall coordinate activities between federal, state and county agencies.

C. He/she shall provide for the exchange of intelligence information between all agencies.

D. He/she shall obtain authorization for payment from the Confidential Fund to be utilized for the following:

1. Purchase of contraband

2. Purchase specialized surveillance equipment

3. Informant payments

4. Officer subsidy

E. Accounting procedure for the Confidential Fund is stipulated in department policy.

II. VICE and ORGANIZED CRIME CONTROL FUNCTION

A. Illegal sale and distribution of liquor and tobacco.

B. Illegal sale and distribution of controlled dangerous substances.

C. Illegal gambling operations.

D. Prostitution and illegal pornography.

E. Illegal firearms.

F. Labor Racketeering.

G. Corruption.

H. Extortion and bribery.

I. Theft/fencing.

III. INVESTIGATION

A. The members of the department are to be alert for possible vice and organized crime operations.

B. Whenever an operation is suspected, the officer who has recognized a potential operation, shall forward a Suspected Narcotics Activity Report (See Appendix 1) to the officer in charge. The Suspected Narcotics Activity Report is to remain confidential and become part of the organized crime and vice file.

1. An intelligence file will be started once a report is received.

2. All intelligence files shall remain secured in a separate filing system.

a. Once a report has been forwarded to the officer in charge, he/she will:

(1) Set up a surveillance to verify any further suspicious activities.

(2) Conduct background checks on the suspects, for use on surveillance.

(a) Criminal History

(b) Division of Motor Vehicle

(c) Other Agencies

3. Notify the Chief of Police if further investigation is warranted.

4. Notify the appropriate agencies:

   a. Prosecutor's Office

   b. New Jersey State Police

   c. Federal Bureau of Investigation

   d. DEA

5. Coordinate all activities and maintain a case file as the operation progresses.

   a. This file will be maintained in the intelligence file, system, separate from Central Records.

6. The Vice and Organized Crime Control function shall utilize the Central Informant File in accordance with department policy.

IV. DEPARTMENT COORDINATION

A. Whenever a surveillance operation is conducted, the officer in charge shall notify all effected personnel.

B. The officer in charge shall keep their immediate subordinates abreast of all operations.

C. Whenever the need arises to suspend regular patrol activities in an area where an operation is being conducted, the officer in charge of patrol will be notified and ensure that the request is followed.

D. Whenever raids are to be conducted, the Patrol Section will be notified to provide assistance as needed, or ensure that there will be no interference between members of the patrol and the members of the operation detail.

E. All members of the department are responsible for the suppression of organized crime and vice activities.

V. INTELLIGENCE GATHERING

A. The computer readout will be reviewed to target locations that demonstrate a high frequency of a particular crime or activity.

B. People who frequent an area should be noted and a surveillance of the probable offenders, their habits, associates, vehicles, methods of operation and the amount of time spent in a particular location shall be noted on the Surveillance Activity Report. (See Appendix)

C. The need for specialized equipment will be evaluated and approved after the area to be worked is analyzed.

1. Cars and surveillance equipment can be obtained from the County Prosecutor's office, or the New Jersey State Police.

2. Communication devices should have a scramble-sending unit incorporated. Cross communication between agencies must be maintained (portable radios).

3. Relief officers will be scheduled by the officer in charge and shall be accomplished as inconspicuously as possible.

4. Two (2) officers will always be assigned to an operation.

5. Officers assigned to an operation will report the activities of the day to the officer in charge by means of a written report.

6. The officer in charge shall report to the Chief of Police about all activities on a two-week basis.

7. The officer in charge shall act as a legal liaison with the Prosecutor in charge of special enforcement on legal matters.

8. A contingency plan will be completed on a case by case basis in regards to operational procedure.

VI. EXECUTION OF SEARCH WARRANTS (PREMISES)

A. Must be authorized by the Chief of Police.

B. A warrant to search must be obtained prior to the search.

C. Once a warrant has been secured, a briefing will be conducted for:

1. The Division Commanders.

2. All officers involved in the operation.

3. County, state and federal officers, if applicable.

4. Support personnel, if it is deemed necessary.

D. Briefings will cover:

1. The place to be searched, street name, house number and description of the place to be searched. Photographs will also be used.

2. General layout of the interior of the place to be searched.

3. Doors and other possible exit points.

4. Duty assignments and approach routes will be set up.

5. Communications and an entry code will be provided.

6. At least two hours before the execution of the Search Warrant will take place, two surveillance officers will be assigned to ensure that the number of people present at the location do not outnumber the team members conducting the Search Warrant.

E. The officer in charge shall be the team leader.

F. Prior to execution, a survey will be conducted to determine what equipment may be needed:

1. Pry bars

2. Battering ram

3. Cameras

4. Video Equipment

G. The officer in charge will coordinate support units and patrol units to ensure the safety of the participants. Communications will be maintained with all units. Cross communication between involved agencies will be maintained using portable radios.

H. Any contraband or evidence seized will be done in accordance with department policy.

I. Arrest of individuals involved will be done in accordance with department policy.

J. If the need arises, the first aid squad will be dispatched for anyone in need of medical attention.

Order #: III.13 **Date:** 01/08/2010
Category: DEPARTMENT ORDERS
Title: JUV. SEX. ASSAULTS/CHILD ABUSE VICTIMS

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 13
SUBJECT: PROCEDURES GOVERNING JUVENILE SEXUAL ASSAULT/CHILD ABUSE VICTIMS
EFFECTIVE DATE:
CHIEF OF POLICE: COURTLANDT A. TURNER

1. Under current SOP, uniform personnel shall conduct Initial Investigation Reports regarding the reporting of Sexual Assault/ Abuse incidents involving juvenile victims. Refer to 2C: 14-1. through 2C:14-4. Et al (Sexual Assault) and 9:6 ET al (Child Abuse).

2. If the elements of the crime are present, uniform personnel shall proceed with that investigation.

3. Once a sexual assault of a juvenile is reported, CID is to be notified immediately. Upon notification, CID shall make a determination as to assist the officer with the investigation, or to assume control of the investigation in total.

4. Once CID personnel are present, the objective is to then gather the facts in a systematic fashion, including, but not limited to, tape-recording statements of victims/accused; interviewing victims or witnesses, photographing crime scenes or injuries to victims; or gathering and properly packaging and storing physical evidence crucial to the investigation.

5. This procedure shall be done in concert with the initial investigating officer to make available additional resources to uniform personnel.

6. In all cases where CID assumes control of the investigation, or where CID assists uniform personnel, a Referral Sheet shall be filled out in full and forwarded to the Cumberland County Prosecutors Office. This referral sheet shall be completed within 24 hours of the occurrence of a reported juvenile sexual assault or child abuse case. Should the incident occur over a given weekend or holiday, wherein the Cumberland County Court House is officially closed, this sheet shall then be faxed to the Prosecutors Office. This fax number is listed at the bottom of the referral sheet. Standard referral sheets shall be made available to Uniform Division and shall be located in those areas where other blank report forms are stored.

7. This General Order shall not exclude any other agency that would, under normal circumstances, be contacted in lieu of or in addition to the Cumberland County Prosecutors Office.

8. Purpose is to establish an investigative procedure concerning juvenile sexual

assault/ child abuse victims, through a joint effort by Uniform/CID Personnel, that will increase the likelihood of a successful investigation and/or prosecution, by employing the best methods and personnel, and minimizing the trauma of the crime victim.

Order #: III.14 **Date:** 01/08/2010
Category: DEPARTMENT ORDERS
Title: SEIZED CURRENCY ACCOUNTABILITY

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 14
SUBJECT: SEIZED CURRENCY ACCOUNTABILITY
EFFECTIVE DATE:
CHIEF OF POLICE:COURTLANDT A. TURNER

PURPOSE

The County of Cumberland has adopted the Forfeiture Program Administration's Standard Operating Procedure for the accounting of seized currency by its law enforcement agencies. It is the intent of this policy to bring the Bridgeton Police Department into compliance with these standards.

1. Accounting Procedures for Seized Currency

   A. U.S. currency seized by any sworn law enforcement officer shall be counted as soon as practical, but no later than the end of the seizing officer's end of tour. The currency shall be counted by at least two officers, independent of each other. Preferably, this will be done at the seizure location. If it is impractical to count the currency at the location of the seizure, two officers shall transport the currency to a secure location within the agency. Both officers must agree and certify the total dollar amount of the currency, as well as assure the authenticity of the currency by randomly determining that the currency is not counterfeit.

      (1) The officers shall record the seized currency on the form entitled United States Currency Seizure Report.

      (2) This form shall include claimant information, name of seizing agency; the agency's ORI number; name and badge number of the seizing officer; date, time and location of the seizure; and, a breakdown by denomination of the currency and coins seized.

      (3) The currency seized shall be listed on the report form by each denomination with a total for each denomination; a total of all coins; and, a grand total of all currency and coins seized.

      (4) Upon completion, the officers conducting the count and the arrested party or their attorney shall sign the form.

a. The original form will be maintained according to standard operational procedures, this is, submitted to the records bureau.

b. The seizing officer shall maintain a copy of this report form.

c. A copy shall be given to the arrested party or their attorney.

d. Two copies shall be maintained by each of the submitting officers or personnel.

(5) The currency custodian in our agency will be the evidence clerk. In the evidence clerk's absence, the chief law enforcement officer of the agency will appoint a second designee.

B. All currency seized by law enforcement officers of this agency will be forwarded to a custodian designated by the county prosecutor. Seized currency shall be forwarded to this custodian no later than 48 hours of the seizure.

(1) Upon transfer of these funds to the designated custodian, the submitting personnel shall sign the U.S. Currency Seizure Report, inclusive of numeric identifier and date.

(2) The custodian of funds shall also sign the form and return a copy to the submitting personnel.

a. The seizing officer's form copy shall match the submitting personnel's form copy at time of submittal.

b. This match may occur by the county treasurer or an individual designated by the agency's chief executive officer.

c. Any discrepancies must be reported immediately to the agency's chief law enforcement officer and the county prosecutor.

(3) The form copy with the two signatures will then be turned over to records bureau personnel for placement with the original reports.

2. Security Procedures for Currency

A. Any officer that has seized currency shall exercise due diligence in its handling, storage and security in compliance with departmental procedures and regulations. Willful or gross negligence in security of currency may subject a public employee to discipline or criminal charges.

B. Seizure of foreign currency shall be converted to United States currency on

the first business day following the seizure at any banking institution.

(1) The chief law enforcement officer will be notified of foreign currency seizures at a time before conversion. This notification is to be made by the seizing officer's commander.

This Order details procedures for statewide standardization. Any deviation must be documented by special report by the personnel involved in the deviation.

Order #: III.15 **Date:** 01/08/2010
Category: DEPARTMENT ORDERS
Title: STATEMENT TAKING

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 15
SUBJECT: CONSTITUTIONAL REQUIREMENTS INVOLVING CUSTODIAL INTERVIEWS

REVISION DATE: MARCH 1, 2011

EFFECTIVE DATE: MARCH 17, 2011

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS: 1.2.3 A-C

THIS DIRECTIVE SUPERCEDES AND INCORPORATES PREVIOUS DIRECTIVE III.15 - STATEMENTS

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

III:15-1 Purpose

The purpose of this policy is to establish guidelines for members of the department in protecting the constitutionally guaranteed rights of individuals subjected to custodial interviews or interviewed as suspects in a criminal investigation, the guidelines on audio and/or video recording of custodial interviews, an individuals right to bail when appropriate, and the dangers of pre-trial publicity.

III:15-2 Policy

It will be the policy of this department to guarantee, without question, the constitutionally guaranteed rights of all individuals.

III:15-3 Procedure

I. Miranda Warnings

A. An individual who is being questioned as a suspect in a criminal investigation will be advised of their constitutional rights (Miranda warnings) prior to the conducting of an

interview. This will apply whenever that individual is in custody or the circumstances are such that they do not feel that they are free to leave. Whenever there is doubt about custody, the Miranda warnings will be given.

1. All such warnings should be given using the Miranda warning forms provided by the department. Members are urged to read the warnings directly from the form to avoid confusion and/or omissions. The suspect, the advising officer, and whenever possible, a witness should then sign the form.

The advising officer should also record the date and time of the advisement on the form.

II. Interview Procedures

A. When conducting a custodial interview, the interviewing officer should attempt to have another officer present to serve as a witness to any admissions or statements made. When appropriate, the interview should be tape-recorded by a detective trained in interview techniques. However, when a statement is obtained following an interrogation in any case involving a 1st, 2nd or 3rd degree crime, or any case involving a juvenile age 14 or older suspected of committing a crime enumerated in N.J.S.A. 2A:4A-26a(2)(a)), the officer involved will either video and/or audio record any final statement obtained, or any acknowledgment by the suspect of the content of a written statement. Care should be taken however not to create an atmosphere where the interviewee may feel intimidated or coerced by having too many officers present.

1. Generally only two officers should be present during a custodial interview, the officer or detective conducting the interview and a witness. When a detective is conducting a tape-recorded interview, the other officer present should be the officer investigating the incident for which the interview is being conducted.

The witness or investigating officer will be permitted to participate in the interview. Officers involved should discuss how the interview should proceed prior to commencing the interview.

If circumstances require that more than two officers be present during an interview, only two, as described above, may actively participate. However, a record will be made of all officers present either by identifying them on tape or recording their names in a written report.

B. Officers conducting interviews will not withhold food, water, or bathroom privileges from anyone as an interview tactic. Individuals being interviewed will be permitted reasonable access to water and bathrooms and will be fed when appropriate.

C. No one shall be interviewed for longer than two consecutive hours without a break of at least fifteen minutes. After each break the interview may be resumed for another two hours until such time as the interviewee invokes the right to counsel or silence, if further interviewing would be fruitless, or the purpose of the interview has been accomplished.

D. The custodial interview of a juvenile requires a specific level of advisement to

guarantee the rights of the juvenile and the rights of the parent. Procedures regarding custodial interview of juveniles are described in policy and procedures II.19, section XIII.

III. Right to Counsel

A. Once an individual has invoked their right to legal counsel, they are not to be questioned further unless authorized by said counsel or unless initiated by the individual. Prior to resuming an interview so initiated, Miranda warnings should be repeated and another warning form completed. The burden rests with the State to prove that Miranda warnings were voluntarily waived.

1. In accordance with State v. Reed (1993), if officers become aware at any point prior to commencing or during a custodial interview that an attorney has been retained on behalf of the individual being interviewed, and is present or otherwise readily available, and has expressed a desire to confer with the individual, the individual must be so advised before the interview can begin or continue. Failure to so advise will render the waiving of the right to counsel invalid.

At no time will coercion, intimidation, or other unlawful means be used to obtain involuntary confessions from individuals suspected of criminal activity.

IV. Processing and Bail

A. When an individual has been arrested they will be processed for that arrest and the appropriate documentation presented to the court without unnecessary delay. Where appropriate, bail will be set and the individual shall be provided a reasonable opportunity to arrange for the posting of bail.

V. Pre-trial Publicity

A. Members must be aware of the effect pre-trial publicity could have on an individual's ability to receive a fair trial. Therefore, the release of any and all information to the media or the public will be in compliance with the department's SOP I.22; Media Relations, in regards to such release.

Order #: III.16 **Date:** 04/13/2010
Category: DEPARTMENT ORDERS
Title: PHOTO & LIVE LINEUP PROCEDURES

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 16
SUBJECT: PHOTO AND LIVE LINE UP PROCEDURES

EFFECTIVE DATE: Immediately
CHIEF OF POLICE: Mark W. Ott

PURPOSE:

While it is clear that current eyewitness identification procedures fully comport with federal and state constitutional requirements, that does not mean that these procedures cannot be improved upon. Both case law and recent studies have called into question the accuracy of some eyewitness identifications. The Attorney General, recognizing that this primary duty is to ensure that justice is done and the criminal justice system is fairly administered, has promulgated these guidelines as "best practices" to ensure that identification procedures in this state minimize the chance of misidentification of a suspect.

It is the intent of the Bridgeton Police Department to follow the "best practices" as recommended by the Attorney General and we adopt the following as a departmental order.

I. COMPOSING THE PHOTO OR LIVE LINE UP

The following procedures will result in the composition of a photo or live lineup in which a suspect does not unduly stand out. An identification obtained through a lineup composed in this manner should minimize any risk of misidentification and have stronger evidentiary value than one obtained without these procedures.

A. In order to ensure that inadvertent verbal cues or body language do not impact on a witness, whenever practical, considering the time of day, day of the week, and other personnel conditions within the department, the person conducting the photo or live lineup identification procedure should be someone other than the primary investigator assigned to the case.

   When it becomes necessary for the primary investigating officer to conduct the photo or live lineup identification procedure, he or she should be careful to avoid inadvertent signaling to the witness of the "correct" response.

B. The witness should be instructed prior to the photo or live lineup

identification procedure that the perpetrator may not be among those in the photo array or live lineup and, therefore, they should not feel compelled to make an identification.

C. When possible, photo or live lineup identification procedures should be conducted sequentially, i.e. showing one photo or one person at a time to the witness, rather than simultaneously.

D. In composing a photo or live lineup, the person administering the identification procedure should ensure that the lineup is comprised in such a manner that the suspect does not unduly stand out. However, complete uniformity of features is not required.

E. Photo Lineup. In composing a photo lineup, the officer creating the lineup should:

1. Include only one suspect in each identification procedure.

2. Select fillers (non-suspects) who generally fit the witness' description of the perpetrator. When there is a limited or inadequate description of the perpetrator provided by the witness, or when the description of the perpetrator differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.

3. Select a photo that resembles the suspect's description or appearance at the time of the incident if multiple photos of the suspect are reasonably available to the investigator.

4. Include a minimum of five fillers (non-suspects) per identification procedure.

5. Consider placing the suspect in different positions in each lineup when conducting more than one lineup for a case due to multiple witnesses.

6. Avoid reusing fillers in lineups shown to the same witness when showing a new suspect.

7. Ensure that no writings or information concerning previous arrest(s) will be visible to the witness.

8. View the array, once completed, to ensure that the suspect does not unduly stand out.

9. Preserve the presentation order of the photo lineup. In addition,

the photos themselves should be preserved in their original condition.

F. Live Lineups. In composing a live lineup, the officer creating the lineup should:

1. Include only one suspect in each identification procedure.

2. Select fillers (non-suspects) who generally fit the witness' description of the perpetrator. When there is a limited or inadequate description of the perpetrator provided by the witness, or when the description of the perpetrator differs significantly from the appearance of the suspect, fillers should resemble the suspect in significant features.

3. Consider placing the suspect in different positions in each lineup when conducting more than one lineup for a case due to multiple witnesses.

4. Include a minimum of four fillers (non-suspects) per identification procedure.

5. Avoid reusing fillers in lineups shown to the same witness when showing a new suspect.

II. CONDUCTING THE INDENTIFICATION PROCEDURE

The identification procedure should be conducted in a manner that promotes the accuracy, reliability, fairness and objectivity of the witness' identification. These steps are designed to ensure the accuracy of identification or non-identification decisions.

A. Simultaneous Photo Lineup: When presenting a simultaneous photo lineup, the lineup administrator or investigator should:

1. Provide viewing instructions to the witness as outlined in subsection I. B. above.

2. Confirm that the witness understands the nature of the lineup procedure.

3. Avoid saying anything to the witness that may influence the witness' selection.

4. If an identification is made, avoid reporting to the witness any information regarding the individual he or she has selected prior to obtaining the witness' statement of certainty.

5. Record any identification results and witness' statement of certainty as outlined in subsection II.E., "Recording Identification Results".

6. Document in writing the lineup procedure, including:

   a. Identification information and sources of all photos used.

   b. Names of all persons present at the photo lineup.

   c. Date and time of te identification procedure.

7. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

B. Sequential Photo Lineup: When presenting a sequential photo lineup, the officer creating the lineup should:

1. Provide viewing instructions to the witness as outlined in subsection I.B. above.

2. Provide the following additional viewing instructions to the witness:

   a. Individual photographs will be viewed one at a time.

   b. The photos are in random order.

   c. Take as much time as needed in making a decision about each photo before moving to the next one.

   d. All photos will be shown, even if an identification is made prior to viewing all photos.

3. Confirm that the witness understands the nature of the sequential procedure.

4. Present each photo to the witness separately, in a previously determined order, removing those previously shown.

5. Avoid saying anything to the witness that may influence the witness' selection.

6. If an identification is made, avoid reporting to the witness any

information regarding the individual he or she has selected prior to obtaining the witness' statement of certainty.

7. Record any identification results and witness' statement of certainty as outlined in subsection II. E. "Recording Identification Results".

8. Document in writing the lineup procedure, including:

   a. Identification information and sources of all photos used.

   b. Names of all persons present at the photo lineup.

   c. Date and time of the identification procedure.

C. Simultaneous Live Lineup: When presenting a simultaneous live lineup, the investigator arranging the lineup should:

1. Provide viewing instructions to the witness as outlined in subsection I.B. above.

2. Instruct all those present at the lineup not to suggest in any way the position or identity of the suspect in the lineup.

3. Ensure that any identification actions (e.g. speaking, moving, etc) are performed by all members of the lineup.

4. Avoid saying anything to the witness that may influence the witness' selection.

5. If an identification is made, avoid reporting to the witness any information regarding the individual he or she has selected prior to obtaining the witness' statement of certainty.

6. Record any identification results and witness' statement of certainty as outlined in subsection II. E. "Recording Identification Results".

7. Document in writing the lineup procedure, including:

   a. Identification information of lineup participants.

   b. Names of all persons present at the lineup.

   c. Date and time of the identification procedure.

8. Document the lineup by photo or video. This documentation

should be of a quality that represents the lineup clearly and fairly.

9. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

D. Sequential Live Lineup: When presenting a sequential live lineup, the officer creating the lineup should:

1. Provide viewing instructions to the witness as outlined in subsection I.B. above.

2. Provide the following additional viewing instructions to witness:

   a. Individuals will be viewed one at a time.

   b. The individuals will be presented in random order.

   c. Take as much time as needed in making a decision about each individual before moving to the next one.

   d. If the person who committed the crime is present, identify him or her.

   e. All individuals will be presented, even if an identification is made prior to viewing all the individuals.

3. Begin with all lineup participants out of the view of the witness.

4. Instruct all those present at the lineup not to suggest in any way the position or identity of the suspect in the lineup.

5. Present each individual to the witness separately, in a previously determined over, removing those previously shown.

6. Ensure that any identification action (e.g. speaking, moving, etc) are performed by all members of the lineup.

7. Avoid saying anything to the witness that may influence the witness' selection.

8. If an identification is made, avoid reporting to the witness any information regarding the individual he or she has selected prior to obtaining the witness' statement of certainty.

9. Record any identification results and witness' statement of

certainty as outlined in subsection II.E. "Recording Identification Results".

10. Document in writing the lineup procedure, including:

    a. Identification information of lineup participants.

    b. Names of all persons present at the lineup.

    c. Date and time the identification procedure was conducted.

11. Document the lineup by photo or video. This documentation should be of a quality that represents the lineup clearly and fairly. Photo documentation can either depict the group or each individual.

12. Instruct the witness not to discuss the identification procedure or its results with other witnesses involved in the case and discourage contact with the media.

E. Recording Identification Results

When conducting an identification procedure, the officer creating the line up shall preserve the outcome of the procedure by documenting any identification or non-identification results obtained from the witness. Preparing a complete and accurate record of the outcome of the identification procedure is crucial. This record can be a critical document in the investigation and any subsequent court proceedings. When conducting an identification procedure, the officer should:

1. Record both identification and non-identification results in writing, including the witness' own words regarding how sure he or she is.

2. Ensure that the results are signed and dated by the witness.

3. Ensure that no materials indicating previous identification results are visible to the witness.

4. Ensure that the witness does not write on or mark any materials that will be used in other identification procedures.

Order #: III.17 **Date:** 05/27/2011
Category: DEPARTMENT ORDERS
Title: RETENTION & TRANSMITTAL OF NOTES

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: III
CHAPTER: 17
SUBJECT: RETENTION AND TRANSMITTAL OF CONTEMPORANEOUS NOTES OF WITNESS INTERVIEWS AND CRIME SCENES

EFFECTIVE DATE: JUNE 28, 2011

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: NONE

REFERENCE: NJ ATTORNEY GENERAL DIRECTIVE #2011-2
STATE V. W.B. (2011)
STATE V. COOK (2004)

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:23-1 PURPOSE:

The purpose of this policy is to establish a process for the proper retention and transmittal of contemporaneous notes of witness interviews and crime scenes.

I:23-2 POLICY:

This department will follow set requirements as brought forth in the Supreme Court ruling of State v. W.B. (2011) and Attorney General Directive 2011-2, for the retention and transmittal of contemporaneous notes taken in the course of investigating a crime under New Jersey law, whether committed by an adult or a juvenile.

I:23-2 PROCEDURE:

I. DEFINITIONS

A. "CONTEMPORANEOUS NOTES": means any notation, whether handwritten, typed, entered into an electronic note-taking device or audio recorded, that describes or memorializes the note taker's personal perception of what transpired in the course of a witness interview or that memorializes the officer's personal observations at the scene of the crime. The term also includes notations made

after the witness interview, provided that they memorialize the officer's personal recollection of what transpired during the interview. This term does not include, among other things, notations concerning investigative tasks to be accomplished (i.e. a "to do" list), references to information from outside the interview to be checked against statements made by the witness to verify or dispel the witness's account, possible lines of inquiry, specific questions that were not pursued or actually posed to the witness and other investigative techniques or deliberative processes.

B. "WITNESS INTERVIEW": means an interview of a witness done in the course of investigating a crime of the first, second, third or fourth degree under New Jersey law, whether committed by an adult or a juvenile.

II. GENERAL RETENTION AND TRANSMITTAL

A. The prohibition on policy and/or practice of destroying contemporaneous notes of witness interviews and crime scene observations.

1. Any existing departmental policy and/or practice to destroy contemporaneous notes of a witness interview or of a crime scene observation after the contents of those notes have been incorporated into a final report is hereby rescinded and prohibited as contrary to the law of the State of New Jersey.

2. When an officer, during the course of an investigation of a crime conducts or participates in a witness interview, the officer shall retain any original contemporaneous notes of the interview that the officer made.

3. During the course of investigating a crime scene, officer's shall retain any original contemporaneous notes made of their personal observations of the crime scene.

4. Any officer who records contemporaneous notes in relation to a witness interview or of a crime scene will make a copy of the contemporaneous notes. Those copies will be signed and dated by the officer and attached to the initial or supplemental reported and labeled with the same case number. In the event that it is an audio recording, officers will upload the recording into the Impact system and attach same to the case file. The officer will then retain and store their original contemporaneous notes.

5. Any officer who records photographic images, whether it be in relation to a witness, suspect or crime scene, the officer will upload their photos into the forensics pictures file located in the Y drive of the computer system. A new sub-folder will be created in the forensics pictures file folder utilizing the original case file number to be retained and stored.

B. Notice to Prosecutor of material that may be confidential or privileged.

1. Whenever officers provide a copy of their contemporaneous notes with the final report pursuant to paragraph 4 of Section IIA, and the officer believes that the contemporaneous notes may include or otherwise reveal confidential or privileged information or where the officer believes that further disclosure of the contemporaneous notes or any portion thereof may endanger any person or interfere with an investigation, the officer shall alert the prosecuting agency. It will be the responsibility of the prosecuting agency to determine whether the contemporaneous notes are discoverable pursuant to R.3:13-3, whether any non-discoverable portions of such notes should be redacted prior to providing discovery, and/or whether it is appropriate or necessary to apply for a protective order denying, restricting or deferring discovery of such notes or portions thereof, pursuant to R.3:13-3(f).

C. Existing note-taking policies and/or practices.

1. Nothing in this policy shall be construed either to require officers to take contemporaneous notes of a witness interview or of crime scene observations, or to discourage officers from taking any such notes.

2. This policy does not modify existing requirements for electronic recordation of statements pursuant to State v. Cook, 179 NJ 533 (2004) and R.3:17.

D. Note taking techniques.

1. When an officer takes notes of a witness interview, the officer should, whenever feasible avoid memorializing what transpired during the course of the interview on the same page that includes notations that do not pertain to what transpired during the witness interview, (e.g. follow-up investigative tasks to be performed).

2. This approach will enable officers to transmit to the prosecuting agency only those pages that are required to be transmitted pursuant paragraph 4 of Section IIA, and will also assist the prosecuting agency in distinguishing and separating notations that must be provided in discovery from non-discoverable material.

Order #: II.20 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: SCHOOL LOCKDOWN POLICY

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 20

SUBJECT: SCHOOL LOCK DOWN POLICY

No release security concerns...

Order #: I.30. **Date:** 08/28/2009
Category: DEPARTMENT ORDERS
Title: SEATBELT USAGE

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 30

SUBJECT: SEATBELT USAGE
EFFECTIVE DATE: Immediately

CHIEF OF POLICE:Mark W. Ott

STATEMENT

This policy addresses officer safety by usage of occupant restraint systems (seat belt and shoulder harness) while operating motor vehicles. It also establishes mandatory compliance with state law.

The public watches the police and every employee must realize that the passing public takes notice when police officers are observed violating traffic laws (especially not wearing seatbelts, talking on cell phones, speeding and other specific things.)

POLICY

During the everyday operation of a motor vehicle, officers and other members charged with operation of a motor vehicle will use the occupant restraint system in the vehicle. While in normal operating modes of travel or during emergency responses (Code 55), the occupant restraint system will offer additional safety against serious or life-threatening injury in the event of a collision. Proper usage of the occupant restraint system will also provide a correct example to our motoring public.

In keeping with officer safety, this administration also recognizes there are numerous times an officer will need to exit his or her vehicle as quickly as possible. In keeping with this policy, it is recognized that in response to certain situations, officers should release the occupant restraint system before coming to a complete stop. Examples of these situations include motor vehicle stops, field interviews of suspicious persons and responding to calls involving weapons or violence.

This is in order to facilitate necessary action or actions of the involved officer or officers for personal safety, to effectively perform the required task and to protect the public. Officers are expected to make proper judgment regarding the need for speedy exit from their vehicles.

When deemed appropriate by the involved officer, that officer may remove the occupant restraint system before bringing the patrol vehicle to a complete stop or entering into an officer safety danger zone.

In practical terms the officer should have the seatbelt on until you are within forty yards of your intended stop. Officers should practice clearing themselves from the seatbelt so that muscle memory develops to assist the officer in future operations.

VIOLATIONS

Violations of this order will be handled as progressive discipline.

Order #: II.40 **Date:** 02/10/2011
Category: DEPARTMENT ORDERS
Title: SELECTIVE ENFORCEMENT

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 40
SUBJECT: SELECTIVE ENFORCEMENT
EFFECTIVE DATE: FEBRUARY 24, 2011

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS: 61.1.1; 61.1.10

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

II:40-1 PURPOSE:

To establish a systematic traffic enforcement and crime trend analysis program designed to identify, address and remediate problematic and/or hazardous conditions.

II:40-2 POLICY:

This department is committed to making the city safer for vehicles and pedestrians. To that end, a selective enforcement program has been established to enable supervisors to assign officers to areas where a genuine need has been identified. The program shall include a methodology for the collection and analysis of citizen complaints, as well as collision, enforcement, technical data and crime trend analysis that, when analyzed, will identify specific locations that warrant an enhanced level of enforcement activities.

II:40-3: PROCEDURE:

I. Background

A. The loss of life and money from motor vehicle collisions each year is greater than all other losses the police are charged with preventing.

B. More people are injured or killed each year in motor vehicle collisions than by the combined total of all other crimes and incidents.

C. Certain types of crime trends are detrimental to the safety and security of those who live and work in the city.

II. Selective Enforcement

A. Selective Enforcement programs consist of planned activities intended to address the types of violations that cause accidents and select crimes. For a selective enforcement program to be successful and effective it must be predicated upon ongoing analysis of traffic related data and criminal related data that links specific offenses or road conditions with traffic collisions or crimes at given times and places.

B. This department shall attempt to develop selective enforcement programs and assignments that deploy officers at the times and locations where hazardous and/or congested conditions exist and where select crimes are being committed.

C. The type of enforcement activities conducted at a specific location shall be consistent with the nature of the violations being observed or reported.

D. Selective enforcement assignments in relation to traffic enforcement are intended to supplement and not replace the routine traffic enforcement of patrol officers.

E. The supervisor of the officer(s) being assigned to selective enforcement may direct officers to utilize the most appropriate vehicle (marked or unmarked) that is likely to be effective in addressing the problem.

III. Analysis

A. The responsibility for ongoing analysis of traffic and crime related information rests with the Administrative Bureau Commander and/or his designee.

B. Systematic analysis of motor vehicle collision and enforcement data, traffic volume and speed information, along with citizen input concerning traffic conditions, represent integral components of the decision-making process with respect to selective enforcement assignments.

C. Systematic analysis of crime trend patterns and data also represent integral components of the decision-making process with respect to selective enforcement assignments.

D. At least monthly, the Administrative Bureau Commander and/or his designee shall compile a report detailing collision statistics and a complete review of this data. This report shall include, at a minimum:

1. Locations within the city where the greatest number of motor

vehicle collisions are occurring;

2. A breakdown of the number of traffic collisions by roadway;

3. A breakdown of the number of traffic collisions by day of week and time of day;

4. The violations most commonly cited as causative factors for the collisions;

5. A breakdown of the number of injuries resulting from collisions.

E. At least monthly, the Administrative Bureau Commander and/or his designee shall compile a report detailing crime trend statistics, including Robbery, Burglary and Gun related cases and a complete review of this data. This report shall include, at a minimum:

1. Locations within the city where these specific instances are occurring;

2. A breakdown of each crime statistic in regard to location;

3. A breakdown of each crime statistic in regard to day of week and time of day;

4. A description of any possible suspect(s) and details involved which may aid in providing a possible link between certain crime incidents.

5. In relation to gun related cases, these will be broken down by gun call, shots fired and shootings.

F. At least monthly, the Administrative Bureau Commander and/or his designee shall compile a report detailing traffic enforcement activities by department personnel and complete a review of this data. The report shall include, at a minimum:

1. Number of summons issued by individual officer;

2. Time and date issued;

3. Extra enforcement activity;

G. The Administrative Bureau Commander and/or his designee will compare the collision data and traffic enforcement activities. The Administrative

Bureau Commander and/or his designee will also compare crime trends in relation to robbery, burglary and gun related activity. These comparisons will include the current month to the same month of the previous year, percentage of monthly change, and current year to date.

1. This comparison will assist the Patrol Bureau Commander in implementing selective enforcement techniques and procedures to deal with identified problems. Special attention should be given to high collision locations, areas of repeated complaints and locations with potential hazards to pedestrians and/or motorists.

H. Each of the patrol supervisors will be responsible for the deployment of traffic enforcement to best deal with areas identified as needing selective enforcement. Also, the patrol supervisors will be responsible for the deployment of selective enforcement to best deal with those areas identified as high crime areas, needing special attention.

I. The Patrol Bureau Commander will be responsible for the continual evaluation of selective enforcement operations and their effectiveness. These will include issues such as reducing the number of collisions, complaints and the lowering or minimizing of potential hazards and crimes being committed against persons or property.

J. More refined data analysis may be required during peak traffic periods (holidays, seasonal volume, etc.) to identify emerging trends during those specific high-volume periods.

K. The volume and speed of traffic at a particular location often plays a role in the demand for police services at that location. As such the Administrative Bureau shall incorporate the results of traffic surveys into the selective enforcement development process.

L. In order to facilitate proper reporting, development of recommended selective enforcement programs and assignments, and to monitor and periodically evaluate the effectiveness of the overall enforcement strategies utilized by this department, it will be necessary for the Administrative Bureau to maintain the following records in electronic or paper format:

1. Collision reports
2. Enforcement data
3. Crime trend data
4. Traffic volume and speed surveys

IV. Specific Programs

A. Based upon the information compiled from the analysis of traffic-related information and crime trend analysis as outlined above, the Administrative Bureau Commander and/or his designee shall be responsible for developing and the Patrol Bureau Commander will be responsible for maintaining the Selective Enforcement Master List setting forth the desired locations within the city for selective enforcement assignments.

1. The Selective Enforcement Master List shall cite the identified traffic problem and crime areas and recommend an enforcement strategy/methodology (including frequency) to address the problem.

2. The Selective Enforcement Master List shall be maintained by the Patrol Bureau Commander and shall be considered fluid and subject to frequent change to adapt to the changing traffic and crime problems within the city that are identified by the Administrative Bureau through their analysis of traffic and crime related information.

3. The Selective Enforcement Master List shall be distributed to all supervisory personnel in the patrol bureau to allow for the assignment of available patrol officers.

B. In response to citizen complaints concerning traffic volume or speed at a particular location, the Administrative Bureau Commander or his designee shall complete the following:

1. Conduct a traffic survey (volume and speeds) to identify the magnitude and character of the problem prior to enhanced enforcement activities.

2. Analyze the survey data, along with other available data to determine the need for enhanced enforcement.

3. Recommend the most appropriate location and enforcement method to address the identified problems.

a). A period of enhanced enforcement shall be conducted (frequency and length consistent with the nature of the problem) followed by another survey to evaluate the effectiveness of the enhanced enforcement.

4. If warranted, add the location and recommended enforcement methods to the Selective Enforcement Master List and redistribute an updated list.

C. Patrol bureau supervisors must evaluate activity reports, observed or reported roadway hazards and/or hazardous conditions/designs, traffic collision/enforcement and high crime area data to familiarize themselves with conditions that may exist on their respective watches that need attention.

V. DWI/Drug Enforcement Countermeasures Program

A. Due to the major impact on society of driving while under the influence of alcohol and/or drugs, this department shall participate and promote programs to combat drivers under the influence.

1. Selective assignment of officers by the Patrol Bureau Commander at a time when and at locations where analysis has shown a significant number of DWI offense and/or accidents to have occurred.

2. Selective surveillance of roadways on which there has been an unusual amount of DWI related offenses and/or accidents and to ascertain characteristic offenses of driving under the influence.

3. The following options are also available:

a) The use of roving DWI patrols.

b) Roadside checkpoints

c) Any other alternative means of DWI suppression will be evaluated and implemented as deemed necessary by the Patrol Bureau Commander.

VI. Roadside Checkpoints

A. The following are general guidelines governing roadside checkpoints (i.e., DWI checkpoints, vehicle safety checkpoints, etc.):

1. There must be a legitimate state interest for the checkpoint.

2. When planning a checkpoint, the justification can be established by the completion of the Justification for roadside checkpoint, (Attachment A). When establishing the checkpoint, there must be participation of a command officer in the formulation of an

administrative plan consisting of explicit, neutral and predetermined limitations of the conduct of the officers participating in the checkpoint. Individual officer discretion should be minimized by instructing checkpoint officers to stop cars at predetermined intervals, e.g., every 5th, 10th, or 15th vehicle, and vehicles having observable violations.

a) The plan must include the selection of the time, place and duration of the checkpoint, which should be based on identifiable statistical data showing the need for the checkpoint at the respective time and place. Consideration should be given to areas known for:

   i. High incidences of collisions, DWI or other traffic violations;

   ii. Traffic volume, and;

   iii. Motorist and pedestrian safety.

   iv. The plan must set forth the required number of checkpoint officers that will be needed to ensure that delays are held to a minimum. If a command officer did not participate in the formulation of the plan, it cannot be implemented until a command officer has had an opportunity to review and approve the plan.

b) Each officer participating in the checkpoint must be provided with a copy of, or instructed in the contents of, the required procedures set forth in the plan.

c) The County Prosecutor must be provided with a copy of the administrative plan at least 72 hours prior to the implementation of the roadside checkpoint.

3. To avoid frightening the traveling public, adequate on-the-scene warnings must be given (i.e., flashing lights, marked police vehicles, signs announcing the checkpoint and its purpose, etc.). In addition, advanced general publicity is recommended to deter drunk drivers from getting into their cars in the first place. The advance general publicity requirement may be satisfied by the issuance of a press release to local media (TV, radio and print). Copies of the press release and any published notice(s) will be retained and will be required for discovery purposes, in cases when arrests are made at the checkpoint.

4. The checkpoint must be sufficiently staffed by uniformed officers to ensure safety and prevent undue inconvenience to motorists and unreasonable interference with normal traffic flow. A predetermined, safe and convenient 'pull over' or parking area should be established and used for vehicles or motorists having violations.

5. Officers participating in the checkpoint shall be provided with specified, neutral and courteous procedures to follow when stopping motorists.

6. Carefully planned and predetermined procedures must be in place for operations that will involve the moving of a checkpoint from one location to another.

7. Upon completion of the checkpoint operation, the officer in charge of the assignment shall submit, through the chain of command, an after-action report to the command officer who approved the administrative plan. This plan will also be forwarded to the County Prosecutor. The report shall address the following:

   a) The exact location(s) of the checkpoint;

   b) The times the checkpoint was operational;

   c) The approximate number of vehicles that passed through the checkpoint while it was operational;

   d) The number of drivers that were subjected to continued detention for investigative purposes;

   e) The number and type of enforcement actions initiated as a result of the checkpoint (i.e., arrests, MV summonses, searches, etc.);

   f) The identity of all officers assigned to the checkpoint; and

   g) Any operational problems that were encountered while assembling, operating or breaking down the checkpoint.

8. To assist with discovery issues that arise from the DWI checkpoint, a sobriety checkpoint checklist for arrests (Attachment B) is attached to assist in answering discovery issues about the role of each officer in an arrest.

B. Checkpoints set up to stop approaching vehicles near the scene of a recent, serious crime for the purpose of apprehending fleeing felons have been upheld as reasonable.

1. In order to set up a checkpoint and stop approaching vehicles the officer must obtain permission from a supervisory officer. The supervisor must weigh the risk vs. the likelihood of apprehension. Additionally, the checkpoint location must be clearly identified and capable of being sufficiently staffed to perform the operation.

2. In addition, the officer must be able to articulate probable cause to believe that a serious crime has recently been committed and that stopping all or most of the vehicles traveling in a particular direction or directions is reasonably necessary to permit a search for the perpetrator(s) or victim(s) of the crime.

3. Crimes such as murder, kidnapping, armed robbery, escape from prison, etc., have generally supported the use of roadblocks to apprehend the perpetrator and/or locate the victim.

C. Information-seeking checkpoints are not unconstitutional per se. The United States Supreme Court in Illinois v. Lidster, stated the Fourth Amendment does not require a "rule of automatic unconstitutionality to brief, information-seeking highway stops".

1. The Court further noted that the checkpoint's primary purpose was not to determine whether a vehicle's occupants were committing a crime, but to ask vehicle occupants, as members of the general public, for their help in providing information about a crime in all likelihood committed by others.

2. The most important factor is the limited interference with the motorist's liberty. Each motorist was stopped for only a brief period and their direct contact with the police lasted only a few seconds.

D. Checkpoints established for general law enforcement are wholly unconstitutional. Officers may not set up a checkpoint on the chance that something might turn up.

E. The decision to detain any vehicle/person at a checkpoint for the purpose of further investigation must be based upon a reasonable and particularized suspicion that the motorist or vehicle is associated with criminal wrongdoing.

F. A motorist in New Jersey has no constitutional right to avoid a legally

constituted police checkpoint.

1. In State v. Hester (Appellate Division), the Court declared "We, therefore, specifically reject the contention that a roadblock (checkpoint) must, as a condition of its constitutionality, provide an opportunity for motorists to avoid the checkpoint or refuse to participate".

2. In designing and assembling a checkpoint, officers should take reasonable precautions to ensure that motorists approaching the checkpoint will be aware of its presence and purpose (utilize signs) and thereafter will have no viable legal alternative other than to proceed through the checkpoint.

G. Prior to establishing an approved checkpoint, the officer in charge of the checkpoint must assemble the assigned officers for a comprehensive briefing and inspection.

1. All applicable operational procedures, vehicle and post assignments, individual responsibilities and applicable legal considerations shall be reviewed to ensure a complete understanding of the operation.

2. The assigned officers will stand for inspection to ensure that all designated equipment and safety gear is in their possession.

VII. Roving DWI Patrols

A. DWI patrols are enforcement details and all officers are expected to aggressively enforce the motor vehicle code, with a particular focus on impaired driving.

B. As a general rule, DWI patrols are funded by a grant from the State of New Jersey and officers assigned to the patrol shall not be utilized to answer calls for service.

C. Officers assigned to DWI patrol will report to, and be under the direct supervision of the patrol supervisor.

D. At a minimum, officers assigned to DWI patrol are required to complete a DWI Enforcement Log.

E. Officers assigned to DWI patrol shall complete a request for overtime. The assigned patrol supervisor is responsible for reviewing and approving all overtime requests for DWI patrols that terminate during his or her

watch.

VIII. Source / Document Authority

A. Prosecutor's Directive – Sobriety Checkpoints; 01/25/2011

B. Attachment A – Justification for roadside checkpoint

C. Attachment B – Discovery for sobriety checkpoint checklist

NOTE: Attachment A and Attachment B as referenced above can be found on BPD Online forms under the DWI section.

Order #: II.41 **Date:** 03/25/2013
Category: DEPARTMENT DIRECTIVE
Title: TACTICAL ENTRY TEAM

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

II:41-1 PURPOSE

To establish an entry response team for specific police activities.

II:41-2 POLICY

It shall be the policy of the Bridgeton Police Department to maintain specially trained officers for response to specific police activities. This team, hereinafter referred to as the Tactical Entry Team (TET), shall be composed of decentralized personnel who assemble for training or activation purposes. The TET, in part or in total, shall be activated for response to the following situations:

- Felony warrant service, where background information reveals that the suspect is armed, has a criminal history of violence, is a member of a violence-oriented gang or where the suspect may possibly be in possession of a weapon.
- Search warrant service.
- Preventive deployment to provide security for visiting dignitaries of other high-risk personal protection.
- Undercover Operations Support.
- Searches for suspects of crimes that involve death or serious bodily injury.
- Mass searches for missing and/or endangered persons.
- Any other types of operations as may be deemed necessary by the Chief of Police or his designee.

II:41-3 PROCEDURE

A. Composition

1. The TET is a part-time unit of the Bridgeton Police Department comprised of regular officers. Its personnel assemble only for training or activation and assignment. The TET is an operational unit of the Bridgeton Police Department, consisting of a Commander, Deputy Commander and up to (14) fourteen members to adequately staff an effective inner and/or outer-perimeter and entry element, as determined by the Chief of Police.

a. Team Commander

(1) Staffed by a Lieutenant, or as designated by the Chief of Police, is responsible for the maintenance, training and operations of the TET. The Commander has responsibility for team's activities and can approve the tactical plans. Additionally, he is responsible for the maintenance of a log of team activities, team training and the briefing of administrators who may respond to a Command Post during activity. He must be thoroughly familiar with all team positions and tactics.

b. Deputy Team Commander

(1) Staffed by a Sergeant, is responsible for the maintenance, training and operations of the TET. The Deputy Commander has responsibility for team's activities and can approve tactical plans. The Deputy Commander is responsible for team training and maintaining the training records. He will also brief administrators who may respond to a Command Post during activity. He must be thoroughly familiar with all team positions and tactics.

c. Team Sergeant(s)

(1) Staffed by a Sergeant, or as designated by the Team Commander, is responsible for the supervision of the team and directing their tactical deployment. The team Sergeant answers directly to the Team Commander and may be part of the entry element, when necessary. The Team Sergeant will review the tactical plan set forth by the Team Leader.

d. Team Leader(s)

(1) The Team Leader is responsible for the tactical plan and selecting suggested deployments for team members, assuring the proper placement of the team and directing their tactical deployment.

e. Team Member

(1) All other assigned officers who are cross-trained to perform duties necessary for deployment of an effective inner and/or outer-perimeter and entry element.

B. Selection Process

1. Minimum entry requirements:

   a. At least three years patrol experience as a regular appointed police officer with the Bridgeton Police Department.

   b. An average score of not less than 45 on handgun qualification day course and 36 on lowlight handgun qualification course. Scores will be averaged over the previous four qualification scores for each course as determined by the current handgun qualification program.

   c. The serving of no more than five consecutive day's suspension from duty for disciplinary reasons over the two year period preceding the date of application.

2. Candidates meeting the above requirements must submit an application request form requesting assignment to the Tactical Entry Team. The form must be submitted by the date established on the form. Those forms not returned by the closing date will be automatic disqualification. Upon receipt of the request, an application with instructions will be forwarded to the candidate upon a successful check of the requirements. When a sufficient number of applications are on file, a selection process will commence. The process will consist of the following phases:

   a. Application

   b. Internal Screening

   c. Physical Fitness Test

   d. Interview

   Applicants shall be ranked by final scores in physical fitness, followed by average firearms scores and ending with time served in the department.

C. Membership Status

1. Participant

   a. TET participants are those officers who have met the minimum entrance requirements, satisfactorily completed the selection

process and have been assigned to the Tactical Entry Team for training. This designation allows the officer to receive specialized issue equipment and to receive training during TET in-service sessions.

2. Member

   a. A participant must fulfill the following requirements prior to being elevated to member status:

      (1) Must continue to meet all requirements necessary for participant status, this includes firearms scores and discipline.

      (2) Satisfactorily complete the prescribed in-service training courses.

      (3) Pass a comprehensive written examination.

      (4) Evaluations will be conducted throughout the participant period and prior to acceptance to member status. Unsatisfactory performance as determined by the Team Commander, Team Sergeant(s) or Team Leader(s) during any evaluation period may eliminate any participant from the TET program, this includes consistent attendance at training sessions.

3. Completion of the above requirements certifies the officer has reached an acceptable level of proficiency for effective performance as a Tactical Entry Team member. If any of the above requirements are not met, officers will be immediately removed from the TET.

4. Any of the initial requirements that fail to be maintained during member status will be cause for immediate removal from the TET.

5. Members who fail to attend training on a consistent basis will be removed from the TET. The consistent basis will be determined by the Team Commander and/or the Deputy Team Commander.

6. Any member who may be interested in a Team Leader position may apply for same when a position becomes available.

7. Tactical Entry Team members will be the only officers authorized to wear the TET insignia.

D. Training

1. Initial and continued training which stresses re-emphasis of basic and advanced methods and techniques is paramount to the efficient operation of the Tactical Entry Team. The following training is mandatory for all officers assigned to the Tactical Entry Team:

   a. Basic / Advanced Training

      (1) This training consists of intensified training methods. It is an intense, fast paced, high stress mental and physical conditioning program. The following subjects/skills will be covered at a minimum:

         i. Special Entry Techniques

         ii. Entry and Room Clearing Techniques

         iii. Operations Planning

         iv. Covert and Stealth Movements

         v. Covert and Stealth Entry

         vi. Less-Lethal

         vii. Perimeter Techniques

         viii. Recon

         ix. Physical Training

         x. Weapons Training

   b. In-Service Training

      (1) This training will be designed to maintain and develop the special skills required for effective TET operations; this includes the use of operational simulations. Specific blocks of training will be scheduled, as appropriate, during a given year.

   c. Physical Fitness Training

      (1) Physical training will be an integral part of the in-service

training program. Each member and participant must maintain physical fitness and conditioning for participation on the Tactical Entry Team. Physical training will be administered periodically.

d. Specialized Training

(1) Specialized training, (i.e. chemical munitions, firearms instruction, etc.) will be scheduled as necessary for officers assigned to such specialty positions on the team.

2. Records shall be maintained of all Tactical Entry Team training. These records shall be kept on file.

E. Evaluations

1. An evaluation report shall be completed for all squad members of the Tactical Entry Team, at least once annually, or upon the order of the Team Commander. A Team Sergeant or Team Leader shall complete an evaluation report for all members of the team.

2. The purpose of the evaluation report is to provide a means of evaluation of individual members of the Tactical Entry Team. The evaluation of overall individual performance promotes integrity in the ability of the Tactical Entry Team members to meet responsibilities and identify areas where additional training is necessary.

F. Activation Process

1. Officers assigned to the Tactical Entry Team shall be activated for training or assignment pursuant to this policy.

2. If activation is required for assignment, the Team Commander, Deputy Team Commander, Team Sergeant or a Team Leader shall be notified immediately.

3. All active members are required to carry all their issued equipment while on duty.

Order #: II.42 **Date:** 05/12/2014
Category: DEPARTMENT ORDERS
Title: UNWANTED RX MEDICATION SURRENDER

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 42
SUBJECT: UNWANTED PRESCRIPTION MEDICATION SURRENDER

EFFECTIVE DATE: MAY 27, 2014

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS:

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

II:42-1 PURPOSE:

To establish a system for citizens to surrender unwanted/unused prescription drugs.

II:42-2 POLICY:

This department is committed to making the city safer by accepting for destruction unused/unwanted prescription drugs/medications. This is an effort to reduce the number of situations involving unapproved uses of those prescription medications. To that end, a mechanism has been established by which any citizen may come to the Bridgeton Police Department dispatch window at any time of day and request to surrender non-liquid prescription medications. The citizen surrendering same shall be anonymous and only be required to request a tamper proof, sealing, envelope. The citizen will not be asked any questions other than to ensure the medication/drug to be surrendered is not a liquid.

II:42-3: PROCEDURE:

I. Upon arrival of Citizen at the dispatch window seeking to surrender a prescription drug:

   1. The BPD Officer/TCO working in the dispatch center will ask the citizen if the medication is in a solid form (as no liquid medications are acceptable).

      Note - liquid medications will not be accepted.

   2. The BPD Officer/TCO will issue the citizen a sealing, tamper proof, envelope

and instruct the citizen to place only the medication inside leaving any packaging for disposal in the trash.

3. The TCO will immediately summon an officer to the front desk (Lt./Sgt./Ptlm./ etc) to take custody of the Rx medication.

and:

4. Instruct the individual to seal the bag once the medications are inside the bag. When done they can pass the sealed bag to the Officer responding to the desk.

II. Once the BPD Officer has possession of the sealed bag that BPD representative will call for an officer or supervisor to come to the PD and then create a blotter entry, using the VCAD category MEDICATION SURRENDER and logging the following information in the blotter:

1. Serial Number of Bag

2. Name of Officer called to take possession.

III. The officer called in from the street will accept the bag and make a brief Beast entry. The Beast entry will consist of the following info only:

1. Category: RECOVERED PROPERTY

2. Description module: VARIOUS MEDS SURRENDERED FOR DESTRUCTION BAG # , BLOTTER #

3. The Beast sticker will be affixed to the sealed envelope and the sealed envelope will be secured in the Temporary Evidence Locker.

IV. The evidence custodian recovering these items from the Temporary Evidence locker will follow standard evidence room procedures for drug recovery, tracking and destruction.

Order #: II.43 **Date:** 06/30/2014
Category: DEPARTMENT DIRECTIVE
Title: NASAL NARCAN

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 43
SUBJECT: NASAL NARCAN
EFFECTIVE DATE: June 30, 2014

CHIEF OF POLICE: MARK W. OTT

ACCREDITATION STANDARDS:

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

II:43-1 PURPOSE:

To establish guidelines and regulations governing utilization of the Nasal Narcan administered by the Bridgeton Police Department. The object is to treat opiate overdose and fatal opiate overdoeses.

II:43-2 POLICY:

This department is committed to making the city safer by deploying Nasal Narcan as a life saving effort. It is the policy of the Bridgeton Police Department that officers who will be administering Nasal Narcan (Naloxone) are properly trained in the use and deployment of the Nasal Narcan according to the laws of the State of New Jersey.

II:43-3: PROCEDURE:

I. LOCATION OF NASAL NARCAN KITS

A. Nasal Narcan kits will be numbered and stored in the Shift Supervisor's office. The shift supervisor will assign kits to patrol officers based on the officer's completion of training, the amount of kits available and the areas that will provide best coverage response to the City.

B. Supervisors will note the Narcan Kit # of the unit issued to officers on the "Daily Assignment" blotter entry.

C. Officers issued kits will return them to the Shift Supervisor's office at the end of their shift.

NOTE: Nasal Narcan may be damaged by extreme temperatures, both high and low. Due to this fact, consideration should be given to storing the Narcan in the interior of the patrol car when these conditions exist and taking the Narcan from the vehicle and storing it inside the police department after a shift is completed.

II. NASAL NARCAN COORDINATOR

A. The Professional Standards and Services Bureau Commander will designate the Nasal Narcan Coordinator (NNC). The NNC will be responsible for the following:

1. Ensuring the Nasal Narcan is current and not expired.

2. Assign individual numbers to the kits that are put into service.

3. Replacement of any Nasal Narcan that is damaged, unusable, expired or deployed.

4. Ensure the department has an adequate supply of Nasal Narcan in stock to replace deployed or damaged kits.

5. Ensuring all personnel that will be using Nasal Narcan have received appropriate user training.

III. NASAL NARCAN USE

A. When using the Nasal Narcan kit officers will maintain universal precautions, perform patient assessment; determine unresponsiveness, absence or reduction of breathing below 10 breaths per minute and/or absence of pulse. Officers will update dispatch that the patient is in a potential overdose state. Dispatch will then notify 9-1-1 for relay of that info to emergency medical personnel. Officers shall follow the protocol as outlined in the Nasal Narcan training.

IV. MAINTENANCE/REPLACEMENT

A. An inspection of the Nasal Narcan kit shall be the responsibility of the officer assigned the equipment.

B. Missing or damaged Nasal Narcan kit(s) will be reported to the shift Officer in Charge (OIC) who shall notify the department's NNC.

C. Where any condition that necessitates the Nasal Narcan kit to be

taken off line or be submitted for replacement, this information shall be directed to the department's NNC.

V. DOCUMENTATION/NASAL NARCAN REPORT

A. Upon completing the medical assist/administration of Narcan, the officer shall document the incident.

1. Ensure a "Narcan Use" blotter entry is hit.

2. Ensure that a "Medical Aided Case" report is done.

3. Complete the Cumberland County Nasal Narcan Form and forward that completed form to the Professional Standards and Services Bureau who will fax a copy of the form to the CCPO's Office and seek a replacement Nasal Narcan Kit.

Order #: I.28 **Date:** 01/10/2012
Category: DEPARTMENT ORDERS
Title: SOCIAL MEDIA

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 28
SUBJECT: SOCIAL MEDIA

EFFECTIVE DATE: JANUARY 10, 2012

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS:

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

I:28-1 PURPOSE

The department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes this department's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.

I:28-2 POLICY

Social media provides a new and potentially valuable means of assisting the department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The department also recognizes the role that these tools play in the personal lives of some department personnel. The personal use of social media can have bearing on departmental personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by department personnel.

I:28-3 PROCEDURES

Order #: I.28 **Date:** 01/10/2012
Category: DEPARTMENT ORDERS
Title: SOCIAL MEDIA

A. DEFINITIONS

1. Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions or comments. The term is short for "Web Log".

2. Page: The specific portion of a social media website where content is displayed and managed by an individual or individuals with administrator rights.

3. Post: Content an individual shares on a social media site or the act of publishing content on a site.

4. Profile: Information that a user provides about himself or herself on a social networking site.

5. 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 (Facebook, MySpace), microblogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, You Tube), wikis (Wikipedia), blogs and news sites (Digg, Reddit).

6. Social Networks: Online platforms where users can create profiles, share information and socialize with others using a range of technologies.

7. Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape or related forms of communication.

8. Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.

9. Wiki: Web page(s) that can be edited collaboratively.

B. ON-THE-JOB USE

1. Department-Sanctioned Presence

a. Determine Strategy

(1) Where possible, each social media page shall include an introductory statement that clearly specifies the purpose

and scope of the agency's presence on the website.

(2) Where possible, the page(s) should link to the department's official website.

(3) Social media page(s) shall be designed for the target audience(s) such as youth or potential police recruits.

b. Procedures

(1) All department social media sites or pages shall be approved by the Chief of Police or their designee and shall be administered by the departmental Administrative Bureau or as otherwise determined.

(2) Where possible, social media pages shall clearly indicate they are maintained by the department and shall have department contact information prominently displayed.

(3) Social media content shall adhere to applicable laws, regulations and policies, including all information technology and records management policies.

i. Content is subject to public records laws. Relevant records retention schedules apply to social media content.

ii. Content must be managed, stored and retrieved to comply with open records laws and e-discovery laws and policies.

(4) Where possible, social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the department.

i. Pages shall clearly indicate that posted comments will be monitored and that the department reserves the right to remove obscenities, off-topic comments and personal attacks.

ii. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

c. Department-Sanctioned Use

(1) Department personnel representing the department via social media outlets shall adhere to the following:

i. Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct and observe conventionally accepted protocols and proper decorum.

ii. Identify themselves as a member of the department.

iii. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities or work related assignments without express written permission.

iv. Not conduct political activities or private business.

(2) The use of department computers by department personnel to access social media is prohibited without authorization.

(3) Department personnel use of personally owned devices to manage the department's social media activities or in the course of official duties is prohibited without express written permission.

(4) Employees shall observe and abide by all copyright, trademark and service mark restrictions in posting materials to electronic media.

d. Potential Uses

(1) Social media is a valuable investigative tool when seeking evidence or information about:

i. Missing persons;

ii. Wanted persons;

iii. Gang participation;

iv. Crimes perpetrated online (i.e. cyberbullying, cyberstalking); and

v. Photos or videos of a crime posted by a participant or observer.

(2) Social media can be used for community outreach and engagement by:

i. Providing crime prevention tips;

ii. Offering online reporting opportunities;

iii. Sharing crime maps and data; and

iv. Soliciting tips about unsolved crimes (i.e. Crimestoppers, Text-A-Tip).

(3) Social media can be used to make time-sensitive notifications related to

i. Road closures;

ii. Special events;

iii. Weather emergencies; and

iv. Missing or endangered persons.

(4) Persons seeking employment and volunteer positions use the Internet to search for opportunities and social media can be a valuable recruitment mechanism.

C. PERSONAL USE

1. Precautions and Prohibitions

a. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department for which loyalty and confidentiality are important, impede the performance of duties, impair discipline and harmony among co-workers, or negatively affect the public perception of the department.

b. As public employees, department personnel are cautioned that speech on- or off-duty, made pursuant to their official duties – that is, that owes its existence to the employee's professional duties

and responsibilities – is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.

c. Department personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Chief of Police or his designee.

d. For safety and security reasons, department personnel are cautioned not to disclose their employment with this department nor shall they post information pertaining to any other member of the department without their permission. As such, department personnel are cautioned not to do the following:

(1) Display department logos, uniforms or similar identifying items on personal web pages.

(2) Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this department. Officers who are, or may be reasonably expected to work in undercover operations, shall not post any form of visual or personal identification.

e. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department's code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:

(1) Speech containing obscene or sexually explicit language, images or acts and statement or other forms of speech that ridicule, malign, disparage or otherwise express bias against any race, any religion or any protected class of individuals.

(2) Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.

f. Engaging in prohibited speech noted herein, may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject

to discipline, up to and including termination.

g. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.

h. Department personnel should be aware that they may be subject to civil litigation for:

(1) Publishing or posting false information that harms the reputation of another person, group or organization (defamation);

(2) Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern and would be offensive to a reasonable person;

(3) Using someone else's name, likeness or other personal attributes without the person's permission for an exploitive purpose; or

(4) Publishing the creative work of another, trademarks or certain confidential business information without the permission of the owner.

i. Department personnel should be aware that privacy settings and social media sites are constantly in flux and they should never assume that personal information posted on such sites is protected.

j. Department personnel should expect that any information created, transmitted, downloaded, exchanged or discussed in a public online forum may be accessed by the department at any time without prior notice.

k. Reporting violations – Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provisions of this policy shall notify their supervisor immediately for follow-up action.

Order #: I.27 **Date:** 11/27/2009
Category: DEPARTMENT ORDERS
Title: SPECIAL REPORTS

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 27

SUBJECT: SPECIAL REPORTS

EFFECTIVE DATE: January 1st, 2010
CHIEF OF POLICE:Mark W. Ott

Purpose:

To establish clear procedure on how members of the Bridgeton Police Department are to prepare certain reports that fall outside the realm of normal reporting or require confidentiality.

Policy

It is the policy of the Bridgeton Police Department to keep certain matters confidential for a variety of reasons. To that end a special vehicle for that purpose is hereby designed. The Special Report is hereby created to achieve the transmittal of information from the source to it's intended recipient without becoming part of the normal records management system.

I. Special Reports

1. Are intended for matters that are to be kept confidential.

2. Are intended to be sent from the transmitting person to the appropriate receiver without broadcasting department wide.

3. A supervisory or managerial officer may require special reports from any employee.

4. Special reports would be required for a variety of reasons, including but not limited too:

   a. Response to specific incidents

   b. Response to Administrative Investigations

   c. To clarify certain issues

d. To register a violation of rule, regulation, directive, order law or other official edict.

5. Special Reports are to be hand delivered from the employee preparing the special report to the recipient or delivered in a secure fashion. No copies of the report will be kept by the preparing party. The information will not be saved on any computer or information storing device, if done on computer.

6. Special Reports will contain the following information:

   a. Heading as follows "S P E C I A L R E P O R T"

   b. "Date: ____/____/_____"

   c. "Prepared by: _____" printed name of person preparing the Special Report

   d. Narrative

   e. "Signed:_____" signature of person preparing the Special Report

   f. If there is more than one page the person preparing the Special Report shall initial the bottom of each page preceding the page with the official signature line.

7. When Special Reports are required during Internal Affairs Investigations the person requiring the Special Report from another will provide the officer being directed to prepare a Special Report with either the:

   a. Standard BPD Witness Advisement Form;

   or

   b. Standard BPD Administrative Advisement Form

Order #: I.31 **Date:** 11/19/2009
Category: DEPARTMENT ORDERS
Title: STRIP AND BODY CAVITY SEARCHES

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 31

SUBJECT: STRIP AND BODY CAVITY SEARCHES
EFFECTIVE DATE: Immediately

CHIEF OF POLICE:Mark W. Ott

PURPOSE:

To provide guidance to members concerning the lawful justifications and procedures for conducting strip searches of individuals and for requesting body cavity searches, when necessary.

POLICY:

This written directive explains member's authority to conduct strip searches and body cavity searches in conjunction with the provisions of N.J.A.C. 10A:34 entitled New Jersey Municipal Detention Facilities and guidelines promulgated by the New Jersey Attorney General pursuant to N.J.S. 2A:161A-8b. Strict compliance with the procedures outlined herein is mandatory in all situations, without exception.

NOTE:

The Bridgeton Police Department has no space or lock up facility that could be considered a Municipal Detention Facility.

PROCEDURE:

I. DEFINITIONS

A. STRIP SEARCH: Removal or rearrangement of clothing to permit visual inspection of a person's undergarments, buttocks, anus, genitals or breasts.

1. The following does NOT constitute a strip search:

a. Removal or rearranging of clothing reasonably required to render medical treatment or assistance;

or

b. Removal of articles of outer clothing, such as coats, ties, belts or shoelaces.

B. BODY CAVITY SEARCH: Visual or manual search of a person's anal or vaginal cavity.

II. SEARCH REQUIREMENTS AND PROCEDURES - STRIP SEARCHES

A. A person who has not been arrested or who has been subjected to arrest without custodial confinement shall not be strip searched unless:

1. The search is authorized by a search warrant or voluntary written consent and is authorized by the Officer In Charge (OIC);

or

2. The search is based upon PROBABLE CAUSE to believe that the person is concealing a weapon, contraband, or evidence of a crime;

AND

Exigent circumstances prevent obtaining a search warrant or approval of the OIC.

a. The terminology "without custodial confinement" shall be construed to mean persons who will be released on a summons, ROR, or on bail in the near future.

B. A person who has been detained or arrested for commission of an offense other than a crime who is confined in a municipal detention facility shall not be subject to a strip search unless:

1. The OIC authorizes confinement in the municipal detention facility or transfer to adult correctional facility;

AND

2. One of the following conditions exist:

a. A search warrant has been issued authorizing the strip search;

or

b. The person to be strip searched has granted voluntary and

written consent for the search;

or

c. The search is based upon REASONABLE SUSPICION to believe that the person is concealing a weapon, contraband or evidence of a crime;

AND

i. The search is authorized by the OIC;

or

ii. Exigent circumstances require immediate action to prevent bodily harm and these circumstances prevent obtaining a search warrant or approval of the OIC.

C. A person who has been arrested for COMMITTING A CRIME who is confined in a municipal detention facility may only be strip searched under the following conditions:

1. The watch commander authorizes confinement in the municipal detention facility or transfer to adult correctional facility;

and

2. The search is authorized by the OIC;

and

3. One of the following conditions exist:

a. A search warrant has been issued authorizing the strip search;

or

b. The person to be strip searched has granted voluntary and written consent for the search;

or

c. The search is based upon REASONABLE SUSPICION to believe that the person is concealing a weapon, contraband

or evidence of a crime;

or

d. The person lawfully confined will be placed under psychological observation or suicide watch.

D. In the limited instances where this written directive authorizes a strip search without custodial confinement, the search shall be conducted:

1. At a location where the search can not be observed by unauthorized persons or the in-house security camera system;

2. By a person of the same sex;

3. By the number of members deemed necessary by the OIC to provide security;

4. Under sanitary conditions;

and

5. In a professional and dignified manner.

E. In situations where a person is subjected to custodial confinement, a strip search shall be conducted:

1. At a location where the search can not be observed by unauthorized persons;

2. By a person of the same sex;

3. By the number of members deemed necessary by the OIC to provide security;

4. Under sanitary conditions;

and

5. In a professional and dignified manner.

a. If the confinement is for the commission of a crime, the strip search shall include a check for:

i. Body vermin

ii. Cuts

iii. Bruises

iv. Needle scars

and

v. Other injuries, where appropriate

b. If the confinement is for the commission of a crime and an exigent circumstance exists, the OIC can authorize a strip search by a person of the opposite sex and in the presence of members of the opposite sex deemed reasonably necessary to provide security.

III. SEARCH REQUIREMENTS AND PROCEDURES - BODY CAVITY SEARCHES

A. A body cavity search IS NOT authorized and WILL NOT be conducted without custodial confinement.

B. A person who has been detained or arrested for COMMISSION OF A CRIME OR COMMISSION OF AN OFFENSE OTHER THAN A CRIME who is confined in a municipal facility shall not be subject to a body cavity search unless:

1. The OIC authorizes confinement in the municipal detention facility or transfer to adult correctional facility;

And

2. The search is authorized by the OIC;

And

3. Reasonable suspicion exists that contraband will be found in a body cavity;

And

4. One of the following conditions exist:

a. A search warrant has been issued authorizing the body cavity search;

or

b. The person to be searched has granted voluntary and written consent for the body cavity search.

C. An authorized body cavity search of a person who has been detained or arrested for commission of a crime or commission of an offense other than a crime shall be conducted:

1. In a medically acceptable manner by a physician or registered nurse who must be of the same sex as the detained or arrested person;

   And

2. At a hospital or other location deemed a "medically acceptable environment";

   And

3. Under sanitary conditions;

   And

4. In the presence of only those officers deemed necessary by the OIC for security, who are of the same sex as the person to be searched.

   a. The person to be searched may:

      i. Remove the object in the presence of the physician or registered nurse, and an officer of the same sex as the person;

         Or

      ii. Be examined by the physician or registered nurse who may remove the object, without use of force.

   b. In the event it is determined that a foreign object which contains metal is present in the body cavity of the person to be searched, such object may be removed only by the physician, with or without the use of force, if the OIC has authorized a body cavity search based on a duly authorized search warrant or valid consent of the person involved.

   c. In the event the watch commander, the physician, or the

registered nurse has determined that non-metal contraband is being concealed in the body cavity of the person to be searched, and the police are not able to obtain a search warrant for the search, and that person refuses to permit contraband removal, the person may be kept under visual surveillance to detect removal or elimination of the contraband.

IV. REPORTING REQUIREMENTS

A. The member who performs the strip search or the OIC who authorizes a body cavity search shall file a written report to be made part of the detained or arrested person's record which shall include, but not be limited to, the following information:

1. A statement of the facts indicating the reasonable suspicion or probable cause for the search.

2. A copy of the search warrant, if applicable.

3. A copy of the consent form, if applicable.

4. The name of the officer in charge who authorized the search.

5. The names of the officer(s) present during the search and the reason for his or her presence.

6. The name(s) of the person(s) conducting the search.

7. An inventory of any item(s) found during the search.

8. The reason for the use of force, if necessary.

9. An explanation of the exigent circumstances which required immediate action for the search to be conducted as an exception to the regulations including the reason(s) why a search warrant could not be obtained.

B. All reports pertaining to strip searches or body cavity searches are not public records. These reports shall be made available, upon request, to:

1. The person searched.

2. The County Prosecutor.

3. The Attorney General.

or

4. The Commissioner of the Department of Corrections.

C. When a body cavity search is conducted, the OIC shall request a sworn statement from the licensed physician or registered nurse who conducted the search stating that the body cavity search was conducted pursuant to statutory and medical requirements.

Order #: I.13.4 **Date:** 06/10/2013
Category: DEPARTMENT DIRECTIVE
Title: UNIFORM APPEARANCE - TATTOOS/PIERCINGS

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 13.4

SUBJECT: POLICY ON UNIFORM APPEARANCE - TATTOOS/PIERCINGS

EFFECTIVE DATE: Immediately
CHIEF OF POLICE:MARK W. OTT

PURPOSE:

The purpose of this order is to provide guidelines for the manner of dress and appearance for those currently working for the Bridgeton Police Department and restrictions for new hires.

The aim of this policy is to show a presentable image to the public, an image that signifies professionalism.

DEFINITION: The term tattoo as it pertains to this policy includes any and all tattoos, branding or intentional disfiguring or scarring marks to the human body.

POLICY:

I. OFFICERS HIRED BEFORE 6-10-2013

A. Prohibitions:

1. No officer hired prior to 6-10-2013 shall obtain any new tattoo to any portion of the arms/hands from the distal portion of the bicep/tricep to the terminal end of the fingers.

EXCEPTIONS:

a. Should an officer hired prior to 6-10-2013 desire to obtain a new tattoo to any portion of the arm/hand from the distal portion of the bicep/tricep to the distal portion of the wrist - that officer will first purchase new Class B uniform shirts (summer style polo with long sleeves) and shall thereafter be required to wear long sleeve uniforms shirts year round (summer or winter for the remainder of their career).

b. An officer hired prior to 6-10-2013 desiring to obtain a new tattoo to a single finger of one hand to signify marriage may do so with no need to keep same covered.

2. No officer hired prior to 6-10-2013 shall obtain any new tattoo to any portion of the face, head or neck (or any physiological structure associated with the face head or neck; e.g. ear, nose, lips, etc.).

B. No officer shall wear any form of piercing jewelry while on duty. This is due to the increased risk of injury to the officer during duty hours should a physical confrontation occur. Even simple stud style ear rings increase the risk of injury to the officer's ear and neck should the ear be struck or pulled.

C. No officer shall shall have any piercings of the face or facial structures or unusual ear or body piercings.

D. Officers with tattoos that are visible to the public shall, on dates where appearance in Superior Court is expected or anticipated, wear the long sleeve Class B shirt to the court appearance.

Therefore, during months where Summer Uniform is in effect, officers are expected to keep a long sleeve Class B shirt in their work locker to make appearances in the superior court.

If attending court on scheduled day off, the officer is expected to appear in Superior Court with the tattoos covered by appropriate long sleeve shirt.

II. PERSONS SEEKING EMPLOYMENT AFTER 6-10-2013

A. Persons having a visible tattoo, while wearing a shirt similar in design to the BPD summer Class B long sleeve uniform shirt (polo or regular style), on the hands, face, neck or any structure associated with the head, face or neck. Shall not be considered for hire and will be removed from the Civil Service Lits.

EXCEPTION:

1. A potential candidate with a ring style tattoo symbolizing marriage on on one finger shall not be consider a disqualifying.

B. Persons having body piercings of the face, or facial structures or unusual ear or

body piercings shall not be considered for hire.

Order #: 1.5.3 **Date:** 01/21/2015
Category: DEPARTMENT ORDERS
Title: TCO DAILY OBSERVATION REPORT

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 5.3

REVISION DATE: N/A

SUBJECT: DISPATCHER TRAINING MANUAL

EFFECTIVE DATE: MARCH 14, 2011
CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: 35.1.3;
33.1.5;
33.1.6;
33.4.3;
33.5.1

BRIDGETON POLICE DEPARTMENT TCO DAILY OBSERVATION REPORT
?
TRAINEE Badge # C.T.O. Badge # ?
?

RATING INSTRUCTIONS : RATE OBSERVED BEHAVIOR WITH REFERENCE TO THE SCALE BELOW. COMMENT ON THE MOST AND LEAST SATISFACTORY PERFORMANCE OF THE DAY..

COMMENT ON ANY BEHAVIOR YOU WISH, BUT A SPECIFIC COMMENT IS REQUIRED ON ALL RATINGS OF "2" OR LESS AND "6" OR ABOVE. CHECK " N.O." BOX IF NOT OBSERVED. IF TRAINEE

FAILS TO RESPOND TO TRAINING, CHECK "N.R.T." BOX AND COMMENT BELOW (*OTHER).

?
?
DATE: ?
?

NOT ACCEPTABLE BY CTO PROGRAM STANDARDS	ACCEPTABLE LEVEL	SUPERIOR BY CTO PROGRAM STANDARDS

Assignment or Reason For No Evaluation ?

?
?
?
---> 1 2 3 4 5 6 7 ?
?

CTO

N.O

N.R.T
APPEARANCE

RTT ?
?
1- 1 2 3 4 5 6 7 1. GENERAL APPEARANCE ?
?
?
?
ATTITUDE/INTERACTION ?
?
2- 1 2 3 4 5 6 7 2. ACCEPTANCE OF FEEDBACK – CTO PROGRAM ?
?
3- 1 2 3 4 5 6 7 3. ATTITUDE TOWARD COMMUNICATIONS WORK ?
?
4- 1 2 3 4 5 6 7 4. WITH THE PUBLIC IN GENERAL ?
?
5- 1 2 3 4 5 6 7 5. WITH OTHER DEPARTMENT MEMBERS ?
?
?
?
KNOWLEDGE ?
?
6- 1 2 3 4 5 6 7 6. KNOWLEDGE OF DEPARTMENT POLICIES AND PROCEDURES ?
?
7- 1 2 3 4 5 6 7 7. KNOWLEDGE OF RADIO/TELEPHONE ?
?
8- 1 2 3 4 5 6 7 8. KNOWLEDGE OF CAD/COMPUTERS ?
?
9- 1 2 3 4 5 6 7 9. KNOWLEDGE OF CALL PRIORITIZATION ?
?

10- 1 2 3 4 5 6 7 10. KNOWLEDGE REFLECTED IN VERBAL TESTS ?
?
?
?
PERFORMANCE ?
?
11- 1 2 3 4 5 6 7 11. TELEPHONE SKILLS – NORMAL CONDITIONS ?
?
12- 1 2 3 4 5 6 7 12. TELEPHONE SKILLS – MODERATE AND HIGH STRESS CONDITIONS ?
?
13- 1 2 3 4 5 6 7 13. CALLER INTERVIEW SKILLS ?
?
14- 1 2 3 4 5 6 7 14. ROUTINE LOGS / FORMS – ACCURACY/COMPLETENESS ?
?
15- 1 2 3 4 5 6 7 15. GEOGRAPHY / MAP INTERPRETATION ?
?
16- 1 2 3 4 5 6 7 16. POSITION PERFORMANCE: NON-STRESS CONDITIONS ?
?
17- 1 2 3 4 5 6 7 17. POSITION PERFORMANCE: STRESS CONDITIONS ?
?
18- 1 2 3 4 5 6 7 18. CAD SKILLS – NORMAL CONDITIONS ?
?
19- 1 2 3 4 5 6 7 19. CAD SKILLS – MODERATE AND HIGH STRESS ?
?
20- 1 2 3 4 5 6 7 20. CAD SKILLS – UPDATE AND RELAY ?
?
21- 1 2 3 4 5 6 7 21. CONTROL OF CONFLICT – VOICE COMMAND ?
?
22- 1 2 3 4 5 6 7 22. CONTROL OF CONFLICT – HYSTERICAL CALLER ?
?
23- 1 2 3 4 5 6 7 23. PROBLEM SOLVING: DECISION MAKING ?
?
24- 1 2 3 4 5 6 7 24. COMMON SENSE AND JUDGEMENT ?
?
25- 1 2 3 4 5 6 7 25. RADIO: APPROPRIATE USE OF PROCEDURES ?
?
26- 1 2 3 4 5 6 7 26. RADIO: LISTENS AND COMPREHENDS ?
?
27- 1 2 3 4 5 6 7 27. RADIO: ARTICULATION OF TRANSMISSION ?
?
28- 1 2 3 4 5 6 7 28. USE OF TIME ?
?
29- 1 2 3 4 5 6 7 29. PREPAREDNESS ?
?

30- 1 2 3 4 5 6 7 30. NCIC/SCIC/ATS/ACS SKILLS ?
?
?
?
?
?
?

_____MINUTES REMEDIAL TRAINING TIME (EXPLAIN REMEDIAL PLANS)

?
THE TRAINEE'S MOST SIGNIFICANT STRENGTHS ARE: ?
?
THE TRAINEE'S MOST SIGNIFICANT WEAKNESSES ARE: ?

The trainee's significant weaknesses ÿ have ÿ have not required remedial training.

?
REMEDIAL TRAINING, IF PROVIDED, CONSISTED OF THE FOLLOWING: ?

?
OTHER (EXPLAIN*) ?

My evaluation of the above listed trainee's progress to-date is ÿ Satisfactory ÿ Unsatisfactory

(Explain below*)

?
EXPLANATION OF UNSATISFACTORY RATING: ?

I have discussed the trainee's overall performance with him / her. YES ÿ NO ÿ

?
TRAINEE DATE CTO
DATE ?
?
ADMINISTRATIVE BUREAU COMMANDER DATE

TRAINING COORDINATOR DATE

03/11/2011 ?

Order #: I.29 **Date:** 12/29/2009
Category: DEPARTMENT ORDERS
Title: TORT CLAIMS DIRECTIVE

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 29

SUBJECT: TORT CLAIMS

EFFECTIVE DATE: 1-1-2009
CHIEF OF POLICE:Mark W. Ott

PURPOSE:

To establish clear procedure on how to handle receipt of tort claims and lawsuits from the public.

DEFINITIONS:

TORT CLAIM: for the purposes of this directive a tort claim shall be any civil complaint in a federal, state or county court where damages are sought, allegations of rights violations are made, or allegations of misconduct of any kind are made by a plaintiff, against any member or the agency as a whole.

PROCEDURE:

I. Proper Receipt of a Tort Claim:

Should a person come to the Police Station to deliver or make service of any Tort Claim that person is to be directed to the Municipal Clerk's Office at 181 E. Commerce St. The Chief of Police is to be notified of any attempted service or service of a Tort Claim.

A. In the event a Tort Claim arrives in the mail it is to be forwarded to the Municipal Clerk's Office immediately and the Chief of Police Notified by delivering a copy of the Tort Notice and any accompanying paperwork.

II. After Receiving Tort Claim:

A. The Chief of Police is to be notified.

B. The Business Administrator is to be notified.

C. The Chief of Police shall direct the Professional Standards Bureau

to make a formal review/investigation of the allegations in the printed Tort Claim.

1. This review shall cover all aspects of the case and is designed to:

   a. Eliminate future problems in handling matters

   b. Implement training or retraining

   c. To improve efficiency of the department

   d. To correct improper behavior if exhibited

D. A copy is to be delivered to the City Solicitor.

Order #: I.30. **Date:** 08/28/2009
Category: DEPARTMENT ORDERS
Title: SEATBELT USAGE

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 30

SUBJECT: SEATBELT USAGE
EFFECTIVE DATE: Immediately

CHIEF OF POLICE: Mark W. Ott

STATEMENT

This policy addresses officer safety by usage of occupant restraint systems (seat belt and shoulder harness) while operating motor vehicles. It also establishes mandatory compliance with state law.

The public watches the police and every employee must realize that the passing public takes notice when police officers are observed violating traffic laws (especially not wearing seatbelts, talking on cell phones, speeding and other specific things.)

POLICY

During the everyday operation of a motor vehicle, officers and other members charged with operation of a motor vehicle will use the occupant restraint system in the vehicle. While in normal operating modes of travel or during emergency responses (Code 55), the occupant restraint system will offer additional safety against serious or life-threatening injury in the event of a collision. Proper usage of the occupant restraint system will also provide a correct example to our motoring public.

In keeping with officer safety, this administration also recognizes there are numerous times an officer will need to exit his or her vehicle as quickly as possible. In keeping with this policy, it is recognized that in response to certain situations, officers should release the occupant restraint system before coming to a complete stop. Examples of these situations include motor vehicle stops, field interviews of suspicious persons and responding to calls involving weapons or violence.

This is in order to facilitate necessary action or actions of the involved officer or officers for personal safety, to effectively perform the required task and to protect the public. Officers are expected to make proper judgment regarding the need for speedy exit from their vehicles.

When deemed appropriate by the involved officer, that officer may remove the occupant restraint system before bringing the patrol vehicle to a complete stop or entering into an officer safety danger zone.

In practical terms the officer should have the seatbelt on until you are within forty yards of your intended stop. Officers should practice clearing themselves from the seatbelt so that muscle memory develops to assist the officer in future operations.

VIOLATIONS

Violations of this order will be handled as progressive discipline.

Order #: I.36 **Date:** 11/02/2010
Category: DEPARTMENT ORDERS
Title: TRAFFIC LAW ENFORCEMENT

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY & PROCEDURE

SECTION: I
CHAPTER: 36

SUBJECT: TRAFFIC LAW ENFORCEMENT
CHIEF OF POLICE:CHIEF MARK W. OTT
EFFECTIVE DATE: NOVEMBER 2, 2010

TRAFFIC LAW ENFORCEMENT

Uniform Procedures for Traffic Law Enforcement Procedures:

The purpose of this section is to establish guidelines to ensure that enforcement actions are commensurate with applicable statutes and ordinances and to take into account the degree and severity of the violation committed. The role of law enforcement officers is to observe, detect and prevent violations of traffic laws and to take appropriate action when violations are observed. Enforcement policies will not supplant the individual officer's discretion, based upon professional judgment and a combination of training and experience.

(a) All sworn officers shall take appropriate enforcement action for each violation witnessed or reported to them. Enforcement action does not provide the officer a privilege to scold, belittle, berate or otherwise verbally abuse the traffic violator. All enforcement actions will be accomplished in a firm, fair, impartial and courteous manner using one of the following four methods:

1. Verbal Warning
2. Written Warning
3. Traffic Summons
4. Physical Arrest

The officer's actions should demonstrate a professional attitude and serve to improve the relationship between the public and the department.

1. Verbal / Written Warnings - A verbal / written warning is an appropriate enforcement action when an officer determines that there are mitigating circumstances leading to a violation. Such circumstances may be when the violator commits an act which may be due to ignorance of a local ordinance or a violation of which the driver may not be aware.

   Example: a verbal / written warning may be appropriate for an equipment failure such as a vehicle light failure that the driver may be unaware of or a minor moving

violation where the officer feels that a verbal / written warning is the most appropriate enforcement action.

2. Traffic Summons - The issuance of traffic summonses is considered the most applicable form of enforcement in the majority of motor vehicle violations in lieu of arrest. The traffic summons should be issued to all violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations, parking violations and other enforceable non-moving violations.

3. Physical Arrest - Officers will affect the arrest of any person in violation of those traffic laws pertaining to:

   > Driving while Intoxicated (N.J.S. 39:4-50. Operating Motor Vehicles while Under the Influence of Intoxicants);

   > Reckless Driving, providing that the officer can show willful and wanton intent on the part of the driver (N.J.S. 39:4-96. Reckless Driving);

   > Traffic offenses committed in the commission of other crimes or offenses.

There may be other incidents in which a violator should be arrested. The decision to affect a physical arrest should be based upon the sound legal principles as opposed to peripheral issues
such as the violator's attitude and with the permission of the patrol supervisor, whenever practical.
(See N.J.S. 39:5-25, Arrest Without Warrant).

(b) Witness to a Motor Vehicle Violation - In cases where it will be necessary for a witness to give testimony, the issuing officer shall complete a Subpoena Request and attach it to the original copy of the summons for processing, and list the witness by name and address on the reverse side of the traffic complaint form.

Special Traffic Violation Processing:

At times, officers while enforcing motor vehicle laws will be confronted with special situations that will require them to handle the violation in a manner other than normally accepted. This would include violations committed by:

(a) Non-residents of this state
(b) Juveniles
(c) Legislators
(d) Foreign diplomats/consular officers
(e) Military personnel

(f) Physicians

a. Non-residents of New Jersey - Motor vehicle violations committed by non-residents of New Jersey should be handled in the same manner as if the operator were a resident of this state, that is, if a summons were called for, then a summons should be issued.

b. Juveniles - By definition a juvenile is anyone under the age of 18.

Listed below are the circumstances when an officer may issue a written citation in lieu of taking a juvenile into custody:

1. Offenses enumerated under Chapters 3, 4, 6 and 8 of New Jersey Motor Vehicle Law, Title 39, where the offender is seventeen (17) years of age or younger, an officer may issue a motor vehicle summons for the violation.

2. All moped violations involving a juvenile who is between the age of fifteen (15) and sixteen (16) years of age, inclusive and the offender possesses a New Jersey Moped Driver's License, the officer may issue a motor vehicle summons for an offense.

c. Legislators

1. United States Senators and Representatives - Members of the United States Congress shall, in all cases, except treason, felony and breach of peace, be immune from arrest during their attendance at the session of their respective houses and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

2. State Legislators - Members of state legislatures in some cases have the same immunity granted to members of congress as specified in the state constitution. Common law prevails which privileges them from arrest while attending, going to or returning from a session of their respective houses.

d. Foreign Diplomats/Consular Officials - The issuance of motor vehicle summonses to Foreign Diplomats and members of their immediate household is prohibited by the Vienna Convention on Diplomatic Relations and is incorporated in Federal Law by the Diplomatic Relations Act of 1978 (P.L. 95-393).

Consular Officers do not enjoy the same immunity from prosecution for a violation of motor vehicle laws. When a consular officer is stopped for a traffic violation, the officer on the scene, upon being advised by the driver

that he is a consular officer and ascertaining that he possesses the proper credentials, should either let go with a warning of the danger of his actions or proceed with the issuance of the appropriate citation.

NOTE: The mere issuance of a traffic summons does not constitute arrest or detention.

e Military Personnel - Currently no special privileges are granted to military personnel. However, any personnel that enter active military service and are the holder of any active driver's license at the time of war or at times of emergency may operate a motor vehicle for up to 180 days after the termination of the war or emergency or may operate a motor vehicle for up to three months beyond the date of his or her discharge from service if the driver's license had expired.

f Physician - In the event an officer stops a physician speeding while proceeding to an emergency, the officer shall record the registration number and driver license number of the physician. At that point, the physician shall be released and such proceedings may be taken subsequently as would have been proper had the person not been a physician. (N.J.S. 39:4-102, Physicians Speeding During Emergencies.)

Information Provided to Traffic Violators:

Certain specific information should be given to a motorist that has been stopped by an officer for violating a motor vehicle law. This is to include but is not limited to:

(a) The officer's identification to include his rank, name and reason for the stop.

(b) The action of the officer is going to take with regards to the enforcement of the violated motor vehicle law.

(c) In cases of a summons being issued;

1. The specific violation/s for which summonses will be issued.

2. The date of a court appearance.

3. Whether a court appearance for the specific violation is mandatory and if it is not mandatory, what the motorist may do to take care of the summons out of court, specifically how he may contact the court clerk, enter a guilty plea should he desire and pay the fine via the mail.

Uniform Traffic Law Enforcement Policies:

The purpose is to establish an approach to traffic law enforcement that provides for uniformity of action throughout the department and to provide a method of assuring fair and intelligent application for traffic laws and ordinances. Uniform enforcement is a critical element of an effective traffic law enforcement program. The major objective of providing a traffic law enforcement policy is uniformity of application of laws and ordinances which regulate the use of motor vehicles.

(a) Driving Under the Influence of Alcohol/Drugs (N.J.S. 39:4-50) - Arrest for this violation is mandatory when it is apparent to the officer that a subject has been or is attempting to operate a motor vehicle while under the influence of either alcohol and/or drugs.

After procedural testing of the operator at police headquarters a summons for the original reason the officer stopped the vehicle as well as a summons for being under the influence shall be issued prior to the release of the operator.

(b) Speed Violations (N.J.S. 39:4-98) - A traffic summons should not be issued unless the violator has exceeded the legal speed limit by six (6) mph and up. Persons traveling at lesser speeds within the tolerance but still in violation of the law may be warned verbally.

(c) Driving While Suspended/Revoked (N.J.S. 39:3-40) - A traffic summons will be issued to an operator while appearing on the suspended/revoked listing as compiled by the New Jersey Division of Motor Vehicles.

(d) Other Hazardous Violations - A traffic summons will normally be issued to the operator committing the hazardous violation for a court appearance at a later date.

(e) Equipment Violations - Officers encountering operators of vehicles that have equipment violations may issue a motor vehicle summons for the equipment violation. In cases of minor equipment violations, such as a lamp out, the officer may call the violation to the attention of the operator and allow the operator to make any feasible repairs to the vehicle at the time of the stop.

In cases of seat belt violations, officers are to be guided by the provisions set forth by N.J.S. 39:3-76.2, Safety belts, et seq.

(f) Public Carrier/Commercial Vehicle Violations - Officers encountering a violation of N.J.S. Chapters 3 & 4 (with the exception of N.J.S. 39:4-50) may not arrest the operator of a public carrier. Instead, a summons may be issued. No special privileges are extended to operators of Commercial Vehicles.

(g) Other Non-Hazardous Violations - In all cases of non-hazardous violations an officer may issue a motor vehicle summons.

(h) Multiple Violations - Officers shall weigh the severity of the offenses when confronted by a multitude of offenses. The issuance of multiple motor vehicle summonses shall only be done when the event that led to the stop of the violator was of such magnitude that it calls for such action.

(i) Newly Enacted Laws and/or Regulations - Officers under normal circumstances shall not issue summonses for violations of newly enacted laws/regulations for a period of thirty (30) days beginning after final passage of such law/regulation. During this 30-day period of time, officers should make an effort to verbally warn offenders of the new law/regulation.

Traffic Enforcement Practice:

Any tendency of motorists to knowingly violate the traffic laws is ordinarily deterred by open and visible traffic patrol, with the number of traffic accidents being correspondingly reduced. However, there are specific times when normal visible patrol techniques cannot alleviate the problem.

Accident Investigation Follow Up:

The department will perform follow-up traffic accident investigations in an effort to bring an investigation to an acceptable conclusion, to support ongoing or anticipated criminal prosecution or establish pre-accident conditions on more serious accidents, as may be necessary and appropriate.

Those accidents which may involve serious injury/death , extensive property damage, driving while intoxicated or other criminal charges, the department may elect to take the following actions:

(a) Specially Trained Officers: The department insures that certain officers have been specifically trained in conducting in-depth accident investigations for the purpose of conducting serious accident investigations and follow-up investigations of serious types of accidents. Officers assigned by the Chief of Police and who have been specially trained in accident investigations will be assigned to carry out the preliminary and follow-up investigations as needed.

1. Requests for follow-up accident investigation shall be channeled through the Administrative Bureau Commander or his designee.

2. The Administrative Bureau Commander shall determine if it is necessary to have a specially trained officer assigned to an accident investigation.

3. If it is determined that an officer will be called out to conduct the accident investigation, then an accident investigator will be notified. If he cannot be contacted or he is unable to respond, then one of the other designated

officers trained to conduct such investigations shall be assigned.

4. Requests for outside expert and technical assistance in follow up investigations will specify the precise assistance to be rendered, the names and qualifications of the personnel proposed to provide the assistance and adequate justification of the need for assistance.

   (a) All such requests must receive the approval of the Administrative Bureau Commander before the assistance is authorized and before the follow up investigation services commence.

   (b) Responsibilities of Accident Investigators: Depending on the circumstances involved, the department's specially trained accident investigators are responsible for completing the following actions:

      1. Collecting "Off-Scene" Data: In serious motor vehicle accidents, particularly as it pertains to fatal accidents where insufficient evidence can be gathered at the scene, investigating officers may have to retrace the steps of the parties involved to determine pre-accident actions which may have contributed to the cause of the accident.

      2. Obtaining/Recording Formal Statements: In many serious accidents where there is a possibility that criminal charges may be developed, the investigating officer will be required to take formal statements from the principals involved in the accidents as well as any witnesses who may be identified.

      3. Reconstruction of Accidents: As the need arises and depending on the magnitude of the accident, it may become necessary to reconstruct the accident in determining the pre-accident conditions.

      4. Preparing Formal Reports: Where there may be a fatality or the filing of criminal complaints, the investigating officer will be required to submit a separate incident report, detailing the investigation and other information to support criminal charges arising from the accident.

Traffic Accident Enforcement Actions:

Special requirements arise when officers detect certain violations not committed in their presence, such as vehicular and traffic violations uncovered during the course of an accident investigation.

(a) Officers are expected to take positive enforcement action whenever their accident investigation activities produce probable cause to believe that a violation of law or ordinance has occurred.

(b) Officer's specific enforcement actions arising from traffic accident investigation, e.g., physical arrest, summons, verbal warning etc., will be consistent with the nature of the alleged violation and with all of this department's written directives concerning traffic law enforcement.

(c) In taking any positive enforcement actions, the officers must establish all elements of the violation. Elements that the officer has not personally witnessed must be established through investigation. The investigation may include but is not limited to:

> Statements or admissions made by the alleged violator
> Statements of witnesses
> Accident scene measurements
> Physical evidence

Accidents on Private Property:

The same guidelines will apply for accidents that occur on private property as those that occur on public property.

Traffic Report Processing:

Traffic reports completed by departmental personnel such as traffic summonses, accident reports, arrest reports etc. are read by many people and are often forwarded outside the department. It is essential that reports are submitted on a timely basis. are neatly printed in block letters or typed and be concise, accurate and complete.

Accurate, timely and complete reports are fundamental to this department's efficient and effective operation. Departmental personnel shall therefore make every effort to complete all reports to the best of their ability and submit them to the shift supervisor prior to their end of tour. Should an officer be unable to meet this deadline, he must advise his supervisor, explaining the details causing the delay. At that time, the supervisor shall determine the appropriate course of action to take, be it overtime, continuation by another officer or continuation at a later date by the original investigating officer. All accident reports are then forwarded to the Administrative Bureau Commander, or his designee, for review, statistic capture and filing.

All reports that are incomplete, illegible or lacking in any manner shall be returned to the submitting officer for his prompt attention.

(a) All reports shall be completed via Impact under the Traffic Accident Module.

Traffic Citation Accountability:

The traffic summons forms the basis for prosecution and ultimate adjudication of traffic offenses; thus it is essential that specific procedures be followed from the point that summons books are received by the officer through the ultimate adjudication and disposition of each individual summons.

(a) Patrol Division - Officers that need traffic summons books will acquire same directly from the court clerk. The officer shall check each book received by him from the court clerk to see that all summonses are present. He will then sign a ledger held in the court clerk's office for each book of summonses that he receives.

(b) Records Bureau - The Records Bureau shall record each summons issued in the manner prescribed in their procedures. After the issued summons is recorded it will then be forwarded to the court clerk for adjudication. After a disposition has been received, the Records Bureau copy shall be filed in the prescribed manner and retained for the required period of time as set forth by state law on retention of records.

(c) Issuing Officer - The issuing officer of a summons shall provide the violator with information regarding:

> Statute violated
> Court date
> Whether the court appearance is mandatory
> If a plea may be entered out of court, what the violator must do to satisfy the summons
> Any other relevant information

The issuing officer shall not debate the merits of the case with the violator.

(d) Issuing of Summonses - When issuing motor vehicle summonses, the New Jersey State Statutes, Title 39, will be used for violations on all public roads and highways, except situations where an Officer wishes to issue a criminal or municipal complaint.

(e) Routing of Summonses/Processing - All traffic summonses will be filed at the end of the officer's tour with the Shift Supervisor.

(f) Voidance of Summons - The following is the most common reasons for voiding traffic summons:

1. Violator gave false information, such as the wrong name, address, etc. (when voiding a summons for this reason, indicate on the voided summons the number of the new summons).

2. Officer entered the wrong information, which caused the summons to be invalid. (When voiding a summons for this reason, indicate on the voided summons the number of the new summons).

3. Violation occurred outside the legal jurisdiction.

4. Vehicle parked in a prohibited zone but was broken down. The driver returned with assistance before the officer completed the summons.

5. After issuing the summons on a parked vehicle officer discovered a previous summons had been issued by another officer. Officer must indicate on the voided summons the number of the citation previously written on that vehicle.

6. Stopped wrong car.

7. Officer misread parking restriction.

8. Error in computing the vehicle speed.

If an error is made in the writing of a summons or if the summonses have become damaged due to accidental exposure to rain, snow etc., they may be administratively voided by the officer.

In no case shall any officer void a traffic summons issued by another officer. To do so is in violation of court rule 7:6-2 and shall be held as criminal contempt.

In cases where an improper charge has been made, the matter shall be referred to the Municipal Prosecutor for proper disposition.

(g) Dismissal of Summons - Any officer wishing to have a summons dismissed will contact the Municipal Prosecutor and advise him of the circumstances which will include but is not limited to:

> Summons number (s)
> Date of issue
> Violation
> Location
> Number of vehicles involved
> Accident

> Any other pertinent information

(h) Loss or Theft of Summons - In the event a summons or summons book is lost or stolen, the officer to whom it was issued shall immediately notify his immediate supervisor and submit a special report through the chain of command.

The officer shall submit a copy of the report to the court clerk so he may adjust his records accordingly.

(i) Utilizing Summons Book of Another Officer – In the event that an officer utilizes a summons book signed for by another officer, a note must accompany the summons to the Municipal Court.

Officer Conduct with Traffic Violator:

The purpose of this section is to establish guidelines for officers in the conduct of their relations with traffic violators with emphasis on the following major objectives:

> Immediate Objective: To take appropriate enforcement action.
> Ultimate Objective: To favorably alter the violator's future driving behavior and gain voluntary compliance with the motor vehicle laws.

The attainment of these two objectives depends on the officer's ability to evaluate the violator's position. This requires a thorough understanding of human relations and demands flexibility on the part of the officer.

Traffic violation enforcement is one of the many tasks performed by police officers but for violators it frequently is an emotionally traumatic experience. Officers should be aware of these conditions and should strive to make each contact educational and to leave the violator with the impression that the officer has performed a necessary task in a professional and friendly manner.

Once the officer has stopped the violator and approached to a point where communications begin, the officer/violator relations are activated. An officer of the Bridgeton Police Department, upon greeting a violator shall:

(a) Be alert at all times for the unexpected but not be obviously apprehensive.

(b) Be absolutely certain that the observations of the traffic violation were accurate without reservation.

(c) Present a professional image in dress, grooming, language, bearing and emotional stability.

(d) Decide on the appropriate enforcement action based upon the driving

behavior, not attitude. In most cases, it is advisable to have the form of enforcement action decided prior to the initial contact with the violator.

(e) Greet the violator with an appropriate title, (sir/ma'am) and in a courteous manner.

(f) Inform the violator what traffic laws he has violated.

(g) Ask for the violator's driver's license, vehicle registration and proper insurance identification. The officer should accept only these specified documents.

(h) Inquire further for other proof of identity documentation should the driver not have his driver's license in his possession.

(i) If the officer is going to issue a verbal warning to the violator, delay him no longer than necessary. This does not preclude the officer from making standard inquiries via the state computer as to the current status of the violator's driver's license.

(j) Not enter into a debate on the merits of the violation at the scene but rather politely advise the violator the place to debate the violation is before an impartial judge.

(k) Complete the necessary paperwork for the enforcement action taken as expeditiously as possible should a written traffic summons be decided upon.

(l) Explain to the violator exactly what is expected of him to satisfy the summons issued to him.

(m) Make sure the violator knows exactly where and when to appear if the enforcement action requires a court appearance. Explain any alternatives to the violator but do not predict the actions of the court.

(n) Be alert to any emotional stress exhibited by the driver. If stress is present, the instructions may have to be repeated or the driver may have to calm down before resuming driving.

(o) Return the driver's license, registration and insurance card with the summons should that be the appropriate enforcement action taken.

(p) Assist the violator in safely reentering the traffic flow unless the violator has lawfully parked his/her vehicle.

Traffic Stop Procedures:

Although enforcing traffic laws is often a routine function that officers perform, all too frequently they are injured and in some cases killed in situations that initially appeared to be,

even to a trained observer, a "routine traffic stop". Realizing that a courteous demeanor, when exhibited by a police officer during the course of a traffic stop, is of utmost importance to establishing the educational rapport that is so necessary, it is nonetheless realized that the safety of the officer is of paramount importance.

In stopping violators for any reason, officer safety is paramount. To help insure this, all officers shall notify the dispatcher of the vehicles registration, make and model of the vehicle, number of occupants as well as an exact location that the stop is being made.

Officers will take all necessary steps and precautions necessary during traffic stops to assure their safety and well-being. They shall adhere to acceptable police practices as taught in their training.

Handling of Suspensions/Revocations:

The purpose of this section is to establish guidelines for handling persons operating a motor vehicle while their driving privileges have been lawfully suspended or revoked.

(a) When an officer comes in contact with a motor vehicle operator who has had his driver's license suspended the officer shall issue a motor vehicle summons for N.J.S. 39:3-40 (Unlawful to drive with a suspended license).

(b) He shall not permit the suspended operator to drive any further. If there is no other individual in the vehicle with a valid driver's license to remove the vehicle, or the driver can not summon a valid driver within a reasonable time, then the officer shall request a tow truck for the removal of the vehicle from the roadway and follow standard BPD impound procedures.

(c) The officer shall permit the violator to remove any personal property, within reason, from the vehicle before it is removed, following standard BPD impound procedures.

(d) Vehicle removed from the roadway for violations of 39:3-40 shall be towed to the tow yard and not Police Headquarters unless there are extreme circumstances and approved by the shift supervisor.

Speed Measuring Devices:

The purpose of this section is to establish guidelines for the operation of the police department's speed enforcement program. Radar is an effective tool in the enforcement of established speed limits within the City of Bridgeton. The equipment that is used to measure speed is complex and have inherent limitations as well as being subject to external and internal interference.

The effective use of speed measuring devices and their acceptance is dependent upon the operator's understanding of the specific limitations of the devices, adequate training and initial

Radar certification combined with periodic re-certification to demonstrate the operator's efficiency.

The City of Bridgeton Police Department will utilize speed detection equipment in high or potentially high accident locations when speed is a factor; in areas where speed limit violations are prevalent; and in response to citizen complaints concerning speeding motorists; and to conduct traffic speed percentile studies.

DWI Enforcement Program:

Drivers impaired by the influence of alcohol and/or drugs represent a serious threat to the life and safety of persons using the streets and highways of this state and consequently, a comprehensive, coordinated countermeasures program involving education, enforcement adjudication treatment and public support of the program is essential if the program is to have long term success in combating the DWI problem.

Enforcement is one of the key elements in the DWI countermeasures program. If officers do not detect and apprehend impaired drivers, the rest of the system cannot function.

This department fully supports a comprehensive cooperative DWI countermeasure program and has established DWI enforcement as one of its highest priorities. Officers of this agency must be alert for signs of alcohol and/or drug impairment in all contacts with motorists and make every effort to detect and apprehend them. After conducting an initial examination at the scene of the traffic contact and upon determining that probable cause to arrest is present, officers will affect a physical arrest of the subject.

Once the officer has determined that he is going to arrest the subject for DWI, he will read the Miranda Rights to the subject.

Officers will not release a DWI suspect or arrange for alternative transportation in lieu of arrest.

A breath test will be offered to the subject in compliance with N.J.S. 39:4-50.2 (consent to take samples of breath). Should the subject have a physical injury which prevents a proper breath sample or test to be administered, officers shall have blood samples drawn by an attending physician or other qualified medical personnel for the purpose of determining the quantity of blood alcohol.

(a) Effective 7/2005 all Breathalyzer operators for this department were transitioned to the Alcotest 7110 MK-IIIC through a conversion training session. The Breathalyzer is no longer in use by this department.

Training - All Alcotest 7110 operators shall receive their training and certification in the operation of an Alcotest 7110 unit from the New Jersey State Police Breath Testing Unit. Certified operators will periodically be scheduled for re-certification

courses in accordance with New Jersey Administrative Law and as scheduling of the New Jersey State Police permits.

DWI Detection and Pre-Arrest Screening:

Detection is the first step in any DWI enforcement action. The Officer's observations in this stage are crucial in establishing probable cause upon which an arrest decision is based. Officers must perform the following tasks:

1. Recognize and identify specific driving behaviors that have a high probability of signifying that the driver may be impaired by alcohol and/or drugs.

2. Recognize and identify specific driving and other behavior occurring during vehicle stops that provide additional evidence/suspicion that the driver may be impaired.

3. Note all observations leading to the suspicion that the driver may be impaired.

4. Exercise care and caution in pursuing impaired drivers and be alert for unusual or inappropriate reactions from the driver.

5. Pursuit should not be prolonged; apprehension should be made as soon as possible in a safe location.

6. Notify the dispatcher of the location and vehicle description prior to affecting the stop.

7. Summon assistance if necessary or if an arrest is going to be made.

8. Once the vehicle has stopped and a determination by the officer has been made that the driver is impaired, do not allow the driver to move the vehicle.

9. Approach the vehicle with caution, but with minimal delay.

10. Obtain the driver's license, registration and insurance card.

11. Interview the driver and passengers.

12. Recognize and identify the specific characteristics, attitudes and actions commonly manifested by impaired drivers during face-to-face contact.

13. Note all observations leading to the suspicion that the driver may be impaired.

    (a) Ask the operator some general questions, paying particular attention to his manner of speech.

    (b) Ask the operator while seated in his vehicle to perform some simple finger

tests and observe his dexterity.

14. If the vehicle was not observed in motion, determine if cause exists to charge the driver with actual physical control.

15. If cause exists to support your suspicion, request the driver exit his vehicle and move to a safe location to conduct sobriety tests.

NOTE: Officers shall not conduct interviews or field sobriety tests in the space between the patrol vehicle and the subject's vehicle. Officers shall conduct the tests in an area that is safe for both the Officer and the driver.

16. Administer appropriate field sobriety tests to assess impairment.

17. Formulate appropriate arrest decisions based on the evidence accumulated in the above steps.

DWI Arrestee Handling:

If all elements of the DWI violation are present or can be proved; operation, impairment, alcohol and/or drugs, officers shall effect an arrest of the subject.

(a) Arrest - When placing the suspect under arrest, the officer will follow all procedures set forth in departmental policy. In addition, the officer will:

1. Notify the subject of his rights (e.g. Miranda and Implied Consent). NJ Motor Vehicle Commission Standard Statement for Operators of a Motor Vehicle N.J.S.A. 39:4-50.2(e) is now available in the ten languages in which the NJ Motor Vehicle Commission provides the driver's license test.

2. Secure any evidence relevant to the offense, secure the suspect's vehicle and property and arrange for transportation/safety of any passengers.

3. In all cases where a suspect has been arrested for DWI and there are no sober passengers that the suspect is willing to let drive the vehicle, arrange for it to be removed by a tow service.

4. Transport the subject to Headquarters for breath testing and processing.

5. Officers should be aware of any apparent life threatening medical conditions of the suspect. Should he require medical attention, he is to be transported by appropriate means to the nearest medical facility.

(b) Chemical Breath Testing - Chemical breath testing shall be conducted at Police Headquarters by a certified Alcotest 7110 Operator.

Officers will follow procedures taught in the administration of an Alcotest 7110 test by the New Jersey State Police Breath Testing Unit.

Officers will also follow the procedures as set forth on the Alcohol Influence Report.

The subject will be transported to police headquarters where they will be placed in the Alcotest 7110 area of police headquarters for DWI processing. The observational period of the subject by a competent individual will commence for a period of twenty-eight minutes as per BPD policy. All officers entering the room will ensure that all portable radios and cellular telephones are removed from their person and will not bring them into the room. The arresting officer shall advise the subject of their Miranda warnings while filling out the rights form and giving the subject the opportunity to sign the same. The subject shall be read the eleven (11) paragraphs on the rear of the Drinking Driving Report pertaining to N.J.S. 39:4-50.2(c). If a foreign language is involved, officers may utilize the BPD online forms audio reading (provided by the NJSP) to the subject. If at that point, the defendant refuses to submit to the breath test, a separate summons for 39:4-50.2 (refusal to submit to the breath test) will be issued. If the person remains silent, or states or otherwise indicates that he/she refuses to answer on the grounds that he/she has a right to remain silent, or wishes to consult an attorney, physician, or any other person; or if the response is ambiguous or conditional in any respect whatsoever, then the police officer shall read the additional statement.

Should the subject have a mouth injury or has been taken to the hospital due to injuries or other medical reasons the investigating officer shall have two gray top vials of blood withdrawn by the attending physician or other qualified medical personnel. A blood withdrawal form shall be completed by the person who draws the blood from the subject. It is the responsibility of the arresting officer to transport the blood back to police headquarters where an Evidence Control/Custody Sheet report and a laboratory request for examination of evidence will be completed and turned over to the department's evidence officer.

(c) Completion of Documentation - All officers that participate in the incident shall be required to submit reports of their actions.

1. The arresting officer shall be responsible for the submission of:

   > Initial report and supplement
   > Arrest report
   > Drinking Driving Report (the back should contain 39:4-50.2(c)
   > MVR Recording
   > Impound report
   > Blood withdrawal form (if blood was taken)
   > Request for examination of evidence (if necessary)

2. The Alcotest 7110 Operator shall be responsible for:

> Completion of the Alcohol Influence Report
> Proper shut down of the Alcotest 7110 following procedures of the N.J.S.P. Breath Testing Unit and proper storage of the instrument.
> Security of the Alcotest 7110.

3. Assisting officer (s) to the arrest shall be responsible for:

> Completion of a supplemental report as to his/her observations and the actions he/she took

(d) Release from Custody - See John's Law.

(e) Documentation - All paperwork relating to the incident shall be completed and turned in by the officers prior to the end of their tour.

(f) Evidence - Any evidence relating to the incident shall be properly tagged and preserved for a later court date. Officers submitting evidence shall be guided by departmental procedures for the preservation of evidence and review the submitted paperwork.

(g) Defendant Requesting Independent Test - D.W.I. defendants must be given a reasonable opportunity to attempt to secure a timely and independent test after the police have completed D.W.I. tests. In order to accomplish this, the officer must:

1. Inform the defendant that he/she is permitted to have independent samples taken and chemical tests of his breath, urine or blood made by a person or physician of his own selection.

2. After the officer has completed the tests, defendant will be permitted to contact by telephone, his attorney, family member, doctor or other responsible person in order to make arrangements for an independent test. The department is under no statutory duty to arrange independent testing for a defendant charged with drunken driving, nor are they required to use their own manpower to afford defendant his right to an independent test. The D.W.I. defendant can only be released to an escort responsible for his safety or, if no responsible escort is available, when his/her sobriety indicates that he may be safely released.

Should the hospital contact this department for an authorization to draw blood, the officer should advise that the defendant is requesting the blood sample, not the police. The officer should explain that the defendant is at the hospital in an attempt to arrange for independent testing of his blood alcohol level pursuant to the drunk driving statutes but the police are not requesting that blood be drawn. The officer should stress that it is solely up to the hospital whether or not they will draw the blood.

Referral of Drivers for Re-examination:

The purpose for this procedure is to establish guidelines for requesting the re-examination of a driver who an officer comes in contact with, either through routine enforcement or accident investigations, when that individual exhibits what the officer feels is incompetence, physical or mental disability, disease or other complications that prevent the person from exercising reasonable and ordinary care over a motor vehicle.

Officers detecting a person, who appears to be incompetent, physically or mentally disabled or suffers from a disease or other conditions that prevent him from exercising reasonable and ordinary care over a motor vehicle, shall cause to submit a request for re-examination.

(a) Officers encountering a driver who meets any of the criteria established within this policy shall be responsible for completing a "Request for Driver Re-examination" form that is provided by the New Jersey Division of Motor Vehicles.

(b) Any requests for driver re-examination made on a "Request For Driver Re-examination" form shall be forwarded to the New Jersey Division of Motor Vehicles by the Records Bureau for further action, with a copy being retained by this agency. All such requests shall be accompanied by a police report (Motor Vehicle Complaint).

(c) The submitting officer must check to see that it meets the criteria for re-examination as set forth by the Division of Motor Vehicles and clearly state what brought the request for re-examination to the officer's attention.

(d) "Request for Driver Re-examination" forms shall be maintained on BPD online forms.

Off-Road Vehicle Enforcement:

The purpose of this guideline is to establish procedures for handling incidents involving off-road vehicles such as snowmobiles, dirt bikes, mini-bikes, ATVs.

Officers will take appropriate enforcement action when and where state motor vehicle laws and local ordinances regarding off-road vehicles are concerned.

(a) Snowmobiles and All Terrain Vehicles - N.J.S. 39:3C (Snowmobiles and All Terrain Vehicles) establishes state laws regarding their registration and operation in the State of New Jersey.

(b) Officers shall not engage in pursuits of snowmobiles, dirt bikes, mini-bikes, ATVs, etc. unless the actions of the operator are endangering the lives of officers or others (follow appropriate NJ AG Guidelines and Department Directives on Pursuits of Vehicles).

Parking Enforcement:

The purpose of this procedure is to establish guidelines for enforcement of parking regulations. All existing parking regulations will be enforced with reasonableness and impartiality in all areas of the City of Bridgeton.

(a) All vehicles parked which create an immediate hazard, shall be removed either by the owner or if not available and all reasonable attempts to locate have been made, by this agency. If removed by this department, a motor vehicle summons will be issued for the specific violation.

1. Fire Lanes - Whenever an officer issues a summons for parking violations within designated fire lanes, the officer shall use Local Ordinance as the citation for all such violations.

(b) Merely issuing a summons to a vehicle parked in a hazardous location without making an attempt to have the vehicle moved does not relieve the hazardous condition.

(c) Abandoned Motor Vehicles - Vehicles that are left on the roadway for an extended amount of time will be considered abandoned. As such, officers shall initiate an investigation and attempt to ascertain the owner of the vehicle. If the vehicle does not pose a safety threat, the owner shall be notified that he has 48 hours with which to move the vehicle from the roadway.

Should the vehicle be in a position that it will likely cause a safety hazard, the officer will notify the shift supervisor of the situation and request the on-call tow service respond to remove the vehicle. The officer shall also issue a motor vehicle summons for N.J. S. 39:4-56.1 (Willfully disabling and abandoning vehicles) or N.J. S. 39:4-56.5 (Abandonment of motor vehicles).

Any time an abandoned vehicle is towed by authorization of this department, a copy of the Tow Sheet will immediately be forwarded to the Records Division.

(d) The exception to this procedure would be when the vehicle is disabled and abandoned due to extreme weather conditions (e.g. extremely heavy snow fall), in such situations while the vehicle must be removed, by whatever means available, a motor vehicle parking summons need not be issued.

(e) Officers will follow towing guidelines from the BPD policy on the towing of motor vehicles.

AT-SCENE ACCIDENT STABILIZATION ACTIVITIES

Traffic Accident Scene Direction and Control:

Often times vehicles that are directly and indirectly involved in a motor vehicle accident will be in locations that may pose a hazard to passing vehicles. Officers assigned to accidents must use available warning devices to insure the situation does not become worse.

a. Emergency lighting flares are available and should be prudently utilized by officers charged with the control of traffic around an accident scene.

b. In the use of highway flares or any traffic control device, speed, visibility and distraction to the other motorists must be taken into consideration when placing the devices to effectively and safely warn oncoming traffic.

c. Officers must be cognizant that additional vehicles containing other emergency service personnel may be responding to the scene of an accident. Operators of these vehicles should be directed to park their vehicles at a location that is safe and will not add to the confusion of the scene. All response vehicles should be directed to park on the same side as one another. Lanes should remain open for emergency vehicles to enter and exit the scene.

Uniform Hand Signals/Gestures for Manual Traffic Directions:

Accidents and traffic control device malfunctions/damage may cause a need for officers to manually direct traffic through hand signals, flashlights and whistles.

a. Officers may use a waving hand to signal vehicles to proceed at a reduced speed when manually directing traffic.

b. Officers displaying an upheld palm shall be used as a signal for oncoming traffic to stop. The officer must ensure that traffic has halted prior to allowing opposing traffic to proceed.

c. Officers may point at a particular vehicle to get the attention of the driver to take a certain action.

d. Flashlights with a traffic wand shall be used whenever directing traffic during hours of darkness (whether natural or weather-related darkness).

e. At all times while directing and/or controlling traffic, officers shall wear reflective traffic control vests that have been issued to each officer.

f. Officers should be aware that driver's not alert to the hazard causing manual traffic control can create a safety issue to the officer. The officer needs to heighten their own awareness of traffic conditions as unwary drivers could be a hazard to them.

g. Officers may employ the use of a whistle during manual traffic control, understanding that motorist with car windows closed may be unable to hear whistle blasts.

Critical Incident/Accident Scene Special Procedures:

Cooperation is the key element in the successful conclusion of an emergency involving: injuries, extrication, fire and/or hazardous materials.

(a) When a critical incident occurs within the City of Bridgeton, traffic flow will be restricted from the area surrounding the critical incident.

(b) The perimeter of the traffic prohibition will be dependent upon the nature of the critical incident. The commander of the critical incident operation shall make that determination (see Incident Command System).

(c) Injuries - Injured parties shall receive medical attention rendered by the most qualified personnel available at the time. Officers attending to the injured shall only use methods and practices that they are qualified to perform.

When information is received that there are injuries in an accident, the dispatcher shall dispatch the appropriate emergency medical personnel through the county communications system.

Upon the arrival of an emergency squad and/or the Mobile Intensive Care Unit, they shall assume responsibility for the care of the injured. Patrols will assist if necessary.

(d) Extrication - Whenever it is reported or discovered that a subject in a vehicle involved in an accident is entrapped, the dispatcher shall in addition to dispatching first aid personnel, dispatch the fire department through the county communication system, to conduct the extrication.

(e) Fire and/or Hazardous Materials - In any vehicular accident that involves a fire (actual not potential) or the spilling or breaching of a container containing hazardous materials (other than the fluids normally associated with the operation of that particular vehicle) the fire department will be dispatched and be in charge of the scene until the fire is out or the hazardous materials have been secured or rendered harmless. At that time the command of the scene shall revert back to the police department.

First responding officers of this department receive training in Hazardous Materials Awareness and are cautioned about the improper handling of it.

Officers arriving at the scene of a traffic accident involving a cargo vehicle will attempt to make a preliminary identification of the cargo based on the:

> Type of vehicle

> Visible placards

Officers shall be guided by the procedures specified in the Emergency Response Guidebook.

Traffic Control During Adverse Road and Weather Conditions:

During adverse weather conditions, it is not uncommon for a power outage to occur which may compromise the functioning of a traffic control device. When the traffic control device ceases to function, the officer may choose (based upon current traffic volume) to direct traffic at the location of the non-functioning light.

a. Officers should exercise extreme caution and be at a heightened level of awareness as the adverse weather conditions may compromise the skill of motorists on the roads at the time.

b Adverse road conditions may include roadway construction, utility company work zones, etc. Control of traffic flow around these scenes is important to the safety of the work crews as well as the general safety of other motorists and pedestrians.

Manual Use of Traffic Signals:

This section is designed to establish guidelines for police officers and civilian employees to manually control traffic signals to enhance the flow of traffic in certain situations.

a. A traffic signal can be put on "flash" at anytime, if the signal is malfunctioning.

b. Special Events:

1. The supervisor on the shift can manually bypass the normal cycle of the traffic signal to regulate a large volume of traffic from a special event.

2. If the supervisor on the shift decides, due to a large amount of traffic congestion, to bypass the signal completely, he will assign an officer to manually direct traffic following the standards set down in this chapter.

3. When conditions or events dictate, the Chief of Police may authorize the posting of temporary no parking signs. These signs will be used for a limited time and are designed to restrict parking in an effort to improve the flow of traffic and/or general safety conditions.

a. Examples where these signs may be used include parades, town block parties, church carnivals, etc.

c. Power Outage:

1. When a power outage occurs within the City all traffic lights are to be visually inspected by each officer.

2. Officers are to assume manual traffic direction if the traffic light is out of service or malfunctioning.

   a. Notify communications operator of your location and status.

   b. The communications operator shall notify the appropriate contractor for service.

3. If the light will be out of service for an extended period of time, the road department shall be notified to set up a four-way stop sign.

   a. The temporary Stop Signs shall be positioned to the right of the road for all approaching traffic.

   b. The traffic light flashers will be activated, if possible.

   c. A CAD should be generated and officers should check the location frequently, noting the condition of the signs.

4. Stop Sign Replacement

   a. If a Stop Sign is knocked over due to an accident or other reason, an officer shall assume traffic control until the road department arrives and replaces the sign.

Accident Victim Property Handling:

Traffic accidents frequently generate extreme emotional states on the part of the persons involved. In turn, extreme emotions may breed distractions and rash judgments or actions that can easily cause valuable and other personal property to become lost, stolen or damaged. Officers responding to accident scenes have a responsibility to help safeguard victim's personal belongings, consistent with the priorities of other duties. This responsibility is heightened when the victim is dead or incapacitated by injury.

(a) Officers shall be alert to pilferage and theft problems that frequently occur at scenes where emotions are extreme such as traffic accidents.

(b) When an officer is required to handle a victim's personal property (such as for identification purposes) this should be done, whenever possible, in the presence of witnesses. Such witnesses shall be identified in the report of the accident.

(c) When it is necessary to release a victim's property to another person or agency, the releasing officer shall insure that a recovered property report is completed and executed by the person receiving the property.

ACCIDENT REPORTS AND RECORDS

Accident Report Forms:

Accident reports and investigations shall be completed on State of New Jersey Accident report forms.

(a) Accident report forms include:

> NJTR-1 New Jersey Police Accident Report
> State of NJ Motor Vehicle Collision Description
> State of NJ Motor Vehicle Collision Diagram
> Bridgeton Police Department Collision Reporting Package, for use with fatal or serious motor vehicle collisions.

(b) Procedures for properly filling out the Accident report are found in State supplied Accident Report manual.

(c) On occasion due to the complexity of the investigation, officers will find the accident diagram form insufficient. In those cases, drawing paper may be used to draw by hand, or in conjunction with a computer drawing program. The page of the drawing should contain:

> Investigation Report Number
> Investigating Officer
> Person who drew the diagram
> Clear identification of all pertinent objects
> Clear dimensions and/or measurements
> Indication of the compass point North
> The appropriate scale utilized, if drawn to scale
> Identification of the roadways

(d) Accident reports will be completed by the end of the investigating officer's tour unless permission has been granted by the Shift Supervisor.

(e) Accident reports will be completed on the Impact computer system Traffic Accidents module. All blocks on the report will be completed as outlined in the manual.

(f) All Accident reports will contain a diagram and written narrative. The narrative will contain information concerning how the collision occurred. The investigating officer will not address the issue of fault or liability involved in the event. This issue

is not the responsibility of the investigating police officer, and is a duty of the civil courts and insurance companies. The officer will only address the issues of contributing factors and violations of law. When reporting vehicle damage in a written narrative, investigating officers are to utilize the terms minor damage, major damage and severe damage. If an accident is reportable, where the damage to property of any one person is in excess of $500.00, you shall utilize the major damage description at a minimum. All accident reports resulting in injury to or death of any person is always reportable.

(g) In the majority of accidents, more than one factor contributed to the occurrence of the accident. The investigating officer will make every attempt to address all of the contributing factors in the blocks provided. To obtain a good statistical analysis of accidents, so the proper enforcement, education or engineering principles can be applied, requires the reporting of all contributing factors.

SERIOUS BODILY INJURY/FATAL TRAFFIC ACCIDENTS:

Procedures to be followed during initial response:

(a) Officers will notify the patrol supervisor, who will respond to the scene.

(b) Officers will take those steps necessary to stabilize the collision scene, assist those who are injured, and request additional emergency support, as may be needed.

(c) The supervisor will advise dispatch to notify the Administrative Bureau Commander.

(d) A specially trained traffic accident officer will be assigned to conduct the investigation.

(1) Normally, if a specially trained traffic accident officer is working the shift, he will conduct the investigation.

(2) If the Administrative Bureau Commander or his designee determines that an officer must be called out for the detail, he will advise the dispatcher to call out the proper personnel.

(e) Arrangements will be made to protect the accident scene for investigative purposes. This may entail marking the location of bodies, vehicles, debris and other physical evidence.

(f) Once the scene has been stabilized, officers should make every effort possible to identify witnesses to the accident.

(g) Documentation shall be made of short lived evidence. Responding emergency personnel and vehicles shall be guided away, if possible, from this evidence so as not to destroy or contaminate it.

(h) The officer shall attempt to establish the identity of the victim(s). Any identification shall not be released except to the Medical Examiner;s Office or Prosecutor's Office or as directed by the Administrative Bureau Commander or Traffic Accident Officer in charge of the investigation.

(i) Officers on the scene are to brief the officer who is in charge of the investigation.

(j) The first responding officer shall complete the initial NJTR-1 report.

(k) No property or valuables shall be released until approved by the officer in charge of the investigation or the Administrative Bureau Commander.

(l) It is a recognized fact that alcohol and/or drugs are involved in many more fatal and serious accidents than reported. Automobile accidents, especially those involving alcohol or drugs are the leading cause of death for persons under the age of 25, and therefore must be recognized and addressed. In all cases of fatalities, or where a fatality may occur at a later date, blood should be drawn from all drivers and/or pedestrians involved in the incident for purposes of alcohol and drug analysis, so a complete and comprehensive analysis can be made of driver behavior factors.

Required notifications to be made:

It shall be the responsibility of the shift supervisor to see that the appropriate notifications are to be made, which are to include the following:

(a) In cases where a death has occurred, the Cumberland County Prosecutor's Office and Medical Examiner's Office will be notified immediately

(b) In cases of serious bodily injuries (life threatening) or a fatality, or when it is determined to be appropriate to call-out personnel to investigate the collision, the Chief of Police and Captain are to be notified.

(c) The identity of the deceased shall not be released, except to authorized personnel and other law enforcement officers, until proper notification of the next of kin.

General Investigative Procedures:

The officer charged with the investigation of the motor vehicle accident shall be responsible for seeing that the following activities are carried out:

(a) The investigating officer is charged with the responsibility of conducting a complete and thorough investigation which is to include the following, as may be appropriate:

(1) Photographic evidence of the accident scene. This should be accomplished with assistance from a Forensics Officer and/or Investigator from the Cumberland County Prosecutor's Office.

(2) Detailed to scale, an impact and post-collision situation diagram.

(3) Formal statements from all principals, when appropriate.

(4) Proper collection and retention of any physical evidence that may be available.

(5) A thorough visual examination of the vehicles involved (utilizing vehicle diagrams, if appropriate).

(6) Preservation of any valuables that may have been left behind.

(b) In those accidents where a death has occurred or it is felt that a death may be imminent, all vehicles involved in the accident shall be taken into evidence.

(1) The vehicle(s) shall be removed from the scene directly to police headquarters or an appropriate storage facility by an approved tow service.

(2) An officer from this department shall accompany the movement of such vehicle(s), mark the vehicle(s) as evidence, and shall note his actions in his report.

(3) If it is determined to be necessary, or in those cases where the investigation may lead to indictable charges (death by auto, manslaughter, etc.), the vehicle(s) are to be examined by a qualified mechanic who is competent to testify in court.

(4) Vehicle are to be fully photographed, utilizing basic photography techniques of vehicle(s) involved in accidents.

(5) Once a vehicle has been taken into evidence, it may not be released until such release has been approved by the Administrative Bureau Commander, Cumberland County Prosecutor's Office and/or the Medical Examiner's Office.

(c) The Motor Vehicle Accident packet will be utilized on all fatal collisions.

(d) The Administrative Bureau Commander will forward a copy of the NJTR-1 to the Cumberland County Prosecutor's Office and Medical Examiner's Office as soon as possible.

(e) A news release shall be prepared as soon as possible, with only that information

which can be released. A copy shall be forwarded to the Chief of Police as soon as possible.

(f) All fatal collision reports are to be completed, reviewed and forwarded to the Fatal Accident Review Unit of the State of New Jersey, as required by law.

Note: All such reports shall first be reviewed by the Administrative Bureau Commander for final approval prior to being released from this department.

(g) During the course of all fatal accident investigations, the investigating officer is responsible for seeing that all of the required tele-type notifications are made. The tele-type notification shall conform to the format established by the New Jersey State Police and a copy of the tele-type shall accompany the report.

(h) Copies of all traffic summonses, if issued, shall be made part of the report.

HIT AND RUN ACCIDENTS:

Investigative Procedures:

Under New Jersey Motor Vehicle Law, 39:4-130, motorists who are involved in a reportable collision are to, by the quickest means of communication, report the accident to the local police department.

(a) When a patrol officer arrives at a scene of an accident and finds that the collision involves a vehicle leaving the scene of an accident, he will attempt to obtain the best possible description of the hit and run vehicle, probable damage to the vehicle, the driver and/or passengers and the direction of travel.

(b) The descriptive information will be relayed to the dispatcher for dissemination to other patrols and other law enforcement agencies via the State-Wide Police Emergency Network (SPEN).

(c) If a license number is received of the suspect vehicle, the dispatcher shall check the registration utilizing the NCIC/SCIC computer in order to ascertain the owner and whether the vehicle has been reported stolen.

(d) Patrols in neighboring areas should observe traffic movement at likely locations where the fleeing vehicle may pass.

(e) Officers investigating a hit and run accident will make every feasible attempt at locating and identifying the vehicle and its operator. Depending on the seriousness of the accident, this may include investigative action such as:

1. Use of photographic evidence.

2. Collection and preservation of physical evidence.

3. Location and identification of witnesses.

4. Notification to area auto body shops.

5. Canvassing the neighborhood for information leading to the identity of the operator or vehicle.

6. Dissemination of police bulletins and teletypes.

(f) In cases of serious hit and run accidents, officers will be assigned to canvas all garages, service stations, body shops as well as check public parking lots in an effort to locate the hit and run vehicle.

1. If necessary form letters will be mailed to garages, paint shops and body shops in an effort to gain information relative to the hit and run vehicle.

(g) The department will, as may be deemed appropriate, check the location where the accident occurs each day during the same general time frame, the same day of the week and if necessary, the same day of the month on which the accident occurred.

(h) Public media shall be used in an effort to gain additional information relative to the accident.

(I) When the suspect vehicle is located, officers will establish positive identification utilizing physical evidence collected at the scene.

(j) Officers will interview the owner and determine the identity of the driver at the time of the accident.

(k) Appropriate enforcement action will be taken.

CRASHES INVOLVING BRIDGETON POLICE VEHICLES

Investigative Procedures:

(a) All accidents involving Police vehicles will initially be investigated by the working street supervisor or an actual Police Sergeant or above (when on-duty), unless they involve injury or severe damage.

(1) In cases involving injury or severe damage to property, the investigation will be handled in the same manner as found under serious bodily injury/fatal

traffic accidents above.

(b) Photographs will be taken of every accident scene involving police vehicle accidents.

(c) Accident reports involving police vehicles must be completed by the end of the tour by the investigating officer. The accident report will then be turned in to the Administrative Bureau Commander for review.

(1) During the review, the Administrative Bureau Commander, in consultation with the Professional Standards Bureau Commander, will determine if the event involves a violation of law, departmental policy or directive. If so, the event will be investigated jointly by both Commanders and handled as an internal investigation.

(d) A copy of the report will also be faxed to the Business Administrator's Office, marked with the following statement, "ROUGH DRAFT PENDING REVIEW".

(e) Upon completion of the final review of the accident report, the Administrative Bureau Commander shall forward a final draft of the report to the Business Administrator's Office.

CRASHES INVOLVING BRIDGETON POLICE VEHICLES OUTSIDE OF THE CITY LIMITS

When a Bridgeton Police Department vehicle is involved in an accident outside of the city limits, the local law enforcement agency having primary patrol jurisdiction shall be contacted so an official accident report can be completed.

Additionally, should the accident occur within a ten mile radius of the City of Bridgeton, the working supervisor shall respond to the scene to investigate the accident for internal purposes only.

Investigative procedures:

(a) When a Bridgeton Police Department vehicle, being operated by a Police Department or City of Bridgeton employee becomes involved in an accident outside of the city limits:

(1) The officer/employee shall contact the local law enforcement agency with primary patrol jurisdiction to have an accident report prepared.

(2) The officer/employee shall contact the Bridgeton Police Dispatch Center to advise the department of the accident and report on condition and status.

(b) When a working supervisor is notified of an accident involving a Bridgeton Police Department vehicle, which was being operated by a Police or city employee, that working supervisor shall contact the Administrative Bureau Commander, who will

determine whether the accident will be responded to based on the location.

(1) When the accident occurs within 10 miles of the City of Bridgeton, the Administrative Bureau Commander will designate an officer of supervisory level to respond to the scene of the crash so that an administrative investigation of the accident can be conducted.

(2) If the accident occurs further than 10 miles from the City of Bridgeton, the officer/employee involved in the accident will be directed to obtain contact information and a report number being filed by the agency handling the investigation.

(c) When the working supervisor or a supervisor designated by the Administrative Bureau Commander responds to the scene of an officer/employee accident outside of the city limits, they shall investigate the accident as any accident would normally be investigated. The supervisor shall prepare an NJTR-1 report which is to be utilized for internal purposes only.

USE OF HIGHWAY FLARES

Use of 30 Minute Red Highway Fuses and Lumenyte Emergency Signaling Devices:

Each patrol vehicle is equipped with a minimum of ten (10) highway flares and (8) ESD's. Officers are to use highway flares/ESD's for the purpose of reducing roadway hazards, involving such things as, disabled vehicles, motor vehicle accidents, diverting traffic safely from its normal path of travel, roadblock scenes, etc.

(a) Highway flares/ESD's should be situated in a manner which will adequately warn approaching traffic of the pending traffic hazard.

(b) Considerations as when to use highway flares/ESD's:

1. Limited visibility due to weather conditions, limited lighting, topography and other view obstructions.

2. Channeling of traffic patterns.

3. Warning traffic of impending hazards.

4. Purposes of reducing traffic speed or stopping traffic.

5. When an officer must leave a traffic hazard (disabled vehicle, pot holes, etc.) and respond to another emergency.

(c) Officer should use flares prudently to avoid the waste involved in overuse and

should utilize the ESD units primarily.

Usage of ESD units:

(a) The units are activated by pressing the black button, located on top of each unit.

(b) The unit can then be either mounted on anything metal, utilizing the magnet on the bottom or they may be positioned on the roadway surface and secured by concrete nails.

Ignition of Highway Flares:

If flares are not handled properly they may pose a risk of serious injury to it user and others. It is for this reason that officers will use flares in the prescribed manner:

(a) Expose the "scratch" surface located beneath the tape cover on the cap top by pulling up on the black tape.

(b) Remove the cap by twisting and pulling cap from the highway flare.

(c) Hold the flare near its base and rub the "scratch" surface of the cap against the head of the flare.

*** Always point the flare away from the face and body while igniting and after it has been ignited ***

(d) After igniting the flare, hold it for approximately five (5) seconds but not more than ten (10) seconds before placing on the ground.

(e) Situate the highway flare on the ground by spreading the wire legs away from the body of the flare.

1. Bend the wire legs down so that the flare is approximately at a 45- degree angle to the roadway.

(f) Be sure before placing the flare on the roadway surface it does not present a hazard to pedestrians or any combustible materials.

Precautions When Using Highway Flares:

Due to the flammable nature of highway flares, officers should always exercise extreme caution when using highway flares.

(a) Never place highway flares in the vicinity of suspected spills which may be composed of combustible materials.

(b) Never place highway flares on grassy areas; always place on the road surface.

(c) When leaving a flared out area unattended, make arrangements to check the area prior to flares burning out so that the hazard is not recreated.

High Risk Traffic Stops:

A. Identifying the High Risk Stop

1. High Risk stops will be conducted in situations where an occupant of the vehicle is currently committing or has just committed a violent crime and/or there is an increased risk of bodily injury, serious bodily injury, and/or death to the officers conducting the motor vehicle stop.

2. Upon observing the vehicle and, when possible, prior to activation of emergency equipment, notify Communications of:

   a. Location and Direction of Travel

      1. Update communications and responding backup units frequently until stop is conducted.

   b. Plate Number

   c. Vehicle Description

   d. Number of Occupants

3. Request a number of backup units equal to or greater than the number of occupants in the vehicle.

4. Wait for at least one backup unit to arrive before attempting to stop vehicle.

B. Stopping the Vehicle

1. Activate the emergency overhead lights (audible siren, when needed) to stop the vehicle in a location that would provide the officers with the safest environment possible and would limit the substantial risk of death or serious bodily injury to bystanders in the event that deadly force is necessary.

2. Notify Communications of the motor vehicle stop location.

3. The primary officer should position his/her patrol vehicle a safe distance

behind the suspect vehicle and angled so that the engine can be used as cover.

4. Backup units should position their patrol vehicles to block traffic, provide cover and avoid potential crossfire.

5. Weapons should be exhibited (duty weapon, sub-gun or rifle) and the primary officer, or the supervising officer on scene, will begin giving commands to remove the occupants from the vehicle.

   a. Only one (1) officer is to give commands.

   b. All commands should be loud and authoritative.

   c. The vehicle's audible PA system should be utilized when available.

C. Removing Occupants from the Vehicle

1. Order all occupants to keep their hands where they can be seen and to remain motionless until further instructed.

2. All further instructions will be directed at one occupant at a time; no two occupants should be moving at the same time.

   a. Start with the driver and then proceed to the occupant sitting immediately to the driver's right and so on.

   b. After front row proceed to the next row back starting with the occupant on the driver's side.

3. Advise the occupants not to make any quick movements.

4. Order each occupant to remove their seatbelt and to roll their windows all the way down.

5. Order the driver of the vehicle to turn off the vehicle, remove the keys and slowly throw the keys out the window.

6. Order the driver to open the door from the outside and to slowly exit the vehicle, facing away from the officers, with his hands above his head.

7. Order the driver to slowly walk backwards toward the sound of your voice until he is a safe distance from you and the suspect vehicle.

   a. A backup officer, with his weapon holstered, will be next to the officer giving commands and will be prepared to take the occupant

into custody

8. Order the driver to slowly get into a kneeling position with his legs crossed at the ankles and his arms out to the side with palms facing backwards. An alternative approach would also be to have the occupant get into a prone position for handcuffing.

9. The backup officer will handcuff the occupant and escort him to the rear of a patrol vehicle and pat him down before securing him in the rear seat.

10. Repeat the process for all occupants of the vehicle.

(b) Never place highway flares on grassy areas; always place on the road surface.

(c) When leaving a flared out area unattended, make arrangements to check the area prior to flares burning out so that the hazard is not recreated.

High Risk Traffic Stops:

A. Identifying the High Risk Stop

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2. Upon observing the vehicle and, when possible, prior to activation of emergency equipment, notify Communications of:

   a. Location and Direction of Travel

      1. Update communications and responding backup units frequently until stop is conducted.

   b. Plate Number

   c. Vehicle Description

   d. Number of Occupants

3. Request a number of backup units equal to or greater than the number of occupants in the vehicle.

4. Wait for at least one backup unit to arrive before attempting to stop vehicle.

B. Stopping the Vehicle

1. Activate the emergency overhead lights (audible siren, when needed) to stop the vehicle in a location that would provide the officers with the safest environment possible and would limit the substantial risk of death or serious bodily injury to bystanders in the event that deadly force is necessary.

2. Notify Communications of the motor vehicle stop location.

3. The primary officer should position his/her patrol vehicle a safe distance

behind the suspect vehicle and angled so that the engine can be used as cover.

4. Backup units should position their patrol vehicles to block traffic, provide cover and avoid potential crossfire.

5. Weapons should be exhibited (duty weapon, sub-gun or rifle) and the primary officer, or the supervising officer on scene, will begin giving commands to remove the occupants from the vehicle.

   a. Only one (1) officer is to give commands.

   b. All commands should be loud and authoritative.

   c. The vehicle's audible PA system should be utilized when available.

C. Removing Occupants from the Vehicle

1. Order all occupants to keep their hands where they can be seen and to remain motionless until further instructed.

2. All further instructions will be directed at one occupant at a time; no two occupants should be moving at the same time.

   a. Start with the driver and then proceed to the occupant sitting immediately to the driver's right and so on.

   b. After front row proceed to the next row back starting with the occupant on the driver's side.

3. Advise the occupants not to make any quick movements.

4. Order each occupant to remove their seatbelt and to roll their windows all the way down.

5. Order the driver of the vehicle to turn off the vehicle, remove the keys and slowly throw the keys out the window.

6. Order the driver to open the door from the outside and to slowly exit the vehicle, facing away from the officers, with his hands above his head.

7. Order the driver to slowly walk backwards toward the sound of your voice until he is a safe distance from you and the suspect vehicle.

   a. A backup officer, with his weapon holstered, will be next to the officer giving commands and will be prepared to take the occupant

into custody

8. Order the driver to slowly get into a kneeling position with his legs crossed at the ankles and his arms out to the side with palms facing backwards. An alternative approach would also be to have the occupant get into a prone position for handcuffing.

9. The backup officer will handcuff the occupant and escort him to the rear of a patrol vehicle and pat him down before securing him in the rear seat.

10. Repeat the process for all occupants of the vehicle.

Order #: I.33 **Date:** 08/28/2013
Category: DEPARTMENT ORDERS
Title: USE OF FORCE

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 33

SUBJECT: USE OF FORCE
EFFECTIVE DATE: IMMEDIATELY

CHIEF OF POLICE: Mark W. Ott

PURPOSE:

To establish guidelines for officers regarding the use of force.

POLICY:

Sworn law enforcement officers have been granted the extraordinary power to use force when necessary to accomplish lawful ends. That authority is grounded in the responsibility of every sworn law enforcement officer to comply with the laws of the State of New Jersey regarding the use of force and to comply with this policy. Equally important is law enforcement's obligation to prepare individual officers in the best way possible to exercise that authority. In situations where law enforcement officers are justified in using force, the utmost restraint should be exercised. The use of force should never be considered routine. In determining to use force, the law enforcement officer shall be guided by the principle that the degree of force employed in any situation should be only that reasonably necessary to accomplish lawful objectives.

This policy reinforces the responsibility of law enforcement officers to take those steps possible to prevent or stop the illegal or inappropriate use of force by other officers. Every law enforcement officer is expected and required to take appropriate action in any situation where that officer is clearly convinced that another officer is using force in violation of state law. Law enforcement officers are obligated to report all situations in which force is used illegally by anyone. This policy sends a clear message to law enforcement officers that they share an obligation beyond the requirements of the law. Officers are encouraged to do whatever they can to interrupt the flow of events before a fellow officer does something illegal and before any official action is necessary. Law enforcement officers can serve each other and the public by simply saying or doing the right thing to prevent a fellow officer from resorting to force illegally or inappropriately.

Deciding whether to use force when authorized in the conduct of official responsibilities is among the most critical decisions made by law enforcement officers. It is a decision that can be irrevocable. It is a decision that must be made quickly and under difficult, often unpredictable circumstances. Sound judgement and the appropriate exercise of discretion

will always be the foundation of police officer decision making in the broad range of possible use of force situations. It is not possible to entirely replace judgement and discretion with detailed policy provisions. Nonetheless, this policy is intended to provide the best guidance and direction possible to police officers when called upon to confront and address the most difficult situations. Law enforcement officers whose actions are consistent with state law and the provisions of this policy will be strongly supported by the law enforcement community in any subsequent review of their conduct regarding the use of force.

PROCEDURE:

I. DEFINITIONS:

A. CONSTRUCTIVE AUTHORITY

1. Constructive authority does not involve actual physical contact with the subject, but involves the use of the law enforcement officer's authority to exert control over a subject.

2. Examples include verbal commands, gestures, warnings and unholstering a weapon.

3. Pointing a firearm at a subject is an element of constructive authority to be used only in appropriate situations.

B. PHYSICAL CONTACT

1. Physical contact involves routine or procedural contact with a subject necessary to effectively accomplish a legitimate law enforcement objective.

2. Examples include guiding a subject into a police vehicle, holding the subject's arm while transporting, handcuffing a subject and maneuvering or securing a subject for a frisk.

C. PHYSICAL FORCE

1. Physical force involves contact with a subject beyond that which is generally utilized to effect an arrest or other law enforcement objective. Physical force is employed when necessary to overcome a subject's physical resistance to the exertion of the law enforcement officer's authority, or to protect persons or property.

2. Examples include wrestling a resisting subject to the ground, using wrist locks or arm locks, striking with hands or feet, or other

similar methods of hand to hand confrontation.

3. Strangle holds (also called "Choke" holds) are not to be considered a typical use of physical force. These type holds are only to be used in life threatening/preserving situations where other alternatives are unavailable or impractical. Strangle holds are to be considered a "Deadly Force Option".

   Strangle hold - a physical movement/action designed or intended to block circulation of oxygen or blood in the human body at the neck.

D. MECHANICAL FORCE

1. Mechanical force involves the use of some device or substance, other than a firearm, to overcome a subject's resistance to the exertion of a law enforcement officer's authority.

2. Examples include the use of a baton or other object, canine physical contact with a subject, or chemical or natural agent spraying.

E. DEADLY FORCE

1. Deadly force is force which a law enforcement officer uses with the purpose of causing, or which the officer knows creates a substantial risk of causing, death or serious bodily harm.

2. Purposely firing a firearm in the direction of another person or at a vehicle, building or structure in which another person is believed to be constitutes deadly force.

3. A threat to cause death or serious bodily harm, by the production of a weapon or otherwise, so long as the officer's purpose is limited to creating an apprehension that deadly force will be used if necessary does not constitute deadly force.

F. REASONABLE BELIEF

1. Reasonable belief is an objective assessment based upon an evaluation of how a reasonable law enforcement officer with comparable training and experience would react to, or draw inferences from, the facts and circumstances confronting and known by the law enforcement officer at the scene.

G. IMMINENT DANGER

1. Imminent danger describes threatened actions or outcomes that may occur during an encounter absent action by the law enforcement officer. The period of time involved is dependant on the circumstances and facts evident in each situation and is not the same in all situations.

2. The threatened harm does not have to be instantaneous, for example imminent danger may be present even if a subject is not at that instant pointing a weapon at the law enforcement officer, but is carrying a weapon and running for cover.

H. SUBSTANTIAL RISK

1. Any discharge of a firearm entails some risk of an unintended outcome. A substantial risk exists when a law enforcement officer disregards a foreseeable likelihood that innocent persons will be endangered.

2. For example, firing a weapon into a confirned space (room, vehicle, etc.) occupied by innocent persons exposes those persons to a substantial risk of harm.

I. LAW ENFORCEMENT OFFICER

1. Any person sworn to enforce the criminal laws of the State of New Jersey, who is certified by the Police Training Commission, or is currently employed by a public safety agency and is authorized to carry a firearm under N.J.S.A. 2C:39-6.

J. SERIOUS BODILY HARM

1. Any bodily harm that creates a substantial risk of death, or which is likely to cause serious permanent disfigurement or loss (or extended impairment of) the function of any bodily function or organ.

II. AUTHORIZATION AND LIMITATIONS

A. USE OF FORCE

1. A law enforcement officer may use PHYSICAL FORCE OR MECHANICAL FORCE when the officer reasonably believes it is immediately necessary at the time:

a. To overcome resistance directed at the officer or others;

or

b. To protect the officer, or a third party, from unlawful force;

or

c. To protect property;

or

d. To effect other lawful objectives, such as make an arrest.

B. USE OF DEADLY FORCE

1. A law enforcement officer may use DEADLY FORCE only when the officer reasonably believes such action is immediately necessary to protect the officer or another person from imminent danger of death or serious bodily harm.

2. A law enforcement officer may use deadly force to prevent the escape of a fleeing suspect:

   a. Whom the officer has probable cause to believe has committed an offense in which the suspect caused or attempted to cause death or serious bodily harm;

   and

   b. Who will pose an imminent danger of death or serious bodily harm should the escape succeed;

   and

   c. When the use of deadly force presents no substantial risk of injury to innocent persons.

3. If feasible, a law enforcement officer should identify himself/herself and state their intention to shoot before using a firearm.

C. RESTRICTIONS ON THE USE OF DEADLY FORCE

1. A law enforcement officer is under no obligation to retreat or desist when resistance is encountered or threatened. However, a law enforcement officer shall not resort to the use of deadly force if the officer reasonably believes that an alternative to the use of deadly force will avert or eliminate an imminent danger of death or serious

bodily harm and achieve the law enforcement purpose at no increased risk to the officer or another person.

2. A law enforcement officer shall not use deadly force to subdue persons whose actions are only destructive to property.

3. Deadly force shall not be used against persons whose conduct is injurious only to themselves.

4. Under current state statutes the discharge of any projectile from a firearm is considered to be deadly force, including less lethal means such as beanbag ammunition or rubber bullets. For that reason, these and similar less lethal means of deadly force can only be used when an officer reasonably believes such action is immediately necessary to protect the officer or another person from imminent danger of death or serious bodily harm.

5. A law enforcement officer shall not discharge a weapon as a signal for help or as a warning shot.

6. While any discharge of a firearm entails some risk, discharging a firearm at or from a moving vehicle entails even greater risk of death or serious injury to innocent persons. The safety of innocent persons is jeopardized when a fleeing suspect is disabled and looses control of his or her vehicle. There is also a substantial risk of harm to occupants of the suspect vehicle who may not be involved or involved to a lessor extent, in the actions which necessitated the use of deadly force.

    a. Due to this greater risk and considering that firearms are not generally effective in bringing moving vehicles to a rapid halt, officer shall not fire from a moving vehicle or at the driver or occupant of a moving vehicle unless the officer reasonably believes:

        i. There exists an imminent danger of death or serious bodily harm to the officer or another person;

        and

        ii. No other means are available at the time to avert or eliminate the danger.

    b. A law enforcement officer shall not fire a weapon solely to disable moving vehicles.

7. Officers shall not cause deadly force to be used by taking unnecessary or unreasonable action, thereby forcing, the use of Deadly Force. Example, purposely placing himself/herself in front of a moving vehicle.

D. EXHIBITING A FIREARM

1. A law enforcement officer shall not unholster or exhibit a firearm except under any of the following circumstances:

   a. For maintenance of the firearm

   b. To secure the firearm

   c. During training exercises, practice or qualification with the firearm

   d. When circumstances create a reasonable belief that it may be necessary for the officer to use the firearm

   e. When circumstances create a reasonable belief that display of a firearm as an element of constructive authority helps establish or maintain control in a potentially dangerous situation in an effort to discourage resistance and ensure officer safety.

III. POST USE OF FORCE PROCEDURES

A. Following any use of force against an individual, officers shall be responsible to monitor and assess the individual's condition and provide or summon medical assistance as reasonably required. This assessment shall take place as soon as practical taking into consideration the overall operation and the number and extent of injuries present.

B. If emergency medical services are summoned to treat an injured subject, who is under arrest, the arrestee shall remain handcuffed unless otherwise directed by medical personnel. If transportation to a medical facility is required, the arrestee shall remain under constant guard.

C. When the use of force by an officer of this department results in injury to any person, or an officer employs deadly force, the Officer In Charge (OIC) shall be immediately summoned to the scene of the incident. Depending on the level of the force utilized and/or extent of injuries sustained, crime scene security and precautions shall be considered.

D. All use of force incidents involving officers of this department shall be thoroughly documented and where necessary investigated in accordance with the provisions of this written directive.

IV. USE OF FORCE INCIDENTS RESULTING IN FATALITIES OR SERIOUS BODILY HARM

A. If an officer of this department is involved in an incident where the officer's actions or use of force in a fatality or serious bodily harm to any person, supervisory personnel on scene shall be responsible to ensure the following occurs:

1. If the officer received any injuries as a result of the incident, he shall be taken to the nearest appropriate medical facility for treatment.

2. Otherwise the officer directly involved in causing the fatality or serious bodily harm shall be removed from the incident location at the earliest possible opportunity and brought to police headquarters to facilitate the continuing investigation.

3. The officer shall be relieved of his/her regular duties and reassigned until such time as a thorough investigation has been completed.

4. If the officer's firearm was involved, the firearm, holster, and all remaining ammunition shall be turned over to the assigned Internal Affairs investigator.

5. Critical incident stress counseling shall be made available to the officer(s) involved and their families (EAS or through local Union).

6. The Chief of Police may require a Fitness For Duty Evaluation.

7. The officer shall remain on administrative reassignment until the Chief of Police approves his/her return to full duty.

B. The Cumberland County Prosecutor's Office must be notified immediately following any use of force by an officer involving death or serious bodily injury to a person, or where deadly force is employed with no injury (to include unintended discharges of firearm) or where any injury to a person results from the use of a firearm by an officer. Immediate notification means the notification must occur before any investigation of the incident is undertaken other than to secure the scene and to render medical assistance as required by the circumstances.

V. OFFICER IN CHARGE RESPONSIBILITY

A. Whenever an Officer In Charge (OIC) is notified of a use of force incident involving an on or off duty officer of this department occurring in the City of Bridgeton, it shall be the OIC's responsibility to promptly respond to the appropriate location to commence a preliminary investigation into the incident and then notify the Patrol Bureau Commander.

B. The chain of command shall make notifications upward to the Chief of Police.

C. Incidents that have resulted in minor or alleged injury shall be documented by the OIC and forwarded through the chain of command.

1. The OIC shall ensure that the involved officer submits all required reports, including a properly completed Use of Force Report.

2. The OIC shall complete a special report documenting the investigation of the use of force and shall forward same to the appropriate Bureau Commander.

D. In addition to the above stated reporting requirements, whenever an incident results in serious injury (requiring hospitalization) or death, the following actions must be completed by the OIC.

1. Notification to the appropriate Bureau Commander and in cases of fatality, the Chief of Police.

2. Establishment of crime scene security and precautions.

3. Detective Bureau and Professional Standards Bureau assistance.

4. Notification to Cumberland County Prosecutor's Office.

E. Incidents involving the use of force and/or firearms discharge by off duty officers that occur outside the boundaries of the City of Bridgeton shall require the following action on the part of the OIC:

1. Collection of preliminary data regarding the event and notification to the Chief of Police through the chain of command.

2. Provide the officer with instructions regarding their obligations as defined in this written directive.

3. Establish contact with the investigating law enforcement agency and determine what assistance, if any, the department can provide.

VI. NOTIFICATION AND REPORTING REQUIREMENTS

A. The reporting requirements contained herein shall apply to all officers on and off duty. Specifically exempted from these requirements is force employed in training situations and exercises, however, should anyone receive injuries as a result of force utilized by an officer in a training situation, the incident must be reported.

B. In all instances when an officer utilizes physical, mechanical, or deadly force against or toward any person, the officer is required to submit a Use of Force Report.

1. The report shall be submitted by the end of the officer's tour of duty unless extenuating circumstances exist which prevent the officer from completing the report.

C. The Use of Force Report must be completed in its entirety and must be reviewed by an OIC.

D. Completed Use of Force Reports shall be forwarded to the appropriate Bureau Commander for review. The appropriate Bureau Commander will forward them to the Professional Standards Bureau for review and filing.

1. This system of multi-layered review is intended to bring any problematic issues to light at the earliest opportunity.

2. Reviewing supervisors are expected to examine the incident to ensure that existing policy has been followed, identify and define potential training needs, evaluate the effectiveness of the weapons and/or tactics utilized, and lastly to initiate disciplinary action if necessary.

E. The OIC shall notify the Cumberland County Prosecutor's Office immediately when the use of physical, mechanical or deadly force results in death or serious bodily injury or when an injury of any degree results from the use of a firearm.

F. An Annual Use of Force Summary Report shall be prepared by the Professional Standards Bureau Commander documenting all use of physical mechanical or deadly force by officers of this department. A copy of the report shall be forwarded to the Chief of Police, and to the Cumberland County Prosecutor's Office.

G. The use of force by any officer that results in actual or alleged injury to any person shall be reported to the OIC as follows:

1. If the injury appears serious, the OIC shall be notified immediately.

2. If the injury is minor or alleged, the OIC shall be notified once the arrestee has been transported to police headquarters.

3. Notwithstanding the above, any utilization of deadly force shall be immediately reported to the OIC regardless of the presence or absence of injury to any degree.

H. The discharge of any firearm by an officer of this department, whether intentional or unintentional, shall be reported to the department through the OIC as soon as practical. If the discharge occurs on duty, whether or not injury to any person results, this notification shall be made immediately after the incident occurs.

1. Officers are required to control the situation to whatever degree possible until assistance arrives. This shall include:

   a. Emergency assistance to injured persons.

   b. Search for additional suspects or weapons.

   c. Crowd control and crime scene preservation.

   d. Requesting immediate assistance as necessary.

   e. A special report shall not be required if all circumstances surrounding the event are documented in standard investigation (IR) or supplemental investigation (SUPP) reports.

2. Officers shall complete and submit a Special Report providing the particular information concerning the location and circumstances of the discharge.

   a. For officers on duty this report shall be completed and submitted by the end of the officer's tour of duty.

   b. For off duty officers, this report shall be completed and submitted as soon as possible after the incident but in no event shall the time exceed twenty-four hours.

   c. In the event that a officer is incapacitated or fatally wounded as a result of the incident, the officers Bureau Commander or the Captain of Police shall complete this report.

d. In the event that any firearm discharge by an officer of this department results in a fatality, regardless of their duty status or location of the incident, the officer shall immediately notify the department through the duty OIC.

3. Weapons discharged as a result of the humane destruction of injured, sick or vicious animals conducted in accordance with the written training bulletin (T09-021) covering such activity.

4. Specifically excluded from this notification and reporting requirement is the discharge of any weapon for training or hunting activities, provided however, if any person should be injured as a result of such training or hunting activity, the notification and reporting requirement shall stand.

VII. TRAINING AND QUALIFICATION REQUIREMENTS

A. Use of Force training will be conducted on a semi-annual basis. All officers are required to receive training, and proper documentation is the responsibility of the department training coordinator (Services Sergeant). The training shall include the current standards established by statutory and case law, as well as, state and county policy. Additional mandatory topics include, but shall not be limited to:

1. The use of force in general.

2. The use of physical and mechanical force.

3. The use of deadly force.

and

4. The limitations that govern the use of force and deadly force.

B. Prior to receiving authorization to carry any agency issued or approved weapon, officers are required to attend agency-approved or Police Training Commission approved training for the weapon. The training shall be comprehensive in nature and should include a mixture of classroom instruction and practice, followed by officer testing to demonstrate proficiency. Agency training shall include instructions on use of force issues, as well as, lethal and non-lethal weapons.

C. Officers must successfully pass an applicable qualification course, or otherwise satisfactorily demonstrate proficiency to a certified instructor, prior to being granted authorization to carry agency-approved weapons.

D. All training and qualification sessions must be properly documented and the records must be promptly forwarded to the department training officer for inclusion in the officer's training file (and IMPACT).

E. Re-Qualification sessions for department authorized firearms shall be monitored by a certified firearms instructor and shall occur twice a year.

F. Re-Qualification sessions for other weapons or tools shall be monitored by a certified instructor with that device or a certified M.O.I. instructor and shall occur at a minimum of every 2 years.

a. Pepper Spray

b. Baton

c. Other

G. The failure of an officer to qualify is addressed in the Firearms, Weapons and Tools policy (I.19).

VIII. PROHIBITIONS

A. Officers shall not carry or use any weapon or ammunition that has not been approved for use, in writing, by the Chief of Police or Department Rangemaster. This provision shall apply to officers while on or off duty.

IX. VIOLATIONS

A. Violations of this Directive shall be handled as progressive disciplinary issues and on a case by case basis depending on the seriousness of the issue.

Order #: I.34. **Date:** 10/01/2014
Category: DEPARTMENT ORDERS
Title: VEHICLE PURSUIT DIRECTIVE

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: I
CHAPTER: 34

SUBJECT: VEHICLE PURSUITS
EFFECTIVE DATE: 10-1-2014

CHIEF OF POLICE:Mark W. Ott

PURPOSE OF POLICY

The primary purpose of this policy is to secure a balance between the protection of the lives and safety of the public and police officers, and law enforcement's duty to enforce the law and apprehend violators. Since there are numerous situations which arise in law enforcement that are unique, it is impossible for this policy or any standard operating procedure to anticipate all possible circumstances. Therefore, this policy is intended to guide officer's discretion in matters of vehicular pursuit.

Deciding whether to pursue a motor vehicle is among the most critical decisions made by law enforcement officers. It is a decision which must be made quickly and under difficult, often unpredictable circumstances. In recognition of the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for a decision not to engage in a vehicular pursuit or to terminate an ongoing vehicular pursuit based on the risk involved, even if circumstances where this policy would permit the commencement or continuation of the pursuit. Likewise, police officers who conduct pursuits consistent with this policy will be strongly supported by the law enforcement community in any subsequent review of such actions.

It must be further noted that the City of Bridgeton is an urban environment with few if any open areas. This in and of itself suggests that prior to engaging in a vehicular pursuit the officer must be aware that at almost every turn during the course of a pursuit, so long as the matter remains inside the City, the next turn will almost certainly be a densely populated area.

DEFINITIONS:

A. AUTHORIZED TIRE DEFLATION DEVICE: A device designed and intended to produce a controlled deflation of one or more tires of a pursued vehicle, and capable of operation consistent with criteria established in this policy.

B. BOXING IN: The surrounding of a violator's moving vehicle with moving pursuit vehicles which are then slowed to a stop along with the violator's vehicle.

C. DIVIDED HIGHWAY: A road which includes a physical barrier between traffic traveling in opposite directions.

D. HEADING OFF: An attempt to terminate a pursuit by pulling ahead of, behind or toward a violator's moving vehicle to force it to the side of the road or to otherwise come to a stop.

E. LAW ENFORCEMENT OFFICER: Any person sworn to uphold the laws of the State of New Jersey Vehicular Pursuit Policy, and who is certified by the Police Training Commission or whose training has included Pursuit/Emergency Driving, and who is currently employed by a public safety agency.

F. PARALLELING:

1. STREET PARALLELING: Driving a police vehicle on a street parallel to a street on which a pursuit is occurring.

2. VEHICLE PARALLELING: A deliberate offensive tactic by one or more patrol vehicles to drive alongside the pursued vehicle while it is in motion.

G. PURSUIT DRIVING: Pursuit driving is an active attempt by a law enforcement officer operating a motor vehicle and utilizing emergency warning lights and an audible device to apprehend one or more occupants of another moving vehicle when the officer reasonably believes that the driver of the fleeing vehicle is aware of the officer's attempt to stop the vehicle and is resisting apprehension by increasing vehicle speed, ignoring the officer or otherwise attempting to elude the officer.

H. PURSUIT VEHICLES:

1. PRIMARY UNIT: The police vehicle that initiates a pursuit or any unit that assumes control of the pursuit as the lead vehicle (the first police vehicle immediately behind the fleeing suspect).

2. SECONDARY UNIT: Any police vehicle which becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

I. ROADBLOCK: A restriction or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a violator.

1. AVENUE OF ESCAPE: A gap in a roadblock which requires the violator to decrease the vehicle's speed to permit the violator to

bypass the roadblock

2. BLOCKING VEHICLE: A motor vehicle, often a law enforcement vehicle, which is placed perpendicular to a roadway or angled in such a way as to create a roadblock.

J. SUPERVISOR: A police officer who, by virtue of rank or assignment, is responsible for the direction or supervision of the activities of other police officers.

K. VEHICLE CONTACT ACTION: Any action undertaken by the pursuing officer intended to result in contact between the moving police vehicle and the pursued vehicle.

L. VIOLATOR: Any person who a police officer reasonably believes:

1. Has committed an offense of the 1st or 2nd degree or an offense enumerated in Appendix A of this policy

or

2. Poses an immediate threat to the safety of the public or other police officers.

PROCEDURE

I. DECIDING WHETHER TO PURSUE

A police officer has the authority, at all times, to attempt the stop of any person suspected of having committed any criminal offense or traffic violation. It is clear that while it is the officer who initiates the stop, it is the violator who initiates the pursuit. The officer's decision to pursue should always be undertaken with an awareness of the degree of risk to which the law enforcement officer exposes himself and others. The officer must weigh the need for immediate apprehension against the risk created by the pursuit.

A. AUTHORIZATION TO PURSUE

1. A police officer may only pursue

a. When the officer reasonably believes that the violator has committed an offense of the 1st or 2nd degree, or an offense enumerated in Appendix A of this directive

or

b. When a police officer reasonably believes that the violator poses an immediate threat to the safety of the public or other police officers.

2. Pursuit for motor vehicle offenses is not authorized under the above criteria unless the violator's vehicle is being operated so as to pose an immediate threat to the safety of another person.

B. In the event that one of the authorization requirements is satisfied, a pursuit should not be automatically undertaken. An officer must still consider the following factors:

1. Likelihood of successful apprehension

2. Whether the identity of the violator is known to the point where later apprehension is possible

3. Degree of risk created by pursuit

a. Volume, type, speed and direction of vehicular traffic

b. Nature of the area:

- Residential

- Commercial

- School Zone

- Open Highway

- Etc.

c. Population density and volume of pedestrian traffic

d. Environmental factors such as weather and darkness

e. Road conditions:

- Construction

- Poor Repair

- Extreme Curves

- Intersections controlled by traffic signals or signs

- Ice

- Etc.

4. Police Officer characteristics

   a. Driving skills

   b. Familiarity with roads

   c. Condition of police vehicle

C. TERMINATING THE PURSUIT

1. The pursuing officer SHALL terminate the pursuit

   a. If instructed to do so by a supervisor

      or

   b. If the officer believes that the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the violator

      or

   c. If the violator's identity is established to the point where later apprehension may be accomplished and where there is no immediate threat to the safety of the public or police officers

      or

   d. If the pursued vehicle's location is no longer known or the distance between the pursuing vehicles and the violator's vehicle becomes so great that further pursuit is futile

      or

   e. If there is a person injured during the pursuit and there are no police or medical personnel able to render assistance

      or

   f. If there is a clear and unreasonable danger to the police officer or the public. A clear and unreasonable danger exists

when the pursuit requires that the vehicle being driven at excessive speeds or in any other manner which exceeds the performance capabilities of the pursuing vehicles or police officers involved in a pursuit

or

g. If advised of any unanticipated condition, event or circumstance which substantially increases the risk to public safety inherent in the pursuit.

II. ROLE OF THE PURSUING OFFICER

A. The decision to initiate and/or continue a pursuit requires weighing the need to immediately apprehend the violator against the degree of risk to which the officer and others are exposed as a result of the pursuit.

B. Upon the commencement of a pursuit, the pursuing officer will immediately activate emergency lights, audible device and headlights.

C. Once the pursuit has been initiated, the primary unit must notify communications and a superior officer providing as much of the following information as is known:

1. Reason for the pursuit

2. Direction of travel, designation and location of roadway

3. Identification of the violator's vehicle: year, make, model, color, vehicle registration number and other identifying characteristics

4. Number of occupants

5. The speed of the pursued vehicle

6. Other information that may be helpful in terminating the pursuit resolving the incident.

III. VEHICULAR PURSUIT RESTRICTIONS

A. No pursuits will be conducted:

1. In a direction opposite the flow of traffic on a divided highway.

2. In a police vehicle in which an individual who is not a law enforcement officer is either the driver or passenger.

B. No more than two police vehicles (primary unit and secondary unit) shall become actively involved in a pursuit unless otherwise specifically directed by a supervisor.

C. A motorcycle officer may initiate a pursuit, but will relinquish primary unit status immediately upon the participation of a marked police vehicle.

D. An unmarked police vehicle will not participate in a vehicular pursuit unless it is equipped with an emergency light and an audible device. The unmarked car shall relinquish primary unit status immediately upon the participation of a marked vehicle.

E. To diminish the likelihood of a pursuit, a police officer intending to stop a vehicle for any violation of the law shall, when and without creating a threat to public safety, close the distance between the two vehicles prior to activating emergency lights and an audible device. Police officers shall recognize that while attempting to close the distance and prior to the initiation of a pursuit and the activation of emergency lights and an audible device, they are subject to all motor vehicle laws governing the right of way (e.g.N.J.S.A. 39:4-91 and 39:4-92).

F. Throughout the course of a vehicular pursuit, pursuing officers shall not attempt to overtake or pass the violators moving vehicle.

G. During the course of a pursuit and when approaching an intersection controlled by traffic signals or signs, or any other location at which there is a substantially increased likelihood of collision, the operator of any pursuit vehicle shall, prior to entering the intersection, reduce the vehicle's speed and control the vehicle so as to avoid collision with another vehicle or a pedestrian. The officer shall observe that the way is clear before cautiously proceeding through the intersection. At all other times including an attempt to close the distance prior to the initiation of a pursuit, police officer shall observe the applicable laws governing the right of way at intersections and other locations.

H. Officers involved in a pursuit will not engage in vehicle paralleling.

I. There shall be no street paralleling along the route unless the pursuit passes through a patrol's assigned area. A patrol that is parallel-street-pursuing shall not join or interfere with a pursuit, and shall stop all pursuit-related activity at the boundary of its assigned area.

J. Boxing in or heading off a violator's moving vehicle is permitted only under extraordinary circumstances. These tactics substantially increase the risk inherent in the pursuit and shall only be employed:

1. At low speeds

   and

2. With the approval of a supervisor,

   or

3. In response to an imminent threat to the safety of the public or a police officer.

K. Roadblocks must only be employed as a last resort in circumstances where deadly force would otherwise be justified.

1. The use of a roadblock must be authorized by a supervisor.

2. At no time will a roadblock be established until all pursuing police vehicles are made aware of the roadblock and its location and have acknowledged this awareness.

3. Once a roadblock has been established and a vehicle or barricade has been positioned in the roadway, there shall be:

   a. Adequate distance to see the roadblock

   b. An avenue of escape

   c. No one in the blocking vehicle(s)

L. Officers involved in a pursuit shall not fire any weapon from or at a moving vehicle nor engage in any vehicle contact action except as a last resort to prevent imminent death or serious injury to the officer or another person where deadly force would otherwise be justified.

IV. AUTHORIZED TIRE DEFLATION DEVICES

A. Law enforcement agencies may choose to utilize authorized tire deflation devices during the course of a vehicular pursuit. Agencies which choose to employ this strategy may only utilize devices authorized by this policy. As with all operational decisions made during the conduct of a vehicular pursuit, the use of such devices is subject to the assessment of inherent risk balanced against the need to apprehend a fleeing offender.

B. To be authorized for deployment and use under the vehicular pursuit policy, the tire deflation device must:

1. Be capable of producing a controlled deflation of one or more tires of a pursued vehicle;

2. Be capable of being deployed or activated immediately before the pursued vehicle drives over it, and removed or deactivated immediately after the pursued vehicle drives over it;

   and

3. Allow the officer to remain a safe distance from the roadway at the time of deployment or activation.

C. Prior to the deployment and use of an authorized tire deflation device, the law enforcement agency shall

1. Modify its vehicular pursuit policy to provide for the proper use of the authorized tire deflation device;

   and

2. Train all officers in the use of the authorized tire deflation device.

   a. Training must include practical, hands-on operation of the authorized tire deflation device.

D. Use of an authorized tire deflation device:

1. An authorized tire deflation device may be utilized only after supervisory approval.

2. An authorized tire deflation device shall not be used to stop motorcycles, mopeds or similar vehicles.

3. The authorized tire deflation device should not be used in locations where specific geographic features increase the risk of serious injury to the officer, violator or public;

   - Sharp curves

   - Steep embankments

   - Alongside rivers

   - etc.

4. Deployment locations should have reasonably good sight distances to enable the officer to observe the pursuit and other traffic as it approaches.

5. The officer deploying the authorized tire deflation device should not attempt to overtake and pass a high speed pursuit in order to position the device.

E. Deployment

1. The officer deploying the authorized tire deflation device should do so from a position of safety.

2. The officer deploying the authorized tire deflation device should be in position to allow sufficient time for deployment.

3. The supervisor must coordinate the efforts of all law enforcement units involved in the pursuit.

4. The communications operator shall notify all units of the location of the authorized tire deflation device deployment.

F. Use of the authorized tire deflation device

1. The officer operating the authorized tire deflation device should take a position of safety as the pursued vehicle approaches.

2. The officer shall deploy or activate the authorized tire deflation device immediately before the pursued vehicle arrives at the point where it would impact the device.

3. The officer shall remove or deactivate the device immediately after the pursued vehicle goes over the authorized tire deflation device.

4. The officer should immediately notify communications if the pursued vehicle impacted the authorized tire deflation device, if the officer observed any signs of deflation, and the direction and operation of the pursued vehicle after the impact.

G. Reporting

1. After deployment or use of the authorized tire deflation device, the law enforcement agency shall include at least the following information in the narrative of the vehicle pursuit report:

a. Date, time and location of deployment and activation

b. Officer who deployed and activated the authorized tire deflation device

c. Results of the use of authorized tire deflation device:

- On the pursued vehicle;

- On other vehicles, property or people;

and

- On the authorized tire deflation device itself

V. ROLE OF THE SUPERVISOR

Upon being notified or becoming aware of the pursuit, the supervisor shall decide as quickly as possible whether or not the pursuit should continue.

A. The supervisor shall permit a pursuit to continue on if:

1. There is a reasonable belief that the violator committed an offense of the 1st or 2nd degree, or an offense enumerated in Appendix A or this policy;

or

2. There is a reasonable belief that the violator poses an immediate threat to safety of the public or other police officers.

B. The supervisor shall order a pursuit terminated at any time if he or she concludes that the danger to the pursuing officers or the public outweighs the necessity for immediate apprehension of the violator.

C. The supervisor shall order the pursuit terminated if the suspect's identity is established to the point where later apprehension may be accomplished and where there is no immediate threat to public safety.

D. In recognition of the overall population density and volume of vehicular traffic in this State, and the increased risk attendant to prolonged vehicular pursuits, a supervisor shall order the termination of any pursuit of protracted duration unless the supervisor determines that further pursuit is justified to respond to an immediate threat to public safety.

E. The supervisor shall ensure, for the duration of the pursuit, that this policy

and agency procedures are followed by all officers.

VI. ROLE OF POLICE COMMUNICATIONS

A. The communications operator shall:

1. Immediately notify a police supervisor of a pursuit in progress if a supervisor has not already been otherwise notified;

2. Keep the supervisor apprised of the duration and progress of the pursuit.

B. When possible, a police supervisor shall determine whether there is a need to assume control over and coordinate pursuit related communications.

C. Call for all non-emergent radio traffic to cease. The desk officers shall whenever possible repeat whatever the pursuing officers are saying to confirm what was said and to make certain the supervisor and other officers are clear on what is going on. The supervisor should make certain that the pursuing officer(s) are updating on a constant basis:

1. Speed

2. Direction of travel

3. Location

4. Traffic/Pedestrian Conditions

5. Other important information

VII. REINSTATING PURSUITS

A. Reinstatement of any previously terminated pursuit shall be undertaken consistent with the authorization criteria for originally initiating a pursuit.

VIII. INTER-JURISDICTIONAL PURSUITS

A. The original pursuing jurisdiction shall provide timely notification of a pursuit in progress to any other jurisdiction into which the pursuit enters.

1. Notifying another jurisdiction that a pursuit is in progress is not a request to join the pursuit. The pursuing agency shall advise if assistance is necessary. Whenever the pursuing officers are unfamiliar with the roadways and terrain of the jurisdiction into which the pursuit has entered, the pursuing agency shall, when

possible, seek the assistance of, and be prepared to relinquish the pursuit to, the other agency.

IX. PURSUIT REPORTING

A. All law enforcement officers who operate law enforcement vehicles in vehicular pursuit situations shall be required to file a pursuit incident report. Pursuit incident reports are to be filed whenever a pursuit occurs:

The working supervisor during any pursuit shall file the Pursuit Report and forward same to the Patrol Bureau Commander, who after reviewing same shall forward the report to the Professional Standards Bureau for filing.

Officers involved in any facet of the pursuit shall file either the original investigation report or a supplemental investigation report, which will include at a minimum, the following information:

1. Location, date and time of pursuit initiation.
2. Location, date and time of pursuit termination.
3. Highest speed achieved, weather conditions, road surface conditions and description of pursuit area.
4. Reasons for initiating and terminating pursuit.
5. Consequences of the pursuit, such as crashes, injuries or deaths.
6. Whether or not the violator was apprehended.
7. The offenses with which the violator was charged.
8. All other pertinent information.

B. All law enforcement agencies are required to prepare an annual agency Vehicular Pursuit Summary Report for submission to the County Prosecutor. This shall be handled by the Professional Standards Bureau Commander. The annual report shall be submitted on the Police Vehicular Summary Report Form and shall contain the following information:

1. Total number of pursuits.
2. Number of pursuits resulting in crash, injury, death and arrest.

3. The number and type of vehicles involved in crashes (police, violator, and third parties).

4. A description of individuals injured or killed (police, violator and third parties).

5. The number of violators involved and arrested in pursuit incidents, including passengers.

6. The number of pursuits in which authorized tire deflation devices were used.

X. VEHICULAR PURSUIT REVIEW

A. The Bridgeton Police Department hereby establishes a review procedure for all pursuits involving Bridgeton Police Personnel.

B. The Patrol Bureau Commander (PBC) in Charge of the Platoon involved shall in the case of every pursuit carried out during their Platoons work hours gather together the following information:

1. Copies of all reports generated as result of the incident

2. Copies of transmission/telephone tapes regarding incident

3. Copy of pursuit report

4. MVR recordings

5. GPS reports

Having obtained these items the PBC shall contact the Police Captain to report the fact that there has been a pursuit. The police Captain will then arrange for a group meeting involving the following:

1. Police Captain

2. Patrol Bureau Commander (Platoon Involved)

3. Professional Standards Bureau Commander

These officials shall meet to review the file and determine:

1. If the pursuit was reasonable

2. Properly handled

3. Training needs have been identified

4. Disciplinary issues discussed

5. Other relevant data

At the conclusion of the meeting the gathered information shall be put together to form an IA file on the review and appropriate steps will be put forth as identified during the meeting (if any) and submitted to the Chief of Police for final review and determination.

C. Every law enforcement agency shall conduct an investigation when one of its vehicles collides with another vehicle or any other object during the course of a pursuit. The investigation shall determine whether the collision could have been prevented. A copy of the report shall be made available to the county prosecutor. In every case where the collision could have been prevented, the report shall set forth the actions taken by the agency to address the cause or causes of the collision (e.g. remedial training, revision of department policy, disciplinary action, etc).

XI. TRAINING

A. All officers shall attend in-service vehicular pursuit training twice annually.

B. Vehicular pursuit training shall consist of knowledge of applicable statutes, familiarization with statewide police pursuit policy and departmental procedures, decision making skills, and the use of an authorized tire deflation device if employed by the agency.

C. An annual report shall be filed with the county prosecutor and it will include:

1. The POLICE VEHICULAR PURSUIT SUMMARY REPORT

and

2. Confirmation that all officers received semi-annual Vehicular Pursuit Training.

APPENDIX "A":

Offenses in addition to those of the 1st & 2nd Degree for which vehicular pursuit may be authorized under subsection IA(1)(a):

VEHICULAR HOMICIDE 2C:11-5 (2nd Degree)

AGGRAVATED ASSAULT 2C:12-1b

CRIMINAL RESTRAINT 2C:13-2

AGGRAVATED CRIMINAL SEXUAL CONTACT 2C:14-3a

ARSON 2C:17-1b

BURGLARY 2C:18-2

AUTOMOBILE THEFT 2C:20-2

THEFT BY EXTORTION 2C:20-5

ESCAPE 2C:29-5

MANUFACTURING, DISTRIBUTING OR DISPENSING OF CDS 2C:35-5b

Order #: II.30 **Date:** 01/07/2010
Category: DEPARTMENT ORDERS
Title: ZOO ANIMAL ESCAPE PLAN

BRIDGETON POLICE DEPARTMENT
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 30
SUBJECT: ZOO ANIMAL ESCAPE PLAN
EFFECTIVE DATE:
CHIEF OF POLICE: COURTLANDT A. TURNER

PURPOSE

The purpose of this order is to provide the members of this agency with a basic guide should any of the dangerous animals' escape from the city's zoo. This is an update of the policy effective in 1993 to the present.

STATEMENT

An animal escape from the zoo, which involves a species as listed herein as Most Dangerous or as Potentially dangerous, will have to be addressed as a priority by the police department. A large cat or primate is capable of movement over long distances in short periods of time. These animals should legitimately be considered as unpredictable. They should be captured or destroyed in a safe and humane manner.

1. Escape definition

   Any animal that breeches its inner area of confinement shall be considered an escaped animal. Some offer little danger to the public, while other species are considered highly dangerous. Police activities should conform as closely as possible to the following guidelines in the event of an escape.

2. On Zoo Grounds

   A. An animal breaching its inner area of confinement yet still within the fenced zoo compound will be the responsibility of zoo staff.

      (1) Zoo staff will immediately notify the police department of such escape and the type of animal or animals involved.

      (2) Police will respond to the zoo as directed by the shift supervisor, and act as back up and assistance to the zoo employees.

      a. Once on scene, the responding officers shall be responsible

for the necessary destruction of any animal, as directed by the zoo curator.

b. Officers assigned should be those available with the best qualifying shotgun scores.

c. The Chief of Police and the Patrol Division Commander will be notified of the animal escape immediately upon dispatching units to the scene.

(3) A shotgun will be the weapon of choice by the responding officers, when it is necessary to destroy an animal.

a. A 12 gauge using 00 buckshot for primates and smaller dangerous animals.

b. A 12 gauge using rifled slug loads for the larger cats, bear, etc.

B. The officers will operate under direction of a superior officer, in conjunction with the input and guidance of the zoo curator.

3. Off Zoo Grounds

A. An animal breaching all Z00 security fences and having access to numerous escape routes and the general public becomes the primary responsibility of the police.

B. Zoo personnel will lend all possible assistance to the police in such event.

C. The unit or units responding will, upon dispatch to an animal escape, proceed to the zoo in a rapid yet safe manner, prepared for the emergency.

D. The chief and patrol commander will be notified immediately of the free ranging of the animal and species involved.

E. Units will be assigned to make general notification to immediate area residents via the public address system, warning of the escape of a dangerous or potentially dangerous animal.

F. Should an animal need to be destroyed, the 12 gauge shotgun is the weapon of choice. Reference section 2.A. (3), "a" and "b" of this order.

4. Building or Compound Fire

A. Officers responding to a building or compound fire within the zoo grounds will follow the directions of the zoo curator. A superior officer shall give the actual

order regarding the police involved destruction of any exhibit animal or animals.

B. If such becomes necessary, it will be accomplished in the most humane manner possible.

C. Any injured or wounded dangerous animals escaping the compound in the course of a fire shall be destroyed in a safe and humane manner.

5. Animal Lists

Should any of the following "Most Dangerous" zoo animals breech the perimeter fence, they should be shot on sight (3/17/98 Memo from Jay Christie, Zoo Curator). Those listed as "Potentially Dangerous" should, if it can be accomplished safely, be treed or cornered from a safe distance so that zoo personnel may attempt to take them without the use of deadly force. Any other zoo animals should be considered inoffensive and can remain at liberty indefinitely without concern for public safety (Christie's memo).

A. Most Dangerous

(1) Tigers
(2) Leopards (Black and Spotted)
(3) Black Bears
(4) Gibbons apes

B. Potentially Dangerous

(1) Ocelot
(2) Arctic foxes
(3) Coatis
(4) Ring-tailed lemurs
(5) Alligators
(6) Python
(7) Boa
(8) Reindeer
(9) Llamas

Order #: II.31 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: AMBER ALERT PLAN

BRIDGETON POLICE DEPARTMENT
Chief of Police Directive
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 31
REVISION DATE: 6-30-2010

SUBJECT: THE "AMBER" ALERT PLAN

EFFECTIVE DATE: Immediately
CHIEF OF POLICE:Chief Mark W. Ott

PURPOSE:

The AMBER Plan is a voluntary partnership between law enforcement agencies and broadcasters to activate an urgent bulletin in the most serious child-abduction cases. Broadcasters use the Emergency Alert System (EAS), formerly called the Emergency Broadcast System, to air a description of the missing child and suspected abductor. This is the same concept used during severe weather emergencies. The goal of the AMBER Alert is to instantly galvanize the entire community to assist in the search for and safe return of the child.

The New Jersey State Police implemented the AMBER Alert Plan on August 5th, 2002. The policy was revised April 28th, 2010. All law enforcement must work together to ensure AMBER alerts are not abused, leading to lack of trust by law enforcement and the public.

ACTIVATION PROCEDURE:

A. AMBER alerts are intended to be issued when there is reason to believe that a child has been abducted and may be in danger of death or serious bodily injury. AMBER ALERTS are not intended for all missing child incidents, runaways, or child custody situations, and it is the responsibility of all law enforcement agencies to make certain that the AMBER ALERT system is not abused. The misuse of the AMBER ALERT system would lead to a lack of confidence by members of the general public whose assistance is being sought.

   The activation of an AMBER ALERT in any case where there is no objectively reasonable basis to believe that a child has been abducted and may be in danger of death or serous bodily injury would undermine the program's effectiveness by

leading citizens to pay less attention to these alerts, which in turn would endanger abducted children who are genuinely at risk of death or serious bodily harm. Accordingly, it is the policy of the State of New Jersey that an AMBER ALERT should only be activated by the State Police when the circumstances meet specific criteria that are set forth below.

The decision whether or not to issue an AMBER ALERT is a judgement call that must be made very quickly based on the limited information available at that moment. For this reason, law enforcement officials who apply the following criteria in good faith and who document the reasons and factual basis for their decision should not be second-guessed based on subsequent events, or on information that was not reasonably available at the time that the decision to initiate or refrain from initiating an AMBER ALERT had to be made.

CRITERIA FOR ACTIVATION OF THE AMBER ALERT SYSTEM SHALL INCLUDE:

1. That there is reason to believe that a child under the age of 18 has been abducted.

2. There is reason to believe that the abducted child may be in danger of death or serious bodily injury.

3. There is reason to believe that an AMBER ALERT would assist in locating the child considering all relevant circumstances, including whether there is enough descriptive information available, and the amount of time that has elapsed since the child was last seen and was reported missing.

APPLYING THE ACTIVATION CRITERIA IN CASES INVOLVING FAMILY ABDUCTIONS:

When deciding whether to activate or request activation of an AMBER ALERT, law enforcement officials should consider whether the reported abduction was done by a family member or someone acting on behalf of a family member. An AMBER ALERT should nto be activated unless the AMBER ALERT criteria have been met.

When a stranger abducts a child, it may generally be assumed that the child is at great risk of physical harm. In the case of family abduction, law enforcement officials must consider the complexity of the circumstances of the reported abduction (i.e. the manner in which it was committed and whether violence, threat of violence, a deadly weapon, or other dangerous behavior or circumstance was involved), as well as any available background information about the abductor and his or her relationship to the child and any history of prior abductions, custody disputes, domestic violence or child abuse. Furthermore, when assessing the totality of the known circumstances, law enforcement

officials responding to a report of a family abduction may need to consider the possibility that the person reporting the abduction has a motive to overstate the risk of physical harm posed to the child in order, for example, to gain an advantage in ongoing or contemplated matrimonial or custody rights litigation.

This statewide policy should not be construed in any way to categorically prevent activation of an AMBER ALERT in family abduction cases. The familial relationship between the suspected abductor and the abducted child is merely a factor that should be considered as part of the totality of the circumstances in determining whether there is reason to believe that the child may be in danger of death or serious bodily injury. In family abduction cases, the law enforcement officials should consider the following specific circumstances, when information about these circumstances is available:

1. Whether any threats of harm to the child were made by the abductor at any time before the abduction, or during the course of the abduction (including implied threats such as "if I can't have custody, then no one will");

2. Any past history of violence by the abductor directed against the child, or abuse or neglect of the child, or any other child;

3. Whether violence or threat of violence was used in committing the abduction, and whether force was used or directed against the child (e.g. the child resisted or tried to escape), or put the child at immediate risk of harm, even if the force was directed against another (e.g. the use or threatened use of a firearm or other weapon; assault by auto, motor vehicle eluding or reckless driving, etc.);

4. Whether there is a family history of domestic violence or child abuse, or a history of custody disputes or past abductions;

5. Whether the abductor has a past history of violence or weapons offenses;

6. Whether the actor is believed to be armed;

7. Whether the abductor is believed to be under the influence of alcohol or drugs;

8. Whether the abductor has a history of alcohol or other substance abuse;

9. Whether the abductor has a history of mental illness;

10. Whether the abductor was acting irrationally (e.g. uncontrolled rage, desperation, or panic);

11. Whether the child and/or abductor have pre-existing medical and/or health conditions, which, if unmonitored and/or untreated, could impact on the welfare of the child;

12. Any other facts or circumstances that suggest that the abductor might intentionally or unintentionally harm the child, or expose the child to a dangerous situation.

AMBER ALERTS ARE ONLY ONE PART OF A COMPREHENSIVE LAW ENFORCEMENT RESPONSE TO REPORTS OF ABDUCTED/MISSING CHILDREN

Even when the circumstances of an abduction or missing child case do not meet the criteria for activation of an AMBER ALERT, the law enforcement agency responding to the incident should immediately contact the New Jersey State Police Missing Persons Unit for assistance, and must conduct the missing child investigation in accordance with guidelines, protocols, and/or best practices disseminated by the State Police pursuant to Attorney General Law Enforcement Directive NO. 2008-4. The decision not to activate an AMBER ALERT to interrupt radio and television programs with an emergency broadcast should in no way preclude a law enforcement agency from preparing and distributing flyers or using other means to enlist public assistance in locating the missing child. Nor does the statewide AMBER ALERT PLAN in any way preclude a law enforcement agency from entering into an agreement with local media to publicize missing person reports. The AMBER ALERT program is intended to supplement, not supplant, other techniques and methods for soliciting the public's assistance in locating missing persons.

B. When a law enforcement agency believes that an abducted child may fit the criteria for activating an Amber Alert, they will immediately gather all relevant information, and forward same to the NJSP Operational Dispatch Unit via telephone 1-609-882-2000, ext. 6311. In addition the following contacts shall be made:

A. The investigating agency shall immediately enter the abducted child into NCIC and send a FILE 8 NJLETS message.

- The File 8 message should include a request to activate the Amber Alert Plan under the PF3-Text Entry field.

B. The NJSP Missing Persons Unit shall be called with all relevant information at 1-609-963-2000 ext. 2893.

C. Notification to NJSP R.O.I.C. shall be made with all pertinent information, by telephone at 1-609-963-6900.

D. Fill out a copy of AMBER Abducted Child Alert Reporting Form (available on BPD ONLINE FORMS and forward to NJSP Missing Persons Unit at FAX # 1-609-882-2719.

3. Upon verification by the NJSP, the NJLETS message detailing the information will be rebroadcast to all receivers.

   A. Simultaneously, an Emergency Alert message will be sent via television and radio to the general public. Another broadcast will be made via SPEN which will alert law enforcement as to the Amber Alert and NJLETS message.

   B. A NJSP Missing Persons Unit detective will respond to offer any assistance as needed.

4. The Shift Supervisor will make a determination as to whether the Amber Alert should be initiated, based on the Criteria established by this directive.

5. Immediate notifications will be made to the following personnel.

   A. Patrol Bureau Commander

   B. Investigations Bureau Commander

   C. Chief or Captain Of Police

   D. BPD C.A.R.T. (Child Abduction Response Team) Officer

      * Who will, when able, notify the Cumberland County Prosecutor's On Call Investigator, to make the situation known to the County C.A.R.T. OIC.

   E. Agency TAC (Terminal Agency Coordinator)

   F. Mayor

   G. City Business Administrator

6. The Chief of Police will designate a Public Information Officer (PIO) to keep the media and public informed of any information that is deemed appropriate to release.

   A. A location will be designated as a Media Relations Area.

   B. This area will be sufficiently distanced from any Command Post so that it doesn't interfere with the operational activities.

   C. The on scene Incident Commander will decide whether a Command Post vehicle is

needed. If so, a request will be made to Bridgeton Fire Department to have the vehicle delivered to the desired site.

7. The Incident Commander will, with guidance from the Chief or Captain, determine what additional personnel shall be called to the scene to assist:

   - Options include;

   A. All working Bridgeton P.D. Officers

   B. Requests to the BFD Chief for Bridgeton Fire Department personnel if deemed appropriate.

   C. Additional B.P.D. officers to be called in on overtime, as approved.

   D. Request for Prosecutor's Detectives and CCPO assigned C.A.R.T. members.

   E. NJSP and CCSD personnel.

DEACTIVATION PROCEDURE:

1. Upon locating the abducted child, the reporting agency will immediately contact the NJSP Operational Dispatch Unit advising them of the cancellation.

   A. This will be accomplished through the NJLETS system, AS WELL AS, by telephone.

   B. The following will also be contacted for cancellation purposes:

   - NJSP ROIC at 1-609-963-6900
   - NJSP Missing Persons Unit 1-609-2000 ext. 2893
   - CCPO On Call Investigator
   - Any others notified and requested to respond to scene who have not yet arrived

   C. In accordance with their procedure, the NJSP ODU will immediately cancel the alert, utilizing the same method used to send the alert. In addition, an NJLETS message will be sent, and the Missing Persons Unit will be notified.

Order #: II.32 **Date:** 03/02/2011
Category: DEPARTMENT ORDERS
Title: COURT SECURITY

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 32
REVISION DATE: 12-8-2008

REVISION DATE: 3-2-2011
REVISION(S): A.1-4; B.2.a-d

SUBJECT: COURT SECURITY

No release due to security concerns

Order #: II.33 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: EMERGENCY ACTION & FIRE PREVENTION

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 33
REVISION DATE

SUBJECT: Emergency Action & Fire Prevention Plan

EFFECTIVE DATE: 1-22-2015
CHIEF OF POLICE: Mark W. Ott

No release due to security concerns

Order #: II.34 **Date:** 12/31/2009
Category: DEPARTMENT ORDERS
Title: TRAFFIC SAFETY VESTS

BRIDGETON POLICE DIVISION
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 34
REVISION DATE

SUBJECT: TRAFFIC SAFETY VESTS

EFFECTIVE DATE: October 1st, 2008
CHIEF OF POLICE:Mark W. Ott
CROSS REFERENCE #: G-2008-008

Purpose:

The purpose of this directive is to make every officer aware of the danger involved in working in and around a roadway. The highways of this state and nation have witnessed large numbers of persons on foot struck by motor vehicles while in the roadway. As part of this agency's view, towards safety, the Bridgeton Police Division is issuing to every officer a brightly colored and reflective safety vest. In an effort to preserve life and safeguard the well being of it's officers the Division has established this policy.

Policy:

Effective as of October 1st, 2008 each officer while engaged in the following duties shall wear either the issued reflective traffic safety vest or issued raincoat (orange side out):

1. At all times while officers are working in the roadway for traffic direction (i.e. at scenes of crashes, disasters, obstructions, parades, etc).

2. At all times while officers are working in the roadway on traffic crash investigations.

3. At all times while officers are working on some form of traffic checkpoint (sobriety, etc).

4. Other times as specified by supervisory personnel.

5. At all times when an officer is working a "Roadwork" or "Construction" detail.

6. At any time deemed necessary by the officer themselves.

Violations:

Personnel failing to abide by this directive shall be charged with Neglect of Duty a schedule C matter for the first occurrence.

Order #: II.35. **Date:** 05/05/2009
Category: DEPARTMENT ORDERS
Title: EMERGENCY OPS PLAN - L.E. ANNEX

STATE OF NEW JERSEY
EMERGENCY OPERATIONS PLAN GUIDELINES
LAW ENFORCEMENT ANNEX CHECKLIST

No release due to security concerns.

Order #: II.36. **Date:** 05/11/2009
Category: DEPARTMENT ORDERS
Title: EMERGENCY EVACUATION ANNEX

STATE OF NEW JERSEY
EMERGENCY OPERATIONS PLAN GUIDELINES
EVACUATION ANNEX CHECKLIST

No release due to security concerns.

Order #: II.37. **Date:** 08/17/2009
Category: DEPARTMENT ORDERS
Title: ROR'S FOR $500.00 OR LESS WARRANTS

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 37

SUBJECT: CUMBERLAND COUNTY MUNICIPAL COURTS ROR PROGRAM

EFFECTIVE DATE: 8-17-2009
CHIEF OF POLICE: Mark W. Ott

POLICY

The Cumberland County Municipal Courts have begun a pilot project utilizing a presumptive ROR program for bails set in Municipal Court of $500.00 or less, subject to certain restrictions for those defendants who are unable to post bail.

PROCEDURE

Members of the Bridgeton P.D. understand that the Bridgeton P.D. does not have to manditorily participate in the use of this alternative program. Nor does the Cumberland County Jail.

I. With this in mind the Bridgeton P.D. may utilize this program with the following restrictions:

1. This program is applicable to those charges that would be heard in a Cumberland County Municipal Court ONLY.

2. Original arrest warrants, where the bail is $500.00 or less, for indictable offenses which have yet to be forwarded to the Cumberland County Prosecutor's Office are not applicable to this program.

3. D.W.I. charges are not applicable to this program.

4. Domestic Violence charges are not applicable to this program.

5. All bails set must be in compliance with Directive 09-05 (the Statewide Bail Schedule).

6. If bail is set at $501.00 or more this program does not apply.

7. The defendant on any warrant for this program must have a verifiable

address.

II. When determining to utilize this program members must carry out the following on every use:

1. Every warrant MUST be executed as per Department Directive on same.

2. The ATS/ACS screen for the warrant must be examined to ensure that the warrant under review meets the criteria for this program.

3. Every ROR must cause an ROR form to be properly filled out, which goes with a copy of the warrant to the Bridgeton Municipal Court (or faxed to other Cumberland County Municipal Court - i.e. Millville, Vineland). Also;

   a. any and all provisions that exist on a case (such as "No Contact" etc) shall be carried over onto the ROR form which the defendant must acknowledge by signing the ROR form.

   b. the ROR form must show the defendant's current and valid address.

   c. the ROR form must show no dollar amount for bail.

   d. the defendant must be given a copy of the ROR form once the defendant has signed it.

III. In each case the working supervisor shall be briefed on the situation and given the opportunity to review the matter prior to releasing the defendant.

IV. Violations of this policy will be covered as a progressive disciplinary matter.

Order #: II.37.1 **Date:** 03/23/2013
Category: DEPARTMENT DIRECTIVE
Title: ROR'S ON WARRANTS OVER $501

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 37.1
SUBJECT: RELEASING ON OWN RECOGNIZANCE FOR WARRANTS WITH BAIL OVER $501
EFFECTIVE DATE: MARCH 25, 2013

CHIEF OF POLICE:MARK W. OTT

ACCREDITATION STANDARDS: 3.1.2; 5.2.1

II:37.1-1 POLICY

The Bridgeton Police Department may occasionally come across a mandatory arrest situation where certain circumstances are discovered which may initiate a potential request to ROR an arrestee.

The following directive covers situations where this might occur. However, in every case where an officer is looking to obtain an ROR for an arrestee who has a bail of over $500.00, that officer must first obtain permission to seek the ROR from their Sergeant, who will then either directly contact the Lt. or higher or advise the officer seeking the ROR to contact a Lieutenant or higher.

II:37.1-2 PROCEDURE

When an officer encounters a warrant arrest situation where circumstances come to light which indicate an ROR might be needed that officer, or the officer's direct supervisor (who must be notified prior to the Lt.) shall present the facts to a supervisor of a rank of Lt. or higher for permission prior to contacting the Bridgeton Municipal Court Clerk.

A. For warrants originating from a Cumberland County Municipality:

1. The arrestee has dependants who would have no care taker after arrestee is incarcerated on the warrant.

2. The arrestee has supplied valuable information to BPD concerning some other criminal case or enterprise.

3. The arrestee was incarcerated or hospitalized during the issue date of the warrant being served.

4. Other justifiable reason which is approved by officer of the rank of Lt. or higher.

B. For warrants originating from a Municipality outside of Cumberland County:

1. The points covered in preceding section.

2. The transport of the prisoner to another jurisdiction is not advisable due to local manpower shortage or other issues.

3. Other justifiable reason which is approved by officer of the rank of Lt. or higher.

C. In every case where an ROR for warrants of over $500.00 is sought the officers should make efforts to have the defendant on the warrant secure some funds to cover the bail.

D. In every incident where permission was sought and given and a subject was ROR'd on a warrant of over $500.00 the working supervisor shall generate an IMPACT email to the Platoon Lt., the Captain and Chief as to the underlying circumstances for the ROR.

E. Violations of the directive will be dealt with as progressive discipline.

Order #: II.38 **Date:** 12/02/2014
Category: DEPARTMENT ORDERS
Title: MOBILE VIDEO SYSTEM

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 38

SUBJECT: MOBILE VIDEO SYSTEM

EFFECTIVE DATE: 12-2-2014

CHIEF OF POLICE:MARK W. OTT

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

II:38-1 PURPOSE

To establish guidelines for the use of MVR audio/video recorders in departmental vehicles and establishes a systematic protocol regarding the storage, viewing, release and retention of recordings. The proper use of MVR equipment will provide protection to all members and maintain as an internal record, information related to motorist contacts and other patrol related activities. In addition, the MVR equipment will provide valuable instructional material to be utilized for in-service training in basic police practices and procedures.

II:38-2 POLICY

The Bridgeton Police Department has adopted the use of MVR in-car audio/video recording systems for the purpose of documenting official actions taken by officers of the department. MVR equipment enhances officer safety, assists in the documentation of events made during motor vehicle stops and other critical incidents. The MVR also enhances the prosecution of law violations.

The Special Services Unit shall be responsible for the distribution, secured storage and purging of all MVR recordings.

II:38-3 PROCEDURE

I. Mobile Video Recorder (MVR) Equipment

A. MVR equipment assigned to a police vehicle is the responsibility of the

officer(s) assigned to that vehicle and will be maintained in accordance with the manufacturer's recommendations.

B. Prior to each shift, the officer will activate the MVR system by starting the vehicle. Officers will ensure that the video camera is positioned and adjusted to record events and follow the procedures outlined on the Digital Video Recorder Operational Checklist (Appendix A), to ensure that the MVR is functioning properly.

C. The officer shall bring any problems with the system to the immediate attention of their supervisor. In the event of a malfunction, a computer aided dispatch entry will be made reflecting that the MVR is not in service for the shift in question and the reasons why. Additionally, an MOR report shall be completed by the supervisor and forwarded to the Special Services Unit.

D. No officer shall access or repair any MVR component in the police vehicle without the expressed permission of the Chief of Police or designee.

E. No officer shall purposely or unlawfully alter, destroy, conceal, remove or disable any camera or other monitoring device including any videotape, film or other medium used to record sound or images that is installed in a patrol vehicle in violation of N.J.S. 2C:28-7(c).

II. Operation of the MVR

A. The MVR will be utilized to document events, actions, conditions and critical incidents; enhance an officer's report, collect evidence and support courtroom testimony.

B. The wireless microphone transmitter will be worn on the officer's duty belt or the officer's shirt or top jacket pocket, whichever is the outer most garment.

C. The system will automatically record when the vehicle's emergency lighting is activated or when the officer manually activates the system. The system recording can only be deactivated manually by the officer pressing the stop button.

D. Officers will activate both audio and video portions of the MVR system during the following:

1. Motor Vehicle Stops

2. Motor Vehicle Pursuits

3. Priority Responses

4. Crimes in Progress

5. Pedestrian stops or encounters

6. Warrant services conducted in the vicinity of the police vehicle

7. Prisoner transports

8. Any citizen contact that becomes adversarial in nature

9. Anytime an officer feels that creating an audio and/or visual record of an incident is needed.

E. Upon activation of the MVR for any reason, the vehicle's AM/FM radio shall be turned down or off so as to not affect the quality of the audio recording.

F. The MVR shall remain in the record mode until the entire incident is completed. If, for some reason, the recording must be terminated, the justification for same shall be verbally recorded prior to deactivation and appropriately documented in an MOR report.

1. Manual deactivation is authorized during non-enforcement activities, i.e. while protecting a crash scene.

2. An officer may deactivate the audio portion of the MVR to discuss strategy with another officer or share intelligence as long as the subject(s) of the police activity remain visible on camera, when feasible. The officer will re-activate the audio portion of the recording as soon as possible.

a. At no time should the MVR, including the audio portion, be deactivated while an officer is interacting verbally and/or physically with a suspect.

G. The rear camera shall be activated whenever a subject is seated in the rear of the vehicle.

H. Conversations or comments made by person(s) seated in the vehicle shall be recorded, utilizing the officer's wireless microphone, where the officer is a party to the conversations or comments. There shall be visible warning signs posted in the vehicle to advise passengers that recordings are taking place.

I. Officers will not play back any portion of the recorded event to an arrested person or violator.

J. Upon completion of an incident where the MVR system is activated, the officer will mark the video utilizing the appropriate MVR "Event Tag" as follows:

1. Assault;
2. Criminal Offense;
3. DUI;
4. Domestic;
5. DP Offense;
6. Drug Charge / Seizure;
7. Motorist Assist;
8. Pedestrian Contact;
9. Pre-Shift Test Recording;
10. Prisoner Transport;
11. Suspicious Vehicle / Behavior;
12. Traffic Accident;
13. Traffic Post;
14. Traffic Stop;
15. Vehicle Pursuit.

K. Officers will notate in the police report, if applicable, whenever an incident is captured on the MVR. Officers must remember to burn a copy of the event to a DVD to be submitted as evidence and entered into BEAST (see M. below).

L. At the end of each shift, the officer shall log out of the MVR, power off and store the remote transmitter in the MVR "transmitter cradle".

M. Officers are responsible for burning their own recordings to DVD, when needed for investigative/evidentiary purposes.

N. The officer will ensure that any DVD copies of incidents that they have

made are placed into an evidence envelope, entered into the BEAST and turned in with all police reports to the shift supervisor prior to the completion of their shift.

III. Utilization of the MVR at Police Headquarters

A. No MVR microphone shall be activated while at police headquarters, except under the following circumstances:

1. An officer is handling an incident such as one of those previously outlined which is occurring at police headquarters.

2. For evidentiary purposes, but ONLY after receiving the approval of a Supervisor. During this time, however, all officers at police headquarters are to be made aware that a recording is taking place. When the recording is complete, the officer will ensure that the MVR and the external microphone are turned off completely.

IV. Duties and Responsibilities

A. Patrol Supervisors

1. Supervisors are responsible to ensure that officers involved in cases which require an evidentiary copy of an MVR recordings are copied onto a DVD by the officer involved and placed into the property/evidence system whenever the recording is needed for evidentiary purposes, involves a complaint against an officer or the department or any incident, which in the opinion of the supervisor, should be maintained for future use. If a supervisor does not have access to required recordings notations in reports to IA are to be made so that they can be collected later.

a. When a video is copied in regards to an Internal Affairs matter or citizen complaint, the supervisor will forward the DVD to the Professional Standards Bureau Supervisor or designee.

b. When the MVR captures a vehicle pursuit or a use of force incident, the supervisor will copy and submit the DVD into the property/evidence system.

B. Property/Evidence Custodian

1. The property/evidence custodian shall maintain all DVD copies submitted for evidentiary purposes in accordance with the Property and Evidence Management policy.

2. Create copies of DVD videos for discovery purposes.

C. Video Control Officer

1. The Chief of Police or designee will designate a Video Control Officer, whose responsibility will be:

a. To oversee the maintenance, repair and installation of the in-car MVR systems;

b. To copy the video of incidents requested for a non-evidentiary purpose, i.e. training;

c. Manage the review of departmentally controlled video recordings for defendants and their attorneys or other approved persons;

d. Ensure that non-evidentiary video files are purged in accordance with the retention guidelines established by the NJ Division of Archive and Records Management, the Cumberland County Prosecutor's Office and other applicable agencies.

V. Record Keeping, Archiving and Discovery

A. All MVR audio/video recordings are the exclusive property of the Bridgeton Police Department and are categorized as internal records and therefore are subject to the same level of security and chain of custody safeguards as evidence.

B. MVR audio/video recordings shall not be released to another criminal justice agency without receipt of a written request and the express approval of the Chief of Police or designee.

C. The opportunity to review MVR audio/video recordings shall be provided through the established court discovery process to defendants and their attorneys in accordance with the New Jersey Rules of the Court.

D. Copies of MVR audio/video recordings required for evidentiary purposes shall be placed into the evidence storage system in accordance with department policy.

E. All MVR recordings that are not held for investigative and/or evidentiary purposes shall be purged after a minimum of 30 days, depending on the "event tag".

F. MVR recordings of incidents needed for investigative and/or evidentiary purposes shall be retained pursuant to evidence retention guidelines and/or the Division of

Archives and Records Management.

G. No person may copy, share or duplicate any departmentally controlled recordings, except as directed in this policy, without the authorization of the Chief of Police or designee.

H. All requests by the media or general public for viewing of MVR footage must be referred to the Chief of Police, his designee and/or the Cumberland County Prosecutor's Office.

VI. MVR Audio/Video Review

A. Officers and Sergeants may review their own MVR recording, prior to upload, from inside of their police vehicle or after it is uploaded to the department's computer server when needed for an investigative purpose.

B. Officers are not permitted to review another officer's MVR recording without the expressed permission of their Bureau Commander, excepting the case of a Sergeant needing to review the video of an officer under their command at the time the video was made (see C. below).

C. Sergeants are permitted to review MVR recordings of officers assigned to them during the Sergeant's tour of duty, by having the recording officer open the video.

D. Patrol Lieutenants shall, at least twice monthly, randomly review each of their respective officers/sergeants MVR recordings to assist in the assessment of an officer's performance, determine if the MVR equipment is being fully and properly utilized and to identify any training needs. These reviews will be documented in their monthly report to the police Captain.

E. The Professional Standards Bureau commander shall include a review of random MVR recordings as part of the monthly inspection process.

Policy #II.38 – MOBILE VIDEO RECORDERS

APPENDIX A

Digital Video Recorder Operational Checklist

1. To power on the MVR, turn the vehicle ignition on and the unit will automatically power.

    a. The MVR will go through a series of internal operational checks before going online.

2. Once the MVR is online, depress the "MENU" button on the monitor and then touch the officer icon on the screen. Scroll down and find your name and touch your name on the screen. Once your name has been selected, touch the "LOG IN" icon and your name will appear in the lower right hand corner of the monitor. You are now logged in for your shift to that particular MVR and vehicle.

3. Remove the microphone from the cradle and verify that the switch on the bottom of the microphone is in the "ON" position. Once it's turned on, secure the microphone in your belt holder or outermost uniform pocket.

4. Turn on your vehicle's overhead lights and the recording should begin immediately. Check the monitor screen for the "REC" icon indicating that the MVR is recording. The volume should be turned up as to hear the recording in progress. The officer will then state their name, date and vehicle number.

5. Perform a walk around of the vehicle; inspecting lights, tires and vehicle condition. Following the vehicle inspection, depress the "STOP" button on the MVR monitor and select the "PRE-SHIFT TEST RECORDING" event tag.

6. Prior to deployment, press the "MENU" button on the monitor and select the "REVIEW" icon on the monitor screen. A list of recordings will appear on the monitor screen. One at a time, touch the newly created "PRE-SHIFT TEST RECORDING" and then touch the "PLAY" icon on the monitor screen. The video and audio will then play. If the MVR is not functioning properly, notify the on-duty supervisor immediately. The supervisor will then complete an MOR stating the malfunction of the MVR and the fact that it will not be utilized during the shift.

7. If you encounter any difficulties in accomplishing any operational tasks on the MVR, there is an Operational Guide Card located in each police vehicle.

8. Upon completion of a recorded event, the officer shall mark the recording with the most appropriate of the listed "EVENT TAGS".

9. At the end of each shift, the officer shall log out of the MVR, power off and store the remote transmitter in the MVR "transmitter cradle".

Order #: II.39 **Date:** 01/31/2011
Category: DEPARTMENT ORDERS
Title: AUTOMATED LICENSE PLATE READER (ALPR)

BRIDGETON POLICE DEPARTMENT
CHIEF OF POLICE DIRECTIVE
POLICY AND PROCEDURE

SECTION: II
CHAPTER: 39

SUBJECT: AUTOMATIC LICENSE PLATE READER (ALPR)

EFFECTIVE DATE: JULY 11, 2011

CHIEF OF POLICE:MARK W. OTT

REFERENCE: AG DIRECTIVE #2010-5

The written directives developed by the Bridgeton Police Department are for internal use only, and do not enlarge an officer's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of written directives can only be the basis of a complaint by this department, and then only in an administrative disciplinary setting.

II:39-1 PURPOSE The purpose of this directive is to establish a uniform policy and procedure for the use of automatic license plate readers (ALPR).

II:39-2 POLICY It is the policy of the Bridgeton Police Department to utilize ALPR technology to the extent possible in accordance with "http://www.nj.gov/oag/dcj/pdfs/Dir-2010-5-LicensePlateReadersI-120310.pdf" New Jersey Attorney General's Directive 2010-5.

II:39-3 PROCEDURES

I. Definitions

A. Automated License Plate Reader (ALPR) - means a system consisting of a camera(s) and related equipment that:

1. Automatically and without direct human control locates, focuses on, and photographs license plates and vehicles that come into range of the device;

2. Automatically converts digital photographic images of scanned license plates into electronic text documents;

3. Is capable of comparing scanned license plate text data with data files for vehicles on a BOLO list programmed into the device's electronic memory; and

4. Notifies officers, whether by an audible alert or by other means, when a scanned license plate matches the license plate on the programmed BOLO list.

5. The term includes both devices that are placed at a stationary location (whether permanently mounted or portable devices positioned at a stationary location) and mobile devices affixed to a police vehicle and capable of operating while the vehicle is in motion.

B. Authorized user - means a sworn or civilian employee of the Bridgeton Police Department who has been authorized by the chief of police, or by the Attorney General or a county prosecutor or designee, to operate an ALPR or to access and use ALPR stored data, and who has successfully completed training provided by the agency on this directive and on AG Directive 2010-5.

C. BOLO (Be on the Lookout) or BOLO situation - refers to a determination by a law enforcement agency that there is a legitimate and specific law enforcement reason to identify or locate a particular vehicle, or, in the case of a post-scan BOLO, there is a legitimate and specific reason to ascertain the past location(s) of a particular vehicle.

D. BOLO list - (also known as a hot list) is a compilation of one or more license plates, or partial license plates, of a vehicle or vehicles for which a BOLO situation exists that is programmed into an ALPR so that the device will alert if it captures the image of a license plate that matches a license plate included on the BOLO list. The term also includes a compilation of one or more license plates, or partial license plates that is compared against stored license plate data that had previously been scanned and collected by an ALPR, including scanned license plate data that is stored in a separate data storage device or system.

1. Initial BOLO list - refers to the BOLO list that was programmed into an ALPR at the time that the device was being used to scan license plates in the field.

2. Post-Scan BOLO list - refers to a BOLO list that is compared against stored data collected by an ALPR, including scanned license plate data that has been transmitted to another device or data storage system.

E. Chief - shall mean the Chief of Police or the highest ranking sworn officer of a law enforcement agency.

F. Crime scene query - refers to the process of accessing and reviewing stored ALPR data that had been originally scanned at or about the time and in the vicinity of a reported criminal event for the purpose of identifying vehicles or persons that might be associated with that specific criminal event as suspects, witnesses, or victims.

G. Criminal event - means a specific incident, or series of related specific incidents, that would constitute an indictable crime under the laws of the State of New Jersey, whether or not the incident(s) have occurred or will occur within the State of New Jersey. The term includes an attempt or conspiracy to commit a crime, or actions taken in preparation for the

commission of the crime, such as conducting a surveillance of the location to identify and evade or thwart security measures, or conducting a rehearsal of a planned crime. The term includes two or more separate criminal acts or episodes that are linked by common participants or that are reasonably believed to have been undertaken by a criminal organization or as part of an ongoing conspiracy.

H. Crime trend analysis - refers to the analytical process by which stored ALPR data is used, whether alone or in conjunction with other sources of information, to detect crime patterns by studying and linking common elements of recurring crimes; to predict when and where future crimes may occur; and to link specific vehicles to potential criminal or terrorist activity. The term includes an automated process in which a computer program analyzes stored data to identify potentially suspicious activity or other anomalies involving one or more scanned vehicles and where such automated analysis is done without disclosing personal identifying information about any individual to an authorized user or any other person except as may be authorized pursuant to Section IX. Subsection F. of this directive.

I. Designated supervisor(s) - means one or more superior officers assigned by the Chief of Police to oversee and administer or to assist in overseeing and administering the agency's use of ALPRs and stored ALPR data.

J. Personal identifying information - means information that identifies one or more specific individuals, including an individual's name, address, social security number, vehicle operator's license number, or biometric records. The term includes personal identifying information that is included within the data comprising a BOLO list, as well as personal identifying information that is learned by checking a license plate scanned by an ALPR against the Motor Vehicle Commission database or any other data system that contains personal identifying information.

K. Post-Scan BOLO query - refers to the process of comparing a post-scan BOLO list against stored ALPR data.

L. Scan - refers to the process by which an ALPR automatically focuses on, photographs, and converts to digital text the license plate of a vehicle that comes within range of the ALPR.

M. Stored data - refers to all information captured by an ALPR and stored in the device's memory or in a separate data storage device or system. The term includes the recorded image of a scanned license plate and optical character recognition data, a contextual photo (e.g. a photo of the scanned vehicle and/or occupants), global positioning system (GPS) data (when the ALPR is equipped with a GPS receiver) or other location information, and the date and time of the scan. The term applies to both alert data and non-alert data that has been captured and stored by an ALPR or in a separate data storage device or system.

1. Alert data - means information captured by an ALPR relating to a license plate that matches the license plate on an initial BOLO list or a post-scan BOLO list.

2. Immediate alert - refers to an alert that occurs when a scanned license plate matches the

license plate on an initial BOLO list and that is reported to the officer operating the ALPR, by means of an audible alarm or by any other means, at or about the time that the subject vehicle was encountered by the ALPR and its license plate was scanned by the ALPR.

3. Non-encounter alert - refers to an immediate alert where the officer operating the ALPR is instructed to notify the agency that put out the BOLO without initiating an investigative detention of the subject vehicle or otherwise revealing to the occupant(s) of that vehicle that its location has been detected or that it is the subject of law enforcement attention (e.g. a Violent Gang or Terrorist Organization File (VGTOF) alert).

II. General

A. ALPR and the data that are collected by these devices stored for future use shall only be used in accordance with Attorney General Directive 2010-5, the manufacturer's use manual, and this directive.

1. ALPRs and ALPR-generated data shall only be used for bona fide public safety purposes.

B. These procedures apply to any ALPR data that is collected by another law enforcement agency and provided to this agency or collected by this agency and provided to another law enforcement agency.

C. An ALPR and data generated by an ALPR shall only be used for official and legitimate law enforcement business and should be interpreted and applied to achieve the following objectives:

1. To ensure that BOLO lists that are programmed into the internal memory of an ALPR or that are compared against stored ALPR data are comprised only of license plates that are associated with specific vehicles or persons for which or whom there is a legitimate and documented law enforcement reason to identify and locate or for which there is a legitimate and documented law enforcement reason to determine the subject vehicle's past location(s) through the analysis of stored ALPR data;

2. To ensure that data that is captured by an ALPR can only be accessed by appropriate law enforcement personnel and can only be used for legitimate, specified, and documented law enforcement purposes;

3. To permit a thorough analysis of stored ALPR data to detect crime and protect the homeland from terrorist attack while safeguarding the personal privacy rights of motorists by ensuring that the analysis of stored ALPR data is not used as a means to disclose personal identifying information about an individual unless there is a legitimate and documented law enforcement reason for disclosing such personal information to a law enforcement officer or civilian crime analyst; and

4. To ensure that stored ALPR data are purged after a reasonable period of time so as to minimize the potential for misuse or accidental disclosure.

D. ALPR shall be used in a consistent manner to assist department personnel in accomplishing its mission in homeland security, suspect interdiction, stolen property recovery, detection of crime, enforcement of State law and local ordinances, identification of stolen vehicles, stolen license plates, wanted and missing persons, AMBER Alert assistance, crime prevention and other traffic related matters.

E. Information obtained through ALPR use shall only be released or disseminated in accordance with NJCJIS User Agreement protocols, applicable State Statutes, and applicable Court Rules. Unauthorized release of any information obtained through an ALPR is subject to criminal, civil, and administrative sanctions.

F. ALPR is more than an enforcement tool. ALPR should be deployed to capture the license plates of vehicles in the area of a major crime or an area of repeated minor offenses. Captured data can be analyzed and utilized in criminal investigations or in the assignment of staffing based on empirical data. Deployment of ALPR based on these circumstances shall be in strict compliance with Attorney General Directive 2010-5 and with this directive.

G. Designated supervisors shall:

1. Provide or oversee the training of all officers and civilian employees who are authorized to operate an ALPR or to access or use ALPR stored data;

2. Review and approve requests to access and use stored ALPR data to conduct crime trend analyses and/or to access personal identifying information based upon crime trend analyses; and

3. Ensure compliance with this directive and AG Directive 2010-5.

H. The Chief of Police shall designate all authorized users. No officer or civilian employee will be authorized to operate an ALPR, or access or use ALPR stored data, unless the officer or civilian employee has received training by this agency on the proper operation of these devices, and on the provisions of this directive and AG Directive 2010-5.

I. Any sworn officer or civilian employee of this agency who knowingly violates this directive or AG Directive 2010-5 shall be subject to discipline.

J. All significant violations of this directive or AG Directive 2010-5, including but not limited to all instances involving the unauthorized access or use of ALPR stored data, must be reported to the County Prosecutor upon discovery of the violation. Unless the County Prosecutor elects to conduct or oversee the investigation of the violation, such notification of the violation shall be followed up with a report, approved by the Chief of Police, explaining to the County Prosecutor the circumstances of the violation, and the steps that are being taken to prevent future similar violations.

1. Investigations into violations of this directive shall be conducted in accordance with the

internal affairs process.

K. The Chief of Police shall provide a copy of this directive to the County Prosecutor, at or before the time of promulgation and shall provide to the County Prosecutor copies of any amendments or revisions to this directive at or before the time that such amendments take effect.

III. Deployment of ALPR

A. An ALPR shall only be used to scan license plates of vehicles that are exposed to public view (e.g., vehicles on a public road or street or that are on private property, but which license plate(s) are visible from a public road, street, or a place to which members of the public have access, such as the parking lot of a shopping mall or other business establishment).

B. An ALPR shall not be deployed in the field unless the deployment has been authorized by the Chief or a designated supervisor, or by the Attorney General or designee, or a county prosecutor or designee. Such authorization may be given for repeated or continuous deployment of an ALPR (e.g., mounting the device on a particular police vehicle, or positioning the ALPR at a specific stationary location), in which event the deployment authorization shall remain in force and effect unless and until rescinded or modified by the Chief or designated supervisor, or the Attorney General or county prosecutor or designee(s).

C. Sworn officers or civilian employees of this agency may operate an ALPR or access or use ALPR stored data only if the person has been designated as an authorized user by the Chief, or by the Attorney General or designee, or a county prosecutor or designee, and has received training from this agency on the proper use and operation of ALPRs, the requirements of Attorney General Law Enforcement Directive 2010-5, and this directive.

D. Personnel must ensure that the lenses are free from obstructions before operations. If safe to do so, personnel may remove obstructions such as snow, mud, paper, etc. Under no circumstances are the camera lenses to be wiped with anything other than a clean, soft cloth.

E. Any damage to the ALPR systems or any problems with the operation of an ALPR system should be immediately reported to a supervisor verbally and then documented in a Special Report and forwarded to the Designated Supervisor.

F. Personnel authorized to use the ALPR shall ensure that the system is operating properly every time the vehicle is used for patrol. Officers shall sign on to the system in the following manner:

1. Click on the PAGIS icon to open the ALPR.

- Badge number and password are both entered.

- Location section should be left blank for general patrol duties. If a member is on a

directive patrol assignment the location can be entered. If a member is patrolling a specific area for an investigation (i.e.. a bank parking lot, an apartment complex, a development) then the location can be entered.

2. Prior to exiting the parking lot, the member operating the ALPR needs to click the Begin Shift icon so that all new NCIC and DMV updates can be wirelessly downloaded into the system. This should take less than 5 minutes.
3. Once the NCIC and DMV updates are downloaded, the ALPR system is ready for use. The member shall click on the Cam Mode for "Traffic" for normal patrol, The screen will read "Left Rear" and "Front Right" above the camera image.

4. In parking lots click on Cam Mode for "Parking". You should see "front Right" and "Right Park" above the camera image screens. Ideally the ALPR will function best from a distance of 5 to 8 feet at 10 miles per hour or less in a parking lot.

IV. Maintenance of Records

A. The Designated Supervisor shall maintain a written or electronic record that documents the following information:

1. Date and time when the ALPR was deployed;

2. Whether the ALPR was mobile, or was stationed at a fixed specified location;

3. The identity of the operator(s);

4. Whether ALPR data was transferred to any other database or data storage device or system.

B. The Designated Supervisor shall maintain a record of all access to stored ALPR data. The agency's ALPR data record keeping system, which may be automated, shall document the following information:

1. The date and time of access, and in the case of access to stored non-alert data, the type of access authorized (e.g., post-scan BOLO query, crime scene query, or crime trend analysis);

2. The authorized user who accessed the stored data;

3. Whether an automated software program was used to analyze stored data;

4. The designated supervisor who reviewed and approved any disclosure of personal identifying information based upon crime trend analysis when such approval is required;

5. The designated supervisor who approved any use of an automated crime trend analysis computer program that would automatically alert and disclose personal identifying

information;

6. Any other information required to be documented.

C. All written or electronic records of ALPR activity and access to ALPR data shall be maintained by the agency for a period of five years and shall be kept in a manner that makes such records readily accessible to any person authorized by this directive to audit the agency's use of ALPRs and ALPR-generated data. If an automated system is used to record any information that is required to be documented pursuant to this directive, it shall not be necessary to maintain duplicate records of any events or transactions that are documented by the automated record-keeping system.

D. All stored data and required documentation and decisions shall be kept in a place and in a manner as to facilitate a review and audit of this agency's ALPR program by the County Prosecutor or by the Attorney General or designee(s).

V. Content and Approval of BOLO Lists

A. A license plate number or partial license plate number shall not be included in an ALPR Initial BOLO list unless there is a legitimate and specific law enforcement reason to identify or locate that particular vehicle or any person or persons who are reasonably believed to be associated with that vehicle.

B. A license plate or partial license plate number shall not be included in a Post-Scan BOLO list unless there is a legitimate and specific law enforcement reason to ascertain the past locations(s) of that particular vehicle or of any person or persons who are reasonably believed to be associated with that vehicle.

C. Examples of legitimate and specific reasons include, but are not limited to:

1. Persons who are subject to an outstanding arrest warrant;

2. Missing persons;

3. Amber or Silver Alerts;

4. Stolen vehicles;

5. Vehicles that are reasonably believed to be involved in the commission of a crime or disorderly persons offense;

6. Vehicles that are registered to or are reasonably believed to be operated by persons who do not have a valid operator's license or who are on the revoked or suspended list;

7. Vehicles with expired registrations or other Title 39 violations;

8. Persons who are subject to a restraining order or curfew issued by a court or by the Parole Board, or who are subject to any other duly issued order restricting their movements;

9. Persons wanted by a law enforcement agency who are of interest in a specific investigation, whether or not such persons are themselves suspected of criminal activity; and

10. Persons who are on any watch list issued by a State or federal agency responsible for homeland security.

D. BOLO list information may be downloaded in batch form from other databases, including but not limited to the National Crime Information Center (NCIC), National Insurance Crime Bureau, United States Department of Homeland Security, and Motor Vehicle Commission database.

E. An initial BOLO list may be revised at any time. In the event that an initial BOLO list is constructed, in whole or in part, with sets of data downloaded from another database, so as to account for any changes that may have been made in the data maintained in those other databases, updates to the initial BOLO list shall, in the case of a mobile unit attached to a police vehicle, be made at the start of each shift, and in the case of an ALPR positioned at a stationary location, be made as frequently as is practicable, and on not less than a daily basis. Information concerning any license plate that is referenced in an Amber or Silver Alert activated by the New Jersey State Police shall be added to the initial BOLO list as expeditiously as possible, and shall remain in the initial BOLO list until the Amber or Silver Alert expires or is withdrawn.

F. When practicable, the reason for placing a vehicle on BOLO list shall be included with the BOLO and shall be disclosed to the officer who will react to an immediate alert. If for any reason an officer reacting to an immediate alert should not initiate an investigative detention (e.g., where the license plate was included in the BOLO list because the department or any other agency wanted to be notified of the location of the subject vehicle without alerting the driver/occupants that they are the subject of law enforcement attention, such as in the case of Violent Gang or Terrorist Organization File (VGTOF) alert), to the extent feasible, the information attached to the license plate on the BOLO list shall be entered in such a way as to cause the ALPR to clearly designate an immediate alert as a non-encounter alert, and shall provide specific instructions to the officer as to who to notify of the alert.

VI. Actions in Response to an Immediate Alert

A. When officers operating a vehicle equipped with ALPR receive an immediate alert, the officer shall take such action in response to the alert as is appropriate in the circumstances. Officer(s) alerted to the fact that an observed motor vehicle's license plate is on the BOLO list may be required to make a reasonable effort to confirm that a wanted person is actually in the vehicle before the officer would have a lawful basis to stop the vehicle. (State v. Parks, 288 N.J. Super. 407 App. Div. 1996). Police do not have reasonable suspicion to justify a stop based on a computer check that shows that the operator's license of the registered owner of the vehicle is suspended unless the driver generally matches the owner's physical description

(e.g., age and gender).

B. An officer reacting to an immediate alert shall consult the database to determine the reason why the vehicle had been placed on the BOLO list and whether the alert has been designated as a non-encounter alert. In the event of a non-encounter alert, the officer shall follow any instructions included in the alert for notifying the law enforcement or homeland security agency that had put out the BOLO.

VII. Security of Stored ALPR Data

A. All ALPR stored data shall be kept in a secure data storage system with access restricted to authorized persons. Access to this stored data shall be limited to the purposes described in Section IX.

B. Stored ALPR data shall be maintained electronically in such a manner as to distinguish alert data from non-alert data so as to ensure that access to and use of non-alert data and any disclosure of personal identifying information resulting from the analysis of non-alert data occurs only as authorized pursuant to Section IX. Positive alert data may, as appropriate, be transferred to the appropriate active investigation file and if appropriate be placed into evidence in accordance with this agency's evidence or records management procedures (Policy III.5).

VIII. Retention Period and Purging of Stored Data

A. ALPR stored data shall be retained for a period of five years, after which, the data shall be purged from the agency's data storage device or system.

B. ALPR data may be purged before the expiration of the five-year retention period only if the data has been transferred to the State Police Regional Operations Intelligence Center (R.O.I.C.) or any other system that aggregates and stores data collected by two or more law enforcement agencies in accordance with the provisions of AG Directive 2010-5 and this directive.

C. Any ALPR data transferred to another agency shall indicate the date on which the data had been collected by the ALPR so that the receiving agency may comply with the five-year retention and purging schedule established in § 9 of AG Directive 2010-5.

IX. Limitations on Access to and Use of Stored ALPR Data

A. Authorized users may access and use stored ALPR Alert Data as part of an active investigation or for any other legitimate law enforcement purpose including, but not limited to a post-scan BOLO query, a crime scene query, or crime trend analysis.

1. A record shall be made of all access to ALPR data, which may be an automated record that documents the date of access and the identity of the authorized user.

2. An authorized user does not need to obtain approval from the chief or designated supervisor for each occasion on which he or she accesses and uses stored ALPR data. Once positive alert data has been accessed and transferred to an investigation file, it shall not be necessary thereafter to document further access or use of that data pursuant to this directive.

B. Access to and use of stored Non-Alert ALPR Data is limited to the following three purposes:

1. A post-scan BOLO query;

2. A crime-scene query; and

3. Crime trend analysis.

C. An authorized user does not need to obtain approval from the chief or a designated supervisor for each occasion on which he or she accesses and uses stored non-alert data pursuant to this directive.

D. Post-Scan BOLO Query

1. Authorized users are authorized to compare a post-scan BOLO list against stored ALPR data where the results of the query might reasonably lead to the discovery of evidence or information relevant to any active investigation or ongoing law enforcement operation, or where the subject vehicle might be placed on an active initial BOLO list.

2. Example: an authorized user may review stored non-alert data to determine whether a specific vehicle was present at the time and place where the ALPR data was initially scanned for the purpose of confirming or dispelling an alibi defense, or to develop lead information for the purpose of locating a specified vehicle or person. Authorized users may also check stored data to determine whether a vehicle that was only recently added to an initial BOLO list had been previously observed in the jurisdiction before it had been placed on an initial BOLO list.

E. Crime Scene Query

1. Authorized users are permitted to access and use stored non-alert data where such access might reasonably lead to the discovery of evidence or information relevant to the investigation of a specific criminal event.

a. If an investigator has reason to believe that a specific person or vehicle was at or near the location of the specific crime at the time of its commission, non-alert stored data might also be examined as part of post-scan BOLO query.

2. A crime scene query may not be conducted to review stored non-alert data based on general crime patterns (e.g. to identify persons traveling in or around a high crime area), but rather is limited to situations involving specific criminal events.

3. The crime scene query of non-alert stored data shall be limited in scope to stored non-alert data that is reasonably related to the specified criminal event, considering the date, time, location, and nature of the specified criminal event. Examples:

a. A crime that reasonably involves extensive planning and possible rehearsals, such as a terrorist attack, would justify examining stored non-alert data that had been scanned and collected days or even weeks or months before the criminal event, and that may have been scanned at a substantial distance from the site of the crime or intended crime (e.g., at any point along a highway leading to the intended crime site).

b. A spontaneous crime, in contrast, might reasonably justify examination of stored non-alert data that was scanned and collected on or about the time of and in closer physical proximity to the criminal event.

4. The authorized user shall document the specific crime or related crimes constituting the criminal event and the date(s) and location(s) of the specific crime(s).

F. Crime Trend Analysis

1. An authorized user may access and use stored non-alert data for purposes of conducting crime trend analyses when such access and analyses are approved by a designated supervisor and where such analyses are undertaken to produce analytical products that are intended to assist the agency in the performance of its duties.

a. A designated supervisor may authorize one or more authorized users to conduct a method or methods of crime trend analysis on a repeated or continuous basis, in which event such authorization shall remain in force and effect unless and until modified or rescinded by the supervisor.

b. A designated supervisor may also approve the use of an automated software program to analyze stored data to look for potentially suspicious activity or other anomalies that might be consistent with criminal or terrorist activity.

2. Crime trend analyses of stored non-alert data, whether automated or done manually, shall not result in the disclosure of personal identifying information to an authorized user or any other person unless:

a. The agency can point to specific and articulable facts that warrant further investigation of possible criminal or terrorist activity by the driver or occupants of a specific vehicle (e.g. unusual behavior consistent with the modus operandi of terrorists or other criminals), and access to the personal identifying information based on those specific and articulable facts has been approved by a designated supervisor. Such approval may be given by a designated supervisor in advance when the crime trend analysis reveals the existence of specified suspicious circumstances that would warrant further investigation and that would justify disclosure of personal identifying information to the authorized user conducting the

analysis under the specific and articulable facts that warrant further investigation standard of proof. The supervisor shall document any and all specified suspicious circumstances for which disclosure of personal identifying information is pre-approved if those suspicious circumstances are revealed by authorized crime trend analysis. When an automated crime trend analysis computer program is used, specified suspicious circumstances that would warrant further investigation and that would justify disclosure of personal identifying information to an authorized user may also be pre-approved by a designated supervisor and built into the computer program so that if the program identifies the existence of the pre-determined suspicious circumstances, it will automatically alert the authorized user of the suspicious activity and provide to him/her the relevant personal identifying information in accordance with the specific and articulable facts that warrant further investigation standard of proof; or

b. Disclosure of personal identifying information concerning any vehicle plate scanned by the ALPR is authorized by a grand jury subpoena.

3. Nothing in this section shall be construed to prohibit a computer program from accessing and comparing personal identifying information of one or more individuals who are associated with a scanned vehicle as part of the process of analyzing stored non-alert data, provided that such personal identifying information is not disclosed to a person unless the specific and articulable facts that warrant further investigation standard is satisfied. The specific and articulable facts that warrant further investigation standard applies only to the crime trend analysis of non-alert data and nothing in this Section shall be construed to limit disclosure of personal identifying information of a person who is the registered owner of a vehicle that is on an initial or post-scan BOLO list.

4. For the purposes of this Section, the specific and articulable facts that warrant further investigation standard required for the disclosure of personal identifying based upon crime trend analysis of stored non-alert data is intended to be comparable to the specific and articulable facts that warrant heightened caution standard developed by the New Jersey Supreme Court in State v. Smith, 134 N.J. 599, 616-19 (1994) (establishing the level of individualized suspicion required before an officer may order a passenger to exit a motor vehicle stopped for a traffic violation).

5. The authorized user accessing stored non-alert ALPR data for purposes of conducting crime trend analysis shall document:

a. The nature and purpose of the crime trend analysis;

b. The persons who accessed stored non-alert ALPR data for use in conducting that analysis; and

c. The designated supervisor who approved access to ALPR non-alert data.

6. In any instance where personal identifying information is disclosed based upon crime trend analysis of stored non-alert data, the authorized user shall document the specific and

articulable facts that warrant further investigation and the designated supervisor who reviewed those facts and approved the disclosure of personal identifying information, or who pre-approved disclosure of personal identifying information based upon specified circumstances identified by an automated crime trend analysis computer program, or, where applicable, the fact that access to personal identifying information was authorized by a grand jury subpoena.

X. Shared Law Enforcement Access to Stored ALPR Data

A. ALPR data obtained in conformance with this directive can be accessed and used by this agency and may be shared with and provided to any other law enforcement agencies.

B. Stored ALPR data may be combined with ALPR data collected by two or more law enforcement agencies (e.g., collection of stored data by the State Police Regional Operations Intelligence Center); provided that such aggregated data shall only be retained, accessed, and used in accordance with the provisions of AG Directive 2010-5 and this directive.

C. When ALPR data is made accessible to or otherwise shared with or transferred to another law enforcement agency, the designated supervisor shall document the identity of the other agency and the specific officer(s) or civilian employee(s) of that agency who were provided the information.

D. When the transfer of stored ALPR data is performed periodically as part of a system for aggregating data collected by two or more law enforcement agencies (e.g., the scheduled and routine transmittal of data to the State Police Regional Operations Intelligence Center), each agency contributing data to the combined database shall maintain a record of the data transfer, which may be an automated record, and shall have and keep on file a memorandum of understanding or agreement or other memorialization of the arrangement for maintaining and populating a database comprised of stored ALPR data collected by multiple law enforcement agencies. Any agency provided with access to or use of the ALPR data collected this agency shall comply with all applicable provisions of AG Directive 2010-5 concerning stored ALPR data and disclosure of personal identifying information.

XI. Release of ALPR Data to Non-Law Enforcement Persons or Agencies

A. Stored ALPR data shall be considered criminal investigatory records as defined in N.J.S.A. 47:1A-1 et seq., and shall not be shared with or provided to any person, entity, or government agency, other than a law enforcement agency, unless such disclosure is authorized by a subpoena or court order, or unless such disclosure is required by the Rules of Court governing discovery in criminal matters. Any agency receiving a subpoena or court order for the disclosure of ALPR data shall, before complying with the subpoena or court order, provide notice to the County Prosecutor.

XII. Program Accountability

A. All ALPR records documenting the use of an ALPR or access to or use of ALPR stored data, whether kept manually or by means of an automated record-keeping system, shall be subject to review and audit by the County Prosecutor, or by the Attorney General or designee.

B. Any complaints about a department's ALPR program made by any citizen or entity shall be forwarded to the County Prosecutor for appropriate review and handling. The County Prosecutor may conduct an investigation, or may direct the agency that is the subject of the complaint to conduct an investigation and to report back to the County Prosecutor.

1. Investigations into violations of this directive shall be conducted in accordance with the internal affairs process.

XIII. Sanctions for Non-Compliance

A. If the Attorney General or designee has reason to believe that a law enforcement agency or officer or civilian employee is not complying with or adequately enforcing the provisions of AG Directive 2010-5, the Attorney General may temporarily or permanently suspend or revoke the authority of the department, or any officer or civilian employee, to operate an ALPR, or to gain access to or use ALPR stored data. The Attorney General or designee may initiate disciplinary proceedings and may take such other actions as the Attorney General in his or her sole discretion deems appropriate to ensure compliance with these Guidelines.

XIV. Authority of Attorney General to Grant Exemptions or Special Use Authorizations

A. ALPRs and all ALPR stored data shall only be used and accessed for the purposes and in the manner authorized by AG Directive 2010-5. In recognition of the need to be able to address issues or circumstances that are not contemplated by AG Directive 2010-5, the Attorney General or designee may grant an exemption from any provision of AG Directive 2010-5 and may authorize the specific use of an ALPR, or the data collected by or derived from an ALPR, that is not expressly authorized by AG Directive 2010-5. Any request by a department to use an ALPR or ALPR-generated data for a purpose or in a manner not authorized by AG Directive 2010-5 shall be made to the Attorney General or designee through the Director of the Division of Criminal Justice or designee, who shall make recommendations on whether to grant the agency's specific request for an exemption or special authorization. Such requests shall be made in writing unless the circumstances are exigent, in which event the request by the agency and approval or denial by the Attorney General or designee may be given orally, in which event the circumstances of the request and the approval or denial shall be memorialized in writing as soon thereafter as is practicable.